Briefing Binder for HESA Appearance on

the Supplementary Estimates (C), Main Estimates and Departmental Plans

March 23, 2023, 11am-1pm

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A. Meeting Details

1. Meeting Notice

https://www.ourcommons.ca/DocumentViewer/en/44-1/HESA/meeting-58/notice

2. Meeting Logistics

The meeting will be held at **Room 415, Wellington Building (180 Wellington/197 Sparks Street)**.

The Wellington building is located at the intersection of Bank Street and Wellington Street. It is directly across the street from the vehicle entrance to Parliament Hill.

Officials are recommended to show up to the building 15-30 minutes prior to the appearance to allow time for the security process. The screening is similar to that which one goes through when flying. Officials do not need a Hill Pass to appear at these meetings.

The meeting will begin at **11:00 a.m**. and will continue until **1:00 p.m.**

It will be divided into two panels. The first one hour panel will last from 11:00 a.m. – 12:00 p.m. It will be led by Minister Duclos. The second one hour panel will last from 12:00 – 1:00 p.m. It will be led by Minister Bennett. The list of officials is slightly different for each Minister.

The Ministers will deliver a 5 minute opening statement at the start of their panel followed by questions from Committee members.

B. Minister's Opening Remarks

https://www.ourcommons.ca/DocumentViewer/en/44-1/HESA/meeting-58/evidence

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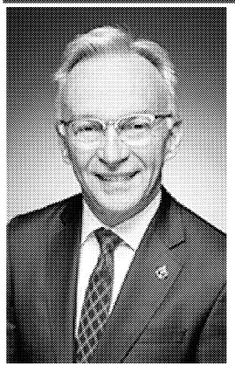
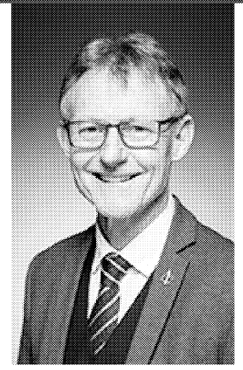
C. Committee Membership

Liberal Party of Canada

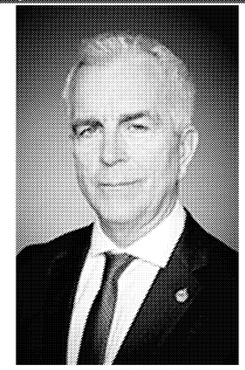


Sean Casey
Chair
Charlottetown, PEI



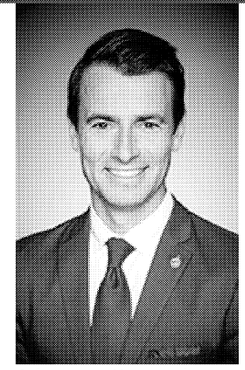
Brendan Hanley
Yukon, YT

Majid Jowhari
Richmond Hill, ON



Marcus Powlowski
Thunder Bay-Rainy River, ON

Sonia Sidhu
Brampton South, ON



Adam van Koeverden
Parliamentary Secretary
Milton, ON

Conservative Party of Canada

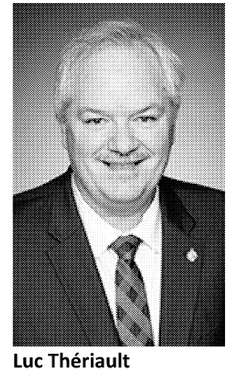
Robert Kitchen
Souris – Moose Mountain, SK

Stephen Ellis
1st Vice-Chair
Critic
Cumberland-Colchester, NS

Bloc Québécois

Laila Goodridge
Fort McMurray – Cold Lake AB

Matt Jeneroux
Edmonton Roverbend, AB



Luc Thériault
2nd Vice Chair
Critic
Montcalm, QC

New Democratic Party of Canada

Don Davies
Critic
Vancouver Kingsway, BC

D. CFIA Information Provided to the Minister for this Appearance

RDIMS: 18960177 v1

1. CFIA Departmental Plan QP Card

CFIA'S 2023-24 DEPARTMENTAL PLAN
ISSUE • The Canadian Food Inspection Agency's (CFIA) 2023-24 Departmental Plan (DP) provides information on the Agency's annual spending plan. The DP describes CFIA's priorities, planned results and associated requirements over a three-year period.
KEY FACTS • The President of Treasury Board tabled Departmental Plans in Parliament on behalf of all federal organizations on March 9, 2023. • The Departmental Plan is framed around the Departmental Results Framework (DRF) and CFIA's core responsibility: Protecting Canadians by safeguarding Canada's food system and the plant and animal resources on which we depend, and supporting the Canadian economy through the trade of Canadian goods. • The Departmental Plan focuses on planned initiatives and planned resources (spending and FTEs) that support achieving our departmental results and broader government priorities and commitments.

KEY MESSAGES

- The CFIA is the regulatory body responsible for overseeing the safety of Canada's food supply and protecting animal health and the plant resource base.
- The Agency continues to meet increasingly complex challenges and will contribute to the health, safety, and prosperity of all Canadians.
- This Government is making important investments in priority areas to maintain Canada's strong food safety system, as well as protect the plant and animal resource base.
- Amongst its many important initiatives in 2023-24, the Canadian Food Inspection Agency will continue to:
  - Address the highly pathogenic avian influenza (HPAI) outbreak and prepare for other potential significant threats, including African swine fever (ASF);
  - tackle food fraud; and,
  - facilitate international market access for Canadian food, plants, and animals.

IF PRESSED ON SPENDING

- The increase in spending in 2022–23 is primarily due to statutory compensation payments related to the avian influenza outbreak.
- The decrease in planned spending for future fiscal years reflects the sunsetting of time-limited, targeted funding. Renewals for this funding are being sought by CFIA.

BACKGROUND

- The CFIA is a science-based regulator of food safety and the health of plants and animals. The Agency is mandated to:
    - implement the requirements of Canada's food safety system to enhance people's health and well-being;
    - protect Canada's plant and animal resources from pests and diseases; and,
    - facilitate market access of food, plants, animals and related products at home and abroad to support the economy.
- The CFIA's Departmental Plan describes the Agency's results and performance expectations for 2023-2024. Under the Departmental Results Framework, CFIA has one Core Responsibility — Safe Food and Healthy Plants and Animals — and three Departmental Results:
    - Food sold in Canada is safe and accurately represented to Canadians;
    - Plant and animal resources are protected from diseases and pests and are safe for Canadians and the environment; and
    - Canadian food, plants and animals and their associated products can be traded internationally

2. CFIA Supplementary Estimates (C) Overview

RDIMS: 18754632, v1

Canadian Food Inspection Agency Overview

(In dollars)	Supplementary Estimates (C)			% Change in Proposed Authorities Due to Supplementary Estimates (C)	% Change in Proposed Authorities to Date This Year Over Last Year
	Transfers	Adjustments	Total		
Voted	-	27,615,848	27,615,848	3.6%	7.4%
Statutory	-	4,278,475	4,278,475	2.7%	1.0%
Total Budgetary	**-**	**31,894,323**	**31,894,323**	**3.5%**	**6.3%**

Canadian Food Inspection Agency has proposed a **net increase of $31.9M** in the 2022-23 Supplementary Estimates (C) based on:

Voted Appropriations of $27.6M:

Adjustments – increase of $27.6M

- $14.7M – Funding for building a post pandemic agile workforce and to support long-term digital transformation.
- $4.9M – Funding for preparedness, prevention and trade continuity in response to African swine fever.
- $4.8M – Funding to address the current Potato Wart crisis in Prince Edward Island.
- $2.7M – Funding for the preparedness and prevention of disease outbreaks related to the trade of regulated animals other than livestock.
- $0.5M – Funding for the implementation and enforcement of amendments to the Food and Drug Regulations.

Statutory Appropriations of $4.3M:

Employee Benefit Plan adjustments related to increased Supplementary Estimates (C) salary funding for the following:

- $2.4M – Funding for building a post pandemic agile workforce and to support long-term digital transformation.
- $0.8M – Funding to address the current Potato Wart crisis in Prince Edward Island.

- $0.5M – Funding for preparedness, prevention and trade continuity in response to African swine fever.
- $0.5M – Funding for the preparedness and prevention of disease outbreaks related to the trade of regulated animals other than livestock.
- $0.1M – Funding for the implementation and enforcement of amendments to the Food and Drug Regulations.

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3. CFIA Supplementary Roll-up Document

RDIMS: 18755273, v1B

Name	Key Messages (3-5 bullets max.)	Purpose /Objectives	Expected Results	Voted	Statutory
Items					
TOTAL SUPPLEMENTARY ESTIMATES 'C' **Total: $31,894,323**	• For Supplementary Estimates (C), the Canadian Food Inspection Agency (CFIA) has an increase of $31.9 million for the following: ○ $27.6 million in Voted Appropriations which includes $27.6 million in new funding. ○ $4.3 million in statutory appropriations for the employee benefit plans.	--	--	$27,615,848	$4,278,475
Funding for building a post pandemic agile workforce and to support long-term digital transformation **Total: $17,089,983**	• CFIA is seeking access to $61.7M over three years (2022-23 to 2024-25), approved in Budget 2022, to prepare for the post-pandemic operating environment.	• Build an agile workforce and support longer term digital transformation.	• 1) upskilling inspectors on essential training that was previously unavailable to them due to COVID-19 restrictions • 2) addressing deferred maintenance for digital services • 3) examining opportunities for virtual inspection.	$14,669,659	$2,420,324

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Name	Key Messages (3-5 bullets max.)	Purpose /Objectives	Expected Results	Voted	Statutory
Funding to address the current Potato Wart crisis in Prince Edward Island **Total: $5,670,026**	• CFIA is seeking a total of $11.3M over 2 years ($5.7M in 2022-23 and $5.6M in 2023-24) to address the Potato Wart crisis in Prince Edward Island (PEI).	• Develop operational capacity. • Respond to international market pressures. • Establish a science-based approach.	• Minimize further long-term spread within and outside PEI and protect market access.	$4,850,259	$819,767
Funding for preparedness, prevention and trade continuity in response to African swine fever **Total: $5.427,426**	• Agriculture and Agri-Food Canada, CFIA, and the Canadian Border Services Agency are seeking $45.3M over three years 2022-23 to 2024-25, to support near term actions for the prevention and preparedness response initiatives to prevent the entry of African swine fever into Canada, as well as anticipatory trade continuity initiatives. • The CFIA total ask over the duration of the funding proposal represents $18.9M, of which $5.4M is for 2022-23.	• Support near term actions for the prevention and preparedness to prevent the entry of African swine fever into Canada as well as anticipatory trade continuity response initiatives.	• Prevent the entry of African swine fever into Canada.	$4,943,515	$483,911
Funding for the preparedness and prevention of disease outbreaks related to the trade of regulated animals other than livestock **Total: $3,119,748**	• The CFIA is requesting Treasury Board approval to access $20.5M over 4 years (2022–2026, $3.1M for 2022-23) to enable the Agency in effectively responding to the increasing and significant health risks posed by the growth of legal and illegal pet trade.	• Enable the Agency in effectively responding to the increasing and significant health risks posed by the growth of legal and illegal pet trade.	• Minimize risks posed by the growth of legal and illegal pet trade.	$2,674,642	$445,106

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Name	Key Messages (3-5 bullets max.)	Purpose /Objectives	Expected Results	Voted	Statutory
Funding for the implementation and enforcement of amendments to the Food and Drug Regulations **Total: $587,140**	• CFIA is seeking access to $10M over nine years and $300K ongoing, as approved in Budget 2022, to support implementation of compliance and enforcement of new amendments to the Food and Drug Regulations also known as the Front of Package (FOP) amendments.	• Develop compliance promotion and enforcement strategies. • Prepare guidance for industry. • Training for inspectors.	• Support long term compliance and enforcement activities including response to complaints and inspections.	$477,773	$109,367
Transfer from Operating authority to Grant authority **Total: $0**	• Transfer of $236K from Operating authority to Grant authority to support the Innovative Solutions Canada (ISC) Program	• CFIA received grant authority under the ISC program Terms and Conditions along with 19 other Federal Organizations. • This in-year transfer is necessary to fund the ISC grant projects.	• Small business innovations are supported through posting online challenges. • The development of innovative approaches to improve sector outcomes.	($236,221) $236,221	--

4. CFIA Main Estimates Overview

RDIMS: 18793438, v. 3A

2023-24 Main Estimates

Canadian Food Inspection Agency

(in millions $)	2022-23 Main Estimates	Increases	Decreases	Net Change	2023-24 Main Estimates	% Change This Year over Last Year
Voted	688.0	41.9	38.5	3.4	691.4	0.5%
Statutory	149.8	7.3	6.4	0.9	150.7	0.6%
Total Budgetary	**837.8**	**49.2**	**44.9**	**4.3**	**842.1**	**0.5%**

Note: Figures may not add up due to rounding.

Canadian Food Inspection Agency has a proposed net increase of $4.3M in its 2023-24 Main Estimates (from $837.8M in 2022-23 to $842.1M in 2023-24).

Increases of $49.2M (including Statutory)

New and Renewed Treasury Board Submissions [$40.3M]

- Funding for building a post-pandemic agile workforce, and to support long-term digital transformation ($21.9M).
- Funding for preparedness, prevention and trade continuity in response to African swine fever ($7.7M).
- Funding to address the current Potato Wart crisis in Prince Edward Island ($5.7M).
- Funding for the preparedness and prevention of disease outbreaks related to the trade of regulated animals other than livestock ($4.2M).
- Funding for the implementation and enforcement of amendments to the Food and Drug Regulations ($0.8M).

Other [$8.9M]

- Funding to build the new Centre for Plant Health in Sidney, British Columbia ($4.4M).
- Funding for Collective Bargaining ($2.9M).
- Employee Benefit Plan (EBP) adjustments ($1.0M).
- End of the transfer to Health Canada for Improving Food Safety ($0.6M).

Decreases of $44.9M (including Statutory)

Funding Level Decrease [$44.7M]

- Funding to maintain daily shift inspection presence in federally registered meat processing establishments ($15.6M).
- Funding to maintain and further strengthen food safety measures ($14.3M).
- Funding to implement both federally delivered and federal/provincial and territorial cost-shared services and programs under the Canadian Agricultural Partnership framework ($6.9M).
- Funding for enhanced international capacity ($5.6M).
- Funding for Regulatory and Security Science cluster management support ($1.4M).
- Funding for Food Fraud ($0.4M).
- Funding to digitize export certification for food, plant, and animal products ($0.3M).
- Innovative Solution Canada Grant funding ($0.2M).

Other [$0.2M]

- Transfer to Treasury Board Secretariat to support Financial Management Transformation ($0.2M).

Statutory Appropriations

A net funding increase of $0.9M in Statutory authorities mainly relates to EBP adjustments.

For information purposes, Statutory authorities included in the 2023-24 Main Estimates consists of Statutory revenue of $53.0M, Statutory compensation payments of $12.5M, and EBP of $85.2M.

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5. CFIA Crosswalk of Main Estimates Transfers

RDIMS: 1881509, v1A

	Purpose /Objectives	Expected Results	2021–22 Expenditures	2022–23 Main Estimates	2023–24 Main Estimates
GRANTS					
Innovative Solutions Canada (ISC)	The ISC program supports the generation of new and unique intellectual property (IP) stimulation of Research and Development collaborations, and growth of small businesses in the Canadian innovation ecosystem.	CFIA's Innovative Solutions Canada grants will promote the development of innovative approaches to improve sector outcomes.	300,000	613,779	400,000
CONTRIBUTIONS					
Federal Assistance Program (FAP)	The FAP supports projects and initiatives that advance CFIA's strategic outcome of a safe and accessible food supply and plant and animal resource base.	The expected results include: a. scientific and technical knowledge is advanced and/or enhanced; b. individual knowledge and skills are developed and/or improved; c. international collaborations are expanded and/or strengthened; and d. organizations or initiatives are established or sustained.	820,653	600,000	600,000
OTHER TRANSFER PAYMENTS					
Compensation Payments	Compensate Canadians, in accordance with the appropriate regulations, for plants or animals ordered destroyed for the purpose of disease control.	In accordance with the *Health of Animals Act* and the *Plant Protection Act*, owners and/or producers will be compensated for ordered destruction of animals or plants for the purpose of disease control. Compensation will be provided according to the market value of the animals or plants.	3,816,364	12,500,000	12,500,000

6. CFIA Crosswalk of Main Estimates Increases and Decreases

RDIMS: 18799469, v.3A

	Description	2022-23 Main Estimates	2023-24 Main Estimates	Net Change
New and Renewed TB Submissions - Increases				
Funding for building a post-pandemic agile workforce, and to support long-term digital transformation	• The Canadian Food Inspection Agency (CFIA) is seeking access to $61.7M over three years (2022-23 to 2024-25), approved in Budget 2022, to prepare for the post-pandemic operating environment. This funding will help build an agile workforce and support longer term digital transformation by: 1) upskilling inspectors on essential training that was previously unavailable to them due to COVID-19 restrictions; 2) addressing deferred maintenance for digital services; and 3) examining opportunities for virtual inspection.	0.0	21.9	21.9
Funding for preparedness, prevention and trade continuity in response to African swine fever	• Agriculture and Agri-Food Canada (AAFC), CFIA, and the Canadian Border Services Agency (CBSA) are seeking $45.3M over three years (2022-23 to 2024-25), to support near term actions for the prevention and preparedness response initiatives to prevent the entry of African swine fever into Canada, as well as for anticipatory trade continuity initiatives. The CFIA total ask over the duration of the funding proposal is $18.9M.	0.0	7.7	7.7
Funding to address the current Potato wart crisis in Prince Edward Island	• CFIA is seeking a total of $11.3M over two years ($5.7M in 2022-23 and $5.6M in 2023-24) to address the current Potato wart crisis in Prince Edward Island (PEI). This includes developing operational capacity; responding to international market pressures; and, establishing a science-based approach that will minimize further long-term spread within and outside PEI, as well as protect market access.	0.0	5.7	5.7
Funding for the preparedness and prevention of disease	• CFIA is requesting Treasury Board approval to access $20.5M over four years (2022-23 to 2025-26, $3.1M for 2022-23) to enable the Agency to	0.0	4.2	4.2

outbreaks related to the trade of regulated animals other than livestock	effectively respond to the increasing and significant health risks posed by the growth of legal and illegal pet trade.			
Funding for the implementation and enforcement of amendments to the Food and Drug Regulations	• CFIA is seeking access to $10M over nine years (2022-23 to 2030-31) and $300K ongoing, as approved in Budget 2022, to support implementation of compliance and enforcement of new amendments to the Food and Drug Regulations, also known as the Front of Package amendments, which includes other amendments on vitamin D fortification, labelling for aspartame and prohibition of partially hydrogenated oils. These regulations came into effect in July 2022, and have a transition period ending December 31, 2025. Funding will be used to develop compliance promotion and enforcement strategies; prepare guidance for industry; and, for inspector training. Ongoing funding will support long term compliance and enforcement activities including responses to complaints and inspections.	0.0	0.8	0.8

Other – Increases				
Funding to build the new Centre for Plant Health in Sidney, British Columbia	• As part of the federal government's commitment to establishing and maintaining modern federal science infrastructure, Budget 2017 committed $80M over five years to replace the Sidney Centre for Plant Health with a new, world class plant health research facility to help support the safety of Canada's agriculture and agri-food sector, while facilitating trade and economic growth that benefits Canadians. • The new, world-class Centre for Plant Health will support the science outcomes detailed in the Federal Science and Technology Infrastructure Initiative; help to set the stage for portfolio management of scientific assets and infrastructure; and, implement IM/IT solutions to support federal scientists in their important work.	25.3	29.7	4.4
Funding for Collective Bargaining	• A total increase of $2.9M in 2023-24 related to collective agreement funding to be received by the Agency.	-	2.9	2.9

Employee Benefit Plan (EBP) adjustment	• The Annual Reference Level Update EBP rate was increased by 0.2%.	-	1.0	1.0
End of the transfer to Health Canada for Improving Food Safety	• End of the transfer from CFIA to Health Canada (HC) in the amount of $0.6M in 2022-23 to develop risk profiles for current and emerging foodborne pathogens and other food hazards. This transfer facilitated an effective mechanism by which Health Canada standards, policies, guidance and risk assessments are applied in order to better support CFIA's risk-based approaches for preventive measures as well as risk control actions that improve food safety measures across Canada.	(0.6)	0.0	0.6
Funding Level Decreases				
Funding to maintain daily shift inspection presence in federally registered meat processing establishments	• CFIA accessed $15.6M per year (excluding $0.8M reserved for accommodation and IT services) in 2021-22 and 2022-23 to maintain the Daily Shift Inspection Presence program in all federal meat processing establishments to meet the United States inspection frequency requirement and maintain market access. This is a sunsetting program that will be considered for renewal	15.6	0.0	(15.6)
Funding to maintain and further strengthen food safety measures	• CFIA sought Treasury Board approval to renew sunsetting funding in the amount of $31.4M over two years (2021-22 and 2022-23), to maintain and further strengthen food safety measures. The measures supported by this funding maintained and strengthened Canada's food safety system by targeting inspection activities to high risk domestic and imported food and food products, supported work with countries wishing to send food to Canada, and facilitated industry compliance with existing and future food safety requirements across the food supply chain. This is a sunsetting program that will be considered for renewal	14.3	0.0	(14.3)

Funding to implement both federally delivered and federal/provincial and territorial cost-shared services and programs under the Canadian Agricultural Partnership (CAP) framework	• On April 1, 2018 the Canadian Agricultural Partnership (CAP) agricultural policy framework replaced Growing Forward 2 framework, which was set to end on March 31, 2018. Similar to previous frameworks, the CAP provided programming that supports science and innovation, environmental sustainability, risk management, and market development and access. The CAP is composed of: AAFC services and grant and contribution programs; HC services; and, CFIA services. • CFIA received $34.6M ($37.0M including Public Services and Procurement Canada) over five years (2018-19 to 2022-23) for CAP, consistent with the funding received for the Growing Forward 2 framework. AAFC and CFIA have received funding approval from the Department of Finance to renew this funding with the Treasury Board Submission approved on February 9th.	6.9	0.0	(6.9)
Funding for enhanced international capacity	• Following Budget 2015, Treasury Board approved $10.7M funding over two years (2016-17 and 2017-18) for the CFIA to increase its capacity to negotiate free trade agreements, advance Canada's interests in International Standard Setting Bodies, enable exports and augment trade policy and regulatory cooperation. • Budget 2018 renewed $22.3M over 5 years (2018-19 to 2022-23) to maintain the capacity provided through Budget 2015. • The CFIA's international program supports trade and contributes to a predictable international regulatory framework. Specifically, the CFIA establishes and enforces sanitary (food safety and animal life or health) and phytosanitary (plant life or health) measures and regulations that must be consistent with the international rights and obligations established by the World Trade Organization. • This is a sunsetting program that will be considered for renewal	5.6	0.0	(5.6)

Funding for Regulatory and Security Science (RSS) cluster management support	• Budget 2018 announced the plan to rebuild federal laboratories and advance interdisciplinary science. The Regulatory and Security Science (RSS) cluster led by CFIA, including AAFC, CBSA, HC, Public Health Agency of Canada and the National Research Council of Canada as partners, will provide seamless integration of complementary government science capabilities to protect Canada's people, animals and plants and advance innovation and economic growth. The focus was on strengthening scientific collaboration between regulatory and security science providers and users to anticipate and address emerging threats.	1.4	0.0	(1.4)
Funding for Food Fraud	• As announced in Budget 2019, CFIA received $2.8M in 2019-20, $5.2M in 2020-21 $4.8M in 2021-22, $5.2M in 2022-23 and $4.8M ongoing. • Building on its existing programming to prevent fraud in food labeling, with new funding, the CFIA, in collaboration with HC, will continue to work to strengthen Canada's response to food fraud, address known food fraud issues and incorporate modern targeted methodologies, pursue definitive investigations into potential incidences of food fraud, and inspections, control actions, investigations and prosecutions where appropriate.	5.2	4.8	(0.4)
Funding to digitize export certification for food, plant, and animal products	• Budget 2019 announced funding of $25.1M over 5 years ($2.5M in 2019-20, $5.7M in 2020-21, $6.3M in 2021-22, $5.5M in 2022-23 and $5.2M in 2023-24) for the CFIA to continue digitizing its export certification activities. This is in line with the Government's commitment to providing Canadians with reliable, accessible and secure services that are seamless and digitally enabled.	5.5	5.2	(0.3)
Innovative Solution Canada (ISC) Grant funding	• CFIA received grant authority under ISC grant program Terms and Conditions along with 19 other federal organizations to support small business innovations through posting online challenges.	0.6	0.4	(0.2)

Other - Decreases				
Transfer to Treasury Board Secretariat to support Financial Management Transformation	• Transfer from CFIA to the Treasury Board Secretariat in the amount of $0.2M until 2027-28 to support the Integrated Finance & Material Systems, and to co-ordinate the Government of Canada wide transition to SAP S/4HANA enterprise resource planning software, and build a Government of Canada Digital Core template (built once, used everywhere) to be used as an accelerator to deliver Financial Management Transformation across the Government of Canada.	-	(0.2)	(0.2)

E. COVID-19

1. Media Lines

CFIA MEDIA LINES – COVID-19 (External)
RDIMS 13328270, v14B
Updated January 1, 2021

Canadian Food Inspection Agency

MEDIA LINES

For use by CFIA spokespersons only

COVID-19 EXTERNAL MESSAGES

KEY MESSAGES

- The Canadian Food Inspection Agency (CFIA) took immediate and decisive action in response to the COVID-19 pandemic to do its part to protect the integrity of Canada's food supply, invest in research and protect its employees.
- Throughout the pandemic, the CFIA has been regularly engaging with its employees, the unions, provincial, territorial, and international trading partners, as well as industry to understand and address their concerns.
- The CFIA prioritized critical Agency activities such as food safety investigations and recalls, export certification, animal disease investigations and laboratory testing.
- The Agency has continued to support a stable food supply for Canadians during this challenging period, reduced the regulatory burden on industry where possible and enabled the ongoing movement of goods between countries.
- Currently, there have been no reported cases of food or food packaging being associated with the transmission of COVID-19.

SUPPLEMENTARY

Meat shortages

- The Government of Canada is working to help Canadians have continued access to safe foods.
- In order to sell meat inter-provincially, a federal licence is required under the *Safe Food for Canadians Act* (SFCA). In the event of a meat shortage, a Ministerial Exemption can be granted under the SFCA to enable the inter-provincial movement of provincially inspected meat, provided specific inspection requirements are met.
- Requests for Ministerial Exemptions will be assessed and granted on a case-by-case basis for the purpose of alleviating shortages in any province or territory.

- So far, the Canadian Food Inspection Agency (CFIA) has not received any request from the provinces or territories for Ministerial Exemptions for the inter-provincial movement of provincially inspected meat products.

- The *Food and Drugs Act* (FDA), the *Food and Drug Regulations* (FDR) and certain provisions of the *Safe Food for Canadians Act* (SFCA) as well as other relevant federal, provincial and territorial laws will continue to apply to all provincially inspected meat products. Food labels must be truthful and not misleading and the information should continue to be provided in both official languages.

Adjustment of services (CFIA Critical Services)

- The CFIA is continuing to deliver critical services that preserve the integrity of Canada's food safety system while safeguarding its animal and plant resource base.

- Appropriate oversight of domestic production and imported food products are essential to meeting that objective while also supporting trade and the supply chain, including through the certification of exports.

- CFIA continues to prioritize critical services for Canadians related to:
    - Food safety investigations and recalls
    - Mandatory regulated inspection presence (e.g. meat slaughter)
    - Emergency response (e.g. animal disease)
    - Export permissions and associated inspection (prioritized if/as required)
    - Import permissions and associated inspection (prioritized if/as required)
    - Laboratory diagnostics in support of the above
    - Critical communication notices

- The Agency is gradually resuming work beyond critical services, including some inspection services and laboratory operations that were temporarily suspended because of the COVID-19 pandemic.

- The CFIA will continue to monitor developments regarding COVID-19 and make adjustments to its service delivery plans as needed.

- The Agency is adopting a risk-based approach to prioritize the resumption of its activities. The resumption of services also varies by region, as CFIA staff need to comply with the provincial and national public health guidance that is in effect where they work.

- Several new measures have been implemented to help with the transition back to near normal operations within the laboratories.

- CFIA’s 13 laboratories have implemented documented measures to ensure the protection of employees, including: social distancing, rotational shifts, enhanced cleaning and disinfection, precautions for service contractors, and guidance on how to proceed if positive cases of COVID-19 occur among laboratory staff.

- Industry remains responsible for the safety and quality of the food that it produces, imports and exports. Despite the current pandemic situation, the CFIA will continue to exercise its enforcement discretion as appropriate.

- If the CFIA finds issues of non-compliance, it may use its wide range of enforcement tools to encourage compliance.

- This evolving situation highlights the importance of continued collaboration and communication between the CFIA and industry, partners and stakeholders.

Funding for inspector capacity
(Government of Canada announcement: April 14, 2020)

- The Canadian Food Inspection Agency (CFIA) plays a critical role in making safe food available for Canadians.

- Under these unprecedented circumstances arising from the COVID-19 pandemic situation, the Government of Canada is providing funding of $20 million to the CFIA to continue its important work to safeguard Canada's food system and better support the production demands of Canada's food industry.

- With the funding, the CFIA is:
  - reassigning staff to areas of high priority and providing them with necessary training and tools;
  - increasing the number of inspectors by hiring new staff or temporarily bringing back those CFIA employees who have recently retired;
  - hiring more veterinarians to provide inspection in industries like meat slaughter;
  - funding more overtime hours to help support longer production hours;
  - developing flexible ways to carry out inspections, such as through the use of digital tools such as tablets and access to the CFIA's remote service delivery network;
  - developing arrangements with provinces to train and equip some provincial inspectors so they can provide assistance to the CFIA on a temporary, as-needed basis
  - in some provinces, it may also mean training federal CFIA inspectors to support provincial inspectors; and
  - continuing work with international partners to support exports, Canada's economy and jobs.

- These efforts uphold the Government of Canada's commitment to safe food for Canadians and support for Canada's agriculture and agri-food industry.

Training for new and returning meat inspectors

- To support the need to deliver food inspections and protect the food supply without putting undue pressure on its existing workforce, the CFIA is hiring additional inspectors and veterinarians.

- These additional inspectors include retired inspectors, inspection staff that work with other commodities (including those who have been meat inspectors in the past), meat inspection staff that currently work for the provinces, and new hires.

- Training provided by the CFIA is tailored to each individual's level of experience with meat inspections.

- The additional inspectors who have done this job before are being provided refresher training.

- All new inspectors are trained and mentored by current CFIA meat inspectors in addition to online training and readings.

- Staff who have not previously worked in meat inspections are provided the normal training for the specific tasks they will be performing. They will not do anything beyond those tasks.

  - For example, a new slaughter inspector could perform humane transportation inspection tasks, but would not assess an establishment's preventative control plan.

- Mentoring and supervision for these tasks will be the focus of training and will be the same as the normal training for inspectors.

- No inspector will be deployed to duties for which they have not been properly trained and assessed.

Provincial/federal resource sharing for food inspections

- To support the need to deliver food inspections and protect the food supply without putting undue pressure on its existing workforce, the CFIA has implemented work arrangements with several provincial and territorial inspection authorities.

- Provincial meat inspectors are being thoroughly trained to support CFIA inspection activities on a temporary basis if there are COVID-19 related inspector shortages.

- These inspectors are trained to perform specific tasks and are mentored and supervised by current CFIA meat inspectors, as any new inspector would be.

- In some provinces, CFIA inspectors are trained to support provincial inspectors.

- Resource sharing arrangements are in place with Ontario, Alberta, British Columbia and Manitoba, and CFIA continues to work with Quebec under an existing agreement. There is also an agreement in principle with Saskatchewan for a two-way resource sharing agreement for meat inspectors.

SAFETY OF EMPLOYEES IN ESTABLISHMENTS

CFIA Employee Safety

- The CFIA is committed to protecting the health and safety of its employees while maintaining critical inspection services.

- All facilities should follow appropriate public health protocols and seek guidance from local public health authorities.

- All facilities should enhance their cleaning and sanitation efforts to control any risks associated with workers who are ill. This is in addition to regular cleaning and sanitation under their preventive controls.

- The CFIA takes this evolving situation seriously and has advised all employees that they have a duty to follow the guidance of health authorities to protect public health.

- The CFIA has also asked employees to follow the health and safety protocols put in place at the establishments in which they work.

- CFIA employees (including inspectors) who are exhibiting any signs or symptoms of illness have been advised to contact their managers and stay home.

- CFIA inspectors and veterinarians complete a pre-shift CFIA health self-assessment questionnaire and are asked to stay home when sick or if they have come into close contact with someone with COVID-19. Further, inspectors participate in operator screening processes for employees where appropriate to do so.

- Employees always have the right to refuse work if they have reasonable cause to believe there is danger.

    - Danger means any hazard, condition or activity that could reasonably be expected to be an imminent or serious threat to the life or health of a person exposed to it before the hazard or condition can be corrected or the activity altered.

- The CFIA is committed to maintaining critical inspection services and has a plan in place to address potential inspector absenteeism.

- To support the need to deliver food inspections and protect the food supply without putting undue pressure on its existing workforce, the CFIA is also:

    - Temporarily bringing back CFIA employees who have recently retired and hiring and training new inspectors and veterinarians. As of November 19, CFIA has hired 336 inspectors and 65 veterinarians.
    - Exploring work arrangements with provincial and territorial inspection authorities. Resource sharing arrangements are already in place with Ontario, British Columbia, Manitoba and Alberta, and CFIA continues to work with Quebec under an existing agreement.
    - Reassigning staff to areas of high priority and providing them with necessary training and tools to properly execute food safety inspections. When reassigning staff, CFIA looks first for volunteers. If no volunteers are currently available, the CFIA can ask employees with similar job descriptions and appropriate training to support meat inspection work.

CFIA Inspectors in Meat Establishments

- Given that federally registered meat establishments require CFIA inspection staff on site in order to operate, the CFIA is working closely with establishments to determine what capacity is required to ensure food safety and prevent pressures on the meat supply.

- CFIA continues to maintain the appropriate number of inspectors in meat establishments.

- The CFIA is committed to maintaining critical inspection services and has a plan in place to address potential inspector absenteeism.

Role of CFIA in food production facilities as it relates to health and safety

- The Canadian Food Inspection Agency is committed to protecting the health and safety of its employees.

- CFIA employees follow the health and safety guidance issued by the Public Health Agency of Canada (PHAC) and Health Canada, as well as by local public health authorities, and follow protocols put in place at the establishments in which they work that serve to mitigate risks of exposure to the COVID virus.

- When cases of COVID-19 occur in a federally registered food processing or meat slaughter establishment, the Canadian Food Inspection Agency (CFIA) works with local public health authorities to help determine the level of risk of exposure for its employees working within that establishment. CFIA inspectors complete a CFIA health self-assessment questionnaire before and after each shift.

- The CFIA works with establishments and local public health Occupational Health and Safety representatives to ensure all measures recommended by public health authorities are in place before reintroducing CFIA employees into the establishments' work spaces.

- The CFIA works with establishments to ensure all measures recommended by public health authorities are in place in the workplaces occupied by CFIA employees.

- The CFIA's oversight at federally registered meat facilities relates to food safety. CFIA veterinarians and inspectors are present in these facilities to enforce federal standards for the safe, humane slaughter of food animals, the mitigation of health and food safety risks associated with the slaughter or processing of meat products, and for export certification.

- The CFIA can exercise its authorities under the *Safe Food for Canadians Act* and *Regulations* to effectively stop food production (and related activities) over food safety concerns.

- The CFIA does not have an authority to suspend operations at a federally regulated plant because of a COVID-19 outbreak as COVID-19 is not known to be a food safety concern.

- A decision to suspend operations because of COVID-19 related issues may be made by an establishment operator, oftentimes with direction from provincial health authorities and/or occupation healthy safety officials.

- The CFIA will not deliver inspection services if there is a public health order closing a facility and may not provide inspection services if:
    - A review and recommendations from the relevant public health authority has not been completed to assist the CFIA in determining if CFIA employees can safely return to work and provide inspection services.
    - The CFIA determines that the findings of the public health authority indicate that it is not safe for CFIA employees to work at that facility.

- The Agency expects that establishment operators abide by the advice and guidance provided by the Public Health Agency of Canada (PHAC) as well as by local Public Health Authorities in addressing the COVID-19 outbreak.

- When establishments provide their employees with equipment such as face shields or masks as recommended by health authorities, the CFIA requests that they provide the same equipment to CFIA employees also working on site. The CFIA is also procuring and providing face shields and masks for these employees.

Multiple establishment visits

- The CFIA is making best efforts to have veterinarians and inspectors work in a single establishment. However, current industry demands may require same-day oversight or inspection services at more than one establishment.

- When multiple establishment visits are required, CFIA employees submit to the health and safety protocols in place at those establishments to ensure that their exposure to the COVID-19 virus – and the exposure of others at the establishment – are appropriately mitigated. These include:
    - completing a pre- and post-shift CFIA health self-assessment questionnaire
    - participating in operator screening processes for employees where appropriate to do so
    - using face masks and / or shields while in the establishment

- The CFIA has also hired additional inspection staff to minimize the need for movement of staff between work locations, and is even exploring work arrangements with provincial and territorial inspection authorities in an effort to meet industry demands without putting undue pressure on its existing workforce.

Personal protective equipment

- The health and safety of employees is a top priority.
- In order to protect the health and safety of its employees, the CFIA expects that each establishment operator abide by the advice and guidance provided by the Public Health Agency of Canada (PHAC), as well as by local public health authorities in addressing the COVID-19 outbreak.
- Masks and face shields are made available to all CFIA employees, such as meat inspectors, who cannot practice physical distancing.
- Non-medical disposable masks are available at work sites for staff delivering critical inspection services.
- The Agency works with Public Services and Procurement Canada (PSPC) to source and procure a variety of personal protective equipment such as masks, visors, face shields, gloves, wipes and goggles. Staff requiring equipment can speak with their manager.
- Protective equipment will be considered for other operations, as required.

CFIA employees with COVID-19

- We have not had a new case of COVID-19 among our employees between May 11 and September 15, 2020, with the majority of employees now having returned to remote work whenever possible.
- CFIA wants to be as transparent as possible in these circumstances, but must also respect the privacy of its employees and will not provide specific details of any individual employee.

Overtime for CFIA inspection staff

- Given that federally licenced meat establishments require CFIA inspection staff on site in order to operate, CFIA is working closely with establishments to determine what capacity is required to ensure food safety and prevent pressures on the meat supply.
- Establishments routinely ask CFIA inspection staff to work shifts over and above what is outlined in the work shift agreements. These shifts are often accommodated when inspectors can be made available.
- As the situation evolves, information and updates will continue to be communicated early and frequently to partners, industry and Canadians.

FOOD SAFETY

CFIA inspectors keeping food supply safe

- The Canadian food safety system is strong and the Government of Canada is working to help Canadians have continued access to safe and high-quality foods.
- We must continue to provide high-quality food for Canadians, while protecting the health of our workers.
- The CFIA is committed to maintaining critical inspection services and putting in place plans to deliver these critical services in the event of a reduced number of inspectors.

- The CFIA is looking at ways of shifting its resources to best meet the changing needs in the field. For example, the CFIA is:

    - Examining the option of redeploying inspectors with the needed skills from other commodities to help support meat inspection.

    - Working with provinces to share resources. This includes working with Alberta, Ontario, British Columbia and Manitoba to train provincial meat inspectors so they can be designated as federal inspectors to support CFIA on a temporary basis if there are COVID-19 related inspector shortages. In some provinces, where there is the need, it may also mean training CFIA inspectors to support provincial inspectors.

    - Reemploying recently retired employees.

    - Recruiting additional veterinarians and working with private sector veterinarians and veterinary colleges to accommodate increased demand.

- The CFIA continues to work diligently to ensure that the safety of the food made available to Canadians is not compromised.

Temporary enforcement discretion for certain labelling and packaging requirements due to COVID-19

- At the beginning of the COVID-19 pandemic, the CFIA provided temporary enforcement flexibilities for non-food safety labelling requirements for food service and prepackaged meat products.

- The temporary flexibilities ended on December 31, 2020. They were introduced in April 2020 (for food service products) and June 2020 (for prepackaged meat products) and extended in September 2020 to continue to provide industry with certain labelling and packaging flexibility to address potential food shortages due to the pandemic.

- Under the temporary measures, food businesses could, under specific conditions:
    - sell food products that were made in Canada and intended for food service (such as hotels, restaurants and institutions) to consumers through retail if certain specific labelling information was included
    - re-import food service products made, packaged and labelled in Canada according to U.S. labelling requirements to sell to Canadian food service without label changes
    - provide label information for prepackaged meat in any legible format or in any place on the label or otherwise made available, such as a sticker or a highly visible sign at the point of purchase

- Flexibility was also provided for labelling format, language requirements and standard container size requirements.

- The temporary measures sought to provide industry with flexibility while maintaining food safety and supporting Canada's economy. As this flexibility is no longer required, the CFIA has returned to its normal enforcement approach.

- As outlined in the December 11th notice to industry, the CFIA can re-instate these flexibilities at a later time if needed during the COVID-19 response.

TRADE

- The General Administration of Customs China (GACC) has written to many trading partners, including Canada, to officially request that government authorities provide assurances that food processing establishments eligible to export to China follow measures to prevent any COVID-19 contamination of food products during food production.

- The Government of Canada has provided detailed information to GACC regarding the strong measures in place in Canada to ensure the safety of the Canadian food supply and food products exported from Canada.

- The Government of Canada has also been made aware of requests from the Chinese trade associations or importers for a statement or a letter of attestation confirming that exporters are following internationally recognized guidance to prevent the contamination of food and food products with COVID-19. Since these are industry to industry requests, the completion of these attestations is left to the discretion of exporters and/or Canadian stakeholders.

- There is currently no scientific evidence that food or food packaging is a likely source or route of transmission of the virus.

- An opinion released by the ICMSF states there are no proven cases or scientific associations between food consumption and COVID-19 and it is highly unlikely that COVID-19 poses a food safety risk.

- All Canadian federally licenced establishments adhere to rigorous, internationally accepted standards and food safety requirements including strong sanitation and hygiene requirements.

- The CFIA verifies that Canadian facilities comply with Canada's food safety requirements in accordance with the *Safe Food for Canadians Act* and Regulations and importing country's requirements. If the CFIA becomes aware of any potential food safety risks, appropriate actions are taken immediately to prevent contaminated foods from entering the domestic or international food supply.

On Trade Support (GAC/AAFC Lead)

- The Government of Canada, through Canada's Embassy in Beijing and Global Affairs Canada's network of Trade Commissioners, is committed to supporting Canadian companies operating in the global market place and ensuring the integrity of our exports are safeguarded.

- The excellent quality of Canada's food and food products has allowed Canada to build confidence and trust among buyers around the world.

- We will continue to work with partners to facilitate Canada's exports, as well as support trade and commerce opportunities.

On China's request to voluntarily suspend exports from fish and meat facilities with positive COVID-19 cases

- GACC has requested that countries exporting to China notify them of meat and fish establishments that report COVID-19 cases among plant employees and voluntarily suspend these establishments from exporting frozen or chilled meat and seafood products to China.

- The CFIA engaged with industry members involved to assess the feasibility of China's request.

- Following discussions with industry, Canada agreed to voluntarily suspend exports to China from facilities with positive COVID-19 cases. GACC will be requested to reinstate the eligibility of exports from affected facilities once the establishment has had no positive cases for 14 days.

- The CFIA worked with industry to develop a process for the voluntary suspensions, as well as the reinstatement of establishments in the event of a temporary suspension from exporting to China.

For responsive only

- Several countries have already voluntarily suspended exports to China from meat and fish facilities that reported COVID-19 cases in plant employees. These countries include Argentina, Australia, Brazil, Germany, Italy, Netherlands, Spain, the United Kingdom and Uruguay.

On China requesting audits

- The Government of Canada received a request from GACC to conduct virtual audits of Canadian food processing facilities eligible to export to China.

- GACC sent similar requests to conduct virtual audits in several countries and has been conducting these virtual audits since early July.

- The CFIA engaged with industry members and stakeholders involved to assess the feasibility of China's request.

- During the week of July 20, 2020, China conducted two virtual audits of Canadian processing facilities; one at a meat establishment and the other at a fish facility.

- Due to privacy laws, the names of the establishments audited by China will not be released.

CFIA actions during the pandemic

- The Canadian food safety system is strong and the CFIA has continued to maintain its delivery of critical inspection services during the COVID-19 pandemic situation.

- The CFIA has published expectations for the prevention of and response to suspected and confirmed cases of COVID-19 for meat slaughter, processing establishments and other food, plant and animal operators.

- In addition, in consultation with Public Health Agency of Canada (PHAC), Agriculture and Agri-Food Canada has compiled workplace public health guidance of importance to the agriculture and agri-food sector during the COVID-19 pandemic. Further, food processing establishments must also adhere to public health guidance from local Public Health Authorities.

ANIMAL HEALTH AND THE CFIA'S ROLE

- The Canadian Food Inspection Agency (CFIA) has strong measures in place to safeguard Canada's food supply and the health of animals.

- Canada has established a COVID-19 One Health Working Group to share information, evaluate risk and develop guidance for the interaction of humans and animals in the context of SARS-CoV-2 (the virus that causes COVID-19). This group consists of Canadian public health and animal health experts, with representation from federal, provincial and territorial governments, the Canadian Veterinary Medical Association and academia. The CFIA, working with these partners, has developed and continues to update guidance on hygiene, animal handling and testing for the public, veterinarians and the animal industry, and to support diagnostics and research.

- CFIA experts are part of an *ad hoc* group established by the World Organisation for Animal Health (OIE), which is examining and providing guidance on risks of SARS-CoV-2 at the animal-human-environment interface.

- To date, there have been no reports of natural SARS-CoV-2 infections in livestock species.

- To support producers in implementing strong biosecurity practices to protect against disease, the CFIA has developed National Biosecurity Standards and Biosecurity Principles and the National Farm-Level Biosecurity Planning Guide, in cooperation with the provinces and territories, industry and academia.

- To support international understanding of COVID-19 in animals, the CFIA hosted an international symposium on COVID-19 to share research internationally, conducted research into the susceptibility of certain animals to SARS-CoV-2 (for example, pigs and poultry), and is supporting testing capacity for COVID-19 as required.

- For the latest and most up-to-date information, visit canada.ca/coronavirus. Additional information about animals and COVID-19 is available on the Government of Canada's website.

ANIMALS (General)

- As a precautionary measure, people who have COVID-19 symptoms or are self-isolating because of contact with a COVID-19 case should avoid close contact with animals.

- It is important to remember that, while some animal species can become infected with COVID-19, this pandemic is being driven by human-to-human transmission.

- The CFIA and PHAC continue to track and analyze research and case reports from around the world on SARS-CoV-2 and animals.

- New information on COVID-19 emerges every day. Researchers and scientists in Canada and around the world are working hard to better understand the virus, and its impacts on people, communities, and animals.

- All livestock producers are encouraged to continue implementing biosecurity measures and personal hygiene measures to reduce the introduction and transmission of all animal diseases.

- Many of these biosecurity practices will also aid in reducing the spread of COVID-19 in susceptible livestock species.

- The CFIA actively monitors the evolving situation in Canada and other countries and will update its import requirements as needed to safeguard Canada's animals.

- A summary of animal species known to be susceptible to infection with SARS-CoV-2 is updated and available on the Government of Canada's website: Animals and COVID-19.

- Additional information is also available from the World Organisation for Animal Health (OIE) (questions and answers on COVID-19), the World Health Organization (WHO), the Canadian Veterinary Medical Association, and the Centers for Disease Control and Prevention.

ANIMAL(S) INFECTED OR TESTING POSITIVE FOR COVID-19

PETS

- Some pets (such as dogs, cats, ferrets and hamsters) can become infected with the virus from people (human-to-animal transmission) but there are no reports of them transmitting the virus back to humans.

- Generally the illness in susceptible pets is mild.

- PHAC's advice around pets remains unchanged. Unless you have symptoms of COVID-19 or have come into contact with somebody who does, you do not need to do anything differently in relation to your pets. If you do have COVID-19 symptoms or are self-isolating because of contact with a COVID-19 case, take the following precautions:

    - avoid close contact with animals
    - practice good hygiene
    - if possible, have another member of your household care for your animals
    - restrict your animal's contact with other people and animals outside the household

- According to the World Organisation for Animal Health, there is no evidence to suggest that companion animals infected by humans are playing a role in the spread of this disease.

If pressed about testing:

- Information about testing animals, including pets, is available on the Government of Canada's website.

DOMESTIC TURKEYS AND CHICKENS CANNOT TRANSMIT SARS-COV-2

- A study led by CFIA scientists confirmed that domestic turkeys and chickens are not susceptible to infection with SARS-CoV-2, the virus that causes the COVID-19 disease.

- After experimental infection, no trace of the virus was found in their tissues, throat secretions or feces.

- This means that they do not get sick from the virus or spread it to humans, animals or the environment.

- Results of this study is published in Authorea.

DOMESTIC SWINE HAVE LOW SUSCEPTIBILITY TO INFECTION AND CANNOT TRANSMIT SARS-COV-2

- A study led by CFIA scientists confirmed that SARS-CoV-2, the virus that causes the COVID-19 disease, replicates poorly in domestic swine under laboratory conditions.
- After experimental infection, no virus was found in any tissues used for human consumption.
- The virus was nonetheless found in the submandibular lymph node of one swine, an organ that helps the body trap and fight diseases.
- While weak positive SARS-CoV-2 genomic material was detected in their respiratory tract, live virus was not shed to the environment through saliva, nasal secretions or feces.
- This means that swine have low susceptibility to the virus but do not spread it to humans, animals or the environment.
- Results of this study is published in BioRxiv.
- To date, there have been no reports of natural infection in pigs outside of a laboratory setting.

CATTLE

- The susceptibility of other livestock species is an area that continues to be studied by researchers. Results will be shared when available.
- Livestock producers should follow normal biosecurity measures by continuing to consider the potential risks associated with various people entering their business premises and implementing measures to manage these risks.
- For more information regarding on-farm disease prevention, producers are encouraged to consult the National Biosecurity Standards and Biosecurity Principles and National Farm-Level Biosecurity Planning Guide.
- Additional information about animals and COVID-19, including precautionary measures for livestock producers, is available on the Government of Canada's website.
- Other information is also available from the World Organization for Animal Health (OIE) (questions and answers on COVID-19).

MINK

- On December 5, 2020, the Canadian Food Inspection Agency (CFIA) was notified of an outbreak of COVID-19 among some workers on a mink farm in the Fraser Health Authority in British Columbia (BC), Canada.
- Samples from mink were sent to the CFIA's National Centre for Foreign Animal Diseases (NCFAD) laboratory in Winnipeg for confirmatory testing to determine whether the mink were infected. This included sequencing of virus strains to monitor changes in the virus.
- On December 8, 2020, NCFAD confirmed that samples for SARS-CoV-2 from the mink premises were positive. Mink on a second and third farm were confirmed positive on December 23, 2020, and May 14, 2021, respectively.

- Testing arrangements were managed locally, the Canadian Food Inspection Agency (CFIA) provided needed support with confirmatory testing.

- The CFIA reports any confirmed cases in mink to the World Organisation for Animal Health (OIE) in accordance with international protocol.

- Authorities and responsibilities for animal health management in farmed mink rest with the provinces and territories. The CFIA has provided technical support to its BC counterparts.

- The CFIA and the Public Health Agency of Canada are working closely with federal and provincial partners to respond to this emerging issue. This includes the development of national guidance on infection prevention, monitoring, testing, and response for mink farms and employees.

- No live mink have been imported or exported in 2020 or 2021. Farmed mink in Canada are raised for their fur and are not part of Canadian food supply chain. There are no food safety risks for Canadians.

- The CFIA is providing a coordination role for the development of national guidance for managing SARS-CoV-2 infections in farmed mink through a national mink working group. The mink working group is co-chaired by the CFIA and BC Agriculture, with participation from provincial human and animal health, wildlife expertise ministries, the Canadian Wildlife Health Cooperative and PHAC.

- This guidance provides direction for provinces/territories to proactively manage mink farms in order to prevent SARS-CoV-2 infection and respond if any mink farms in Canada report infections with this virus. The document is available on the Community for Emerging and Zoonotic Diseases (CEZD) website: https://www.cezd.ca.

- If a case is identified in mink, the provinces and territories would respond to the outbreak, and the CFIA would conduct confirmatory testing, sequence the virus strain, notify the World Organisation for Animal Health (OIE) and facilitate information sharing.

DEER (ECCC lead)

- COVID-19 remains largely a disease of human concern and typically spreads from human to human. There has been no known transmission from deer to humans at this time.

- Deer and other cervid species (such as elk and moose) are abundant across the provinces and territories in Canada. Federal departments (including ECCC, CFIA, PHAC, and Parks Canada) have therefore taken a collaborative approach along with provinces, territories, multiple universities, and the Canadian Wildlife Health Cooperative (CWHC) to survey wild cervids across Canada for the presence of SARS-CoV-2.

- Samples from deer and other cervid species in Canada are currently being collected and will continue until early 2022, depending on the region. Samples from various provinces and territories (BC, YK, NWT, AB, SK, MB, NS, and NB) will be sent for testing at multiple collaborating laboratories.

- Testing of deer and other cervid species took place during the fall of 2021 and will continue in winter of 2022, as samples are received from partners.

- On November 29, 2021, the Canadian Food Inspection Agency's National Centre for Foreign Animal Disease confirmed the first detections of SARS-CoV-2 in 3 free-ranging white-tailed deer in Canada. These deer were sampled between November 6 to 8, 2021, in the Estrie region of Quebec. Samples for SARS-CoV-2 were collected through a big game registration station in southern Quebec. Similar to findings in the United States, the deer showed no evidence of clinical signs of disease, and were all apparently healthy. The World Organisation for Animal Health (OIE) was notified on December 1, 2021.

- On December 14, 2021, the NCFAD-CFIA confirmed the second report of SARS-CoV-2 in white-tailed deer in Canada. The deer was hunter-harvested in Saskatchewan from the Saskatoon wildlife management zone, approximately 25 km outside of the city limits on November 9, 2021. As observed in Quebec, the deer showed no signs of illness. The World Organization for Animal Health (OIE) will be notified of this finding as part of ongoing reporting.

- Surveillance for SARS-CoV-2 and other novel coronaviruses in Canadian wildlife has been underway to address critical gaps in our understanding of COVID-19 at the intersection of humans, animals, and the environment. In addition to surveillance being conducted in cervids, up to 2200 furbearers and other potentially susceptible species will also be sampled in BC, AB, ON and QC. To date, samples that have been analyzed collectively by partner laboratories have resulted in negative tests for SARS-CoV-2 in these species.

- For more information about testing wild deer, contact ECCC.

CFIA ANIMAL RESEARCH, LABORATORY WORK AND TESTING

CFIA CONTRIBUTION TO WORK TOWARD A VACCINE

- The CFIA is collaborating with the Vaccine and Infectious Disease Organization –International Vaccine Centre (VIDO-InterVac) to develop animal models for testing vaccine safety prior to their use in human clinical trials.

- The CFIA possesses the high containment laboratory infrastructure required for testing high consequence pathogens for animal susceptibility, which can be leveraged for vaccine development research.

- The CFIA is part of the advisory group on SARS-CoV-2 organized by the World Organisation for Animal Health (OIE).

If asked about the VIDO-InterVac vaccine:
(Source: www.vido.org/covid19/covid-19-vaccine-trials. Validated by PHAC.)

- In June 2021, VIDO announced interim results from their Phase 1 clinical trial for COVAC-2, VIDO's COVID-19 subunit vaccine candidate.

- VIDO aims apply for regulatory review and approval for COVAC-2 in 2022.

CFIA'S INTERNATIONAL LAB NETWORK

- The CFIA is part of the advisory group on SARS-CoV-2 organized by the World Organisation for Animal Health (OIE).

- The CFIA is working with an international network of laboratories with expertise in zoonotic diseases and public health to exchange information and collaborate on activities, including diagnostic and research required to facilitate rapid global responses.

- This Biosafety Level 4 Zoonotic Laboratory Network (BSL4ZNet) was established by the CFIA in 2016 to foster international collaboration between animal health laboratories with high-containment capacity to enhance global preparedness.

- This network consists of 15-government organizations from five different countries (Canada, US, UK, Germany and Australia), each with a responsibility over the regulation of human, animal and zoonotic pathogens with pandemic potential.

- To support an international One Health understanding of COVID-19, the CFIA has hosted international symposia on COVID-19 and the post-pandemic era to share research and perspectives internationally, conducted research into the susceptibility of certain animals to SARS-CoV-2 (for example, pigs and poultry), and is supporting testing capacity for COVID-19 as required.

ANIMAL TESTING

- Animals that test positive for the SARS-CoV-2 (COVID-19) virus must be reported to the World Organisation for Animal Health (OIE) since this is an emerging disease.

- The CFIA is the competent authority in Canada responsible for OIE disease notifications.

- The CFIA will do the confirmatory testing so that OIE notifications can be made.

- All non-negative cases of SARS-CoV-2 from a laboratory must be confirmed in the CFIA National Centre for Foreign Animal Disease (NCFAD) laboratory in Winnipeg. The following guidance describes the procedures to be followed for sample submission to NCFAD: Interim Guidance for Laboratories Testing Animals for SARS-CoV-2.

GUIDANCE FOR VETERINARIANS

- Additional information for veterinarians is available from the Canadian Veterinary Medical Association (COVID-19 documents and articles, including Q&As for veterinarians).

TRAVELLING WITH ANIMALS, IMPORTING OR EXPORTING ANIMALS AND ANIMAL PRODUCTS

- Exporters should always communicate with the authorities of the country of destination before departure to verify current requirements.

- Import and export requirements for the international trade of livestock, poultry, and animal products and by-products should continue as normal, as recommended by the World Organisation for Animal Health (OIE).

- Some countries have implemented specific import conditions for animals, including pets.

- The CFIA encourages exporters and importers to stay in constant communication with their transporter to avoid delays and potential animal welfare issues.

- Imports of animals to Canada are not currently affected by the COVID-19 outbreak. However, travellers accompanied by animals may be subject to COVID-19 travel restrictions, if applicable. Learn more about travel restrictions and animals and COVID-19.

- Due to broad travel restrictions and limitations on non-essential travel, individuals, rescue organizations and adoptive families should postpone importing any animals, as their travel is being considered non-essential at this time.

- Additional information about animals and COVID-19 is available on the Government of Canada's website.

OLD OR RESOLVED ISSUES

ZOO ANIMALS

- At this time, there have been no reports of zoo animals in Canada being infected with the COVID-19 virus.

Tiger in Bronx Zoo, USA (April 2020):

- There has been a report of SARS-CoV-2 infection (COVID-19) in tigers and lions at the Bronx Zoo (USA). One tiger was tested for the virus and found positive. Samples from this tiger were taken and tested after several lions and tigers at the zoo showed symptoms of respiratory illness. Some animals developed mild clinical signs but are expected to recover fully. It is likely that these animals got infected from an asymptotic COVID-19 infected human handler.

6-MONTH EXTENSION FOR ANIMAL IMPORT AND EXPORT CERTIFICATES (until September 30, 2020)

[This arrangement was not extended; however, CFIA and USDA agreed to reinstate the arrangement, if required, due to a resurgence of COVID].

- The Canadian Food Inspection Agency (CFIA) and the U.S. Department of Agriculture (USDA) have agreed to a six-month extension for approved facilities to continue to export certain animal products, by-products and pet foods.

- This temporary agreement supports the CFIA's efforts that are focused on critical inspections during the COVID-19 pandemic situation.

- The temporary agreement postpones some pending annual inspections by six months (until after the agreement's terms expire).

- The extension applies to "no-change" renewals only. New facilities, new permits and amendments to permits will continue to require a new or revised inspection.

- Export certificates from both countries will continue to be endorsed up to six months past the inspection validity expiration date.

- It is expected that this temporary agreement will help to maintain bilateral trade flows of animal products between Canada and the U.S. during the COVID-19 pandemic situation.

LIVESTOCK DEPOPULATION

- The Government of Canada is aware of the concerns livestock owners have with holding their animals longer than expected due to reductions in slaughter capacity at several meat plants because of the COVID-19 pandemic.

- To assist with the current crisis, the Government is working with the provinces and industry to find alternative arrangements for the humane destruction of market-ready livestock, such as options to maximize slaughter and processing capacity at federal or provincial plants, or on-farm euthanasia.

- In any situation, on-farm euthanasia is always the industry's last choice.

- The oversight of on-farm animal welfare is the responsibility of provincial and territorial governments.

- The *Health of Animals Act* does not provide the CFIA with authority to order welfare culls or pay compensation for welfare culls.

- The destruction of animals for welfare purposes is led by industry in coordination with provinces and territories.

- The CFIA's authority is to set regulations and provide inspection oversight at federally licenced meat processing establishments (where meat is intended for export or interprovincial trade). The humane treatment of animals at slaughter is a requirement of all federal slaughter licence holders.

- The CFIA is available to provide advice on the humane depopulation of animals and, if requested, to assist provincial/territorial authorities.

- The CFIA may provide inspection oversight and provide compensation when animals are ordered destroyed under the *Health of Animals Act* to prevent the spread of certain animal diseases.

-

- The Government of Canada understands the stress that mass culling of animals can place on producers and has mental health support programs available.

- AAFC has an ongoing responsibility to help the sector manage risks during this unprecedented time, including mitigating the impact of large-scale threats to the viability of the sector, and helping with recovery.

2. Transmission of COVID-19 in Animals QP Card

RDIMS: 18569846, v7

UPDATED

January 31, 2023
Agency: CFIA

COVID-19 TRANSMISSION IN ANIMALS

ANTICIPATED QUESTION

Has there been any evidence of transmission of COVID-19 in animals in agriculture?

RESPONSE

1. **The Government of Canada is working hard to prevent the introduction and spread of COVID-19 in farmed animals in Canada.**

2. **Other than in farmed mink, no SARS-CoV-2 cases among domestic livestock or poultry have been documented by natural infection to date.**

3. **If the Canadian Food Inspection Agency is notified of suspected cases of COVID-19 in farm animals, existing federal and provincial/territorial mechanisms to deal with animal disease situations will be implemented.**

4. **Implementing on-farm biosecurity and personal hygiene measures continue to be the best way to reduce the introduction and transmission of diseases, including COVID-19.**

5. **New information on the virus emerges every day. Scientists in Canada and around the world are working to better understand the virus and its impacts on people, communities, and animals.**

RESPONSIVE REGARDING COVID-19 VACCINE IN ZOO ANIMALS

1. **In Canada, the Canadian Food Inspection Agency's Canadian Centre for Veterinary Biologics is responsible for licensing veterinary vaccines and for regulating their importation.**

2. **The Agency has worked with federal and provincial authorities, zoos and the vaccine manufacturer to authorize the emergency use of a COVID-19 experimental vaccine for zoo animals.**

3. **The Agency allowed the importation of 900 doses of this vaccine for distribution to six Canadian zoos in five provinces.**

RESPONSIVE REGARDING WILD DEER, INCLUDING WHITE-TAILED DEER

1. **The Government of Canada has confirmed detections of SARS-CoV-2 in wild white-tailed deer and mule deer in Canada.**

2. **We are working collaboratively with other federal, provincial and territorial departments and agencies to monitor the situation.**

3. **Provinces and territories are responsible for the management of wild deer outside of national parks.**

4. **The biosecurity measures designed for mitigation of Chronic Wasting Disease transmission may also decrease the risk of SARS-CoV-2 infection in farmed cervids by reducing the likelihood of interactions with wild populations.**

RESPONSIVE REGARDING MINK

1. **The Government of Canada continues to track and analyze research and case reports from around the world on SARS-CoV-2 and farmed mink.**

2. **In 2021, the Canadian Food Inspection Agency granted permission for the emergency importation and use of an experimental COVID-19 vaccine for mink. In May 2022, the Agency conditionally licensed this vaccine for one year for use in mink.**

3. **This vaccine is one of the tools, along with strong biosecurity, active infection monitoring, and personal protective equipment for workers, to reduce the risk of transmission of this disease to mink, mink workers and wildlife.**

RESPONSIVE REGARDING PETS

1. **The Government of Canada is focussed on protecting the health of animals.**

2. **To date, there is no evidence that pets play a significant role in spreading COVID-19.**

3. **Testing of animals for disease, including companion animals, is generally not recommended unless it will assist in disease control or public health action.**

BACKGROUND:

- The World Organisation for Animal Health (WOAH) considers COVID-19 an emerging disease and requires countries to investigate and report animal cases.

- Current evidence suggests COVID-19 emerged from an animal source, however there is not enough evidence to confirm the original source or explain the original transmission to humans (which may involve an intermediate host).

- The susceptibility of various livestock, pet, and wild species to COVID-19 continues to be studied.

- Studies performed by the Canadian Food Inspection Agency (CFIA) using the ancestral SARS-CoV-2 lineage found domestic turkeys, chickens and pigs were not susceptible to COVID-19 nor would they spread the virus to humans, animals or the environment. CFIA scientists demonstrated that the virus does not replicate in domestic turkeys and chicken and replicates poorly in domestic swine under laboratory conditions. The studies also showed that these animals did not carry the virus in their tissues used for human consumption.

- Germany conducted experimental studies to determine susceptibility of chickens to SARS-CoV-2 and concluded chickens did not seem susceptible to infection through intranasal routes.

- Recent experimental studies conducted in cattle by various countries have also shown that the virus replicates poorly in this species, is not found in tissues used for human consumption, and does not spread to other animals.

- No natural cases of COVID-19 have been documented in any livestock species (mink not included).

- In November 2022, two vaccinated lions from the Calgary zoo tested positive for COVID-19.

- Globally, there have been numerous reports of pets infected in households where owners are sick with COVID-19 in various countries. Some cases have been reported in Canada.

- Confirmed cases have been reported to the WOAH in accordance with international protocol.

Mink

- The size of the mink farming industry in Canada is relatively small (approximately 60 farms active currently). Mink production occurs in seven provinces and farms are mostly concentrated in Nova Scotia, Ontario and British Columbia (BC). However, mink farming is being phased out in BC. This will reduce the size of the mink industry in Canada to approximately 50 farms.

- Since December 2020, animals on three mink farms in BC have tested positive for COVID-19, as have some workers on two of those farms. The province led the investigations, the testing of on-farm mink, and the disease response with support from the CFIA and the Public Health Agency of Canada (PHAC). The CFIA provided ongoing advice and the CFIA's National Centre for Foreign Animal Diseases (NCFAD) laboratory conducted confirmatory testing and whole genome sequencing of samples from humans and mink. It was confirmed that infected workers on the farm introduced the virus to the mink.

- Disease control actions included provincial quarantine of the farms, and self-isolation of exposed or infected individuals. Enhanced biosafety measures were put in place to protect farm workers. Enhanced biosecurity measures were implemented to protect mink health.

- As of May 4, 2022, all outbreaks in mink farms in BC have been closed. The event is now considered resolved.

- In Canada, the issue has received media attention following each announcement by the province of BC and has led to calls by advocacy groups to end fur farming. The issue of mink contracting COVID-19 first received significant international media attention after cases in Denmark, where millions of farmed mink were considered a public health risk and were culled.

- The SARS-CoV-2 virus originated from animals; however, the virus has since adapted to humans and is now primarily transmitting from human-to-human. Although, there have been cases of people transmitting the virus to animals, including farmed mink in Europe.

- The CFIA provided a coordination role for the development of a national guidance for managing SARS-CoV-2 infections in farmed mink. This guidance provides direction for provinces/territories in the proactive management of mink farms to prevent SARS-CoV-2 infection and respond, should any mink farms in Canada report infections with this virus.

- BC public health orders have mandated a number of requirements for mink farms and mink farm workers to protect public health, including the following:
    - December 2020: the use of personal protective equipment (PPE) by mink farm workers, enhanced PPE requirements on infected premises, screening of workers for COVID-19 and participation of mink farms in an animal surveillance program
    - April 15, 2021: only vaccinated mink farm workers are to have duties that put them in close contact with minks
    - July 26, 2021: capped the number of mink farms and the number of breeding and non-breeding mink on the mink farms to current numbers.

- November 5, 2021, the province of BC began a process to phase out BC's mink-farming industry due to ongoing public-health risks associated with COVID-19.The proposed phase out follows the conditions of the BC provincial health officer's order and includes:
    - a permanent ban on breeding mink;
    - a permanent ban on live mink on farms by April 2023; and
    - all operations ceasing completely, with all pelts sold, by 2025.

- At this time, import requirements remain unchanged for mink and mink products, and there are no federal restrictions in place regulating the export of Canadian mink pelts. Some US states and foreign countries have indicated unwillingness to accept raw unprocessed pelts from SARS-CoV-2 infected mink farms. The OIE ad hoc working group on Safe trade in animal and animal products met the week of February 8, 2021, to discuss mink pelts, specifically to assess the risk to human health posed by international trade in mink pelts. In March 2021, the OIE published the following conclusions:
    - commodity 430211 (tanned or dressed mink furskins, whole, unassembled) can be considered as a safe commodity for international trade
    - commodity 430110 (raw mink furskins, whole) cannot be considered as a safe commodity for international trade
    - additional evidence is needed to allow determination of appropriate risk mitigation measures for commodity 430110 (raw mink furskins, whole).

- The mink industry has fully implemented on-farm assurance programs and industry sustainability practices. The mink industry has been an active participant in the National Farmed Animal Care Council and among the first to develop a Code of Practice for Care and Handling of Farmed Mink. The Code includes a chapter on biosecurity outlining requirements and recommended practices. Mink farmers went a step further with the development of a National Farm-Level Biosecurity Standard in cooperation with the Canadian Food Inspection Agency, provincial/territorial governments and academia.

- Canada Mink Breeders Association (CMBA) has been working closely with the Canadian Food Inspection Agency to reinforce biosecurity messages to producer members including developing a video for producers.

- The mink sector participates in the Advance Payment Program which is a federal loan guarantee program which provides agricultural producers with easy access to low-interest cash advances. On September 25, 2020 the Government of Canada approved the mink sector request for a Stay of Default for 2019 outstanding advances on mink pelts. The repayment deadline was extended by 12 months to September-October in 2021.

- The CFIA's Canadian Centre for Veterinary Biologics (CCVB) is responsible for regulating the manufacturing, testing, labelling, import, export, distribution, and use of veterinary biologics in Canada. In 2021, the CFIA's CCVB authorized the emergency importation and use of an experimental SARS-CoV-2 (COVID-19) vaccine for use in mink. Vaccination began in August 2021. The vaccine was imported from the US. The CFIA conditionally licensed this vaccine in May 2022 for one year for use in mink. During this time, the vaccine manufacturer is expected to demonstrate acceptable progress toward the completion of host animal efficacy and potency studies prior to any renewal of the conditional licensing by the CFIA.

Wild Deer, including white tailed deer

- On November 29, 2021, the CFIA's National Centre for Foreign Animal Disease (NCFAD) confirmed the first detections of SARS-CoV-2 in three free-ranging white-tailed deer in Canada. These deer were sampled in the Estrie region of Quebec. Samples for SARS-CoV-2 were collected through a big game registration station in southern Quebec. The World Organisation for Animal Health was notified.

- SARS-CoV-2 has since been detected in wild white-tailed deer from Ontario, Saskatchewan, Manitoba, British Columbia, Alberta and New Brunswick.

- Recent reports have found that white-tailed deer in the US have tested positive for SARS-CoV-2, indicating that deer can become infected with the virus from humans and also transmit it within their population.

- CFIA is aware of one person from Ontario who was infected in fall 2021 with a COVID-19 virus that is genetically similar to the virus found in deer in the same region. After reviewing the available data, the National Microbiology Laboratory, Public Health Agency of Canada has confirmed that the human case is most likely a rare example of deer-to-human transmission. There is no sign of additional human infections from the human case. **NOTE: Any questions related to deer-to-human COVID-19 transmission will be responded to by the Minister of Health.**

- Environment and Climate Change Canada (ECCC), CFIA, PHAC and Parks Canada continue working closely with federal, provincial, territorial, academia and industry partners to assess the situation.

- CFIA has worked with the provinces, other federal partners (ECCC and PHAC), academia and a private practice veterinarian to complete a rapid qualitative risk assessment for SARS-CoV-2 in white-tailed deer.

- In 2021, the CFIA's National Centre for Foreign Animal Disease (NCFAD) also confirmed the first detections of SARS-CoV-2 in wild mule deer in Alberta.

F. Hot Topics – Health

1.Best Before Dates - Media Lines and Qs & As

DRAFT
RDIMS #18142783, v.1B

Best Before Dates

Canadian Food Inspection Agency

Media Lines / Questions and Answers

There has been ongoing news coverage since August of 2022 regarding best before dates on food products. This was prompted by an announcement from Waitrose Supermarkets (in the UK) expressing their support for waste reduction programs that include, among other things, a focus on reducing the number of best before dates. Their rationale was that it would avoid discouraging customers from consuming food that is still good and thus combat food waste.

This resulted in news coverage in Canada, and a number of media calls being received by the Canadian Food Inspection Agency (CFIA) asking whether we intended to remove best before dates here. Currently, the UK requires date marking on more products than Canada.

Media coverage has been mixed in tone. Most are neutral or supportive of keeping best before dates, and many articles quote Dr. Sylvain Charlebois of Dalhousie University on the results of a survey he conducted with Angus Reid in August 2022. The main findings of the report were that the majority of Canadians oppose eliminating “best before” dates on food products to reduce food waste. Canadian industry continues to support the framework of rules for “best before” dates.

A minority of articles call on the federal government to remove best before dates, saying it would help address the issue of food waste, particularly in a time of increasing food prices and food insecurity. Poorly understood “best before” dates may be a contributor to food waste, but it is important to recognize that other (perhaps greater) sources of food waste occur along the food chain from production, preparation, retailing and in the home. Date marking is only one aspect of this issue.

BACKGROUND

The European Union is expected to announce a revamp to its labeling laws by the end of this year; it's considering abolishing "best before" labels altogether. In the U.S., there's no similar change planned, but there are reports of growing momentum to standardize the language on date labels to help educate buyers about food waste.

The current mandatory requirement for best before dates reflects guidance from *Codex Alimentarius*, which is the international standard setting body for food. In Canada, it would require a regulatory change to remove the existing mandatory requirement for best before dates on certain foods. In 2019, the CFIA had proposed changes to date marking rules as part of its Food Labelling Modernization initiative to make them more easily understood by consumers. This work was paused due to the pandemic, and the CFIA intends to bring this back for consultation in a future regulatory package.

The CFIA has web content to help educate consumers and carries out periodic social media campaigns on “best-before" dates to clarify that they are an indicator of a food's quality, not safety.

The Angus Reid survey results mentioned above show that when a consumer determines whether a product is safe to eat:

- 28% of Canadians will look for the presence of mold
- 25% will rely on “best before” dates as an indicator of food safety
- 20% will rely on smell
- 17% will rely on the appearance of the food product itself

This adds to the body of research that Canadians use best before dates as one piece of information to inform their decision making, and their removal would not solve the issue of food waste on its own.

MEDIA LINES

General

- Canada’s approach to labelling pre-packaged foods, including best before dates, helps consumers make informed choices about the food they buy.
- Best before dates are an indicator of a food’s quality, not safety.
- They are required on foods with a durable life of 90 days or less, except for fresh fruit and vegetables and certain other products.
- These requirements are in line with guidance from *Codex Alimentarius,* the international standard setting body for food.
- In comparison to other countries, Canada has fewer requirements for best before dates, and more exemptions.

Regarding the difference between best before dates and expiry dates:

- Expiration dates and best before dates are not the same thing.
- An expiration date is the last day a food can safely be consumed.
- Best before dates are about food freshness, quality and how long they should last unopened, not about food safety.

Note: because best before dates apply to products that are stored on shelves, fridges and freezers, the term ‘shelf life’ is not used here. ‘Shelf life’ refers to products stored at room temperature only.

Regarding best before dates and food waste

- The Government of Canada takes the growing global issue of food waste seriously.
- This is a complex issue related to many factors at all stages of the food supply chain.

- The link between best before dates and food waste is still being understood. Best before dates are estimated to represent only a small portion of overall food waste.

- In 2019 the CFIA consulted with Canadians on changes to make the dates clearer and easier to understand, given changes in food marketing and consumer preferences. This work was delayed by the pandemic, but will be pursued in a future regulatory package. Canadians will be invited to provide comments on the proposed changes.

- The Government of Canada is taking steps to reduce food waste through Agriculture and Agri-Foods Canada's Food Policy for Canada and $20-million Food Waste Reduction Challenge.

QUESTIONS AND ANSWERS

Q1. What does 'durable life' mean?

The term 'durable life' is used for products regardless of how they are stored, whether it be on shelves, fridges or freezers.

Shelf life refers to products stored at room temperature.

Because best before dates are required on products that may be stored on shelves, fridges and freezers, the term durable life is used.

Q2. How do best before dates benefit consumers?

Best before dates provide consumers with information about the freshness and potential shelf-life of the unopened foods they are buying.

A "best-before" date, tells you the expected durable life of a packaged food.

Durable life means how long unopened food, when stored under appropriate conditions, is expected to retain its:

- freshness,
- taste,
- nutritional value, and
- any other qualities claimed by the manufacturer.

This information is usually found on the label with the words "best before" and "meilleur avant".

The best-before date indicates to consumers that if the product has been properly handled (stored under conditions appropriate to that product), the unopened product should be of high quality until the specified date.

Best-before dates do not guarantee product safety and are not the same as expiration dates. However, they do provide information about the freshness and potential shelf-life of the unopened foods you are buying.

Q3. What is the difference between a best-before date and an expiry (expiration) date?

Consumers can find different kinds of date markings depending on the food product. The most common terms are "best-before", "packaged on", and “expiration date” .

Expiration dates and best before dates are not the same thing.

An expiration date is the last day a food can safely be consumed.

- Once it expires, it should no longer be eaten because of changes in its nutrition or composition.
- Expiry dates are required on only a small number of specific foods, such as infant formula and meal replacements.

Best before dates are about food freshness, quality and how long they should last unopened, not about food safety.

- Food can still be “good” and eaten even if it’s not at its “best”.
- Best before dates only apply to unopened products if stored properly.
- Once opened, their shelf life may change, and consumers can use their judgement when deciding whether a food is still safe to eat.

Guides are available to help consumers and businesses better understand the differences between expiration dates and best-before dates.

Q4. What foods require a best before date?

The food manufacturer is responsible for determining if a product has a durable life of 90 days or less and must be labelled with a best before date. The durable life of products is not prescribed in regulation.

Foods that will keep fresh for 90 days or less, and are packaged at a place other than the retail store where they are sold, must have the following on the label:

- a best-before date, and
- proper storage instructions (if different from room temperature).

Foods that will keep fresh for 90 days or less and are packaged at the retail store where they are sold may be labelled with either:

- a best-before date and storage instructions, or
- a "packaged on" date with accompanying information about the durable life of the food (such as the number of days a product will retain its freshness) on the label or on a poster next to the food.

Consumers who want more information about food packaged at the retail store, such as the "packaged on" date, can ask the retailer for this information.

Q5. What foods do not require a best before date?

The following packaged foods do not require a best before date:

- fresh fruits and vegetables (including prepackaged, chopped or shredded fresh fruit and vegetables)
- individual portions of food served by restaurants, airlines or other commercial enterprises with meals or snacks (such as milk, cheese packets) as they are intended for immediate consumption
- individual servings of food sold in vending machines or mobile canteens (for example, sandwiches), and
- doughnuts

Q6. How is durable life determined?

The manufacturer or retailer is responsible to determine:

- if the product has a durable life of 90 days or less, and
- the specific durable life information for the products they sell.

Food producers and retailers that manufacture food products base the date on factors such as how long an unopened product will retain its wholesomeness, taste, nutritional value, and any other qualities, as well as the type of product, how it is processed and how it is packaged and stored.

The durable life of products or categories is not set out in regulations.

Q7. Are best before dates required on food products with a shelf life of more than 90 days?

No. Foods with an anticipated shelf life more than 90 days are not required to be labelled with a best-before date or storage information. This is because these foods are generally considered to be preserved and many are shelf stable. Examples include most canned foods, many dry foods such as pasta and foods that are sold frozen.

If manufacturers and retailers choose to provide customers with this information, they must follow the required manner of declaration.

Q8. Does the CFIA regulate manufacturers' use of best before dates?

Yes. The *Food and Drugs Regulations* require prepackaged products with a durable life of 90 days or less to be labelled with date markings and storage instructions (where applicable).

In Canada, it is illegal to sell a food that is unsafe or adulterated. It is also against the law to make changes to the best-before date that result in false or misleading information on the label. The CFIA takes appropriate enforcement action when it identifies products that do not comply with this.

Enforcement actions are based on harm, history and intent of the violation, and can range from a warning letter to prosecution.

In addition, the CFIA regularly engages with consumers via social media to help people understand what the “best-before” date means, which helps to reduce food waste.

Q9. Can food be sold past the best-before date?

Yes. Best before dates are about food freshness, quality and how long they should last unopened, not about food safety.

Food can still be “good” and eaten even if it’s not at its “best”. As a result, it is not illegal to sell a product if its best-before date has passed.

After the best before date, the food may lose some of its freshness and flavour, its texture may have changed, and some of its nutritional value, such as vitamin C content, may be lost.

Q10. What should consumers do if they see a product for sale that has passed the expiration date?

Consumers can bring it to the attention of the retailer, or they can report a concern to the CFIA if they think it does not meet regulatory requirements. A CFIA inspector will then begin an investigation.

REGARDING FOOD WASTE AND FUTURE REGULATORY CHANGES

Q11. Why has the CFIA not yet implemented the proposed changes in the Food Labelling Modernization Initiative?

Food marketing and consumer expectations have evolved over time.

In June 2019, changes were proposed to various aspects of food labelling to meet current consumer and industry needs. This included the need to make “best before” dates clearer and easier to read.

As a result of the COVID-19 pandemic and consultations with industry, the CFIA has since reduced the scope of the Food Labelling Modernization initiative to concentrate on supporting innovation and economic recovery. These regulations were recently (July 2022) published as the Food Product Innovation Initiative.

The original proposed changes in the Food Labelling Modernization initiative, including making best-before dates clearer and easier to read, will be pursued in a future regulatory package where consumers and businesses will be invited to provide comments.

Q12. Does the CFIA have any ideas for controlling food waste?

Everyone has a part to play in minimizing food waste, including governments, industry and consumers.

The CFIA plays a role in setting and enforcing food-related requirements. Industry can factor shelf-life into their inventory management practices and consumers can choose foods with a shelf life that suits their needs.

To help minimize food waste, the CFIA promotes understanding of date labelling via its website and through social media.

These clarify that best before dates are an indicator of a food's quality, but not safety. While some foods past their best-before date may lose freshness or flavour, it does not necessarily mean they are no longer safe to eat.

Recent examples include the following Instagram posts:

- Best before dates: what you need to know
- Best before vs. expiration dates

More information on how the Government of Canada is addressing the issue of food waste can be found at these links:

- Food Policy for Canada (supports work on reducing food loss and waste, among other initiatives)
- $20-million Food Waste Reduction Challenge (supports innovative prevention, diversion and reusable transformation of food waste)

Q13. How is the CFIA addressing food waste as part of its mandate? (previously used detailed response from a media call)

Food waste is a complex issue related to many factors at all stages of the food supply chain. In addition to date labelling, other factors may include over-production, inventory management, cold-chain management and consumer preferences.

It is not clear if misunderstanding over date labelling is in itself a cause of food waste. Instructions for consumers on how to store food after opening may help people to properly store opened food products, and therefore which will maximize their shelf life once bought. The manufacturer or retailer is responsible for determining and providing this information.

Everyone has a part to play in minimizing food waste, including governments, industry and consumers. The CFIA plays a role in setting and enforcing requirements. Industry can factor shelf-life into their inventory management practices and consumers can choose foods with a shelf life that suits their needs.

For additional information on steps taken by the Government of Canada to deal with food waste, please see the details below:

In 2019, the Government of Canada launched the first-ever Food Policy for Canada which is a roadmap for a healthier and more sustainable food system in Canada. The Food Policy supports work on reducing food loss and waste, among other initiatives.

For example, as part of the Food Policy for Canada, Agriculture and Agri-Food Canada (AAFC) launched the $20-million Food Waste Reduction Challenge which includes four streams to enable innovative solutions for different areas. The Business Model Streams (Streams A & B) support innovators with business model solutions that can prevent or divert food waste at any point from farm-to-plate. The Novel Technologies Streams (Streams C & D) focus on novel technologies that can extend the life of food or transform food waste into new foods or value-added products.

AAFC also launched the first-ever Canadian Food Policy Advisory Council, a diverse and multi-disciplinary group of food system experts and leaders to help address food system challenges. The Advisory Council is looking at food waste as a priority and working to develop recommendations on ways to support food waste reduction in Canada.

In support of the Food Policy for Canada, Minister's Bibeau's December 2021 Mandate Letter includes a commitment to continue strengthening Canada's food systems by creating a No-Waste Food Fund to help all players along the food supply chain to commercialize and adopt ways to eliminate, reduce or repurpose food waste.

The Government of Canada will continue to look for opportunities to make food waste reduction a priority issue, convene stakeholders to drive meaningful reduction throughout food systems, and stimulate innovative solutions.

2. Consistent Application of Grain Fees

A) QP Card

RDIMS: 18244700, v.6

CONSISTENT APPLICATION OF GRAIN FEES

ISSUE

- The CFIA became aware that fees associated with the phytosanitary certification of grain and grain products being exported from Canada were inconsistently charged across the country.
- The Agency also noted that certain previously authorized laboratory service fees for grain exports had not been applied to date.
- As a result, the Agency implemented a national roll-out plan to apply consistent charging of grain inspection and laboratory service fees across Canada. The date of implementation was April 1, 2022.
- During fiscal year 2021-22, the Canadian Food Inspection Agency (CFIA) remitted $15,400,348 in grain service fees, under section 29 of the *CFIA Act*.

KEY FACTS

- The annual 2021-22 Public Accounts, tabled October 25, 2022, and the Fee Report (anticipated tabling date: November 3, 2022) include the remittance.
- A fee remission is a measure that allows the Minister of Health to provide full or partial relief under circumstances in which relief is justified.

KEY MESSAGES

- The Canadian Food Inspection Agency is committed to delivering inspection and laboratory services that provide farmers access to international markets.
- In 2021, the Agency became aware that fees associated with grain inspection and laboratory services for grain and grain products exported from Canada were inconsistently charged across Canada.
- Effective April 1, 2022, the Agency began to consistently charge grain inspection and laboratory service fees.
- The Agency has remitted $15,400,348 in service fees, under section 29 of the *CFIA Act,* for fees not charged dating back to 1997, when the Agency was first created.
- The Agency has launched a new e-billing service that supports the standardized application of fees for participating programs.

IF PRESSED ON THE REMISSION OF $15.4M IN GRAIN SERVICE FEES

- The Canadian Food Inspection Agency has an obligation to charge fees as per their Fees Notice for established services. The individual fees range from $5.20 to $37.97 and vary based on the volume of grain products being exported.
- A fee remission is a measure that allows the Minister of Health to provide full or partial relief under circumstances in which relief is justified.

- The President of the Agency approved a remission of service fees for the inspection and testing of grain and grain products for export, exercising the delegated authority conferred by the Minister of Health in the CFIA Act.

- The Agency has implemented the consistent administration of these service fees as of April 1, 2022.

IF PRESSED ON THE IMPACT TO INDUSTRY / STAKEHOLDERS

- The Government of Canada is committed to helping Canadian industry export their high quality products.

- Although the consistent application of grain fees means that grain exporters now pay more in fees, the financial impact is minimal compared to the value of the products that are being exported (estimated to be an additional $3-6 per container of products).

- There are no logistical impacts for industry with the fee clarification.

IF PRESSED ON WHY FEES WERE NOT COLLECTED

- A service fee may not be collected by the Canadian Food Inspection Agency in cases where the fee may be unjust, unreasonable, or not in the public interest.

- The President of the Agency has approved the remission to cover uncollected fees from April 1, 1997 to March 31, 2022 due to administrative complexities of identifying and recovering fees across the country over a twenty-year plus timeframe.

BACKGROUND

The Canadian Food Inspection Agency (CFIA) has an obligation to charge fees as per the CFIA Fees Notice for established services. The individual fees range from $5.20 to $37.97 and vary based on the volume of grain products being exported.

The vast majority of 2021-22 total revenues of $63.2 M were generated from inspection fees, reported as services of a regulatory nature in the Public Accounts.

The Agency has launched a new electronic billing (e-billing) service that supports the standardized application of fees for the services that are available on its digital services delivery platform.

As part of the CFIA's shift to agile, user-focused digital tools, e-billing will become the standard for invoicing, as more and more CFIA programs and services onboard. Grains fees have not yet on boarded to e-billing.

B) Media Lines

RDIMS: 18239101, v. 5A

Grain service fee remission

DRAFT

Canadian Food Inspection Agency

MEDIA LINES

For use by CFIA spokespersons only

TITLE

Remission of $15.4 million in grain service fees

ISSUE

During this past year (fiscal year 2021-22), the Canadian Food Inspection Agency (CFIA) remitted $15,400,348 in grain service fees, under section 29 of the *CFIA Act*.

The annual 2021-22 Public Accounts, tabled October 25, 2022, and the Fee Report (anticipated to be tabled November 3) include the remittance.

Responsive only lines have been created in the event of media interest.

POSITIONING STATEMENT

The Canadian Food Inspection Agency is committed to delivering inspection and lab services that provide farmers access to international markets.

RESPONSIVE MESSAGING

- In 2021, the Canadian Food Inspection Agency (CFIA) determined that an updated approach was needed to ensure the consistent application of grain inspection and laboratory service fees across the country.
- Effective April 1, 2022, CFIA began to consistently charge grain inspection and laboratory service fees.
- Based on a detailed analysis of the *CFIA Fees Notice*, the Agency made a decision not to collect any of the service fees that had not been charged for the inspection and testing of grain and grain products for export.
- As reflected in the [Public Accounts / Fee Report], the Agency has remitted $15,400,348 in service fees, under section 29 of the *CFIA Act*, for fees not charged dating back to 1997 when the Agency was created.

- The Agency has also launched a new electronic billing (e-billing) service that supports the standardized application of fees for participating programs, of which grains fees may be anticipated to be a part of in future.

If asked…

SUPPLEMENTAL WHY MISSING FEES WERE NOT COLLECTED

- A service fee may not be collected by the Agency in cases where the fee may be unjust, unreasonable, or not in the public interest.

- The President has approved the remission, to cover uncollected fees from April 1, 1997 to March 31, 2022 due to administrative complexities of identifying and recovering fees across the country over a twenty-plus period timeframe.

SUPPLEMENTAL RESPONSIVE MESSAGES:

- A fee remission is a measure that allows the Minister of Health to provide full or partial relief under circumstances in which relief is justified. The President has approved a remission of service fees for the inspection and testing of grain and grain products for export, exercising the delegated authority conferred by the Minister of Health by subsection 29(1) of the *CFIA Act.*

- The Agency has an obligation to charge fees as per the CFIA Fees Notice for established services. The applicable fees range from $5.20 to $37.97 and vary based on the volume of grain products being exported.

SUPPLEMENTAL E-BILLING IN MY CFIA:

- The Agency has launched a new electronic billing (e-billing) service that supports the standardized application of fees for the services that are available on its digital services delivery platform.

- As part of the CFIA's shift to agile, user-focused digital tools, e-billing will become the standard for invoicing, as more and more CFIA programs and services onboard. Grains fees have not yet on boarded to e-billing.

- The E-billing advantage:
    - CFIA can issue invoices directly in the My CFIA platform
    - clients are able to view and pay their invoices at any time
    - once payment is confirmed (paid using validated on-account or other method), the invoice will be generated, saved, and made available for printing by clients and CFIA
    - applicable fees are automatically applied for services requested under the system

- If asked; programs involved in e-billing:
    - Pre-market Application Submission Office (PASO) – Fertilizer and PBO (Applications for products regulated under Part V of the Seeds Regulations
    - Plant import permits
    - Dairy export
    - Inspection fees

BACKGROUND

- The Canadian Food Inspection Agency (CFIA) became aware that fees associated with the phytosanitary certification of grain and grain products being exported from Canada have been inconsistently charged across the country. In addition, the Agency has also noted that certain, previously authorized lab service fees for grain exports had not been applied to date. As a result, the Agency implemented a national roll-out plan to apply consistent charging of grain inspection and lab service fees across Canada. The date of implementation was April 1, 2022.

- More info:
    - 14809249 (COMMS STRATEGY)
    - 15088769 (Q&A'S FOR INDUSTRY)
    - 15062087 (SPEAKING POINTS)
    - 15026731 (Internal Qs and As)
    - 15061617 (Email to staff)
    - 15257941 (Infobulletin)

C) Service Fees – Media Lines

RDIMS: 18899530, v10

CFIA Service Fees

DRAFT

Canadian Food Inspection Agency
MEDIA LINES
For use by CFIA spokespersons only

TITLE

CFIA 2023-2024 Annual Adjustment of Service Fees

ISSUE

The *Service Fees Act* (SFA) came into effect in June 2017, and introduced the requirement to implement an annual adjustment of service fees based on the consumer price index (CPI). On March 31, 2023, the Canadian Food Inspection Agency's (CFIA) service fees will increase by 3.4%.

KEY MESSAGES

- As of March 31, 2023, the Canadian Food Inspection Agency (CFIA) will increase its service fees by 3.4%, as required by the *Service Fees Act*.
- The *Service Fees Act* applies to all Government of Canada organizations, including the CFIA, and ensures that service fees keep pace with inflation based on the consumer price index (CPI).
- The Government of Canada is committed to improving services for Canadians and Canadian businesses and increasing transparency and predictability related to federal fees.

Responsive only – on why the fees decreased last year, but have increased this year.

- The CFIA adjusts its service fees annually based on the CPI in accordance with the *SFA*. This requirement ensures that the CFIA's service fees keep pace with inflation.
- Last year, services fees decreased as a result of a decline in the CPI.
- The fee increase this year reflects the rise in prices.

Responsive only – on how the fee increase will impact the user.

- The CFIA alone charges 852 different fees for a wide range of services along its main business lines, including, but not limited to, inspections, lab testing, and issuance of certificates and licences.
- The impact on users of the increase in service fees will vary greatly depending on the services provided. Fees can be charged in various ways, depending on the service, such as hourly, flat rates, and by number of personal involved.
- For a list of services the CFIA charges fees for, please visit: https://inspection.canada.ca/about-cfia/acts-and-regulations/list-of-acts-and-regulations/cfia-fees-notice/eng/1582641645528/1582641871296.

BACKGROUND

The SFA came into force in June 2017, and introduced a modern legislative framework that enables cost-effective delivery of services and, through enhanced reporting to Parliament, improved transparency and oversight.

Effective April 1, 2019, the Act introduced a requirement to implement an annual adjustment of service fees based on the previous year's CPI, as published by Statistics Canada. This requirement ensures that fees keep pace with inflation.

The CPI is an indicator of the year-to-year changes in prices paid by Canadian consumers. To set the index, Statistics Canada uses an average of price changes for predefined consumer goods and services, including transportation, food and medical care.

All Government of Canada's organizations that charge fees are affected by this requirement.
In order to be compliant with the SFA, the CFIA began adjusting its fees based on the CPI starting March 31, 2020, and on every March 31 going forward.

For more information on the CFIA's fees, please visit: https://inspection.canada.ca/about-cfia/acts-and-regulations/list-of-acts-and-regulations/cfia-fees-notice/eng/1582641645528/1582641871296.

3. Food Labelling for Genetically Engineered (GE) Food QP Card

RDIMS: 18569544, v.8

GENETICALLY ENGINEERED (GE) FOOD LABELLING

ISSUE

- The United States Department of Agriculture's (USDA) new rules for mandatory labelling of genetically engineered (GE) foods came into effect January 1, 2022. GE labelling is not mandatory on food in Canada and concerns may be raised with the Canadian approach.

KEY MESSAGES

- The Government of Canada requires mandatory labelling for food products when there is a health risk that labelling can address or when there is a significant nutritional change in the product.
- We use a strict process to evaluate the safety of foods, livestock feeds, and plants and animals created through genetic modification.
- Companies may make voluntary genetically engineered claims.
- Information on food labels, including genetically engineered foods, must not be false or misleading.
- The Canadian General Standards Board's genetically engineered labelling standard gives guidance to food manufacturers who choose to make claims about genetically engineered foods.

BACKGROUND

BACKGROUND

The United States Department of Agriculture (USDA) published its final rule requiring disclosure of GE foods on December 21, 2018, and phased-in implementation began on January 1, 2020. The rule applies to any food on the market in the United States, domestic or imported, and became mandatory on January 1, 2022.

Foods that were labelled as containing "genetically engineered" (GE) ingredients or "genetically modified organisms" (GMOs) will now be labelled as "bioengineered".

The rule also provides food manufacturers with options to disclose information about food containing GE ingredients on the label, such as text, a USDA-created symbol, or a digital or electronic link, including a phone number, a Quick Response (QR) code or Internet link directing consumers to more information.

In Canada, Private Members' Bills on mandatory labelling have been defeated previously in the House of Commons and petitions and correspondence on the topic have been decreasing.

Health Canada and the Canadian Food Inspection Agency (CFIA) share the federal responsibility for food labelling under the *Food and Drugs Act*. Health Canada can require labelling for food products, including GE foods, where clear, scientifically established health risks or significant nutritional changes have been identified. Canada does not normally require food products derived from genetically modified (GM) or GE plants and animals to be so labelled because these products have been rigorously assessed for their safety and are otherwise identical to food derived from conventional agriculture.

In Canada, there is a national labelling standard for GE foods. The Voluntary Labelling and Advertising of Foods that are and are not Products of Genetic Engineering standard was first adopted by the Standards Council of Canada in April 2004. It provides guidance to food manufacturers that choose to make claims regarding GE and non-GE foods. The claims must not be false or misleading. The standard was reaffirmed in May 2021.

CFIA is a member of the Canadian General Standards Board technical review committee, which includes representation from consumer groups, food companies, industry associations, producers, other government departments and universities.

4. Gene Editing of Seeds

A) QP Card

RDIMS : 18018162, v. 9

GENE EDITING: UPDATED GUIDANCE FOR NOVEL SEED

ISSUE

- With the advent of gene editing technology, plant developers have asked the Canadian Food Inspection Agency (CFIA) for improved clarity on which plants are subject to Part V of the *Seeds Regulations*. CFIA is responding by updating guidance to clarify which plants--whether developed traditionally or through new plant breeding innovations such as gene editing--require approval from the CFIA before being released into the environment.

KEY MESSAGES

- The Government of Canada prioritizes the health of Canadians and the environment. We provide the best access to safe and nutritious foods to Canadians and credible information about products in the market.

- Canada's science-based approach provides choice to farmers and allows Canadian agriculture to supply the range of products demanded by Canadian consumers.

- Our Government is updating guidance to keep pace with technology and improve transparency.

- We continue to support agriculture by enabling innovation while maintaining our high standards for the environment and our food supply.

IF PRESSED ON THE GUIDANCE

1. The Government considers that clear, evidence-based decision-making is essential for supporting innovation.

2. Our experts are carefully considering scientific information about the use of gene editing technologies in agriculture.

3. Updated guidance will make regulatory decisions clearer while allowing Canadians to benefit from the advances offered by new technologies.

IF PRESSED ON TRANSPARENCY AND PAUSING GUIDANCE UPDATE

1. Our Government supports consumer and producer choice in selecting the agricultural practices, products and technologies that offer the most benefits.

2. Agriculture and Agri-Food Canada (AAFC) and the Canadian Food Inspection Agency (CFIA) are working with stakeholders to ensure the continued competitiveness of both the organic and non-organic sectors.

3. Supporting farmers and producers with clear guidance and with the information they need when buying seed is important. So discussions are focused on how to provide transparent information about new seed varieties.

4. While these discussions are ongoing, the Agency has temporarily paused its guidance update.

IF PRESSED ON SAFEKEEPING THE INTEGRITY OF THE CERTIFICATION OF THE ORGANIC SECTOR

1. Our Government is working with various stakeholders impacted by the proposed updated guidance, including certifying bodies.

2. The *Safe Food For Canadians Regulations* allows the Canadian Food Inspection Agency to set rules that the certification bodies must follow to verify that the substances and the materials used in the production of organic products comply with Canadian Organic Standards.

3. Products certified by these certification bodies can be labeled and sold as organic.

IF PRESSED ON ALLEGATIONS OF IMPROPER COLLABORATION BETWEEN THE CFIA AND CROPLIFE CANADA

1. The Canadian Food Inspection Agency is an independent, scientific and evidence-based federal regulatory agency, committed to ethical transparency and accountability.

2. The Agency always authors its own guidance and policies.

3. Consultations with all stakeholders is a key part of the process. The Agency considers expert knowledge and feedback from multiple sources, including diverse stakeholders, non-governmental organizations and industry.

4. Biotechnology is a specialized area. It is not uncommon for experts to have experience working for government and for industry at different points in their career.

5. Public servants must comply with values and ethics codes and with post-employment measures to avoid conflicts of interest.

IF PRESSED ON SELF-ASSESSMENT

1. The Government of Canada has standards and regulatory requirements in place for safety and quality for all seeds, feeds and foods, whether developed using conventional methods or biotechnology.

2. As always, product developers are expected to be aware of their regulatory obligations and comply with them.

3. Updated guidance will help developers know when to apply for an assessment of a novel product. The Canadian Food Inspection Agency and Health Canada will continue to conduct these assessments.

4. Clear guidance will support the agri-food sector in having access to the latest technologies while upholding Canada's standards for safety and quality.

IF PRESSED ON UPDATED GENE EDITING GUIDANCE IN OTHER COUNTRIES

1. Our Government keeps up-to-date on regulatory and guidance updates in other countries relating to plant products of genome editing.

2. The Canadian Food Inspection Agency balances international alignment while upholding Canada's science-based regulatory approach and standards for safety and quality.

3. The Canadian Food Inspection Agency continues to engage with international regulatory counterparts in both the organic and non-organic sectors and domestic stakeholders.

BACKGROUND

Issue:

With the advent of gene editing technology, plant developers have asked the Canadian Food Inspection Agency (CFIA) for improved clarity on which plants are subject to Part V of the *Seeds Regulations*.

CFIA is responding by updating guidance to clarify which plants – whether developed traditionally or through new plant breeding innovations such as gene editing – require approval from the CFIA before being released into the environment

Gene editing:

Editing is a new technology that allows for precise changes to the DNA sequence. Gene editing can help plant breeders combine useful traits more easily without introducing anything new into the plant. Alternatively, gene editing can also be used to introduce more complex genetic changes.

Product-focused regulatory guidance:

Canada applies regulatory oversight based on the characteristics of the final product. To develop updated guidance, the CFIA is considering a number of factors, including:

- scientific weight of evidence about the safety of gene editing technologies relative to other breeding methods
- breeding approaches and best practices in the seed production system
- the CFIA's 25 years of experience in assessing products of biotechnology and familiarity with conventional breeding outcomes and
- the approaches being taken by regulatory authorities around the world

Current status:

Feedback on the CFIA's consultation on this topic (May to September 2021) was divergent, with stakeholders raising a range of views about CFIA's proposed update. As a result, the CFIA has further revised the proposed guidance and resumed discussions with key stakeholder groups (April 2022 through July 2022) to finalize a proposal. Updated guidance is temporarily paused while discussions on how to provide transparent information about new seed varieties are ongoing.

Health Canada's proposal for novel foods:

Health Canada is responsible for the assessment of novel foods, and has undertaken a similar consultation to update guidance. Health Canada's updated guidance was published May 18, 2022.

B) Notice to Industry

Notice to industry – Implementation for Health Canada's new guidance for novel food regulations focused on plant breeding - Canadian Food Inspection Agency

Notice to industry – Implementation for Health Canada's new guidance for *novel food regulations* focused on plant breeding

May 18, 2022

Introduction

As part of a regulatory review commitment to provide greater clarity, predictability, and transparency to Canada's approach to the regulation of products derived from new technologies, Health Canada has published new guidance that relates to the *Novel Food Regulations* (Division 28, Part B of the *Food and Drug Regulations* (FDR)):

Guidance on the novelty interpretation of products of plant breeding

Guidance on the Pre-Market Assessment of Foods Derived from Retransformants

These new guidance documents were added to the existing 2006 Guidelines for the Safety Assessment of Novel Foods as appendices.

This page summarizes the Canadian Food Inspection Agency's (CFIA) approach to the implementation of this new guidance.

Overview

Health Canada's new guidance accounts for the health and safety objectives of the regulations, making use of the regulator's experience as this field of science has evolved since the regulations were published. This new guidance facilitates a risk-based approach where oversight is applied based on the level of risk posed by a product. It focuses on foods derived from products of plant breeding and describes:

the specific criteria (for example, characteristics [Guidance on the novelty interpretation of products of plant breeding]) by which a food derived from a product of plant breeding would (or would not) meet the definition of a 'novel food' such that a developer will be able to confirm whether or not their product is novel (for example, require pre-market notification).

a Transparency Initiative (TI) process where developers will voluntarily submit information about their products derived from gene-edited plants which do not meet the definition of a 'novel food' to Health Canada for publication on the Health Canada website.

what information is required by Health Canada for a tiered pre-market assessment of products of plant breeding that are still 'novel foods', but closely resemble products that have previously been assessed by Health Canada (defined as 'retransformants' [Guidance on the Pre-Market Assessment of Foods Derived from Retransformants]), as well as an expedited service standard for these assessments.

For more information, refer to Health Canada's webpage on Genetically modified foods and other novel foods.

The new guidance represents the first phase of a broader, multi-year effort to modernize guidance for all novel foods as defined under the *Novel Food Regulations*. Based on the outcome of this phase, Health Canada has published a Notice of Intent regarding the development of proposed regulatory changes. Regulated parties should refer to Health Canada's new guidance until amendments are made to the FDR.

CFIA approach to implementation of Health Canada guidance

For purposes of compliance and enforcement, and in consideration of Health Canada's new guidance for these novel foods, the CFIA will continue to apply its risk-based oversight using the Standard Regulatory Response Process (SRRP).

Inspection resources will continue to be focused in high-risk areas, including food safety investigations, recall verifications, and export certifications. The CFIA will also prioritize cases where false or misleading labelling information is identified.

Health Canada will continue to conduct health risk assessments in support of CFIA's compliance activities and continue to provide input on the application of the guidance.

Contact

For questions or concerns regarding the Health Canada guidance, including related specific complaints, please contact Health Canada at bmh-bdm@hc-sc.gc.ca.

For questions related to compliance with food regulations, please contact the CFIA through the contact us form.

Related links

CFIA's Industry Labelling Tool

C) Media lines

RDIMS: 16130000, v. 11

Draft: Oct. 24, 2022

Canadian Food Inspection Agency

RESPONSIVE MEDIA LINES

For use by CFIA spokespersons only

TITLE

CFIA guidance for determining whether a plant is subject to Part V of the *Seeds Regulations*

ISSUE

The Canadian Food Inspection Agency (CFIA) administers Canada's *Seeds Regulations*, Part V – Release of Seed, which sets out the regulatory requirements for the environmental release of seed, and how to apply for permission to release seed. A clear guidance update and rationale are being published in [date TBC] to clarify which plants – whether developed traditionally or through new plant breeding innovations – require CFIA approval before being released into the environment.

KEY MESSAGES

- The Canadian Food Inspection Agency (CFIA) is committed to its role as a science-based regulator. An important part of this is the regulation of seeds and plants to protect the environment and human and animal health.
- The CFIA is reviewing the guidance for Part V of the *Seeds Regulations* to make it clear which plants — whether developed traditionally or through new plant breeding innovations — require assessment from the CFIA before being released into the environment.
- Plant breeders have always been responsible for notifying the CFIA of all novel plants. This will continue.
- The updated guidance responds to feedback from a four-month consultation in 2021 which showed that CFIA guidance needed to be clearer.

SUPPLEMENTARY MESSAGES

Consultation on changes to the guidance

- In 2021, the CFIA held a four-month online consultation that resulted in 508 responses about the draft guidance. All information and comments received were considered.
- The CFIA continued its dialogue with key stakeholders, including industry associations, plant breeders, the organics industry and non-government organizations, to provide additional opportunities for feedback and help the CFIA develop the final guidance.

- The CFIA always authors its own independent guidance and policies. The CFIA is an independent, scientific and evidence-based federal regulatory agency committed to ethical transparency and accountability.

If pressed:

- The CFIA routinely consults diverse stakeholders, including non-government organizations, as well as industry, in the development of its guidance and policies.

- The CFIA takes all stakeholder feedback into account during its consultations.

- External parties, including industry associations, are never the authors of CFIA documents.

- The CFIA is committed to maintaining its reputation and credibility, and values the public's trust.

The guidance

- The guidance upholds the *Seeds Regulations* requirements, maintains the same safety standard, improves transparency, is adaptable to new technology, and provides clarity for investment, innovation and trade.

- The CFIA is committed to updating the guidance to meet stakeholder needs and to take into account new plant breeding innovation technologies and practices in agriculture.

- Based on the CFIA's experience assessing novel plants and a comprehensive review of gene-editing technologies, the CFIA has made clear statements about which plants require CFIA oversight.

- Plants that are subject to Part V of the *Seeds Regulations* include:
  - plants where DNA from another species (foreign DNA) was introduced and
  - plants that have the capacity to negatively impact the environment.

Plant breeding innovations

- Plant breeding innovations allow new plant varieties to be developed more quickly than through conventional breeding. This can benefit farmers and consumers with plants that are more resistant to extreme temperature, precipitation and insects, helping us adapt to climate change.

- Under Canada's product-based approach, it is the characteristics of the product, not how it was developed, that determine if a pre-market safety assessment is required.

- Gene-editing techniques can provide a faster way to create plants that are as safe for humans, animals and the environment as conventionally bred plants.

- Gene-edited plants that are equivalent to others in Canada do not require a CFIA pre-market assessment.

- The CFIA's guidance update will make it clear which plants — whether developed traditionally or through new plant breeding innovations — require assessment from the CFIA before being released into the environment.

Organics

- All food products, whether organic or non-organic, must comply with the labelling rules of the *Food and Drugs Act* and the *Safe Food for Canadians Act*.

- For claims not related to health or safety, the Government of Canada supports a voluntary approach to declaring the method of production, provided the claim is truthful and not misleading.

- The Government of Canada recognizes the importance of keeping markets open and maintaining Canada's strong reputation for food safety.

- Voluntary labelling, identifying the method of production in seed catalogues (e.g. GM, non-GM, organic) can help assure farmers, consumers and trading partners that products meet their specific needs.

- Seed and grain industry associations have affirmed their commitment to participating in Health Canada's transparency initiative for novel plant products and are looking to enhance this initiative for specific varieties.

- The CFIA's guidance is in line with international trends. Several countries traditionally critical of GM products are moving in the direction of clarifying that gene-edited products with no foreign DNA are regulated like products of conventional breeding and therefore exempt from the rigorous oversight requirements for GM products.

If pressed

- The United States, Japan, Argentina and Brazil have clarified the pathway for gene-edited products. Australia, New Zealand, the UK and the EU are in the process of doing so.

(See also Qs & As below under gene editing, labelling and international trade.)

BACKGROUND

With the advent of gene-editing technology, plant developers have asked for clearer guidance on which plant products are subject to Part V of the *Seeds Regulations*. Feedback on the CFIA's consultation on this topic (May to September 2021) was polarized.

- The biotechnology industry expressed their support for approaches that enable innovation and urged the CFIA to align with Health Canada's guidance on novel foods, published in May 2022.
- The organics sector has requested clear identification of gene-edited seeds and are dissatisfied with the updated guidance. Along with not-for-profit organizations, they have been vocal in media, letter-writing campaigns and on social media (see the Communications Plan, RDIMS 14706392 for a summary).
- In September 2022, a version of the draft guidance was shared with a media outlet. The metadata showed the document had been authored by an employee of CropLife. This was a result of human error--the document was authored by the CFIA. The organic sector has said that the CFIA is too close to Industry, and the National Farmers Union has used this example to publish a news release pressing for the dismissal of the President of the CFIA. Media have contacted the CFIA on this issue (see messaging in QA below).

ROLES

- **The CFIA** leads on evaluating plants with novel traits for environmental release and for use as animal feed. The CFIA also leads on food labelling and incorporates the organic standards by reference into the *Safe Foods for Canadians Regulations,* but does not oversee, approve or fund the organic standards.
- **Health Canada** (HC) leads on evaluating novel food. Note: in May 2022, HC updated guidance focused on products of plant breeding in the Guidelines for the Safety Assessment of Novel Foods.
- **Agriculture and Agri-Food Canada** (AAFC) leads on support for the organics industry.
- The **organics industry** develops the organic standards through the Canada General Standards Board.

QUESTIONS AND ANSWERS

GENERAL

What are plants with novel traits (PNTs)?

A plant is considered to have novel traits when it has both of these characteristics:

- the plant has a trait that is new to stable, cultivated populations of the plant species in Canada; and
- the resulting plant has the potential to negatively impact environmental safety.

An example of a PNT would be a plant with a herbicide-tolerance trait. Gene flow to a weedy relative could make the weed more difficult to control.

Novel traits can be developed through various techniques, such as genetic engineering, mutagenesis, gene editing, cell fusion, and conventional breeding.

Is the CFIA changing its product-based approach to regulating plant products of biotechnology or to de-regulating biotechnology?

No. The CFIA always considers the characteristics of the final plant product, not how it was made. This allows the CFIA's assessments to focus on whether the plant is as safe as its counterparts that are currently available in Canada.

Is the CFIA changing regulations? Is the CFIA deregulating genetically modified plants and seeds?

No. This guidance does not change the *Seeds Regulations* or its requirements. Plants and seeds, whether genetically modified or not, will continue to be subject to Part V of the *Seeds Regulations* if:

- they contain DNA from another species (foreign DNA) or
- they could negatively impact the environment.

Any plant that is subject to Part V of the *Seeds Regulations* must be authorized by the CFIA before it can be released into the environment. The updated guidance makes it clear which plants are subject to Part V by adding benchmarks and addressing uncertainties. The CFIA is not changing the overall scope of what is regulated, standards for safety, or the CFIA's approach to decision-making.

Why was the guidance developed?

Biotechnology tools such as gene editing are used by public agricultural researchers and the seed industry to help meet consumer needs and adapt to changing growing conditions (e.g. extreme heat, drought). Plant developers are interested in using these tools to enhance their breeding programs. Gene editing and conventional breeding can both be used to combine useful

characteristics into the same plant line. Since gene-edited plants can be equivalent to conventional-bred and existing varieties, developers have wanted clearer guidance to know what requires CFIA assessment and approval before being grown in Canada. This will allow seed developers to confidently invest in new products and comply with the requirements and maintains the CFIA's high standard of safety that Canada is known for domestically and internationally.

How was the guidance developed?

To develop this guidance, the CFIA:

- reviewed literature on gene-editing technologies, including reports prepared by other regulators and third parties;
- organized webinars with plant breeding experts (for example, researchers and plant breeders);
- participated in expert panels with industry and public research representatives;
- engaged with domestic and international regulatory counterparts;
- reviewed comments from the public consultation held from May–September 2021; and
- engaged with key stakeholders through technical discussions before and after the 2021 public consultation.

Throughout these information-gathering and engagement activities, the CFIA reviewed:

- how plant breeding practices and the overall seed value chain work to ensure the safety and quality of all new plant lines;
- the CFIA's 30 years of experience with novel plants and comparison to the experiences of other regulators under their respective regulatory frameworks;
- how gene-editing technologies work;
- how gene editing is used in plant breeding;
- how plant lines developed using gene editing compare to lines developed using other methods of plant breeding;
- the approaches being taken by other regulatory authorities in Canada and around the world;
- how gene-edited seed fits within the CFIA's regulatory framework for seed; and
- whether the updated guidance is worded in a way that will be clearly understood and practical to implement.

The CFIA is committed to updating this guidance to meet stakeholder needs as new information arises about plant breeding innovation technologies and practices in agriculture. More information is available in a policy rationale document (to be published with the guidance).

Was the guidance drafted by industry? (from media response issued Oct. 20, 2022)

No, the CFIA always authors its own guidance and policies. The CFIA is an independent, scientific and evidence-based federal regulatory agency committed to ethical transparency and accountability.

The Agency routinely consults diverse stakeholders, including non-government organizations and industry, in the development of its guidance and policies.

After considering and then incorporating some of the stakeholder feedback on the draft guidance, the CFIA updated all its working documents within one of the returned copies. The revised document was then shared with the broader stakeholder group for further comment. For this reason, the metadata erroneously identifies the "author" of this document as someone other than a CFIA employee. In fact, the entire draft guidance document, including the proposed key directions, was written by the CFIA, incorporating some of the feedback from multiple stakeholders.

External parties, including industry associations, are never the authors of CFIA documents.

The CFIA is committed to maintaining its reputation and credibility, and values the public's trust. As an organization, we have taken steps to improve our practices.

How did the consultation process work? How did it affect the development and implementation of the guidance?

The CFIA held a four-month online consultation in 2021 (May 19 to September 16, 2021) that resulted in 508 responses about the draft guidance. The CFIA considered all information and comments submitted.

The CFIA has continued dialogue with key stakeholders, including industry associations, plant breeders, the organics industry and non-government organizations, to discuss the issues and provide additional opportunities for feedback to help the CFIA further develop the final guidance.

Who did the CFIA consult in drafting the updated guidance? (from previous media response)

In 2021, the CFIA completed a four-month consultation with seeds stakeholders. The CFIA received 508 responses from:

- the Canadian public
- public and private plant breeders, including academia, government, and industry
- agriculture industry members including associations representing the seed and grain value chain
- not-for-profit organizations

Discussions and consultations have continued since then, including with:

- 3 seed and grain industry associations
- 17 plant breeders or research scientists from 7 Canadian universities or research centres
- 4 non-government organizations (
- 15 national and regional organic industry associations and organic producers

How will the CFIA ensure product safety and compliance from plant breeders without assessing all plant products?

As always, plant breeders are required to follow the regulations, including Part V of the *Seeds Regulations.* Any plant that is subject to Part V must be authorized by the CFIA before it can be released into the environment. This guidance update does not change that basic responsibility. In addition, plant breeders must always report any new safety-related information about an authorized plant.

The CFIA has the authority to deny, change or revoke an authorization for safety reasons and to take compliance action if plant breeders do not follow the regulations. The clear guidance helps plant breeders and product developers understand when and why they need to notify the CFIA.

The CFIA's science-based approach to developing the guidance took into account the most current scientific knowledge about gene-editing technologies, how plant developers are using these technologies, and consultations with various diverse external and internal experts.

Based on the review of the available information, it is the scientific opinion of the CFIA that gene-editing does not present any unique or specifically identifiable environmental or health concerns as compared to other technologies for developing plants. Therefore, gene-edited plants are regulated like all other products of plant breeding within Part V of the *Seeds Regulations*.

Health Canada recently published guidance for the *Novel Food Regulations* focused on products of plant breeding. How does Health Canada's guidance align with the CFIA's approach?

Health Canada and the CFIA worked closely on the development of each guidance document. While differences exist, they are a result of the differing types of risks evaluated in food safety assessments compared to those evaluated in environmental safety assessments. Both organizations are aligned on their science-based and risk-based approaches. Consistency in federal approaches allows plant breeders to readily navigate the Canadian regulatory system in a timely manner.

GENE EDITING

What is the difference between gene editing and genetic modification?

(Pre-approved, from CFIA ML and HC GE techniques page)
Gene editing is the general term for technologies used to create **specific and targeted** genetic changes in plants or other living things. One example of a gene editing technique is CRISPR/Cas9.

Gene editing is also often called:

- genome editing
- plant breeding innovations
- precision breeding techniques
- new plant breeding techniques
- precision breeding innovations
- innovative breeding techniques

(From Health Canada GM food page) A **genetically modified** (GM) plant, animal or microorganism has had 1 or more of its characteristics changed on purpose. Organisms can be modified by different processes, including:

- conventional breeding techniques, like cross-breeding or mutagenesis (a change in the genetic make-up of an organism caused by chemicals or radiation)
- modern biotechnology techniques, such as genetic engineering
- gene editing

What are gene-editing techniques?

Gene editing is the general term for technologies used to create specific and targeted genetic changes, such as inserting, deleting or replacing DNA in plants or other living things.

Conventional breeding is lengthy and imprecise, requiring generations of growth, selection and cross-breeding with the hopes of targeting favourable traits without losing other favourable characteristics.

In comparison, gene editing can be faster, more precise, with fewer unwanted characteristics and lower costs than conventional breeding. Gene-edited plants can be genetically equivalent to plants developed through conventional breeding.

Are gene-edited plants safe?

Yes. Scientific studies overwhelmingly support the safety of crops developed using biotechnology. The updated guidance reflects this body of scientific evidence.

How can gene-editing benefit breeders and farmers?

Gene editing can be faster, more precise, with fewer unwanted characteristics, and less costly than conventional breeding. Gene editing can allow plant breeders to identify, target and incorporate useful traits into existing crops much more quickly than in conventional plant breeding, reducing the time and cost to bring innovative varieties to market (such as plants that are resistant to drought, extreme temperatures or certain insects while maintaining crop yield and other favourable characteristics). Resilient and high-yielding crops could be very helpful to dealing with climate change by reducing the need for fertilizer and irrigation, lessening the overall environmental impact of crop production and reducing costs to farmers and consumers.

Will all plants developed using gene-editing techniques require pre-market assessments in Canada?

No. When a plant does not include foreign DNA and does not have the capacity to negatively impact the environment, it is exempt from Part V. These exempt plants are considered comparable to their existing counterparts in terms of their use and safety.

Gene editing can also be used to introduce new traits to improve how a crop performs. In these cases, the developer will need to review the CFIA's guidance and must contact the CFIA for a pre-market assessment when needed.

The CFIA's guidance makes the regulations, safety standards and the CFIA's approach to decision making clearer—these things are not changing.

Does the CFIA publish information on gene-edited plants that are exempt from Part V?

Not at this time. The CFIA is considering whether and how a list of plants that are exempt from Part V should be published, including whether this would substantially overlap with the Health Canada initiative.

Health Canada has launched a novel foods transparency initiative to list non-novel products of plant breeding derived through gene editing. Health Canada engaged with key industry associations to promote developer participation in the initiative.

Will Canada require the labelling of food made from gene-edited plants?

All food products, whether gene-edited or not, must comply with the labelling rules of the *Food and Drugs Act* and the *Safe Food for Canadians Act*.

Special labelling is required for all foods, including foods made from gene-edited or genetically modified (GM) plants, where there are health and safety concerns such as the potential to cause allergic reactions, changes to the composition of the food, or changes to the nutritional quality of the food. Such labelling is required to alert consumers or susceptible groups in the population.

When it comes to claims not related to health or safety, the Government of Canada supports a voluntary approach to declaring the method of production, provided the claim is truthful and not misleading. Buyers and consumers can use these claims to guide their purchasing decisions, and can contact companies directly for more information.

More information on food labelling in Canada is available on the CFIA's website.

If pressed: The Government of Canada recognizes the importance of keeping markets open and maintaining Canada's strong reputation for food safety. Voluntary labelling, identifying the method of production in seed catalogues (e.g. GM, non-GM, organic) can help assure farmers, consumers and trading partners that products meet their specific needs. Industry has affirmed their commitment to participating in Health Canada's novel foods transparency initiative and are looking to enhance this initiative for specific varieties. Farmers also have mechanisms to ensure the seed they buy will work within their choice of production approach. For example, seed catalogues can inform farmers whether specific seed varieties available for purchase meet their specific needs including if they are GM, non-GM or organic.

If a gene-edited product is free from foreign DNA, does that mean it will avoid regulation?

Not necessarily. The presence of foreign DNA is a simple way to determine that a plant is new, and therefore subject to Part V. This is how the CFIA has historically assessed plants with foreign DNA. Plants without foreign DNA will still be subject to Part V when they have novel traits. Regardless of whether the CFIA has performed a pre-market safety assessment, all plants and plant products used in Canada must meet the CFIA's standards for safety and quality.

REGULATORY STATUS DETERMINATION FOR ENVIRONMENTAL RELEASE

What is a novelty determination for environmental release?

A novelty determination refers to the process of identifying environmental risks, and deciding whether a plant requires a pre-market safety assessment.

The CFIA publishes guidance documents that describe how to determine if a plant is novel. All plant developers are responsible for understanding their regulatory obligations and notifying the CFIA as required. Plant developers may request a CFIA-led novelty determination for products that are not clearly exempt from Part V. CFIA routinely advises developers on whether individual products are novel.

Why not identify all regulatory triggers for safety assessment upfront, as Health Canada has done?

Food safety assessments and environmental safety assessments consider different types of risks. While there are internationally available standards for food safety, environmental safety assessment must be adapted to the Canadian environment.

The CFIA's updated guidance helps plant breeders understand whether a product is regulated. If it is not clear whether a product is exempt from Part V, plant breeders may request a CFIA-led novelty determination.

INTERNATIONAL TRADE

What are implications for exporters of organic Canadian products?

Canadian exporters are aware of their responsibility to ensure that exports meet the requirements of the importing country, including any requirements regarding gene editing. The CFIA is committed to continued stakeholder engagement and to updating its guidance to meet stakeholder needs as new information arises about plant breeding innovation technologies and practices in agriculture. The Government of Canada recognizes the importance of keeping markets open and maintaining Canada's strong reputation for food safety. Voluntary labelling, identifying the method of production in seed catalogues (e.g. GM, non-GM, organic) and organic certification can help assure farmers, consumers and trading partners that products meet their specific needs.

Industry has affirmed their commitment to participating in Health Canada's novel foods transparency initiative and are looking to enhance this initiative for specific varieties.

Farmers also have mechanisms to ensure the seed they buy will work within their choice of production approach. For example, seed catalogues can inform farmers whether specific seed varieties available for purchase meet their specific needs including if they are GM, non-GM or organic.

The CFIA's guidance is in line with international trends. Several countries traditionally critical of GM products are moving in the direction of clarifying that gene-edited products with no foreign DNA are regulated like products of conventional breeding, and are therefore exempt from the rigorous oversight requirements associated with GM products.

If pressed: The United States, Japan, Argentina and Brazil have clarified the pathway for gene-edited products. Australia, New Zealand, the UK and the EU are in the process of doing so.

How does the Government of Canada's approach to gene-edited products compare to international trading partners?

The CFIA's guidance is in line with international trends. This includes the requirement for a pre-market safety assessment if the final product contains foreign DNA.

Many countries have clarified approvals required before commercializing gene-edited products. This includes the United States, Japan and most South American countries (including Argentina and Brazil). Australia, New Zealand, the UK and the EU are in the process of doing so.

There is a growing recognition internationally of the role that gene-edited products can play in helping to address global challenges, including food security, nutrition, climate change and plant pests. New plant breeding techniques, such as gene-editing, can be used in many ways and are flexible and affordable tools for developing innovative agricultural products.

ANNEX 1

Additional lines provided by AAFC MinO (September 20, 2022)

Key messages

- I am aware of the concerns expressed by the organic sector with respect to the recent update of Health Canada's guidelines and those proposed by the Canadian Food Inspection Agency. We will continue to listen to their views and explore options to support this sector.

- Foods that contain foreign DNA will continue to require mandatory declarations and safety assessments by Health Canada.

- HC's health risk assessment associated with its PBI policy did not indicate a need for mandatory labelling or changes to CFIA inspection activities for food. In light of this the CFIA will continue to provide guidance to industry on how to make voluntary non-GMO label claims on food.

- Gene-edited plants that otherwise have unchanged DNA will follow Health Canada's new guidelines.

If pressed

- As we face a climate crisis, genome editing and CRISPR technology allow us to strengthen or weaken certain characteristics within a plant's DNA – without the use of foreign DNA or chemicals.

- Gene editing can help speed up plant breeding, which is currently done over several generations.

5. Genetically Modified Organisms

A) Key Messages for Labelling of Genetically Modified Organisms

RDIMS: 10477747, v. 1

Key Messages for Labelling of Genetically Modified Organisms

GMOs and science-based review

- The Government of Canada is committed to protecting human and animal health and safeguarding the environment.

- In Canada, any novel plant product, including genetically modified (GM) organisms, must undergo a thorough science-based assessment for safety in order to be authorized by the Canadian Food Inspection Agency (CFIA) and Health Canada (HC) before it can be released into the environment or used as food or livestock feed.

- All relevant scientific information is considered during pre-market assessment of products of modern biotechnology. There are strict requirements regarding the types and quality of data that must be submitted by applicants. CFIA and HC scientific evaluators conduct a thorough analysis of the data and of the protocols used to ensure the validity of results.

Labelling of GM foods

- All foods sold in Canada must be labelled or advertised in a manner that is truthful and not misleading. The CFIA is responsible for enforcing these labelling requirements.

- Health Canada requires labelling for food products, including genetically modified foods, where clear, scientifically established health risks or significant nutritional changes have been identified that can be mitigated through labelling. For example, an allergen present in a food must be labelled to alert consumers.

- In Canada, there is a national voluntary labelling standard for genetically engineered foods (one method of genetic modification) that provides guidance to food manufacturers who choose to voluntarily make claims regarding genetically engineered foods.

Questions and Answers

Q1 **Filmmaker disputes that Canada has a science-based regulatory system saying that this has been repudiated by the Royal Society of Canada in a 2001 report entitled Elements of Precaution: Recommendations of Food Biotechnology in Canada. claims that only two of the report's 53 recommendations have been implemented. What is the CFIA's response to this?**

Since the 1980s, biologists have used GM technology in crop plants to alter characteristics, such as longer shelf life for fruit, higher vitamin content, and resistance to diseases.

The Government of Canada uses a stringent process for evaluating the safety of foods, livestock feeds and plants derived through genetic modification. The process that is used in Canada is a standard method used in other countries including members of the European Union, Australia, India, Japan and the United States. It was developed in consultation with international organizations including the World Health Organization (WHO), Food and Agriculture Organization of the United Nations (FAO), and the Organisation for Economic Co-operation and Development (OECD).

GM foods are not allowed in the Canadian marketplace until Health Canada's scientists are satisfied they are safe for human consumption. It typically takes seven to ten years to research, develop, and test a GM food before an application for market research access can be submitted to the Government of Canada.

Canadian consumers can continue to have trust in scientific evidence supporting food product safety. GM foods are assessed with the same rigour.

For information relating to the safety assessment process for novel foods and agricultural products of biotechnology, please visit: http://www.inspection.gc.ca/plants/plants-with-novel-traits/general-public/fact-sheets/assessment-process/eng/1338189630096/1338189929476

Q2 **According to the filmmaker, the current system of voluntary labelling system for GMOs is laughable as no single company has voluntarily labelled their product. Is this the case, and how does the CFIA respond to this?**

Canada does not require labelling of GM foods because those foods are just as safe as their conventional counterparts. Canada undertakes a rigorous, science-based assessment to evaluate the health and safety of GM foods. Since Health Canada has not found any risks to the health and safety of Canadians related to GM foods approved for the Canadian market, mandatory labelling of those foods is not required.

The national voluntary labelling standard states that products can be labelled as genetically engineered or non-genetically engineered, as long as the claim is understandable, informative, accurate, and not misleading.

The Standards Council of Canada adopted this national standard for the voluntary labelling and advertising of genetically engineered foods called the "Voluntary labelling and advertising of food that are and are not products of Genetic Engineering" in April 2004.

The Government of Canada worked actively with its partners in developing this standard, including consumer groups, food companies and associations, producers, environmental groups, general interest groups and universities. All Canadians were also invited to comment on a draft of the voluntary labelling standard as part of this consultation process.

More information on the labelling of genetically engineered food in Canada can be found on our website: http://www.inspection.gc.ca/food/labelling/food-labelling-for-industry/method-of-production-claims/genetically-engineered-foods/eng/1333373177199/1333373638071

Q3 **The CFIA's website says that "Consumers can use food labels to make more informed choices about the food they purchase". If this is the case, why not introduce mandatory labelling for GM products to inform consumers?**

Mandatory labelling of GM foods could mislead the consumers who may not fully understand the fact that GM foods approved for the Canadian marketplace are safe. Mandatory labelling of GM foods is unlikely to improve consumers' understanding of the safety aspect, and could instead have the following impacts:

- drive investments away from innovation that could help support the long-term viability of Canada's agriculture and agri-food sector;
- negatively affect the environment due to higher pesticide and herbicide use for traditional crops;
- reduce productivity of the food supply since non-GM crops produce less food; and
- reduce Canada's access to international markets.

Canadians have the right to accurate information when purchasing food. Labelling food when there are health and safety concerns is mandatory. Industry has the opportunity to respond to consumers' non-health and safety interests through voluntary labelling claims. It is the responsibility of industry to provide additional information to consumers if they want to know more about how products are made. If consumers have questions about how food is produced, they can contact the manufacturer directly or inquire at point of sale.

Requiring mandatory labelling of GM foods would not help consumers make informed choices. Rather, it would likely perpetuate the perception of risk regarding the safety of GM foods.

RDIMS: 10490215, v.1

QUESTIONS and ANSWERS

Genetically Modified Foods in Canada

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GOVERNMENT POLICY

Q1: What is the Government of Canada's policy on labelling of genetically modified foods?

A1: The Government of Canada's policy requires labelling of GM foods only if Health Canada has found that:

- there are health and safety concerns that can be mitigated through labelling (for example, if a product contains food allergens); or
- there has been a significant nutritional or compositional change as a result of genetic modification.

This policy is based on science and the regulatory framework established in 1993. Before allowing products to be sold in the Canadian marketplace, the Government of Canada applies this policy and has yet to find any safety issues or concerns with GM products.

Q2: When it comes to food labelling, what are the roles of consumers, industry and government?

A2: Industry, consumers, and government all have roles and responsibilities in food labelling.

- Industry plays a key role in responding to the needs of consumers for information. Industry must also ensure that the food they sell is compliant with legislation and regulations, including truthful and not misleading labelling. Industry's role is to effectively communicate information that consumers want to know about the food they eat.

- Consumers should be active in seeking out information to help make informed purchasing decisions, including reading labels and identifying issues with labelling.

- Health Canada puts in place regulations relating to the health, safety and nutrition of Canadians.

- The CFIA enforces accurate food labelling.

Q3: Why is government labelling sugar and not GM?

A3: Added sugars are ingredients that manufacturers add to their products and must be declared in the list of ingredients. The Nutrition Facts table declares the amount of nutrients, rather than ingredients. On the Canadian Nutrition Facts table, the amount of added sugars in the food is included in the amount of total sugars, which is consistent with the approach to all other nutrients. Furthermore, laboratory tests cannot distinguish between the naturally-occurring and added sugars.

Q4: Why have regulations been developed for labelling of irradiated foods but not GM foods?

A4: Canadian labelling requirements for foods are aligned with internationally

SAFETY OF GM FOODS

Q5: How safe are GM foods?

A5: Since the 1980s, biologists have used Genetically Modified (GM) technology in crop plants to alter characteristics, such as longer shelf life for fruit, higher vitamin content, and resistance to diseases. GM foods are not allowed in the Canadian marketplace until Health Canada's scientists are satisfied they are safe for human consumption.

It typically takes seven to ten years to research, develop, and test a GM food before an application for market research access can be submitted to the Government of Canada.

Canadian consumers can continue to have trust in scientific evidence supporting food product safety. GM foods are assessed with the same rigour.

CONSUMERS

Q6: Don't Canadians have the right to know if foods sold in Canada are genetically modified?

A6: Canadians have the right to accurate information when purchasing food. Labelling food when there are health and safety concerns is mandatory. Industry has the opportunity to respond to consumers' non-health and safety interests through voluntary labelling claims. It is the responsibility of industry to provide additional information to consumers if they want to know more about how products are made.

The government will continue to communicate with consumers on this important issue. The CFIA and Health Canada are consulting with Canadians on food labelling, including discussions on a new approach for claims made on food labels.

Q7: How can consumers tell if a food has been genetically modified?

A7: In Canada, voluntary labelling is available to provide consumers with additional information on the product. Through voluntary labelling, companies are positioned to give consumers information that is not required by regulation, on the label or in advertisements.

Canadians can also learn more about the food they purchase by contacting the company directly.

Q8: How could mandatory GM food labelling affect Canadian consumers?

A8: Recent public opinion research conducted on behalf of Health Canada shows that Canadian consumers have a limited understanding of GM foods and related legislation. Requiring mandatory labelling of GM foods would not help consumers make informed choices. Rather, it would likely perpetuate the perception of risk regarding the safety of GM foods.

Mandatory GM labelling could also drive investments away from innovative, agricultural production, which could increase costs for industry at various points along the supply chain. This cost could be passed on to consumers.

To address public opinion research surveys, the government will undertake additional efforts to communicate with consumers on this important issue. This will help improve the understanding of how existing regulations support consumers and provide assurance of the safety of GM foods.

Q9: What are consumers' views on GM foods and what is the Government of Canada doing to educate them on GM food labelling?

A9: Recent public opinion research indicates that consumers' basic understanding of food science and technology is low. The Government of Canada recognizes that there is an opportunity for better communication on genetically modified foods. This was also identified in the recent Standing Committee on Agriculture and Agri-Food report entitled: *Genetically Modified Animals for Human Consumption*. The Committee recommended support for a mandatory labelling system only for issues of food health and safety, consistent with the Government's current policy and with the position vis-à-vis this Bill.

The CFIA provides consumers with access to interactive tools to better understand food labelling for genetically engineered foods.

Fact sheets on GM foods can also be found on Health Canada's website.

Q10: What can consumers do to find out more about how the foods they eat are produced?

A10: Voluntary claims provide a vehicle for industry to communicate with consumers on non-health and safety related information about foods, including GM claims. If consumers have questions about how food is produced, they can contact the manufacturer directly or inquire at point of sale.

OTHER JURISDICTIONS

Q11: What is the stance of our major trading partners regarding GM labelling?

A11: Globally, 61 foreign states have adopted some form of regulation for GM food labelling. They include Australia, Japan, China and most European Union states.

The U.S. is scheduled to publish proposed regulations in the fall of 2017, subject to support by the new administration. Since the U.S. and Canada have traditionally adopted a similar voluntary approach, Canadian government officials are closely following the development of the mandatory disclosure rule in the U.S., and will participate in any public consultation process. Once the details of the US government's direction on this issue are better understood, the government of Canada will be better positioned to assess whether changes should be considered to better align with the new U.S. approach. Quebec has also announced its intention to draft legislation for mandatory labelling; however, no timeline has been specified.

Q12: If foreign states have adopted mandatory labelling on GM products, why wouldn't Canada follow suit?

A12: Canada does not require labelling of GM foods because those foods are just as safe as their conventional counterparts. Canada undertakes a rigorous, science-based assessment to evaluate the health and safety of GM foods. Since Health Canada has not found any risks to the health and safety of Canadians related to GM foods approved for the Canadian market, mandatory labelling of those foods is not required. However, they can be labelled with voluntary claims, provided these are truthful and not misleading.

Q13: Are there long-term health impacts associated with eating GM foods?

A13: Health Canada conducts thorough safety assessments of GM foods following internationally accepted guidelines. Once approved under those guidelines, genetically modified foods are considered as safe to eat as their conventional counterparts. In fact, genetically modified foods are subject to a far higher level of regulatory oversight and scientific safety requirements than traditionally bred plants and animals.

Health Canada monitors potential long-term health trends associated with exposure to a range of products, including GM foods.

Q14: What is the process for approving GM foods?

A14: It typically takes a company seven to ten years to research, develop and test a GM food before an application can be submitted to the Government of Canada for market access. The company is required to submit detailed information to Health Canada outlining exactly how the product was developed.

This information is reviewed by Health Canada scientists with expertise in areas such as molecular biology, toxicology, and nutritional sciences.

Health Canada's safety assessment process is based on international expert consultations carried out by the World Health Organization (WHO), the Food and Agriculture Organization (FAO) of the United Nations, the Codex Alimentarius Commission, and the Organization for Economic Co-operation and Development (OECD). This approach is also currently applied by regulatory agencies around the world including countries such as the European Union member states, Australia, New Zealand, Japan and the United States.

No GM food is allowed to enter the Canadian market unless Health Canada's scientists are satisfied that the food is as safe and nutritious as its conventional counterpart.

INDUSTRY

Q15: How much GM food is available in the Canadian market?

A15: Since the 1990s, over 120 GM crops have been authorized in Canada. Genetic modification is recognized both domestically and internationally as an efficient and safe method of food production.

Around 70% of processed foods sold in Canada contain GM ingredients (most common are processed canola, corn and soy ingredients).

Q16: What are the GM crops in Canada?

A16: It is estimated that the percentage of crops containing GM products are 95% for canola, 65% for corn, 65% for soybean and 95% for sugar beet. It is estimated that the incorporation of GM crops into Canadian farming operations has increased overall farming income between 1997 and 2014 by more than $5 billion.

Q17: How do GM crops affect the environment?

A17: Stringent, science-based evidence supports the safety of genetically modified (GM) foods and their environmental benefits. The Food and Agriculture Organization of the United Nations (UNFAO) recognizes the benefits of GM foods. The UNFAO also notes that when it comes to food, organisms are being genetically modified to better resist weeds, pests and diseases.

This means that less herbicides and pesticides have to be used on GM crops, which in turn, reduces the negative, environmental effects these substances can have on regular crop plants or of animal habitats.

Genetically modified crops have been safely grown in Canada for over 20 years without causing any environmental harm. The cultivation of genetically modified crops offers benefits to farmers, such as enhanced options for the management of weeds and pests.

Q18: What role do GM foods play in the Canadian agricultural sector?

A18: The Government of Canada supports innovative agriculture, which is essential to increasing the productivity and sustainability of the sector. Because of the growing global population, agricultural output will need to increase by 50 percent, according to the report by the United Nations Food and Agriculture Organization titled *The Future of Food and Agriculture: Trends and Challenges*. Increasing the viability of the sector includes investments in new agricultural technologies, such as genetically modified (GM) organisms.

GM agricultural practices can help farmers feed Canadians and the growing world population with crops that have a higher yield and are disease and insect resistant and consume fewer resources.

GM crops are an important part of the Canadian agricultural landscape and bring many benefits to the plant and economic sectors. The Canadian agricultural industry is one of the greatest contributors to our economy, contributing over $100 billion annually to Canada's gross domestic product.

Q19: What impacts would mandatory labelling of GM foods have on industry?

A19: Mandatory labelling of GM foods could mislead the consumers who may not fully understand the fact that GM foods approved for the Canadian marketplace are safe. Mandatory labelling of GM foods is unlikely to improve consumers' understanding of the safety aspect, and could instead have the following impacts:

- drive investments away from innovation that could help support the long-term viability of Canada's agriculture and agri-food sector;
- negatively affect the environment due to higher pesticide and herbicide use for traditional crops;
- reduce productivity of the food supply since non-GM crops produce less food; and
- reduce Canada's access to international markets.

Q20: What is industry's role in labelling GM foods?

A20: Industry uses labelling to communicate with consumers. They can use voluntary claims (including GM claims) to provide non-health and safety related information about foods. The information they provide on labels must be truthful and accurate, to respond to the needs of consumers. For GM foods, it is the responsibility of industry to fill the gap between a consumer's "right to know" and the information on the label.

C) Genetically Modified Salmon – Media Lines

RDIMS: 9798573, v1

Joint HC & CFIA Media Lines
Approval of AquAdvantage Salmon as Food and Feed

Issue: Health Canada and the CFIA have completed thorough and rigorous scientific reviews of AquAdvantage Salmon (a genetically modified [GM] salmon) for food and livestock feed use and determined that it is as safe and nutritious for humans and livestock as conventional salmon. These were the final Government of Canada scientific assessments required to allow AquAdvantage Salmon to be sold in Canada.

Key Messages:

- Health Canada and the CFIA have completed thorough and rigorous scientific reviews of AquAdvantage Salmon (a genetically modified salmon) and determined that it is as safe and nutritious for humans and livestock as conventional salmon. AquAdvantage Salmon is the first genetically modified animal approved in Canada for food and animal feed use.

- GM foods are becoming more common every day and are part of the regular diets of Canadians. GM foods that have been approved by Health Canada have been consumed in Canada for many years.

- There is no evidence to suggest that GM foods that have been approved by Health Canada are harmful or any less nutritious than other foods.

- Changes to the genes of plants and animals can improve food quality and production – for instance by reducing the need for pesticides, making crops resistant to drought, preventing bruising, or allowing foods to be grown more quickly.

On the Evaluation Process

- Health Canada and the CFIA use a stringent science-based process to evaluate the safety of genetically modified animals for food and livestock feed use.

- Health Canada assessed AquAdvantage Salmon for human consumption and the CFIA assessed AquAdvantage Salmon for use as livestock feed.

- This completes the Government of Canada's scientific safety assessments required to allow AquAdvantage Salmon to be sold in Canada.

- The Government of Canada is committed to transparency and evidence-based decision-making. A summary of the safety assessment for AquAdvantage salmon is available online.

- The Government of Canada's scientific review process for genetically modified organisms, including animals, is consistent with the approach used in other countries, such as the members of the European Union, Australia, New Zealand, Japan and the United States.

On Previous Canadian Approvals

- In 2013, Environment and Climate Change Canada worked with Fisheries and Oceans Canada to assess the risks to the environment and to human health of producing sterile all-female AquAdvantage Salmon eggs within contained facilities.

- It was determined that risks to the environment and indirect risks to human health are low and that the likelihood of AquAdvantage entering the Canadian environment is negligible, given the physical and operational containment conditions that are in place (land-based, fully contained facilities).

On the Approval of GM Salmon in the United States

- In November 2015, the United States Food and Drug Administration (US FDA) approved AquAdvantage Salmon.

- The US FDA scientists rigorously evaluated extensive data submitted by the manufacturer, AquaBounty Technologies Inc., and other peer-reviewed data, to assess whether AquAdvantage Salmon met the criteria for approval established by law; namely, safety and effectiveness.

- The regulatory decision in the United States does not impact on Health Canada's review or decision-making process.

6. Infant Formula Recall – Media Lines

RDIMS : 18990508, v. 1C

Infant formula recall

Canadian Food Inspection Agency

MEDIA LINES

For use by CFIA spokespersons only

TITLE

Infant formula recall - **UPDATED LINES**

ISSUE

Nestle Good Start - Soothe - Our Most Tummy Sensitive Formula (infant formula) recalled due to possible Cronobacter sakazakii contamination

POSITIONING STATEMENT

The role of the Canadian Food Inspection Agency (CFIA) is to enforce federal regulations and verify that industry is meeting Canada's food safety standards.

KEY MESSAGES

- A food recall is an action taken by a company to remove potentially unsafe food products from the market.

- When potentially unsafe food is identified in the marketplace, the CFIA immediately advises the public and verifies that industry has removed recalled products from store shelves.

- Consumer alerts are posted as soon as information is confirmed and verified as reliable, even if the food safety investigation is still ongoing. With this approach, it is possible that several public alerts may be issued for the same incident.

- In the event of a recall, consumers should visit the CFIA website for a list of recalled products and check if they have any affected items in their home. In the case of infant formula recalls, consumers should look for the specific product name and lot codes provided in the recall alert.

NO 100 % RISK-FREE FOOD

- Food can become contaminated during growing, harvesting, processing, shipping, or storing.

- Hazards such as bacteria, viruses, parasites, chemicals, allergens or material like glass or metal can be introduced when food is produced.

- At each point in the production process, industry is required to have food safety measures and procedures in place to minimize potential risks. While it is not possible to eliminate every possible risk, these measures help minimize food-related illness.

THE ROLE OF INDUSTRY

- Industry is responsible for producing safe food that meets Canada's federal requirements.

- When a food safety concern is identified, food producers, processors and distributors must cooperate with the CFIA in the food safety investigation, and share all relevant information in a timely manner. Information on food processes, testing, records of ingredients and suppliers help the CFIA identify potential sources of contamination.

- If the CFIA determines that a food product should be recalled because it poses a health risk, industry is responsible for removing it from the marketplace.

7. Rawesome Raw Vegan Litigation – Media Lines and Qs & As

RDIMS: 17851567, v.13

Rawesome Raw Vegan litigation

FINAL

Canadian Food Inspection Agency

MEDIA LINES

For use by CFIA spokespersons only

TITLE

Rawesome Raw Vegan litigation

ISSUE

Rawesome Raw Vegan Inc. is a Montreal-based company that produces vegan food products. The company has filed an application for declaratory judgment, essentially asking the Court to declare that composition standards for cheese and cream cheese found in the *Food and Drug Regulations* (sections B.08.033(1) and B.08.035(1)) do not apply to vegan cheese, and that Rawesome can use the word “cheese” on its product labels. As an alternative argument, Rawesome is challenging the constitutionality of these sections of the *Food and Drug Regulations*.

The Canadian Food Inspection Agency (CFIA) conducted a review of labels provided by Rawesome and confirmed that the non-dairy cheese products at issue in the litigation are not likely to be mistaken for standardized cheese products, and therefore, Rawesome products are not subject to the compositional standards for cheese.

On August 23, 2022, the Department of Justice wrote to Rawesome’s legal counsel to communicate the Government’s position and ask the company to discontinue its case. The company decided to proceed with the case so the Department of Justice, acting on behalf of the Attorney general of Canada and the CFIA, filed a motion to dismiss Rawesome’s application on September 9, 2022. They argue that, since there is no argument between Rawesome and the CFIA, there is no reason to seize the Superior Court of this question.

KEY MESSAGES

- Canada’s plant-based food industry is responsive to an increasing consumer base, and the Government of Canada is working to provide clear guidance on how to label plant-based foods in line with the legislation.
- It is industry's responsibility to meet all of its regulatory requirements, including applying food labels that are truthful and not misleading.
- The Canadian Food Inspection Agency conducted a review of labels provided by Rawesome and confirmed that the non-dairy cheese products at issue in this litigation are not likely to be mistaken for standardized cheese products. Therefore, Rawesome products are not subject to the compositional standards for cheese.

- The *Food and Drug Act* and its regulations as well as the *Safe Food for Canadians Act* and its regulations do not prohibit the use of a standardized common name (such as “cream cheese”) on an unstandardized food product like non-dairy plant-based cheese, as long as the unstandardized food is not likely to be mistaken for the standardized food and the overall impression of the label is not false and misleading.
- To provide additional clarity on this topic to consumers and food businesses, the Canadian Food Inspection Agency will be consulting on guidance for plant-based alternatives to dairy or egg products in fall 2022/winter 2023 (TBC). This guidance will explain to regulated parties how to label these foods so they will likely not be mistaken for a standardized food and the overall impression of the food is not considered misleading.
- Clearer guidance for plant-based food products will help industry promote their products on a level playing field and allow consumers to make informed food choices that match their dietary preferences.

BACKGROUND

CFIA’s response to the growing plant-based food industry

With an increase in availability and consumer demand for plant-based products on the Canadian market, the CFIA recognizes the need for clear guidance on how to label these foods.

Industry complaints and inspectorate questions about labelling of plant-based foods have increased over the past several years. Some members of the meat and dairy industry are concerned that the use of traditional common names for plant-based alternatives could mislead consumers.

Conversely, the plant-based food industry does not believe the use of these terms poses a problem for consumers. Rather, including these terms on plant-based foods helps consumers determine what the food product is meant to resemble and how it is to be used.

The CFIA’s position is that the *Food and Drug Act* and its regulations as well as the *Safe Food for Canadians Act* and its regulations do not prohibit the use of a standardized common name on an unstandardized product,as long as the food is not likely to be mistaken for the standardized food and the label is not false and misleading.

The CFIA is working to provide clearer guidance to industry and consumers on how to represent these food products in line with the legislation. A consultation on proposed guidance for simulated meat and poultry products was completed in December 2020 and the updated guidance will be published in winter 2023 (TBC).

The CFIA will be consulting with interested stakeholders on proposed guidance for how to label plant-based alternatives to dairy or egg products in fall 2022/winter 2023 (TBC).

Rawesome's litigation

Rawesome Raw Vegan filed their civil litigation after they were charged and found guilty in the Municipal Court of Montreal of violating provincial regulations by identifying a product made from cashews as cream cheese. The Food Regulations of the Province of Quebec incorporate the federal standards on composition, including sections B.08.033(1)[S] and B.08.035(1)[S] of the *Food and Drug Regulations*. Rawesome has appealed the ruling.

After reviewing the letter the Department of Justice sent to Rawesome on August 23, 2022, on September 19, 2022, the Superior Court, with the consent of the City of Montreal and the Attorney general of Quebec, overturned the conviction of the Municipal Court and acquitted Rawesome. Rawesome has later confirmed that it intends to continue its civil litigation.

In their civil litigation, Rawesome alleges as a main argument that vegan products are not subject to sections B.08.033(1) and B.08.035(1) of the *Food and Drug Regulations*, which establish standards of composition for cheese and cream cheese, since those sections would only apply to dairy cheeses. Rawesome argues that it can use the word "cheese" on the labels of its vegan products.

As an alternative argument, Rawesome alleges that, if the Court finds that sections B.08.033(1) and B.08.035(1) of the *Food and Drug Regulations* prevent the use of the term "cheese" on non-dairy products, they infringe on its freedom of expression and consumers' right to freedom of conscience, thought and opinion under section 2 of the Canadian Charter of Rights and Freedoms and the Charter of Human Rights and Freedoms.

QUESTIONS AND ANSWERS

Q1. What are the requirements for labelling plant-based alternatives to dairy products in Canada?

Unlike dairy products, plant-based alternatives to dairy products are considered unstandardized foods, in that they do not have a standard of identity or composition set in regulation.

A food that does not meet the requirements of a standard must not be likely to be mistaken for a standardized food. Therefore, it cannot use the prescribed common name in regulations for that standardized food if the overall impression of the food label makes it likely to be mistaken for a standardized food. A modified standardized common name (i.e. the standardized common name with qualifiers) or another name that accurately describes the food may be used. It is the responsibility of the company to name the product in a truthful way that is compliant with requirements.

Food labels and advertisements may contain words or images that present or imply that they resemble or that they are comparable to a dairy product, as long as it is not false or misleading. In addition, industry must ensure that consumers do not mistake these products for dairy products.

More information can be found in the Industry Labelling Tool.

Q2. When would a label for plant-based foods, such as dairy alternatives, be considered non-compliant with federal labelling requirements?

The *Food and Drug Act* and its regulations as well as the *Safe Food for Canadians Act* and its regulations do not prohibit the use of a term that consists, in whole or in part, of a standardized common name, as long as the food is not likely to be mistaken for the standardized food and the label is not false and misleading.

The Canadian Food Inspection Agency takes into account the overall impression food labels create for consumers. It is industry's responsibility to meet all regulatory requirements, including applying food labels that are truthful and not misleading.

Q3. Can you clarify the difference between federal versus provincial requirements for food labelling regulations?

For the most part, federal labelling requirements apply to foods traded between provinces and food that is imported. For foods sold solely within a province, there may be specific provincial rules that must be considered.

Q4. What is the Canadian Food Inspection Agency's position on the way Rawesome's non-dairy vegan cream cheese is presented?

The Canadian Food Inspection Agency conducted a review of labels provided by Rawesome and confirmed that the non-dairy cheese products at issue in the litigation are not likely to be mistaken for standardized cheese products.

Q5. Are there plans to update federal regulations around plant-based foods, such as dairy alternatives?

While there are no plans to change the regulations at this time, the Canadian Food Inspection Agency is working to provide greater clarity to industry and consumers on the regulations that apply to these types of products. The Agency will be consulting on proposed guidance for labelling of plant-based alternatives to dairy or egg products in the fall 2022/winter 2023 (TBC).

This guidance will explain to regulated parties how to label these products so they will likely not be mistaken for a standardized dairy products and the overall impression of the food is not considered misleading. Clearer guidance will help industry promote their products on a level playing field and allow consumers to make informed food choices that match their dietary preferences.

Moreover, after consulting with consumers and industry, the CFIA will be publishing the updated guidance for simulated meat and poultry products in winter 2023 (TBC). This guidance clarifies labelling, appearance and composition requirements for simulated meat and poultry products and food products that do not meet the definition of a simulated meat or poultry product.

Q6. If asked to comment on Rawesome litigation

The Canadian Food Inspection Agency (CFIA) conducted a review of labels provided by Rawesome and confirmed that the non-dairy cheese products at issue in the litigation are not likely to be mistaken for standardized cheese products, and therefore, that Rawesome products are not subject to the compositional standards for cheese. Since there is no argument between Rawesome and the CFIA, there is no reason to seize the Superior Court of this question. The CFIA has asked the Court to dismiss Rawesome's civil litigation.

Q7. If asked to comment on provincial court case

This case concerns compliance of Rawesome's labels - as they stood in 2018 - with provincial legislation, which refers to federal standards of composition for cheese.

The Canadian Food Inspection Agency did not take position on the merit of Rawesome's appeal of its penal conviction.

Q8. How does Canada compare to other countries when it comes to labelling requirements for plant-based foods?

Canadian labelling requirements are consistent with international standards.

Q9. Does Rawesome Raw Vegan Inc. have a Safe Food for Canadians Licence?

Yes. Licence holders can be found in the Safe Food for Canadians Licence Registry on Canadian Food Inspection Agency's website.

8. Regulatory Amendments to Support Food Product Innovation

A) QP Card

RDIMS: 18178747, v5

REGULATORY AMENDMENTS TO SUPPORT FOOD PRODUCT INNOVATION

ISSUE

- In 2019, the Canadian Food Inspection Agency proposed a number of changes to food labelling requirements. Due to the COVID-19 pandemic situation, these mandatory labelling changes were delayed, while other measures that focus on easing the regulatory burden and facilitating industry innovation moved forward. These measures were published and came into force in July 2022.

KEY MESSAGES

- The Government of Canada is committed to fair and transparent regulations for Canadian businesses and all Canadians.
- Because of the impact the COVID-19 pandemic has had on stakeholders and government, mandatory changes to food labelling requirements will be pursued at a later time.
- The Canadian Food Inspection Agency and Health Canada developed a joint policy on predictable labelling to minimize impacts on industry.
- The Canadian Food Inspection Agency published and implemented regulatory amendments that will facilitate innovation in food labelling and packaging. These did not require any mandatory label changes.

IF PRESSED ON BEST BEFORE DATES AND FOOD WASTE

- Our Government takes the growing global issue of food waste seriously.
- The link between best before dates and food waste is still not fully understood. Best before dates represent a small portion of overall food waste.
- In 2019 the Canadian Food Inspection Agency consulted with Canadians on changes to make the dates clearer and easier to understand. This work was delayed by the pandemic, but will start again with a future regulatory package.
- Our Government is taking steps to reduce food waste through Agriculture and Agri-Food Canada's Food Policy for Canada and $20-million Food Waste Reduction Challenge.

IF PRESSED ON REGULATORY AMENDMENTS TO ADDRESS LABELLING OF GREENHOUSE GROWN ENGLISH CUCUMBERS WHEN PACKAGED IN PROTECTIVE WRAPPERS

- Government officials met with representatives of the Canadian greenhouse industry on several occasions to discuss changes to the rules applicable to cucumber labelling.

- The Canadian Food Inspection Agency will consider regulatory amendments in the future to address the issues raised.

BACKGROUND

The Canadian Food Inspection Agency (CFIA) launched the Food Labelling Modernization initiative in June 2013. A multi-phase consultation approach was adopted that helped inform the proposed regulatory amendments.

On June 22, 2019, amendments to the *Safe Food for Canadians Regulations* (SFCR) and *Food and Drug Regulations* (FDR) were published in the *Canada Gazette*, Part I, for a 75-day consultation period. Feedback was received from stakeholders (Canadians and industry) on specific proposals to modernize regulations in areas such as date marking, country-of-origin labelling, and legibility.

Publication of the final regulations to modernize food labelling was planned for spring 2020 with the regulations coming into force at a later date. Due to the COVID-19 pandemic, only regulatory proposals that do not require a label change moved forward. The proposals were renamed as the Food Product Innovation initiative. This initiative focuses on regulatory provisions that facilitate industry innovation and remove duplicate requirements, for example removing some standard container sizes. These regulatory amendments to the SFCR and FDR were published in the *Canada Gazette*, Part II on July 6, 2022. None of the changes required industry to make changes to their current food labels. As such, no transition period was necessary and the amendments came into force at that time.

Other elements of the former Food Labelling Modernization initiative that would result in mandatory label changes may be pursued in a future regulatory package.

Although industry remains generally supportive of CFIA labelling proposals, it has expressed concern about the combined impact of changes proposed by Health Canada and the CFIA. Health Canada and the CFIA have committed to align, when possible, future coming-into-force dates to minimize impacts on industry. Furthermore, as part of the agri-food and aquaculture regulatory roadmap (to address barriers to innovation and economic growth), Health Canada and the CFIA have developed a policy for predictable label changes. The joint policy and summary of the consultation held earlier this year were published on Canada.ca. The policy introduces a process for Health Canada and the CFIA to coordinate changes, as well as predictable compliance date options every two years. Transition periods will continue to be appropriate for the proposed regulations. To increase predictability for industry, food labelling changes that are in scope of the policy will have a minimum transition period of two years.

In February 2021, the fresh fruits and vegetables industry asked CFIA to make regulatory amendments to address labelling of greenhouse grown English cucumbers when packaged in protective wrappers. Because this issue was not part of the original scope of the regulatory amendments or part of the consultations, CFIA has advised the sector that this would be considered for a future regulatory package.

B) Media Lines and Questions & Answers

DRAFT

RDIMS #17267658, v.2

Food Product Innovation CGII Publication

Canadian Food Inspection Agency

Media Lines / Questions and Answers

On July 6, 2022, the regulatory package for Food Product Innovation (FPI) will be published in the *Canada Gazette*, Part II (CG II). This is led by CFIA, and includes amendments to the *Safe Food for Canadians Regulations* (SFCR) and the *Food and Drug Regulations (FDR).*

Due to the pandemic, the scope of the original package was reduced by removing mandatory label changes, while keeping provisions that would support industry innovation, competitiveness and business recovery.

As a result, the name of this initiative has been changed from Food Labelling Modernization (FLM) to Food Product Innovation (FPI) to better reflect its intent. Industry associations support the revised regulatory proposal.

BACKGROUND

A proactive and medium-profile communications approach (RDIMS 15138461) targeting industry stakeholders, employees and consumers will be used for CGII publication.

Detailed guidance material will be provided to industry to support the implementation of the new requirements. Social media will be used to inform the general public for transparency reasons, given these changes mainly support industry innovation and are unlikely to be noticed by the average consumer

Media coverage of these amendments has been minimal – mainly in industry publications. While the FPI initiative itself has not garnered a lot of media and public attention, specific components of the initiative were referenced in an article in 2021.

MEDIA LINES

- Consumers are increasingly knowledgeable about food labels, and labelling is one of the most important and direct ways for industry to share information.

- The Canadian Food Inspection Agency consulted with Canadians and industry to modernize food labelling. The Food Product Innovation (FPI) initiative supports industry innovation and economic recovery while maintaining consumer protection.

- The regulatory changes under the FPI initiative come into effect on July 6, 2022 and will allow industry to introduce new and innovative packaging for products so they can better meet the needs of consumers.

- The changes provide consumers with clearer information to guide their purchasing decisions, including terms that describe the food, also known as the ***true nature*** of the food (e.g. ***carbonated*** water, ***asparagus style*** green beans (in a can)).

- For more information on the Food Product Innovation initiative, please consult the summary of changes.

- The FPI initiative contributes to the Government of Canada's continued effort to modernize food labelling as part of an overall coordinated approach to the federal food regulatory framework.

MESSAGES FOR INDUSTRY

- As a result of the COVID-19 pandemic and consultations with industry, the CFIA has adjusted the scope of its food labelling initiative to concentrate on supporting innovation and economic recovery.

- To better reflect this new scope, the name of the initiative has been changed from Food Labelling Modernization to Food Product Innovation (FPI).

- The regulatory amendments under the FPI provide a more flexible framework that reduces burden on industry while maintaining consumer protection.

- The changes facilitate market access for Canadian food businesses both within Canada and with key trading partners.

- Key adjustments include:
  - Removing the requirement for **standard container sizes** for some products to create flexibility for industry to introduce new and innovative packaging for products while providing more options for consumers.
  - Moving **class names of ingredients to a document incorporated by reference** to support flexible adjustments in the future while aligning with international standards and key trading partners.
  - **Streamlining food commodity specific labelling to eliminate outdated requirements and duplication, and increase flexibility for industry.**
  - Supporting market fairness by developing consistent processes and criteria for testing new food products on the market, including a **definition of "test market food".**

- These changes come into effect on July 6, 2022. For more information, please consult the summary of changes.

QUESTIONS AND ANSWERS

Q1: Did CFIA consult on the Food Product Innovation initiative?

A1: The Food Product Innovation initiative reflects what we heard through consultations with Canadians and industry.

CFIA has been consulting with Canadians on a modernized food labelling framework since 2013 as part of an overall approach to modernizing the Government of Canada's food regulatory framework.

In June 2019, CFIA pre-published amendments under the Food Labelling Modernization initiative in the *Canada Gazette*, Part I (CG I).

However, in response to the COVID-19 pandemic, CFIA reduced the scope of the initiative to focus on supporting industry innovation and economic recovery while maintaining consumer protection.

To better reflect this new scope, the initiative was renamed as Food Product Innovation and shared with key industry associations, who supported the revised regulatory proposal.

Q2. Why is the CFIA amending labelling regulations now?

A2. Consumers are increasingly knowledgeable about food labels, and labelling is one of the most important and direct ways for industry to share information.

Over the last several years, the overall environment and marketplace for food in Canada has evolved and become more complex. There have been a number of changes in the area of food labelling both in Canada and with our key trading partners.

This is why the CFIA has consulted with Canadians and industry to modernize food labelling through the Food Product Innovation (FPI) initiative.

The result is a more flexible framework that supports industry innovation while maintaining consumer protection.

Q3. What happened to the Food Labelling Modernization initiative?

A3. As a result of the COVID-19 pandemic and consultations with industry, the CFIA has adjusted the focus of the Food Labelling Modernization initiative to concentrate on supporting innovation and economic recovery.

To better reflect this renewed focus, the name of the initiative has been changed from Food Labelling Modernization to Food Product Innovation (FPI). The regulatory amendments through this initiative do ***not*** result in mandatory labelling changes.

The regulatory amendments under the FPI provide a more flexible framework that reduces burden on industry while maintaining consumer protection.

Elements of the original Food Labelling Modernization initiative that would have resulted in mandatory label changes will be pursued in a future regulatory package.

Q4. What are the regulatory changes following the Food Product Innovation initiative and when do they come into effect?

A4. On July 6, 2022, changes were made in the *Food and Drug Regulations* (FDR) and the *Safe Food for Canadians Regulations* (SFCR).

These amendments were published in the *Canada Gazette*, Part II and came into effect on the same day.

To learn more, please refer to the summary of changes.

Q5. How do these changes benefit consumers?

A5. Consumers have become increasingly aware and knowledgeable about food labels. These changes will provide consumers with clearer information to guide their purchasing decisions, including terms that describe the food, also known as the ***true nature*** of the food (e.g. ***carbonated*** water, ***asparagus style*** green beans (in a can)).

It will also make it easier for industry to introduce new and innovative packaging for products so they can better meet the needs of consumers.

Q6. How do these changes benefit industry?

A6. The regulatory amendments under the FPI provide a more flexible framework that reduces burden on industry while maintaining consumer protection.

Canada's food industry now has some flexibility in how they apply certain requirements. This is necessary in an evolving food environment and helps promote innovation and facilitates market access for Canadian food businesses.

The changes better align Canada's labelling requirements with international standards, as well as the requirements of key trading partners, facilitating trade for industry.
More specifically, industry benefits from the regulatory changes that:

- **promote innovation and create flexibility:** prescriptive labelling requirements for certain commodities are replaced by an outcome-based approach that would provide food businesses with more flexibility
- **facilitate trade and increase market access:** Canadian food products will be seen as more acceptable in foreign markets as the changes will facilitate alignment with the labelling requirements of major trading partners (such as the U.S., European Union and Australia) and international standards (Codex Alimentarius)
- **improve market fairness:** the introduction of a definition for "test market food" ensures all businesses have to meet the same requirement when seeking a test market authorization (an exemption from certain regulatory requirements in order for a company to test a product on the Canadian market)
- **incorporate by reference multiple documents:** Incorporation by reference is a drafting technique that allows the CFIA to be more reactive to concerns of industry and consumers by quickly responding to modern science and new innovation which may require regulatory change

Q7. How does the FPI compare internationally?

A7. Some of Canada's trading partners have built, or are building, similar regulatory frameworks that reflect this approach.

Codex Alimentarius Commission (Codex), an intergovernmental body under the World Health Organization and the Food and Agriculture Organization of the United Nations, of which Canada is a member, develops and maintains international food standards to protect the health of consumers and support fair practices in food trade.

It is important that Canada's food labelling system reflects, where appropriate, Codex guidance and the regulatory approach of our trading partners. The FPI amendments were developed with this goal in mind.

Q8: Does FPI include any amendments not related to food labelling?

A8: Other amendments to the *Safe Food for Canadians Regulations* (SFCR) have been included in this regulatory package for publication in the Canada Gazette, Part II.

These amendments clarify that licensing provisions of the SFCR do not apply to the preparation of food by restaurants and similar enterprises.

9. Seal Meat and Oil Exports to China Media Lines

RDIMS: 18960244, v. 3

Food Exports

DRAFT

Canadian Food Inspection Agency

MEDIA LINES

For use by CFIA spokespersons only

TITLE

NEW – Seal meat and oil exports to China

ISSUE

The Canadian seal industry is seeking to regain access to China for edible seal meat and oil.

The Canadian seal industry has not had access to the Chinese market for edible seal oil since 2008 when the Chinese authorities said they would no longer recognize the Canadian Food Inspection Agency's (CFIA) certificate for seal oil until a full risk assessment had been completed. Despite China completing the risk assessment in 2011, market access remained blocked after China accepted a proposal from the Beijing Capital Animal Welfare Associations to ban Canadian seal product imports to China for animal welfare reasons.

Since Fall 2022, Chinese importers have been making an increasing number of requests to Canadian manufacturers of edible seal oil to ship their product to China. In November 2022, CFIA met with Canada's Seals and Sealing Network and representatives from Canada's two major manufacturers of seal oil and meat, where they requested a letter from CFIA that would help them explain to Chinese importers why they cannot currently export edible bulk seal oil to China.

The Canadian seal-products industry views access to China as one of its last opportunities for their industry to again become commercially viable, underlining a need for the timely resumption of access.

KEY MESSAGES

- The decision not to permit the import of seal meat and oil to China was made by Customs China, not the CFIA.

- All technical requirements to enable the export of edible seal product from Canada to China have been established. The steps needed to resolve the outstanding issues rest with Customs China.

- The Government of Canada is committed to maintaining existing markets for commercial seal products and supporting the development of potential new markets.

- Over the past 12 years, the CFIA has conducted many activities in support of the export of seal meat to China. Actions included hosting representatives from China to observe processing facilities and harvest vessels, completing a risk assessment, and sampling and analyzing seal meat and oil.

- All food products exported from Canada must meet Canadian regulatory requirements in addition to meeting the conditions set out by the importing country.

- The CFIA continues to work with partners to facilitate Canada's exports, as well as support trade and commerce opportunities.

CFIA's Role:

- The CFIA is the lead on sanitary and food safety issues related to the cooperative arrangement, while Fisheries and Oceans Canada (DFO) is the lead on issues related to the humane harvest and animal welfare.
- All technical requirements to enable the export of edible seal product from Canada to China have been established. The steps needed to resolve the outstanding issues are not within the mandate of the CFIA.

BACKGROUND

In 2001, China determined that a risk assessment would be required for imports of edible seal products and suspended Canada's access. While the CFIA was able to initially continue to issue export certificates for edible seal oil, in 2008, Canada was informed that China would no longer recognize the certificate.

The CFIA held technical discussions with Chinese officials from 2001 to 2011, in order to secure market access for Canadian seal products. The technical discussions concluded with the agreement to initiate a cooperative arrangement for the export of edible seal products from Canada to China. However, the cooperative arrangement was never fully implemented following protests from animal activist groups in China.

For questions related to the humane harvest and animal welfare of seals, please contact DFO media relations.

10. Ritualistic Slaughter Media Lines

RDIMS: 16223849, v.1

Drafted: March 23, 2022

Canadian Food Inspection Agency

HOLDING LINES – RITUALISTIC SLAUGHTER

KEY MESSAGES

- The Canadian Food Inspection Agency (CFIA) oversees ritual slaughter by verifying that licence holders apply the current guidelines and are in compliance with the requirements of the *Safe Food for Canadians Regulations* (SFCR).

- The *Guidelines for ritual slaughter of food animals without pre-slaughter stunning* (which came into force in Canada in 2019) require operators to perform an assessment of the state of consciousness of each animal slaughtered prior to its handling, which may affect the facility's speed and productivity.

In response to the situation in Quebec / question raised by the CIJA:

- The CFIA is working closely with operators of establishments where ritual slaughter without pre-slaughter stunning is taking place to assess compliance and remind them of the regulatory requirements associated with this practice. The next steps will involve providing feedback to the operators of these facilities on what has been observed and a request, where appropriate, for an implementation plan to achieve compliance within a reasonable timeframe.

11. Organic Standards Media Lines

RDIMS: 11559764, v3

Mislabeling of Organic Food – Media Lines

- Canadian law prohibits the labelling, packaging, treating, processing, selling or advertising of any food in a manner that is false, misleading or deceptive to consumers regarding the character, value, quantity, composition, merit or safety of the product.

- All food sold in Canada, whether organic or non-organic, must meet federal food safety standards under the *Food and Drugs Act* and its regulations, as well as the *Safe Food for Canadians Act* and regulations.

- Organic claims are voluntary. However, if a company chooses to label its product as organic, the claim must be truthful and not misleading.

- Organic products that are imported or sold between provinces, or that bear the Canada Organic logo must be certified to the Canadian Organic Standards by a certification body accredited by the Canadian Food Inspection Agency as per Part 13 organic products of the *Safe Food for Canadians Regulations*.

- The certification bodies verify that organic products are compliant with the Canadian Organic Standards as referenced in the *Safe Food for Canadians Regulations*. The certification bodies issue certificates for organic products as well as for the activities of packaging and labelling of organic products. The certification bodies can suspend or cancel certificates if requirements are not met.

- The certification bodies are responsible to submit the list of cancelled organic certifications to the CFIA every month. The list on the CFIA's website is updated monthly.

G. Mandate Letter Commitments

1. Antimicrobial Resistance (AMR)

Mandate Commitment:

"Work with partners to take increased and expedited action to monitor, prevent and mitigate the serious and growing threat of antimicrobial resistance and preserve the effectiveness of the antimicrobials Canadians rely on every day."

Implementation Lead: PHAC

A) AMR at CFIA QP Card

RDIMS: 18753825, v2
UPDATE **January 31, 2023**
Agency: CFIA

ANTIMICROBIAL RESISTANCE (AMR) AT CFIA

ANTICIPATED QUESTION:

Antimicrobial resistance (AMR) is a threat globally. What is the Government of Canada doing to prepare?

FIRST RESPONSE:

1. **Our Government recognizes the threat that antimicrobial resistance poses to human and animal health and is taking action.**

2. **The Canadian Food Inspection Agency is working with other government departments to improve methods of monitoring and surveillance of antimicrobial resistance and antimicrobial use in the agri-food sector.**

3. **Producers and veterinarians have been looking for access to a wider range of alternative animal health products, such as effective vaccines, low-risk veterinary health products, and innovative feed products.**

4. **The Agency will facilitate access to these products when possible to reduce the need for the routine use of antimicrobials.**

BACKGROUND:

- The World Health Organization has declared that antimicrobial resistance (AMR) is one of the top 10 global public health threats facing humanity.

- AMR can spread between humans, animals and the environment. Approximately 80% of the total volume of medically important antimicrobials sold annually in Canada (those important to human medicine) are intended for use in food-producing animals.

- The importance of addressing AMR was recognized in the Minister of Health's 2019 and 2021 mandate letter: "work with partners to take increased and expedited action to monitor, prevent and mitigate the serious and growing threat of antimicrobial resistance and preserve the effectiveness of the antimicrobials Canadians rely upon every day."

- Budget 2021 allocated $28.4 million over five years, beginning in 2021-22, with $5.7 million per year to the Public Health Agency of Canada (PHAC), Health Canada (HC), and the Canadian Food Inspection Agency (CFIA), to help address AMR. Investments will support efforts to prevent the inappropriate use of antimicrobials and expand efforts to monitor the emergence of AMR in Canada.

How does CFIA support the fight against AMR?

- CFIA, working in collaboration with HC and stakeholders, is taking action to facilitate access to more products that maintain animal health and reduce the need for routine use of antimicrobials. This includes:
    - Launching a pilot initiative in 2020/21 to permit low-risk veterinary health products, such as vitamins and natural plant extracts, to be mixed into animal feed;
    - Exploring new international partnerships between CFIA and likeminded regulatory partners to advance the regulation of safe, effective and quality veterinary biologics; and,
    - Creating a regulatory environment that encourages companies to sell new veterinary biologics and new feed products in Canada at the same time as larger markets.

- The Government of Canada has been working collaboratively on combatting AMR and engaging with a wide range of stakeholders. CFIA regularly engages with stakeholders from the agriculture and agri-food sector; the livestock feed industry; national producer associations; the Canadian Veterinary Medical Association; federal, provincial and territorial governments; and veterinary drug manufacturers regarding actions needed to keep animals healthy and reduce the need to use antimicrobials.

- This stakeholder community at large is supportive of Canada's action plan to combat the spread of AMR. Stakeholders previously involved in the development of the pan-Canadian Framework are expecting the federal government to play a leadership role in developing the pan-Canadian Action Plan, led by the PHAC. CFIA will continue to actively contribute to the efforts of the federal family to respond to the threat of AMR.

B) Media Lines

Updated: November 18, 2022
RDIMS EN: 18295415, v4

Canadian Food Inspection Agency
MEDIA LINES
Antimicrobial resistance (AMR)

For use by CFIA spokespersons only

Media Lines

ISSUE

AMR is a leading cause of death worldwide. The World Health Organization (WHO) declared AMR a top ten global health threat facing humanity. Antimicrobial use is necessary; however, anytime antimicrobials are used, resistance can develop. The overuse and misuse of these drugs in humans, animals, and plants/crops amplifies the threat of AMR. It also significantly undermines the foundation of modern medicine.

AMR is a complex issue, but it's more than just a medical one – it's also an economic, social, and behavioral issue. Coordinated "One Health" action across the human and animal health sectors and the environment is needed to address the growing threat of AMR to Canadians.

The Government of Canada's role during WAAW is to raise awareness of AMR and communicate the government's activities and commitment to tackle this threat. WAAW offers an opportunity to draw attention to AMR. The campaign is a platform to promote actions that CFIA's audiences can take to make sure the antibiotics and other antimicrobials we have remain effective in the future. This year WAAW is taking place from **November 18-24, 2022**.

PHAC 2022 AMR Key Messages

- Antimicrobial drugs, such as antibiotics, save lives. They are critically important medications for treating serious and often life-threatening infections.

- Antimicrobials become less effective when the microbes that cause infections develop resistance to these medications. When we overuse or misuse these drugs, in both humans and animals, antimicrobial resistance (AMR) is accelerated.

- AMR is one of the top 10 global public health threats. Common infections are becoming harder to treat, putting us all at risk of infections that were once easily curable. AMR also jeopardizes essential surgical procedures and medical interventions such as chemotherapy and joint replacements.

- AMR is a complex global problem and requires a multi-sectoral One Health approach which approach recognises the interconnections between the health of people, animals and our shared environment. It brings together experts from various sectors to tackle the issue of AMR.

- The Government of Canada recognizes the urgent need to address AMR. We have made a commitment to work with partners to take increased and expedited action on AMR. These actions include securing access to life-saving antimicrobials for Canadians and preserving the effectiveness of the drugs we rely on every day.

CFIA Key Messages

- The Canadian Food Inspection Agency (CFIA) supports the prudent and responsible use of antimicrobial drugs as they relate to animal health and welfare, livestock feeds, and food safety.

- The CFIA is working collaboratively with other Government of Canada partners to monitor, prevent and mitigate the serious and growing threat of antimicrobial resistance and preserve the effectiveness of the antimicrobials.

- In Budget 2021, the Government committed over $28.6 million over five years, beginning in 2021-22, to monitor the emergence and spread of AMR in Canada, expand efforts in key areas of surveillance, and to reduce the inappropriate use of antimicrobials. This work includes:

    - Working with partners to raise awareness of AMR and advance understanding of new antimicrobials and alternatives to using antimicrobials in human and veterinary medicine.
    - Providing veterinary professionals with the knowledge and tools necessary to make informed decisions on antimicrobial use in a wide range of species.
    - Facilitating access to alternatives to using antimicrobials in livestock production, such as vaccinations and innovative feed products to boost animal nutrition to keep animals healthy and reduce the likelihood of infections.
    - Developing national biosecurity standards, protocols and strategies designed to protect animal resources in collaboration with producer organizations, provincial/territorial governments, and academia.

- The CFIA works with Health Canada, provincial and territorial governments, veterinarians, feed companies, producers and academia to reduce antimicrobial resistance and antimicrobial use through stronger regulations, vaccines, biosecurity, raising awareness to support animal health. The CFIA is also responding to AMR by supporting research, innovation and collaboration.

- Addressing the issue of antimicrobial resistance requires a One Health approach that recognizes the interconnections between people, animals, plants and their shared environment. The health of people, plants and animals are closely related and what impacts one, has impacts on the other.

BACKGROUND

- The CAHSS Antimicrobial Use Surveillance Network Group has developed and agreed on minimum datasets to monitor antimicrobial use, and is encouraging industry groups to collect and organize the data.

- The CFIA and Agriculture and Agri-Food Canada (AAFC) support the Canadian Veterinary Medical Association’s efforts to develop a system to monitor veterinary prescriptions of antimicrobials.

- The CFIA works with the animal industry and guides their participation in the Canadian Integrated Program for Antimicrobial Resistance Surveillance (CIPARS) in their abattoir component, which monitors AMR in selected bacteria in healthy animals at slaughter. CIPARS is a PHAC surveillance program, with contributions from many GC departments.

- The CFIA monitors and enforces regulatory standards for livestock feeds manufactured, sold and imported in Canada, including medicated feeds containing antimicrobial drugs. The CFIA continues to support Health Canada's regulatory and policy changes regarding veterinary drugs.

- The CFIA and Health Canada are working together with industry to modernize regulations for new animal health products, including those intended for use in feed.

- The CFIA's Canadian Centre for Veterinary Biologics regulates the manufacturing, licensing, importation and sale of vaccines and other veterinary biological products, which lessen the need for antibiotics and, therefore, help to control AMR.

- The CFIA works with producers, provincial and territorial governments and academia to develop national biosecurity standards, protocols and strategies to protect animal health and to reduce the need for antimicrobials by reducing animal exposure to pathogens.

- The CFIA leads the On-Farm Food Safety Recognition Program, a voluntary program with interested provincial and territorial governments that provides a framework for governments to recognize the effectiveness of industry's Hazard Analysis Critical Control Point-based food safety programs. Comprehensive hazard analysis by participating producer organizations makes food safer by minimizing entry and growth of microbial pathogens, controlling the use of drugs on farm, and controlling drug residues.

- The CFIA monitors drug residues in food to verify compliance with Health Canada's standards, and takes appropriate enforcement action as needed, such as condemning carcasses, enhancing inspection activities, or recalling products.

- The goal of the Federal Provincial Territorial Pathogen Reduction Initiative is to decrease the incidence and economic impact of food-borne illness by reducing pathogen contamination of meat and poultry. Reducing human exposure to pathogens in food can potentially reduce antimicrobial use.

- The CFIA collaborates with other federal and provincial government departments and academia on shared priority projects to improve the methodology and understanding of food-production practices that may contribute to AMR bacteria in agri-food products and pose a risk to humans.

2. Boat-to-plate Traceability (2019 Mandate Letter)

Mandate Commitment (2019):

"Working with the Minister of Fisheries, Oceans and the Canadian Coast Guard and the Minister of Agriculture and Agri-Food, in your role as the Minister responsible for the Canadian Food Inspection Agency, develop a boat-to-plate traceability program to help Canadian fishers to better market their high-quality products".

Implementation Lead: CFIA

A) Boat to Plate Media Lines and Questions & Answers

RDIMS: 18609155, v.4

DRAFT

Boat-to-plate Traceability

Canadian Food Inspection Agency

Media Lines / Questions and Answers

ISSUE

The Government of Canada has been working to develop a path forward for boat-to-plate (BTP) traceability since 2019. This was initiated by a mandate letter commitment for Minister Hajdu, but was not in the 2021 letter for Minister Duclos. Although this is no longer a mandate commitment, the Canadian Food Inspection Agency (CFIA) has continued its work to strengthen our approach.

Going forward, the Agency will no longer publicly refer to this as a mandate letter commitment, but may refer to it formerly being one in internal documents.

The following events are worth noting during this time:

- On November 5, 2020, as part of their campaign on traceability and increased labelling, Oceana Canada released the report entitled Untraceable – The Consequences of Canada's Poorly Regulated Seafood Supply Chain. This resulted in modest news and social media attention. They are mainly concerned with the global issue of overfishing and illegal, unreported, and unregulated fishing (IUU), which are under DFO's mandate.
- In August of 2021, the Government of Canada held a consultation on BTP. The What We Heard Report was published on July 4, 2022. It showed that stakeholders have diverse expectations and views on seafood traceability, including:
    - Most industry participants found the GoC's existing food safety traceability measures to be effective, and that an industry-driven voluntary approach to electronic systems is the preferred option, as it leaves room for industry to develop best practices.
    - A small minority of NGOs, primarily Oceana and SeaChoice, have expressed that 'In order to stop seafood fraud, the Canadian government must implement full boat-to-plate traceability'.
- On October 17, 2022, the government's response to the 5th Report of the Standing Committee on Fisheries and Oceans (FOPO) entitled "Traceability and Labelling of Fish and Seafood Products" was tabled. This received no media attention.

- The engagement and communications strategy in the response committed to supporting any future government actions that expand on existing traceability and labelling mechanisms.

CFIA has now finalized its plans for addressing BTP traceability. A communications plan (RDIMS 18360129) is in development to raise awareness of how Canada works to ensure that the fish we buy is safe and accurately labelled.

BACKGROUND

Stakeholders, like the Fisheries Council of Canada, regularly inform consumers through social media with messaging saying that 'Canada has one of the best food safety and ethics systems in the world. The Canadian Food Inspection Agency (CFIA) has rigorous standards in place to make sure that all seafood sold in stores and restaurants is safe and healthy.'

The term 'boat-to-plate' (BTP) was in the 2019 mandate letter, is used by critics of the GoC approach, and mainly refers to issues that are not under CFIA's mandate. At this time, the GoC is not planning to implement what would have met this former outline of a BTP traceability system, nor does the feedback or evidence demonstrate it is needed. As a result, 'boat-to-plate' will not be used in CFIA's public comms, but rather terms like 'fish mislabelling', 'traceability requirements', and 'labelling requirements' that are more within our mandate to address.

Further considerations:

- As outlined above, this is no longer a mandate letter commitment.
- Since May of 2021, the CFIA has only received 6 media calls asking about BTP traceability.
- The recent FOPO report on boat to plate traceability received almost no public attention. Our related web traffic saw a reduction of visits during that time.
- The latest public opinion research from the PCO survey (January 2023) shows that Canadians are worried about the economy and having affordable food.
- In the past, our messaging has aimed to respond to criticism.
- **However, given the above,** we can now set a new tone and focus on the benefits of our approach going forward.

Note: Consultation findings and FOPO recommendations fall under the responsibility of various departments: CFIA (e.g. labelling, consumer protection and food safety), GAC (international agreements and trade issues), while others related to traceability are within the context of DFO's role (e.g. catch certification, IUU, sustainability and regional fisheries management). Media calls will be referred as appropriate.

MEDIA LINES

- Canada is recognized as having one of the best food safety systems in the world, including a robust approach to ensuring that Canadians have access to high-quality, safe, and healthy fish and seafood.

- The CFIA protects consumers from fish mislabeling and species substitution by enforcing Canadian laws that make it illegal to misrepresent food.

- Our latest test results show that 92.7% of fish sold in Canada are accurately labelled.

- Traceability requirements are in place so that unsafe foods can quickly be removed from the market through recalls, protecting the health of Canadians.

- Going forward, the CFIA will continue to meet its international obligations, and will implement short, medium and long term activities while maintaining agility to evolve along with consumer and industry needs.

SUPPLEMENTAL MESSAGES

- Food misrepresentation is prohibited by Canadian law.

- Food fraud is a global issue that is generally considered to be an intentional act that is done for economic gain, not because preventative measures don't work.

- When food is misrepresented, it prevents consumers from making an informed choice, and can create an uneven, unfair market.

- The CFIA works to protect consumers and the food industry from misrepresentation through inspection, surveillance, risk control measures and engaging with stakeholders to promote compliance and raise awareness.

- Industry is responsible for properly representing and labelling food products and providing consumers with information that is neither false nor misleading.

- The CFIA works closely with the food industry to promote compliance and provides various tools, such as the CFIA Fish List and industry labelling tool, to help companies verify that their food labels meet all the regulatory requirements.

- The CFIA's corrective or enforcement actions include products being removed from Canada, or their detention, destruction, or relabelling.

QUESTIONS AND ANSWERS

Q1. What is CFIA's overall plan for improving fish traceability and labelling accuracy in Canada?

Although Canada is recognized as having one of the best food safety systems in the world, food fraud is still a global issue.

Based on what we have heard from consumers, stakeholders, and industry, the CFIA is taking action to help Canadians have access to high quality, safe and healthy fish and seafood that is truthfully

labelled. This approach does not put an unnecessary burden on industry or increase costs for consumers.

- **Short term activities with an immediate positive impact:**
  - Increasing awareness about fish species substitution through partnerships, videos, social media, and marketing campaigns.
  - Ongoing updates to the CFIA Fish List and industry labelling tool, which help companies verify their food labels meet all the regulatory requirements.
  - Continuing with fish misrepresentation surveillance, and publishing the results of these activities.

- **Medium term enhancements to programs and policies:**
  - Increasing awareness and supplementing existing guidance for industry to prevent fish and seafood misrepresentation, and for meeting labelling and traceability requirements.
  - Engaging with our provincial and territorial partners who have roles at restaurants and retail to explore opportunities for more collaboration.
  - Enhancing our international efforts to better mitigate risks related to fish and seafood products imported into Canada.
  - Expanding our DNA barcoding method capabilities, including differentiating between closely related fish species to detect the substitution of a lower value fish for a higher one. Academia and trading partners are also working to remain up to date on the latest science, and together we seek opportunities to share information that enhance our global capabilities.
- **Longer term considerations**:
  - CFIA will not make regulatory changes at this time based on the effectiveness of the current approach, feedback received, and potential for increased costs for consumers.
  - CFIA will participate in an Interdepartmental Task Force with the Department of Fisheries and Oceans and Agriculture and Agri Foods Canada to examine these issues.
  - Should CFIA determine at a later date that regulatory changes are needed to protect Canadian consumers and the health of our fishing industry, this information will be shared in the agency's Forward Regulatory Plan.

Now and in the future, these actions serve as the foundation to strengthen public trust that is key to consumer confidence.

Q2. What information must be included on fish and seafood product labels?

The CFIA works with partners and stakeholders to help ensure Canadian consumers have the information they need to make informed decisions when buying fish and seafood products.

Fish and fish products are subject to the provisions of the *Safe Food for Canadians Act* and the *Safe Food for Canadians Regulations*, as well as those of the *Food and Drugs Act* and the *Food and Drug Regulations*:

- All foods, including seafood products, must be labelled with information that is necessary for public health and consumer protection. This includes a common fish name, ingredients list, Nutrition Facts table, lot code, and principal place of business where the food was manufactured.

- For imported prepackaged fish, the country of origin must be clearly identified on the label. The country of origin is the country where the last substantial transformation of the fish product occurred.

- Additional information, such as the location of catch or the type of fishing gear used, can be voluntarily put on the label, provided it is not false or misleading.

It is industry's responsibility to properly label seafood and to provide information that is truthful and not misleading to consumers. More detailed information on labelling requirements for fish and fish products is available on the CFIA's website.

Q3. What is the CFIA's role in preventing fish misrepresentation?

Although Canada is recognized as having one of the best food safety systems in the world, food fraud is still a global issue. It is generally considered to be an intentional act that is done for economic gain, not because preventative measures don't work.

Once fish becomes a food product, it falls under the responsibility of the CFIA, which has a robust system in place that supports Canadians in making informed choices and getting what they paid for:

- Most businesses must be licenced by the CFIA to sell their products.
- Canadian laws prohibit the misrepresentation of food, and there are regulations outlining the requirements that industry must meet.
- The CFIA works closely with the food industry to promote compliance and provides tools, such as the CFIA Fish List and industry labelling tool, to help them verify that their food labels meet all regulatory requirements.
- The CFIA also works to protect consumers and the food industry from misrepresentation through targeted inspections, sampling and DNA testing of fish species based on areas identified as high risk for misrepresentation.
- When non-compliance is found, the CFIA takes appropriate action, which can include removing products from Canada, detention, destruction, or relabelling.

Q4. What do you say to criticism that the CFIA's traceability system is inadequate?

Canada is known for having one of the best food safety systems in the world, and has implemented robust food traceability requirements under the *Safe Food for Canadians Regulations*, allowing CFIA to take action quickly to protect the health of Canadians. This includes:

- Regulations bringing all food businesses that import, export, or trade between provinces or territories to the same international standard set by *Codex Alimentarius*, to protect consumer health and to facilitate fair trading practices.
- Traceability requirements for the fish and seafood sector to keep records — one step forward, one step back —so that the product can be followed throughout the supply chain.
- Businesses keeping traceability records so they can track food products in the event of a food safety investigation or food recall in order to protect consumers and potentially minimize economic losses.

Going forward, the CFIA will implement short, medium and long term activities while maintaining agility to evolve along with consumer and industry needs.

Q5. How is the CFIA working to improve the fish list?

The CFIA helps industry comply with the labelling requirements of the *Safe Food for Canadians Act and Regulations* – a key step in fighting fish and seafood fraud.

To do this, the CFIA provides various tools, such as the CFIA Fish List and industry labelling tool, which help companies label their food to meet all regulatory requirements.

The CFIA updates the fish list regularly, and links a scientific name for fish and seafood to the name most commonly used by consumers in Canada. This improves the usability of the list, and helps reduce the mislabeling of products.

The fish list will continue to be updated regularly to reflect the latest scientific evidence and information from our trading partners.

Q6. How is the CFIA working to improve its fish DNA testing?

All fish sold in Canada is required to be accurately labelled, whether domestic or imported. The CFIA conducts surveillance of fish as part of its efforts to prevent, detect, and deter fish species substitution and mislabeling in Canada.

CFIA does regular targeted inspections, sampling, and DNA testing on areas identified as high risk for misrepresentation.

CFIA is also expanding our DNA barcoding method capabilities, including differentiating between closely related fish species to detect the substitution of a lower value fish for a higher one. Academia and trading partners are also working to remain up to date on the latest science, and together we seek opportunities to share information that enhance our global capabilities.

Where the results of the testing indicate misrepresentation, CFIA takes compliance and enforcement actions.

For more information, please see our annual report , and this video: Putting fish DNA to the test - Canadian Food Inspection Agency (canada.ca)

Q7. What is the industry's responsibility?

Industry is responsible for properly representing and labelling food products and providing consumers with information that is neither false nor misleading.

More detailed information is available on the CFIA's website: Labelling requirements for fish and fish products.

Q8. How has industry made changes to improve fish traceability and labelling accuracy?

Industry is listening to consumers, and works with third parties to provide sustainability certifications. This additional information can be voluntarily provided on the label, provided it is not false or misleading.

As consumer preferences shift, our current regulatory framework provides industry the flexibility to be agile in increasing transparency and meeting consumer needs. CFIA is not planning any immediate regulatory changes based on the effectiveness of the current approach, feedback received, and potential for increased costs for consumers.

If the CFIA determines at a later date that regulatory changes are needed to protect Canadian consumers and the health of our fishing industry, this information will be shared in the Forward Regulatory Plan.

Q9. Oceana Canada's annual reports typically find a much higher percentage of mislabelling vs CFIA's testing. Why is there such a gap between results?

While the CFIA does not have access to Oceana Canada's sampling methodology, the results may differ primarily due to how the sampling was designed.

The CFIA understands that the samples collected by Oceana Canada for the purpose of their study were taken from restaurants and retail, whereas CFIA collected samples from retail establishments (fish packaged at retail), domestic processors and importers. Oceana Canada's study may have focussed on different fish species than the CFIA's strategy.

Testing may also have used different criteria to determine whether a food has been mislabelled. It is also possible that the way mislabelling is characterized by Oceana Canada is different than what is required from a regulatory perspective.

Q10. What should a consumer do if they think a fish has not been properly labelled?

Consumers can bring it to the attention of the retailer, or they can report a concern to the CFIA if they think a food product does not meet regulatory requirements. A CFIA inspector will then follow up.

Q11. How can consumers get more detailed information about fish products on the market? (previously approved response)

Consumers can contact companies directly, using the contact information on food labels, to ask about their sustainability practices and request information on the species including where and how it was caught.

Q12. Will the CFIA share the product and/or company names of the unsatisfactory products? (previously approved response)

The results in CFIA's 2021-22 annual report provided a summary of the overall findings but does not include the names of products or companies.

The CFIA does, however, publish various compliance and enforcement actions, these include reports of non-compliant and disposed food products as well as prosecution bulletins, once completed.

Q13. Has anyone or any company been prosecuted for non-compliance? (previously approved response)

The CFIA is unable to comment on any enforcement actions currently in progress. Once completed, the CFIA normally publishes compliance and enforcement actions, which include reports of non-compliant and disposed food products as well as prosecution bulletins.

B) CFIA's 2021-2022 Food Fraud Annual Report – Key Messages and Qs & As

RDIMS: 18545679, v.8

Food Fraud Annual Report (2021-22)

FINAL

Canadian Food Inspection Agency

MEDIA LINES

For use by CFIA spokespersons only

TITLE

NEW - Food Fraud Annual Report 2021-22

ISSUE

The Canadian Food Inspection Agency (CFIA) will publish its Food Fraud Annual Report for the 2021 to 2022 fiscal year on March 2, 2023. In previous years, the annual reports focused mainly on surveillance results from sampling and testing high-risk commodities for authenticity or misrepresentation. This year, in addition to detailing the Agency's surveillance results, the report will provide a complete picture of the CFIA's efforts to prevent, detect and deter fraud.

> Additional approved key messages and Q&As related to food fraud can be found in RDIMS 12257458 (FR: 12270364)

KEY MESSAGES

- The CFIA's annual report on food fraud highlights the Agency's efforts to prevent, detect and deter food fraud during the 2021-22 fiscal year.

- The annual report includes the results of sampling and testing foods for authenticity that have a higher risk of non-compliance. Overall, the CFIA's testing showed a compliance rate of 92.7% for fish, 77.5% for honey, 99.1% for meat, 86.9% for olive oil, 64.3% for other expensive oils, and 90.8% for spices.

- Meat is a new addition to the report this year. The results for the rest of the commodities are consistent with compliance rates from the previous year.

- These results demonstrate that our efforts to protect consumers and the food industry from misrepresentation continue to be effective, and consumers can be confident that the food they buy is accurately represented and safe.

- When non-compliance was found, the CFIA took appropriate action, preventing more than 100,000 kg of misrepresented food from being sold in Canada.

- CFIA's surveillance efforts address existing risks and help determine where to target future sampling, inspection work, compliance promotion and guidance needs.

SUPPLEMENTAL MESSAGES

- The CFIA works to protect consumers and the food industry from misrepresentation through inspection, surveillance, risk control measures and engaging with stakeholders to promote compliance and raise awareness.

- Industry is responsible for properly representing and labelling food products and providing consumers with information that is neither false nor misleading.

- The CFIA works with the food industry to promote compliance and provides various tools to help companies verify that their food labels meet all the regulatory requirements.

- The CFIA's corrective or enforcement actions include products being removed from Canada, or their detention, destruction, or relabelling.

QUESTIONS AND ANSWERS

Q1. Why did the CFIA choose to test these six commodities?

The CFIA uses environmental scanning and risk analysis to determine where to focus its work. In the 2021-2022 fiscal year the CFIA focused on six food commodities that are among the most commonly reported as fraudulent (honey, fish, meat, olive oil, other expensive oils and spices).

Q2. What were the results of sampling and testing for the 2021-22 fiscal year?

The CFIA collected 844 targeted samples from importers, domestic processors and retailers to detect specific types of misrepresentation. The compliance rate of the analyzed samples were:

- fish 92.7%
- honey 77.5%
- meat 99.1%
- olive oil 86.9%
- other expensive oils 64.3%
- spices 90.8%

An overview of the results is provided in the CFIA's report while detailed results are available in the Open Government Portal.

The testing results summarized in this report are not representative of overall compliance rates within the Canadian marketplace because this sampling targeted products at higher risk for non-compliance.

While the results show a range of compliance rates for the commodities targeted, in all cases the data collected supports CFIA's risk based approach. For example, identifying areas where compliance is lower allows the Agency to take action where violations are found and to plan improvements to increase compliance.

Where the CFIA found non-compliance, it took appropriate actions where warranted, guided by the Standard Regulatory Response Process. These actions included removing products from Canada, detention, destruction, or relabelling.

Q3. How do the results from this year compare to last year's results?

Meat is a new addition to the report this year. The results for the rest of the commodities are consistent with compliance rates from previous years.

Compliance rates by year

	2020-21	**2021-22**
Honey	74.1%	77.0%
Fish	91.2%	92.7%
Spices	92.9%	90.8%
Olive oil	87.8%	86.9%
Other expensive oils	66.2%	64.3%
Meat	n/a	99.1%

Q4. Why did the compliance rate for honey drop this year from 88.5% in 2020-21 to 77% in 2021-22?

Unlike last year, the CFIA did not undertake broad marketplace monitoring sampling for honey and instead only conducted targeted sampling, focused where there were risk factors of non-compliance.

The result from 2020-21 (88.5%) is an average of both targeted and marketplace monitoring. The compliance rate for targeted honey samples in 2020-21 was 74.1% which is comparable to the compliance rate for targeted honey samples in 2021-22 (77%).

Marketplace monitoring done in previous years showed high levels of compliance. This year the CFIA chose to target high risk food commodities and establishments that have a history of non-compliance to increase the likelihood of detecting misrepresented food so the CFIA can take appropriate action to stop it.

Q5. If the testing results are not representative of Canadian marketplace, what is the intent of conducting these surveillance activities?

The CFIA targets high risk food commodities and establishments that have a history of non-compliance. The design of these surveillance activities is intended to increase the likelihood of detecting misrepresented food so the CFIA can take appropriate action to stop it.

CFIA's surveillance work is essential to help tackle food fraud in Canada. The Agency prevents misrepresented food products from reaching the Canadian market and helps keep consumers safe. Additionally, it supports Canadian businesses to compete more fairly in the Canadian and global marketplace by identifying and taking action on products or companies that are not playing by the rules.

Q6. What enforcement actions were taken with unsatisfactory products?

When non-compliance was found, the CFIA took appropriate action, preventing more than 100,000 kg of misrepresented food from being sold in Canada. Corrective and enforcement actions included detaining, destroying, relabelling or removing products from Canada.

More details are available in the report.

Q7. Will the CFIA share the product and/or company names of the unsatisfactory products?

CFIA's 2021-22 annual report summarizes the overall findings and do not include the names of products or companies.

The CFIA does, however, publish various compliance and enforcement actions, these include reports of non-compliant and disposed food products as well as prosecution bulletins, once completed.

Q8. Was anyone or any company prosecuted for non-compliance as a result of findings from this year's annual report?

The CFIA is unable to comment on any enforcement actions currently in progress. Once completed, the CFIA normally publishes compliance and enforcement actions, which include reports of non-compliant and disposed food products as well as prosecution bulletins.

There were charges laid for misrepresentation resulting from CFIA's activities that had started in previous years. These include misrepresentation of:

- extra virgin olive oil sold in a format that was false, misleading or deceptive or is likely to create an erroneous impression regarding its character, value, composition, merit or safety
- previously frozen fish sold as "fresh"
- beef falsely sold as "certified organic"
- American lobster packaged and sold in a manner that was false, misleading or deceptive regarding its origin

CFIA's prosecution bulletins are available on its website.

It is important to note that prosecution is one of the enforcement tools available to the CFIA. When products are found to be non-compliant for misrepresentation, the CFIA takes appropriate regulatory actions such as removal of products from Canada, detention, destruction, or relabelling. In some cases, the Agency may recommend prosecution, depending on the severity of the misrepresentation, the compliance history of the regulated party, and whether there is intent.

Q9. What are some examples of food fraud that can be found?

The CFIA uses the term 'food fraud' to describe misrepresentation. We encounter both intentional and unintentional misrepresentation of food.

Food fraud can occur in many forms: adulteration, substitution, dilution, omission, false or misleading labelling. In the example of substitution, fraud/misrepresentation is not always determined by the level or amount of a substitute in a product, as this depends on the commodity, ingredient added, etc. The amount can be an indicator of fraud in many cases, it can also be a sign of issues with preventive controls.

Here are some examples:

- When testing spices, the presence of gluten at a high level may indicate that flour was intentionally added to dilute the real spice so the company can earn a larger profit, an example of fraud. It should be noted that low incidental levels of another food that is grown in the same field or nearby the spice may indicate cross contamination. The levels found through testing results would be examined, along with other inspection findings, to determine if the misrepresentation was intentional.

- For ground meat we would look at whether there is the presence of another meat species, and at what level, as well as other inspection findings to determine if it's a case of fraud or cross contamination. In this report, only 1/108 samples were unsatisfactory for meat labelled ground pork which was found to contain beef. A root cause analysis was conducted, and preventative measures were taken to determine if this was due to cross-contamination or other reasons.

- In the case of honey, we would not expect foreign sugar syrups to be present, as these are entirely different foods that when found through testing or other methods are a strong indication that fraud has occurred.

When non-compliance was found, the CFIA took appropriate action such as removal of products from Canada, detention, destruction, or relabelling.

Q10. Is there a difference in compliance rates when comparing domestic and imported samples?

The commodities CFIA tested vary in terms of how much are domestically produced vs. imported. Honey, fish and meat have significant domestic production whereas oils and spices are mostly imported into Canada but can have some Canadian processing.

A full breakdown of compliance rates in domestic versus imported products has not been done, however general findings include:

- Higher compliance for domestic honey and fish samples taken than import samples
- Commodities with the poorest compliance - expensive oils (e.g., coconut, avocado, sesame and nut oils) are mostly imported

Where available, domestic and imported compliance rates and the origin or dealer location of unsatisfactory samples are included in the annual report's surveillance results by commodity.

Q11. CFIA's test shows 7.3% of the fish sample results were unsatisfactory while Oceana Canada's annual reports typically find a much higher percentage of mislabelling. Why is there such a gap between results?

While the CFIA does not have access to Oceana Canada's sampling methodology, the results may differ due to differences in sampling methods.

The CFIA understands that the samples collected by Oceana Canada for the purpose of their study were taken from restaurants and retail, whereas CFIA collected samples from retail establishments (fish packaged at retail), domestic processors and importers. Oceana Canada's study may have focussed on different fish species than the CFIA's strategy.

Testing may also have used different criteria to determine whether a food has been mislabelled. It is also possible that the way mislabelling is characterized by Oceana Canada is different than what is required from a regulatory perspective.

Under food regulations administered by the CFIA, fish or fish products imported into Canada must clearly identify the name of the country of origin on the label. The label must also identify the common name of the fish or fish product. Therefore a label may be fully compliant even when voluntary information is not included, such as harvesting method, scientific species name, wild versus farmed, etc.

Q12. Why was there a discrepancy between the number of samples collected and the number of samples assessed?

The number of samples collected and assessed differ because some samples were unsuitable for testing or were duplicate results and therefore only counted once. The assessed sample number also excludes the samples that were tested but were assigned a result of “no decision”, which can occur when the test results are not conclusive.

Q13. What does it mean if a sample is assessed as “no decision”?

Fish samples were assessed as “no decision” when they could not be assessed because a DNA barcode could not be generated for various reasons (for example, due to DNA degradation or fish cross contamination) or due to uncertainty of the species at sampling.

C) Food Fraud QP Card
RDIMS: 15740587, v11

FOOD FRAUD

ISSUE

- The issue of "food fraud" continues to garner widespread attention in media reports and other sources. In Budget 2019, the Government of Canada invested in the Canadian Food Inspection Agency's (CFIA's) efforts to address food misrepresentation within its mandate.

- Given the media reports about an increase in global incidents of food misrepresentation due to COVID-19, the CFIA continues to monitor, assess and analyze information to promptly address related risks, as required.

KEY FACTS

- The Government of Canada invested $24.4M over five years to enhance federal capacity to detect and take enforcement action against food fraud.
- Since the launch of this initiative, the Canadian Food Inspection Agency has conducted targeted sampling and testing of foods at high risk for fraud, like honey and fish.
- This has resulted in a number of compliance and enforcement actions to stop adulterated and misrepresented food products from reaching the Canadian marketplace.

KEY MESSAGES

- Food safety and consumer protection are key priorities of this Government.

- Since the launch of the food fraud initiative under the Food Policy for Canada, CFIA has conducted targeted inspection, sampling and testing of products at high risk of food fraud such as honey and fish, and has published the results of this work.

- The Canadian Food Inspection Agency continues to monitor situations relating to food misrepresentation and will respond appropriately if it is detected.

BACKGROUND

Food fraud may occur when food is misrepresented. It can pose serious health risks, including for example, the addition of unidentified allergens or hazardous materials to food products. It can also have an economic impact on the buyer (for example, paying for a product that is actually of lower quality).

It is an emerging international issue that includes adulteration, ingredient substitution, dilution, simulation, tampering, and false or misleading statements made about a product or its ingredients for economic gain.

Food misrepresentation can occur in a broad range of foods, domestic and imported. Some common examples are: olive oil adulterated with less expensive oils, horse meat sold as beef, substituting expensive fish with cheaper species, and adulteration of honey with sugars not naturally present in it.

Budget 2019 introduced a Food Policy for Canada which provides $24.4 million over five years (a portion, $3.1 million, for Health Canada) for the Canadian Food Inspection Agency (CFIA) to enhance federal capacity to detect and take enforcement action against instances of food fraud within its mandate.

New provisions under the *Safe Food for Canadians Regulations* strengthen food safety laws and provide new tools to help CFIA address aspects of food fraud, including traceability requirements.

In addition to regular surveillance, inspection and complaint response activities, CFIA carries out a targeted blitz-type approach/enhanced surveillance in situations when there are known risks of food misrepresentation. In the instances where such fraud is identified, CFIA takes appropriate enforcement action; this can range from verbal and/or written notifications to warning, detention of product, license suspension/cancellation, disposal or removal of product from Canada, product recall and/or prosecution.

Since the launch of the food fraud initiative under the Food Policy for Canada, CFIA has conducted targeted inspection, sampling and testing of products at high risk of food fraud, and has published the results of this work.

The CFIA has published its 2020-2021 food fraud annual report, which includes the results of its surveillance activities to test the authenticity of various foods: honey, fish, olive oil, other expensive oils (such as sesame oil, grapeseed oil, coconut oil) and spices.

Overall, CFIA's 2020-21 testing showed four of the five commodities had satisfactory results above 87% while expensive oils other than olive oil had 66% satisfactory results. Of the 525 total samples tested, the Agency's high-risk targeted sampling yielded the following percentages of satisfactory results:

- 88.5% honey
- 91.2% fish
- 87.8% olive oil
- 66.2% other expensive oils
- 92.9% spices

As sampling was based on risk factors, these results are not representative of the overall Canadian marketplace.

In previous years, CFIA's food fraud annual reports focused its surveillance of honey and fish. In 2018-2019 and 2019-2020, the Agency published its sampling and testing results for honey adulteration. In 2019-2020, CFIA published its report on fish species substitution.

Addressing the issue of food misrepresentation and food fraud is a collective effort. The CFIA engages with industry partners, other government departments and sectors, the scientific community, consumers, the non-government sector, and international partners to exchange information and identify ways to collaborate and address food fraud.

D) Government Response to Standing Committee on Fisheries and Oceans (FOPO)

The following information is being provided by the Canadian Food Inspection Agency (CFIA) in response to the questions asked by the Members of the Standing Committee of Fisheries and Oceans (FOPO) – Meeting 6, February 10, 2022

Excerpt from Meeting 6:

Question 1 **Mr. Bob Zimmer (Prince George—Peace River—Northern Rockies, CPC):** Thank you, Mr. Speaker. I hope I say your name right, Ms. Switucha. I have a simple question on the consultation you referred to earlier, the 120-day one on this specifically. How was it conducted? Who was invited to participate? Was it in person or was it Zoom? As well, how was the general consultation conducted? I know that's a lot to answer in 60 seconds, but do your best.

Ms. Tammy Switucha: Thank you very much. The consultation to which I referred in August of 2021 was an online consultation that was open to anyone to participate in. There was a discussion paper that was prepared between all three departments. This was posted online on all of our websites as well as the Consulting with Canadians web page for the Government of Canada.

Mr. Bob Zimmer: How many actually did participate?

Ms. Tammy Switucha: We received a total of 150 submissions, some of them using the questionnaire that was provided in the consultation paper. Others were provided more generally in terms of emails to us as well.

Mr. Bob Zimmer: Thank you. I'd like a detailed synopsis of what that looked like, if you could provide that to the committee.

Response

More than 70 respondents completed the online questionnaire. The breakdown is as follows:

- 39 identified themselves as consumers,
- 11 industry,
- 6 government,
- 5 academia and consulting, and
- 3 non-governmental organizations

In addition, the CFIA received:

- over 80 individual emails with comments from consumers
- 15 individual email submissions from:
    - industry associations (7),
    - provincial governments (3), and
    - non-government organizations (5)
- three write-in campaigns totalling over 3600 similar emails

The CFIA, DFO, and AAFC also met with representatives of the Assembly of First Nations and heard verbal feedback as it relates to the interests of Indigenous rights holders.

A summary report of what was heard as a result of the consultation is being developed and is expected to be posted online in spring 2022.

Question 2 **from Ms. Lisa Marie Barron:** Thank you. Following up from Mr. Perkins' question to Ms. Switucha, I'm wondering if you can expand a little on the 4,000 seafood items that you said are tested each year. Can you give us a sense of the total volume of fish that we're talking about that are coming into Canada, to get a sense of the scale, and also how does this compare to other food items that CFIA inspects?

Ms. Tammy Switucha: Thanks for the question. I can't speak to the volume. I'm sorry. That's information I don't have available at the moment, and in terms of our sampling of other food products, that's something that I will have to follow up with the committee on with further information.

Response

The table below provides import data for various types of agri-food – excluding live animals, liquids, eggs for hatching, seeds, and raw grains. Fish and seafood includes live products. All categories exclude products unfit for human consumption (labelled as such, and feed). Fish and seafood represents about 3% of volume of food imported into Canada from year to year. Additional product categories are provided for comparison.

Imports (in Million Kilograms)	**2019**	**2020**	**2021**
Agri-food, fish and seafood total	14,301.9	15,990.7	16,620.5
Fish and seafood	445.1	433.4	482.3
Agri-food total *(does not include fish and seafood, but includes fresh fruit, fresh vegetables and meat, among others)*	13,856.7	15,557.2	16,138.1
Fresh fruit *(excludes nuts, dried or frozen)*	2,580.6	2,624.5	2,689.1
Fresh Vegetables *(excludes dried or frozen)*	2,087.4	2,002.1	2,167.9
Meat	618.8	690.6	652.8
Relative share of agri-food, fish and seafood total			
Fresh fruit	18.0%	16.4%	16.2%
Fresh vegetables	14.6%	12.5%	13.0%
Meat	4.3%	4.3%	3.9%
Fish and seafood share	3.1%	2.7%	2.9%

Data source: Market and Industry Services Branch, Agriculture and Agri-Food Canada

Question 3 **from Mr. Robert Morrissey:** Okay, you referenced 20 licences were revoked or suspended. Could you give us an example of what would be the size of the operation? What would it be doing? Just pick an example. I'm curious.

Ms. Tammy Switucha: I don't have that information at hand, I'm sorry. We would need to follow up on the question, Mr. Chair.

Mr. Robert Morrissey: Could you provide the committee with a breakdown, or define who the 20 licences were? What would be the face of that identity, if you could?

Response

CFIA routinely publishes information about licence suspensions and cancellations on its website. A sample of licence suspensions between 2019 and 2021 taken from the CFIA website are presented in this table:

Suspension Date	Company Name & Location	Licenced activity	Reason for suspension
January 21, 2019	Omega Fish and Foods Ltd., Calgary, AB	Fish Import Licence	Various violations to provisions under the Fish Inspection Regulations related to labelling and record keeping Cancelled May 13, 2019
May 1, 2019	Quoddy Savour Seafood Ltd. Pennfield, NB	Safe food for Canadians licence (SFCL)	Licence holder failed to comply with the Safe Food for Canadians Regulations requirements for reliably implementing adequate controls for traceability on a consistent basis in accordance with the applicable provisions under section 90 of the regulations.
August 12, 2019	9377-8249 Quebec Inc. Laval, QC	SFCL Import	The operator did not develop a preventive control plan related to import controls in accordance with the relevant provisions of Part 4 of the Safe Food for Canadians Regulations.
December 31, 2019	MAS Distribution Inc. Laval, QC	SFCL Import	The licence holder did not develop a compliant preventive control plan in accordance with the relevant provisions of Part 4 of the Safe Food for Canadians Regulations.
December 25, 2019	Fine Choice Foods Ltd. Richmond, BC	SFCL Processing	The operator did not implement a preventive control plan in accordance with the relevant provisions of Part 4 of the Safe Food for Canadians Regulations.
February 7, 2020	North American Seafood Inc. Vancouver, BC	SFCL Processing	The CFIA suspended the licence # 4GHJ4NWK of North American Seafood Inc. for failing to maintain records as required under Part 5 of the Safe Food for Canadians Regulations. Cancelled May 26, 2020.
February 20, 2020	Ocean Run Seafood Canada Ltd. Vancouver, BC	SFCL Processing	The CFIA suspended the licence #9XPNHXF7 of Ocean Run Seafood Canada Ltd. for failing to maintain records as required under Part 5 of the Safe Food for Canadians Regulations.
February 20, 2020	MPY Trading Ltd. Vancouver, BC	SFCL Processing	The CFIA suspended the licence #6BXJR9YX of MPY Trading Ltd. for failing to maintain records as required under Part 5 of the Safe Food for Canadians Regulations.
June 29, 2020	9368-0155 Quebec Inc. Doing business as GM Alim. Saint-Laurent, QC	SFCL Import	The licence holder did not develop a compliant preventive control plan in accordance with the relevant provisions of Part 4 of the Safe Food for Canadians Regulations.
June 30, 2020	B. Terfloth + Cie (Canada) Inc.	SFCL Import	The licence holder did not develop a compliant preventive control plan in accordance with the relevant provisions of Part 4 of the Safe Food for Canadians Regulations.

Suspension Date	Company Name & Location	Licenced activity	Reason for suspension
	Westmont, QC		
July 16, 2020	9362-7628 Québec Inc. Repentigny, QC	SFCL Import	The licence holder did not develop a compliant preventive control plan in accordance with the relevant provisions of Part 4 of the Safe Food for Canadians Regulations.
July 30, 2020	Vencomex Inc. Montreal, QC	SFCL Import	The licence holder did not prepare a preventive control plan compliant with the relevant provisions of Part 4 of the Safe Food for Canadians Regulations.
November 12, 2020	Arctic Pearl Ice and Cold Storage Ltd. Richmond, BC	SFCL	The licence holder failed to comply with Part 4 and 5, sections 84(1), 84(2), and 90(1) of the Safe Food for Canadians Regulations regarding recall processes, traceability and labelling. Cancelled March 26, 2021
January 25, 2021	BucksWild Seafood Ltd. Musquodoboit Harbour, NS	SFCL Processing	Adequate controls for food safety are not being reliably implemented in the facility on a consistent basis, as required by the Safe Food for Canadians Regulations. The company has failed to correct deficiencies previously identified through CFIA inspections.
March 15, 2021	9298-1349 Québec Inc. Montreal, QC	SFCL Import	The licence holder did not prepare a compliant preventive control plan in accordance with the relevant provisions of Part 4 of the Safe Food for Canadians Regulations.
April 9, 2021	Guro Fishery Processing Ltd. Halifax, NS	SFCL Processing	Adequate controls for food safety are not being reliably implemented in the facility on a consistent basis, as required by the Safe Food for Canadians Regulations. The company has failed to correct deficiencies previously identified through CFIA inspections.
May 19, 2021	Mariama Thiam Montreal, QC	SFCL Import	The licence holder did not prepare a compliant preventive control plan in accordance with the relevant provisions of Part 4 of the Safe Food for Canadians Regulations.
June 15, 2021	Boat Fresh International Trading Ltd. Richmond, BC	SFCL Import	The licence holder failed to correct the following non-compliances within the required time period: • preparing and keeping documentation for product traceability in accordance with Part 5, section 90(1)(a)of the SFCR • preparing, keeping and maintaining a satisfactory written recall and complaints procedure and a preventative control plan in accordance sections 85 and 89(4) of Part 4 of the SFCR • altering, destroying or falsifying a document required to be kept, maintained or provided under the SFCR, contrary to section 17.
September 3, 2021	Hanneux Inc. Montreal, QC	SFCL Import	The licence holder did not prepare a compliant preventive control plan in accordance with the relevant provisions of Part 4 of the Safe Food for Canadians Regulations.

Suspension Date	Company Name & Location	Licenced activity	Reason for suspension
November 26, 2021	Harbour International Ltd., Bay Roberts, NL	SFCL Processing	The licence holder did not prepare and implement a hazard analysis critical control plan as part of the written preventative control plan, in accordance with Sections 47 and 89 of Safe Food for Canadians Regulation to process, treat, preserve, manufacture, package and store frozen berries.

E) Seafood Traceability QP Card
RDIMS: 17957987, v.10

SEAFOOD TRACEABILITY PROGRAM

ISSUE

- The Minister of Health's 2019 mandate letter included a commitment for a boat-to-plate traceability program for fish and seafood products.

- Non-government organizations such as Oceana Canada are strong supporters of the boat-to-plate traceability mandate commitment. They advocate using it as a means to keep illegal fish out of Canada, to prevent fish fraud, and to preserve ocean health.

KEY FACTS

- In spring 2021, Oceana Canada tested fish for species substitution, and reported a 46% mislabelling rate. The report was published in August 2021. In October 2019, Oceana Canada released a report on seafood fraud in Canada. Using DNA testing, Oceana reported that 47% of the 427 samples taken from across Canada were mislabelled.

- The Agency tested nine high-risk fish species available in Canada for potential substitution between April 2020 and March 2021. They found that 91% of samples were identified by their correct common name on the label.

- Food misrepresentation (fraud) was identified as a priority in Budget 2019 as part of the Food Policy for Canada, with $24.4M dedicated to this work over 5 years starting in 2019–20, and $5.2M per year ongoing.

- In August 2022, the Seafood Source website published an article titled *Traceability efforts overridden by inflationary pressures in Canada, US*. The article mentions a letter sent from 26 seafood industry stakeholders in Canada to the Minister of Agriculture and Agri-Food; the Minister of Fisheries, Oceans and the Canadian Coast Guard; the Minister of Health; and the President of the Canadian Food Inspection Agency. The letter (linked to in the article) urges the federal government to commit to a timeline on mandating boat-to-plate traceability for seafood sold in the country.

KEY MESSAGES

- Food safety and consumer protection are key priorities of the Government of Canada.
- The Canadian Food Inspection Agency, in collaboration with Agriculture and Agri-Food Canada and the Department of Fisheries and Oceans Canada, sought feedback from stakeholders about boat-to-plate traceability and related topics. The consultation ended on December 11, 2021, with valuable feedback received.

- The Canadian Food Inspection Agency, Agriculture and Agri-Food Canada and the Department of Fisheries and Oceans Canada have analyzed the consultation feedback. A “what we heard” report was published on July 4, 2022. The report will inform recommended approaches related to seafood traceability in Canada.

IF PRESSED ON TRACEABILITY …

- Canada has been recognized as having one of the best food safety systems in the world and has implemented robust food traceability requirements under the *Safe Food for Canadians Regulations.*
- These requirements bring all food businesses that import, export, or trade between provinces or territories to the same international standard set by the international food standard setting body, Codex Alimentarius.
- Traceability requirements involve food businesses keeping records — one step forward, one step back — allowing food to be followed from one point in the supply chain to the next.

IF PRESSED ON TIMELINES FOR A SEAFOOD TRACEABILITY PROGRAM …

- The Department of Fisheries and Oceans and the Canadian Food Inspection Agency are working to determine approaches to fish and seafood traceability in Canada, both from a fisheries management and a food safety perspective.
- Efforts are underway to develop work plans by the end of 2023, which will include both short-term improvements and long-term solutions for consideration.

IF PRESSED ON GOVERNMENT RESPONSE TO FISHERIES AND OCEANS COMMITTEE REPORT ON TRACEABILITY AND LABELLING OF FISH AND SEAFOOD PRODUCTS …

- The CFIA takes issues of food safety and food misrepresentation seriously.
- The government response to the committee has been published and includes the activities of several departments.

BACKGROUND

Food Fraud

There have been increased incidents of food misrepresentation globally during the COVID-19 pandemic due to impacts on global food supply chains. The Canadian Food Inspection Agency (CFIA) continues to monitor the environment for emerging food fraud risks and will respond promptly, as required.

Addressing the issue of food misrepresentation requires a collective effort and engagement by industry partners, government departments, the scientific community, consumers, the non-government sector, and international partners.

The *Food and Drugs Act* and the *Safe Food for Canadians Act* prohibit, among other prohibitions, the selling, labelling and advertising of a food in a manner that is false, misleading or deceptive or likely to create an erroneous impression regarding a number of things, including its composition. In cases of known non-compliance, CFIA takes appropriate action.

Under the Food Policy for Canada, the CFIA is using the funding provided through Budget 2019 to tackle food misrepresentation by expanding its capacity to detect and address deceptive practices and food misrepresentation, such as through targeted inspection and better intelligence gathering.

Between April 2020 and March 2021, the CFIA tested fish available in Canada for potential species substitution and misrepresentation. Results of this testing showed 91% of fish samples taken were satisfactorily labelled with proper common names. A report highlighting CFIA findings and test results was published on the CFIA website.

Canada is working with its domestic and international partners to address the global issue of food misrepresentation.

Traceability

The Minister of Health's 2019 mandate letter introduced a commitment to develop a boat-to-plate traceability program for fish and seafood products, in collaboration with Agriculture and Agri-Food Canada (AAFC) and the Department of Fisheries and Oceans (DFO).

In follow-up to its October 2019 report on seafood fraud in Canada, Oceana Canada issued in June 2020, a policy brief summarizing its vision and preferred approach for the implementation of this mandate commitment. Oceana Canada conducted repeat testing of fish for species substitution in spring 2021 and released a report in August 2021 highlighting a 1% reduction in mislabelling rate since its testing between 2017 and 2019.

The *Safe Food for Canadians Regulations* requires food businesses that import, export or trade inter-provincially to keep records that allow a food to be traced—one step back and one step forward—to the point of retail. Being able to track the path of a food in the supply chain can significantly reduce the time it takes businesses to remove unsafe food from the market. The traceability requirements could also facilitate trace-back during an investigation on food misrepresentation.

Most consumer prepackaged foods, including seafood products, must also have a label with information that is widely recognized as necessary for public health or consumer protection. Unless an exemption

exists, this information includes a common name, ingredients list, nutrition facts table, lot code, and principal place of business of the person by or whom the food was manufactured, prepared, produced, stored, prepackaged, or labelled.

Currently, additional information, such as the location of catch or the type of fishing gear used, can be voluntarily provided on the label, provided this information is truthful and not misleading.

The CFIA is working with domestic organizations, such as the fish processors and retail and restaurant associations, to raise awareness and develop solutions to mitigate the risk of species misrepresentation.

In addition to the work being done on fish misrepresentation, CFIA, AAFC and DFO are working with industry and non-government organizations to determine appropriate approaches related to seafood traceability in Canada.

In August 2022, a letter was sent from 26 seafood industry stakeholders in Canada to the Minister of Agriculture and Agri-Food; the Minister of Fisheries, Oceans and the Canadian Coast Guard; the Minister of Health; and the President of the CFIA urging the federal government to commit to a timeline on mandating boat-to-plate traceability for seafood sold in the country.

The Parliamentary Committee on Fisheries and Oceans (FOPO) conducted a study in 2022 and made 13 recommendations regarding traceability of fish and seafood. The government responded by acknowledging the report and its recommendations.

Funding

Food misrepresentation was identified as a priority in Budget 2019 as part of the Food Policy for Canada, with $24.4M dedicated to this work over 5 years starting in 2019-20, and $5.2M per year ongoing. This funding will enable CFIA to enhance its ability to prevent, detect, and respond to misrepresentation of food, including fish and seafood, in Canada. Funding will allow for increased inspections, lab testing, enforcement actions and compliance promotion efforts that will further protect Canadians and assist in maintaining a fair marketplace for industry. CFIA laboratories use DNA testing to verify if fish species are truthfully declared and inspectors are able to take a range of enforcement actions when a non-compliance is found. The Food Misrepresentation funding also supports identification and validation of new testing methodology for testing authenticity of foods.

F) Media Lines and Qs & As – What We Heard Report

RDIMS: 16355964, v.4

Consultation on Boat-to-Plate Traceability: What We Heard Report

FINAL

Canadian Food Inspection Agency

MEDIA LINES

For use by CFIA spokespersons only

TITLE

NEW – Consultation on Boat-to-Plate Traceability: What We Heard Report

ISSUE

The 2019 Minister of Health's mandate letter introduced a commitment to develop a boat-to-plate traceability program that will help Canadian fishers better market their high-quality products. In August 2021, the Canadian Food Inspection Agency (CFIA) launched a 120-day consultation, in partnership with Agriculture and Agri-food Canada (AAFC) and Fisheries and Oceans Canada (DFO), to identify approaches to fulfill the mandate commitment. The CFIA published a What We Heard Report on July 4, 2022 summarizing the feedback received during the consultation.

> Additional media lines on seafood fraud and traceability (RDIMS 14402770), boat-to-plate traceability (RDIMS 13962838) and this consultation (RDIMS 14727269) are available.
>
> Sustainability and fisheries management questions should be directed to DFO and questions about market access and trade should be directed to AAFC.

KEY MESSAGES

- The Government of Canada is committed to addressing food fraud, including mislabelling and fish species substitution. Fish and seafood fraud not only undermines consumer confidence, but also hurts businesses that work hard to deliver accurately represented products to the marketplace.

- From August to December 2021, the Canadian Food Inspection Agency (CFIA), along with Agriculture and Agri-Food Canada (AAFC) and Fisheries and Oceans Canada (DFO) sought feedback on a discussion paper for the boat-to-plate traceability mandate commitment to help determine next steps to fulfill the Ministerial mandate commitment on traceability of fish and seafood in Canada.

- The discussion paper was developed by engaging with various groups in the fish and seafood sector, including industry, Indigenous organizations, non-government organizations, academia, and other levels of government.

- The consultation gathered information and perspectives on three themes, which were identified as key drivers behind the mandate commitment:

    - Consumer protection and food safety (as it relates to fish and seafood)
    - Sustainability and fisheries management related to traceability and combatting global illegal, unreported and unregulated fishing
    - Market access, trade, and promoting Canadian fish and seafood

- The CFIA published a What We Heard Report summarizing the feedback received during the consultation.

- The feedback received will inform recommendations to fulfill the boat-to-plate traceability mandate commitment. The CFIA, DFO and AAFC will consider all input in order to determine appropriate next steps.

QUESTIONS AND ANSWERS

Q1 **What was the purpose of the consultation?**

The consultation is part of the work being done to fulfill the Minister of Health's 2019 mandate commitment to develop a boat-to-plate traceability program that will help Canadian fishers better market their high-quality products.

A discussion paper was developed by engaging with various groups in the fish and seafood sector, including industry, Indigenous organizations, non-government organizations, academia, and other levels of government.

Participants were invited to read and comment on the discussion paper exploring three key themes that were identified as key drivers of the mandate commitment: consumer protection and food safety, sustainability and fisheries management, and market access, trade and marketing of Canadian fish and seafood.

The consultation sought to identify potential regulatory and non-regulatory measures that could be considered to fulfill the mandate commitment to develop a boat-to-plate traceability program for fish and seafood products.

Q2 **How was the consultation carried out?**

The Canadian Food Inspection Agency, along with Agriculture and Agri-food Canada and Fisheries and Oceans Canada, held a 120-day public consultation between August 13 and December 11, 2021. Participants were able to share feedback by mail, email or through an online survey. Industry, consumers, government and non-governmental associations were encouraged to share their thoughts on the discussion paper for the Boat-to-plate traceability mandate commitment.

Q3 **What kind of response did the consultation receive?**

The consultation received 171 unique responses, including 71 completed online questionnaires and 100 letters or email responses. The CFIA also received over 3600 emails that were part of 3 identified write-in campaigns.

Participants included consumers, industry members and industry associations, non-governmental organizations, academia, consultants and government (for example, provincial/territorial governments).

Overall, respondents welcomed the opportunity to provide feedback on the boat-to-plate traceability initiative. Stakeholders expressed their support of CFIA, DFO, and AAFC efforts to seek feedback in order to inform recommended approaches to fulfilling the mandate commitment.

Q4 **What did the respondents have to say?**

Most respondents appreciate the value of traceability in the fish and seafood sector with varying preferences about the appropriate approach.

Some respondents indicated that there are opportunities to increase consumer confidence and improve marketing of Canadian fish and seafood by enhancing existing labelling tools and making changes to current guidelines to improve clarity about Canadian caught seafood.

Some consumers and non-government organizations expressed concern that current traceability requirements are not adequate to ensure imported products are produced following fisheries management and sustainability standards that are equivalent to Canadian standards.

Responses from the majority of stakeholders showed strong interest in sustainably harvested fish and seafood. Responses linked increased traceability of tracking elements such as harvest area, country of origin and catch method to potential benefits in sustainability, detection of illegal, unreported and unregulated fishing and alignment with export requirements.

There were also comments about potential increased costs to the industry related to traceability that may result in increased costs to consumers. Generally stakeholders indicated that increased costs to consumers should not be an unintended consequence of this initiative.

Q5 **What is the link between food misrepresentation/food fraud and traceability?**

Some stakeholders identified traceability as a potential tool to reduce the likelihood of fish and seafood misrepresentation in Canada. Because of this, as part of the consultation, the CFIA explored what is currently working well in the prevention of food fraud and misrepresentation in Canada, and what are potential areas and strategies for improvement.

Q6 **Canada already has a traceability system in place under SFCR. Why would a boat-to-plate traceability program be needed?**

Traceability in the context of this mandate commitment extends beyond the food safety traceability requirements under the *Safe Food for Canadians Regulations*. This is an opportunity to review the current traceability systems in place and to better understand how these systems can be further developed to better respond to consumers interests in Canada and abroad.

Since the mandate letter was issued, the Government of Canada engaged various stakeholders in the fish and seafood sector, including industry, Indigenous organizations, non-government organizations, academia, and other levels of government and drafted the paper based on information gathered from those discussions.

The consultation aims to understand what exists now, how it works, and where there could be gaps.

Q7 **What are the current legislative requirements for fish and seafood traceability and labelling in Canada?**

The *Safe Food for Canadians Regulations* ensure food businesses that import, export, or trade between provinces or territories are held at the international standard set by Codex Alimentarius, the international food standard setting body.

The traceability requirements involve food businesses keeping records — one step forward, one step back —allowing food to be followed from one point in the supply chain to the next. This approach also supports follow-up on food misrepresentation issues.

All foods, including seafood products, must also have a label with information that is widely recognized as necessary for public health or consumer protection, such as a common name, ingredients list, Nutrition Facts table, lot code, and principal place of business where the food was manufactured.

For imported prepackaged fish, the country of origin must be clearly identified on the label. The country of origin is the country where the last substantial transformation of the fish product occurred.

Additional information, such as the location of the catch or the type of fishing gear used, can be voluntarily provided on the label, provided this information is not false or misleading.

Q8 **What other steps has the Government of Canada taken to fulfill this mandate commitment?**

The CFIA, Fisheries and Oceans Canada, and Agriculture and Agri-Food Canada are working with various stakeholders to identify potential regulatory and non-regulatory measures to fulfill the mandate commitment to enhance traceability of fish and seafood in Canada.

Budget 2019 introduced a Food Policy for Canada that includes an investment for the CFIA to expand its capacity to detect and take action against food fraud. Between April 2019 and March 2020, the CFIA sampled and tested fish from domestic processors, importers, and retail establishments across Canada for authenticity and published a summary report of its findings in March 2021.

In support of the mandate commitment, the CFIA updated its Fish List with 19 species in December 2019 based on data gathered from internal and non-governmental sources. Two similar updates to the Fish List were carried out in 2021. The CFIA will continue to periodically update the information in the Fish List in this manner.

In partnership with the Fisheries Council of Canada, the CFIA held a fish and seafood supply chain workshop in February 2020 with various stakeholders from the fish and seafood supply chain, as well as academia and other government departments.

The workshop was designed to understand and identify best practices and vulnerabilities in the supply chain, as well as identify potential strategies to mitigate risks and issues related to fish and seafood labelling and representation.

The CFIA also held a similar virtual workshop in September 2020 with non-governmental organizations to get their input on strengths, weaknesses, and opportunities for improvement.

Information gained from these workshops, as well as other research and information gathering, was used to inform the development of the discussion paper for consultation, and will also inform approaches to respond to the mandate commitment.

Q9 **What are the future plans?**

The feedback received will inform recommendations to fulfill the boat-to-plate traceability mandate commitment. The CFIA, DFO and AAFC will consider all input in order to determine appropriate measures to further the objectives of each theme set out in the discussion paper:

- Consumer protection and food safety (as it relates to fish and seafood)
- Sustainability and fisheries management related to traceability and combatting global illegal, unreported and unregulated fishing
- Market access, trade, and promoting Canadian fish and seafood

Given the range of feedback, it will be important to balance the interests of consumers, industry, and other stakeholders when carrying out any next steps.

3. Healthy Eating Strategy - Front-of-Package Labelling

Mandate Commitment:

"Recognizing that a healthy population is key to reducing vulnerability to health events, promote healthy eating by advancing the Healthy Eating Strategy. This includes finalizing the front-of-package labelling to promote healthy food choices and supporting restrictions on the commercial marketing of food and beverages to children "

Implementation Lead: Health Canada

The following are some key points provided by the Food Labelling Division:

- The Healthy Eating Strategy proposed Front of Package nutrition labelling for foods high in salt, sugar and/or fat. Proposed regulations for this work were pre-published in February 2018.
- A commitment to advance this work has been included in the Minister of Health's mandate letter
- The CFIA is ready to support Health Canada counterparts as they develop their plan to implement and enforce these regulations.

A) Media Lines and Qs & As – Front of Pack CGII Publication

DRAFT
RDIMS #17479790, v.3

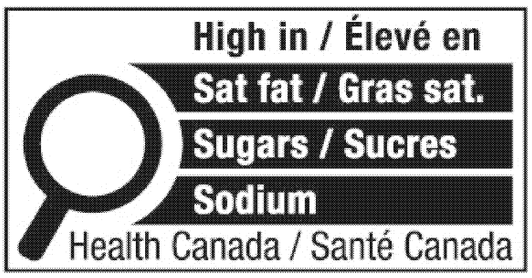
Front of pack CGII Publication

Canadian Food Inspection Agency

Media Lines / Questions and Answers

On July 20, 2022, subject to Governor in Council approval, the regulatory package for Front-of-Package (FOP) will be published in the *Canada Gazette*, Part II (CG II). This regulatory initiative is led by Health Canada, and includes amendments to the *Food and Drug Regulations* (FDR) to add a new FOP labelling requirement for foods containing nutrients of public health concern (saturated fats, sugars, and/or sodium) at or above specified thresholds depending on the nutrient.

Industry will have until January 1, 2026 to comply with the new regulations. However, amendments related to partially hydrogenated oils do not have a transition period, as the ban on partially hydrogenated oils has been in effect since September 2018. These requirements will apply to imported food as well as food produced in Canada for the domestic market.



On the same day, the regulatory package for Supplemented Foods (RDIMS 17452289) will also be published to CGII.

The communications plan for FOP (RDIMS 11232540) outlines the Canadian Food Inspection Agency (CFIA) approach to supporting Health Canada's communications efforts. Our communications activities are aimed at promoting internal readiness to implement these regulatory changes.

BACKGROUND

Health Canada announced FOP with a media tech briefing on June 29th and Ministerial announcement on June 30th. This announcement was made in advance of CGII publication on July 20th.

Prior to the announcement, HC had proposed FOP labelling for ground beef as a food high in saturated fat, which received increasing media attention in advance of CGII publication. This led to an exemption being granted for ground beef. As a result, media coverage of the announcement has been positive.

Industry has also expressed concern with some aspects of FOP in the past.

Initial criticism from industry stakeholders has focused on the symbol itself and concerns it could have a negative impact on businesses. There is also potential for industry criticism focusing on supply chain pressures, COVID challenges faced by business, and costs associated with label changes.

Media attention is anticipated. Health Canada will respond to any media enquiries related to the issues above. They have prepared media lines and Q&As (draft version RDIMS 17479769) explaining that these changes will make it easier for Canadians to make healthier choices, and that this is based on, and supported by, the best and most up to date scientific evidence.

CFIA would respond to questions regarding to whom these changes apply, when they apply, and how we will verify compliance.

MEDIA LINES

- Health Canada has published final regulations requiring a front-of-package (FOP) nutrition symbol on prepackaged foods high in sodium, sugars, and/or saturated fat.

- The new FOP nutrition symbol will make it easier and faster for Canadians to make healthier choices.

- The food industry will have until January 1, 2026, to comply with the new front-of-package regulations.

- This transition period allows time for industry to make any necessary label changes, use up existing stocks of product or labels, and mitigate any potential supply chain or costing issues.

- CFIA's efforts during the transition period (July 2022 to December 31, 2025) will focus on education to increase understanding of and compliance with these new requirements.

- As of January 1, 2026, when the transition period has ended, all labels are required to comply with the new regulations.

- The CFIA will monitor compliance with the new labelling requirements, and take the appropriate enforcement action.

- This timing is in line with Health Canada and the CFIA's joint Food Labelling Coordination policy.

QUESTIONS AND ANSWERS

Note: *any questions regarding consultations, consumer research, design of the FOP label, what foods will require it, approved exemptions, and how thresholds were determined, will be referred to Health Canada (their ML and Q&As with this information can be found in* RDIMS 17479769). *CFIA will respond to questions regarding compliance and enforcement of the new requirements.*

Q1. Is there a transition period? If so, how long will it be?

A1. Beginning on July 20, 2022, industry will have until December 31, 2025 to meet the new requirements.

If pressed about partially hydrogenated oils

Amendments related to partially hydrogenated oils do not have a transition period, as the ban on partially hydrogenated oils has been in effect since September 2018.

Q2. When will the CFIA begin enforcement of FOP labelling?

A2. The food industry will have until January 1, 2026, to comply with the new front-of-package regulations.

This transition period allows time for industry to make any necessary label changes, use up existing stocks of product or labels, and mitigate any potential supply chain or costing issues.

This timing is in line with Health Canada and the CFIA's joint Food Labelling Coordination policy.

Q3. How will the CFIA support industry in implementing these new regulations?

A3. The CFIA will support compliance by directing industry to the tools, resources, guidance, and services they need to become familiar with and follow these regulatory requirements.

During the transition period (July 2022 to December 31, 2025), the CFIA will focus on education to promote the industry's understanding of and compliance with these new requirements.

Q4. What are the resources available for industry during the transition period?

A4. The food industry will have until January 1, 2026, to comply with the new front-of-package regulations.

CFIA's efforts during the transition period (July 2022 to December 31, 2025) will focus on education to increase understanding of and compliance with these new requirements.

CFIA and Health Canada have developed a multi-year implementation plan for these regulatory amendments to assist industry in implementing the changes during transition period.

Supplemental if pressed

Health Canada has prepared a front-of-package nutrition symbol labelling guide for industry Version 1 (in PDF) which is available by email request to smiu-ugdi@hc-sc.gc.ca. **This document will be available to CFIA staff to carry out inspection activities.** Health Canada will deliver a webinar to explain guidance for external stakeholders in the fall of 2022. CFIA will provide support for questions related to compliance and enforcement.

Q5: Can a manufacturer apply only some of the new requirements during the transition period?

A5. Yes. The transition provisions for the different components of the package are independent of one another. The components are:

- the front-of-package (FOP) labelling requirements (nutrition symbol)
- nutrient content claims requirements
- vitamin D fortification requirements and
- the labelling requirements for certain high intensity sweeteners (for example, phenylalanine statement for foods containing aspartame)

This means that implementation of any requirement within a component during the transition period will trigger implementation of all requirements within that component, but will not trigger the application of requirements in other components of the package.

For example, a manufacturer could implement the requirements related to the front-of-package nutrition symbol on the label of a box of cookies, but that will not trigger the implementation of requirements in other components (for example, high-intensity sweetener labelling, if the product contained a high intensity sweetener).

However, as of January 1, 2026, manufacturers must comply with all the new requirements.

Q6. How can industry submit questions during the transition period?

A6. Health Canada will respond to enquiries on the new requirements and their intent. These enquiries can be sent to nut.labelling-etiquetage@hc-sc.gc.ca.

The CFIA will address enquiries related to compliance and enforcement, and these can be directed to a CFIA local office.

Q7. How will the CFIA verify compliance after the transition period?

A7. As of January 1, 2026, all labels will be required to comply with the new regulations. The CFIA takes a risk-informed approach to compliance verification, which include inspections determining whether products are in compliance with the legislation. Inspectors will prepare non-compliance reports, respond to consumer complaints, and document inspection findings as well as inform regulated parties of non-compliances.

When non-compliances are identified, the CFIA takes appropriate control and enforcement actions. These actions can range from verbal and/or written notifications to warnings, detention of product, product recall, and/or prosecution.

Enforcement actions are based on harm, history, and intent of the non-compliance.

Q8. Are prepackaged food products that were manufactured or imported prior to the end of the transition period required to comply with the new regulations?

A8. At the end of the transition period, prepackaged foods manufactured or imported **before** January 1, 2026 can be sold to retailers and can remain on store shelves even if they comply with the former labelling regulations.

Products manufactured, imported or prepackaged in-store by retailers on or after that date must comply with the new labelling requirements.

Q9. How can industry submit questions after the transition period?

A9. For all food labelling questions, including those related to the new requirements, the primary resource is the Industry Labelling Tool. Any additional questions related to food labelling regulatory requirements should be directed to AskCFIA, while questions related to inspection tasks or on-going investigations and inspection decisions should be directed to a CFIA local office.

Health Canada will continue to respond to enquiries about the intent of the new requirements.

Q10. How can consumers report potential incidents of non-compliance?

A10. Consumers should continue to report concerns about the safety and labelling of any food product to the CFIA. Consumers can also contact the company directly to report their concerns.

Q11. Do these regulatory changes include amendments other than FOP nutrition labelling?

A11. In addition to FOP nutrition labelling, the new regulations also include changes to nutrient content claims, vitamin D fortification, and amendments to align the *Food and Drug Regulations* with the ban on partially hydrogenated oils that has been in place since 2018.

These amendments remove references in the *Food and Drug Regulations* to “partially hydrogenated oils” and replace references to “hydrogenated oils” with “fully hydrogenated oils,” as a result of Health Canada’s decision to prohibit the use of partially hydrogenated oils in foods.

If pressed on when CFIA will enforce the ban on partially hydrogenated oils

The ban on partially hydrogenated oils has been in effect since 2018 following a notice of modification, which indicated that it would lead to consequential amendments to the *Food and Drug Regulations*. These amendments are now being published to CGII.

CFIA has been enforcing this ban since 2018.

B) Media Lines and Qs &As – Supplemented Foods

DRAFT

RDIMS #17452289, v. 4

Supplemented Foods CGII Publication

Canadian Food Inspection Agency

Media Lines / Questions and Answers

On July 20, 2022, subject to Governor in Council approval, the regulatory package for Supplemented Foods will be published in the *Canada Gazette*, Part II (CG II). This regulatory initiative is led by Health Canada, and includes amendments to the *Food and Drug Regulations* (FDR) on a new division for Supplemented Foods (Division 29).

On the same day, the regulatory package for Front of Pack Labelling will also be published in CGII. (RDIMS 17479790).

The communications plan for Supplemental Foods (RDIMS 16694314) outlines the CFIA approach to support Health Canada's communications efforts as they are the lead. Our communications activities are aimed at promoting internal readiness to implement these regulatory changes.

BACKGROUND

Despite the positive signs of recovery, some industry members may take the position that they are still under hardship as a result of the Covid-19 pandemic and may not feel ready to comply within the timeframes provided.

Health Canada will respond to any media enquiries related to this. They have prepared media lines and Q&As (RDIMS 17216493) explaining that the regulations will continue to protect the health and safety of Canadians while creating a clear, predictable and risk-based regulatory framework for supplemented foods.

Media attention is anticipated. CFIA would respond to questions regarding to whom these changes apply, when they apply, and how we will verify compliance.

Back to TOC

MEDIA LINES

- The Government of Canada has taken an important step forward in regulating supplemented foods.

- These regulatory changes will establish a clear framework for industry that will facilitate bringing products to market.

- These changes will also help Canadians make informed choices about the supplemented foods they eat, particularly vulnerable populations such as children or pregnant women.

- Labels will be required to include:
    - A Supplemented Foods Facts table (SFFt), similar to the Nutrition Facts table (NFt) that Canadians are already familiar with
    - A supplemented food caution identifier and cautionary statements if it exceeds certain levels of supplemental ingredients

- Supplemented foods that are already authorized for sale in Canada will have a transition period of up to three-and-a-half years, ending in January of 2026. During the transition period (July 2022 to December 2025) the CFIA will focus on promoting the understanding of and compliance with these new requirements.

- All new-to-market supplemented foods will be required to comply with the new regulations as soon as they come into force on July 21, 2022.

- As of January 1, 2026, when the transition period has ended, the CFIA will monitor compliance with the new labelling requirements and take the appropriate enforcement action.

- This timing is in line with Health Canada and the CFIA's joint Food Labelling Coordination policy.

- These changes contribute to Health Canada and CFIA's continued effort to modernize food labelling as part of an overall coordinated approach to the federal food regulatory framework.

QUESTIONS AND ANSWERS

Q1. How will the CFIA support industry in implementing these new regulations?

A1. The CFIA will support compliance by directing industry to the tools, resources, guidance, and services they need to become familiar with and follow these regulatory requirements.

During the transition period (July 2022 to December 2025), the CFIA's enforcement efforts will focus on promoting the industry's understanding of and compliance with these new requirements.

Q2. How will the CFIA verify compliance after the transition period?

A2. As of January 1, 2026, all labels will be required to comply with the new regulations. The CFIA takes a risk-informed approach to compliance verification. When non-compliances are identified, the CFIA takes appropriate control and enforcement actions.

Enforcement actions are based on harm, history, and intent of the non-compliance.

These actions can range from verbal and/or written notifications to warnings, detention of product, product recall, and/or prosecution.

Q3. Why is there no transition period provided for new supplemented foods?

A3. Health Canada decided not to give new supplemented foods a transition period because there is no pre-existing market access to continue or need for time to make the necessary changes in order to comply with the requirements. This situation is different for existing supplemented foods. For further information, please contact Health Canada.

Q4. How can industry submit questions after the transition period?

A4. For all food labelling questions, including those related to the new requirements, the primary resource is the Industry Labelling Tool. Any additional questions related to food labelling regulatory requirements should be directed to AskCFIA while questions related to inspection tasks or on-going investigations and inspection decisions should be directed to a CFIA local office.

Health Canada will respond to enquiries about the intent of the new requirements.

Health Canada Q&As that refer to CFIA (their full ML and Q&As are available at RDIMS 17216493)-

Q. How can Health Canada say it is improving the oversight of supplemented foods if manufacturers no longer have to submit data on consumption incidents to the Department?

A. Health Canada is taking a comprehensive approach to monitoring the safety of supplemented foods. Rather than just relying on industry reported safety data, Health Canada's new framework allows for food safety monitoring related to supplemented foods to be carried out in the same way as for conventional foods.

The Canadian Food Inspection Agency (CFIA) is the single window for managing consumption incidents reported from all sources. This allows for timely follow-up food safety investigations and recalls, if required. Health Canada is also increasing collaboration with Poison Control Centres and international jurisdictions to enhance information sharing.

Q. How can consumers report incidents related to supplemented foods?

A. Consumers should continue to report concerns about the safety of any food product, including supplemented foods, to the CFIA. Consumers can also contact the supplemented food company directly to report any consumption incidents.

Q. How long will manufacturers have before they need to comply with the new requirements?

A. Existing supplemented foods on the market under a Temporary Marketing Authorization (TMA) will be granted a transition period until January 1, 2026, to become compliant with the new framework.

Applications for a TMA received before coming into force of these amendments (July 21, 2022) will be considered, and if approved, will be allowed on the market and have until January 1, 2026 to comply with the new regulations.

New supplemented foods that don’t meet the criteria above will be required to comply with the new regulations immediately.

Health Canada and the CFIA developed a Food Labelling Coordination Policy, which provides industry with greater predictability by establishing fixed compliance dates for future food labelling changes. The end of the transition period aligns with the first compliance date established by this policy.

H. Hot Topics – Agriculture

1. Animal Welfare and Transportation

A) QP Card

RDIMS: 17982979, v. 15

UPDATED **January 31, 2023**

Agency: CFIA

ANIMAL WELFARE AND TRANSPORTATION

ANTICIPATED QUESTION

What is the government doing in the face of concerns from industry around the new humane transportation regulations?

FIRST RESPONSE

1. **Our Government is protecting the welfare of animals entering, leaving or transported within Canada.**

2. **Updated regulations related to the transport of animals came into force in February 2020 to improve the welfare of animals during the entire transportation process.**

3. **A two-year compliance promotion period was put in place in relation to the feed, water and rest maximum intervals requirements in the updated regulations. This period ended in February 2022 and any non-compliances are now subject to the standard compliance process and enforcement actions.**

4. **The Canadian Food Inspection Agency will continue to work with industry to verify compliance with regulatory requirements.**

RESPONSIVE REGARDING ANIMAL TRANSPORT – NON-COMPLIANCE

1. **The Canadian Food Inspection Agency conducts inspections about incidents related to the humane transport of animals within its jurisdiction and responds to instances of non-compliance as appropriate, including taking enforcement measures.**

2. **The Agency's regulatory response process takes into account harm, history and intent for all humane transportation requirements.**

RESPONSIVE REGARDING THE CANADIAN FOOD INSPECTION AGENCY'S PRESENCE – FEDERALLY INSPECTED ABATTOIRS

1. **The Canadian Food Inspection Agency is present at all times in federally inspected abattoirs when slaughter operations are under way.**

2. **Under the *Safe Food for Canadians Regulations*, every federally inspected slaughter establishment must have a preventive control plan.**

3. **These plans must include, to the satisfaction of the Agency, a description of the measures for preventing or eliminating the risk of avoidable suffering, injury or death of animals during their handling and slaughtering.**

4. **The Agency verifies that licence holders effectively implement their preventive control plan and follow the applicable animal welfare laws.**

RESPONSIVE REGARDING NON-COMPLIANCE IN ABATTOIRS

- **CFIA inspectors and veterinarians are strongly committed to verifying that animals are handled humanely in the establishments they inspect.**
- **If CFIA onsite staff have concerns about the treatment or welfare of animals, they will intervene and require corrective actions.**
- **CFIA has several enforcement tools available when a licence holder fails to meet their animal welfare obligations: they can stop production, issue administrative monetary penalties or even suspend or cancel the operator's federal licence to produce meat for human consumption.**
- **An enforcement action is based on the seriousness of the non-compliance, and considers such factors as the potential risk or actual harm, as well as the compliance history and intent of the regulated party.**

RESPONSIVE REGARDING ANIMAL IMPORTS

1. **The Canadian Food Inspection Agency is responsible for regulating the importation of animals to prevent the introduction of diseases that could negatively impact the health of animals and humans.**

2. **Importers must meet the import requirements of the *Health of Animals Act* and *Regulations* to minimize the disease risk and verify that animals are transported humanely.**

3. **Importers and transporters are responsible for complying with all import and transport requirements.**

RESPONSIVE REGARDING EMERGENCY TRANSIT OF REGULATED ANIMALS

1. **The Canadian Food Inspection Agency has amended the *Health of Animals Regulations* to allow a more expeditious transit or evacuation of regulated animals through Canada and the US in emergency situations. These situations could include flooding, forest fires, extreme weather conditions or disasters, or when routine transportation routes are impaired without feasible alternatives.**

2. **This regulatory amendment is based on a joint policy co-developed by Canada and the US under the Canada–US Regulatory Cooperation Council, which is intended to facilitate trade between the two countries.**

3. **This streamlining of requirements for industry and other stakeholders during emergency situations will contribute to the humane treatment of animals during transport.**

RESPONSIVE REGARDING THE BEEF CATTLE RESEARCH COUNCIL (BCRC) STUDIES ON TRANSPORTATION OUTCOMES

1. **The amended *Health of Animals Regulations* safeguards the well-being of animals during the transport process.**

2. **Canada's humane transport regulations require weaned healthy cattle be given feed, water and rest at 36 hour intervals.**

3. **The Canadian Food Inspection Agency will review the results of the Beef Cattle Research Council transport studies, as it does all relevant animal welfare research, and consider it in the context of the current regulations.**

RESPONSIVE REGARDING REST STOP BENEFITS

1. **Our Government takes the humane transportation of animals seriously.**

2. **Animal welfare research is reviewed and considered when making regulations.**

3. **The Canadian Food Inspection Agency will examine the effectiveness of the amended regulations and make appropriate adjustments as necessary based on new scientific evidence and experience with the implementation of the regulations.**

BACKGROUND

Health of Animals Act* and the *Health of Animals Regulations

- Under the *Health of Animals Act (HAA)* and the *Health of Animals Regulations (HAR),* the Canadian Food Inspection Agency (CFIA) has legislative authority for the humane transport of animals entering or leaving Canada or within Canada. Under the *Safe Food for Canadians Act* and *Regulations* (SFCA/SFCR), the CFIA has oversight of the humane slaughter of food animals in federally inspected slaughter plants. The CFIA has a directive requiring its inspectors to report animal abuse to the appropriate enforcement agency when these issues fall outside of the CFIA's jurisdiction and mandate.

- The humane transport requirements under the *HAR* were the result of a number of consultations that the CFIA had with stakeholders since the early 2000s. Most stakeholders agree that amendments were needed. The amendments: provide clarification by adding definitions; improve animal welfare during transport; reduce the risk of suffering during transportation; better align with Canada's international trading partners; and remove obsolete or unnecessary requirements to reduce the burden on industry.

- The amended humane transport regulations came into effect on February 20, 2020.

- The CFIA implemented a two-year compliance promotion specifically in relation to feed, water and rest maximum intervals requirements in the amendments. This allowed time for industry to work out logistical issues, gather data on impacts of requirements, and work on effective measures. This compliance promotion period ended on February 20, 2022, meaning that any non-compliance is now subject to the Standard Regulatory Response Process (SRRP) and approached as outlined in the CFIA's Compliance and Enforcement policy. At this time, the CFIA does not plan to prioritize enforcement efforts where the maximum intervals without feed, water and rest for ruminants of 9 days of age and older are exceeded by less than 4 hours and all animal welfare outcomes are being met. This will provide the needed flexibility to the beef and dairy/veal industry until research currently in progress can be finalized. CFIA will continue to consult with industry and researchers on humane transport issues and to identify future research needs.

- CFIA is fully enforcing the regulations which came into force in 2020, including the feed, water and rest intervals for animals where the compliance promotion period concluded on February 20, 2022.

- Canada and the United States implemented a joint policy to more easily allow regulated animals, such as livestock, birds and common companion animals, to be evacuated across the border in emergency situations such as flooding, forest fires, extreme weather conditions and disasters.

- Recent media coverage on a study from the Beef Cattle Research Council (BCRC) on transportation outcomes suggests different interpretations between the cattle sector and CFIA. Results of this specific study will be reviewed by the CFIA once published in a peer reviewed journal.

Government of Canada participation in groups and support for projects

- The Government of Canada participates in national and international groups and organizations that are working together to improve and harmonize animal welfare practices throughout all phases of production and slaughter.

- Moreover, the Government makes funding support available for animal welfare projects under the Canadian Agricultural Partnership (CAP). For example, under CAP, the Agriculture and Agri-Food Canada's AgriAssurance Program is continuing to share the cost of projects aimed at improving animal welfare. Major new funding of up to $4.56 million was announced under this Program in February 2019, which supports both new and existing projects, including:
    - Updating the Transportation Code of Practice for the care and handling of farm animals during transport. This initiative will complement and support industry implementation of the amended animal transportation regulations under the *HAA*;
    - Updating the Dairy Cattle Code of Practice that will address new scientific findings, changes in industry practices and changes in market and consumer demands;
    - An updated Goat Code of Practice was published in 2022 that responds to growing buyer and consumer expectations for on-farm animal welfare; and
    - A new Code of Practice for farmed finfish was published. Fish welfare is a new and emerging animal welfare concern for which the industry needs to be able to demonstrate its commitment and alignment with public values and consumer expectations.

- These animal welfare projects are being managed by the National Farm Animal Care Council (NFACC), which is a division of the Animal Health Canada (previously named the National Farmed Animal Health and Welfare Council).

Commitment to ban live export of horses for slaughter

- As per the 2021 mandate letter for the Minister of Agriculture and Agri-Food Canada, the Government has committed to ban the live export of horses for slaughter. This commitment is not referring to the slaughter of horses in Canada, but to the export of horses for the purpose of slaughter.

B) Media Lines and Qs & As

RDIMS: 12496793, v20

Updated August 26, 2022

Canadian Food Inspection Agency

MEDIA LINES

For use by CFIA spokespersons only

HUMANE TRANSPORT REGULATIONS – FEED, WATER AND REST (FWR) TRANSITION PERIOD ENDING FEBRUARY 20, 2022

ISSUE

Amendments to the *Health of Animals Regulations (HAR) Part XII (Transport of Animals)* came into force on February 20, 2020. Enforcement of the prescriptive feed, water and rest (FWR) intervals focused on education and awareness until February 2022. After this date, non-compliances with any aspect of the transport of animals provisions in Part XII of the HAR will be subject to the Standard Regulatory Response Process (SRRP) and approached as outlined in the CFIA's Compliance and Enforcement Policy. The following key messages are general for all sectors.

The CFIA established working groups with some industry sectors to identify industry-specific transportation issues and to work together on their resolution before the end of this period.

POSITIONING STATEMENT

The amendment to the *Health of Animals Regulations Part XII* (Transport of Animals) came into force on February 20, 2020. During the first two years, the CFIA focused its enforcement efforts on compliance promotion for the prescriptive feed, water and rest requirements of the amended regulations, through education and awareness measures. Education and awareness of updated regulations are part of the CFIA's continuum of enforcement. As February 2022 approaches, the CFIA is moving to the full application of the standard regulatory response process (SRRP), taking into account harm, history and intent for all humane transport requirements.

KEY MESSAGES

- The Canadian Food Inspection Agency (CFIA) amended the federal regulations on the humane transport of animals to better reflect animal needs, evolving public expectations, current transportation practices and the latest scientific research.

- The amended humane transport regulations came into force February 20, 2020, and introduced a balance of prescriptive and outcome-based requirements that emphasize and improve the health and wellbeing of the animals during the entire transportation process, including a requirement that they arrive at their destination suitably hydrated, fed and rested.

- The CFIA implemented a two-year transition period for the prescriptive feed, water and rest time intervals for all sectors. The transition period aimed to help industry better understand and adapt to the new humane transport requirements.

- During this transition period, the CFIA focused its enforcement efforts on compliance promotion through education and awareness measures, which is part of the CFIA's continuum of enforcement.

- The transition period will end on February 20, 2022, at which point standard compliance and enforcement actions will take effect for the feed, water and rest (FWR) intervals.

- The amended regulations also contain outcome-based requirements aimed to protect animals from suffering from exhaustion, dehydration, nutritional deficit, extreme weather conditions, injury or death. The CFIA continues to enforce these to prevent and act on animal welfare situations.

- Enforcement actions are proportional to the animal welfare situation and the seriousness of the non-compliance and can include notices (verbal or written) and penalties (monetary or non-monetary).

SUPPLEMENTAL MESSAGES

About the amendments in general

- Animal welfare is a shared responsibility between the Canadian Food Inspection Agency (CFIA), provincial and territorial governments, producers, transporters, industry organizations, and many others.

- By having outcome-based requirements, the regulations allow industry to put in place new technologies and apply new scientific findings more quickly in order to improve animal welfare.

- These changes improve the well-being of animals during the entire transportation process, while accounting for Canada's geographic size and the time required to travel between locations.

- Other measures identified include ensuring transporters have a plan for extreme weather so animals aren't harmed as a result of extreme heat or cold, and establishing clear requirements for transporters so they understand the rules and how to follow them.

- The CFIA is committed to working with regulated parties to provide further interpretation and guidance on the regulations, and to understand issues industry may have in complying with the amendments.

- As part of the Government of Canada's commitment to regulatory review, the CFIA will routinely review the effectiveness of these amendments and make adjustments when needed.

About compliance promotion / enforcement of FWR intervals

- The two-year transition period for prescriptive feed, water and rest intervals was to help industry better understand and adapt to the new humane transport requirements.

- Education and awareness of updated regulations are part of the CFIA’s continuum of enforcement.

- Depending on the animal welfare situation and the seriousness of the non-compliance, the CFIA takes appropriate enforcement actions, including notices (verbal or written) and penalties (monetary or non-monetary), to address the situation.

- The CFIA will continue to communicate that inspector discretion will be used when enforcing the prescriptive FWR time intervals if the incident is due to an unforeseen circumstance such as vehicle breakdown, traffic accident or unexpected weather events (for example, BC flooding in 2021). In these cases, the driver should make the best welfare decision for the animals and should take measures to minimize animal suffering.
    - For example, this could be to stop to provide FWR because the maximum time has been exceeded, or it may be to keep driving and exceed the FWR time in order to get the livestock to their destination for feed, water and rest. This guidance has been in place since publication of the amended regulations.

- The CFIA established and met regularly with several industry working groups to identify industry-specific transport issues so that they could be resolved before the end of the transition period. As a result, several updates to the regulatory guidance have been made, with another update coming in the next few months so that the industry has the information and tools they need to comply with the requirements.

About the science behind the FWR time intervals

- The amendments to the humane transport regulations were made following consultation with experts in the humane transportation field from both industry and academia. The CFIA examined relevant scientific articles to ensure the most current research available on the subject of animal transportation and its effects on animals was used to inform the amendments. Current animal transport practices, existing infrastructure and animal transport logistics, Canadians' evolving expectations on animal welfare and international standards were also considered.

- A compilation of journal articles that helped inform the amended regulations are available as a list of references on Open Canada.

QUESTIONS AND ANSWERS

GENERAL

What is the purpose of the 2019 amendment to the humane transport regulations?

The objective of this regulatory amendment is to improve animal welfare. The amended regulations:

- Better align Canada's requirements with international partners (for example the United States, Australia and the European Union), as well as the OIE's and IATA's[1] animal welfare standards for animals transported by land, air and sea.

[1] OIE: World Organisation for Animal Health
IATA: International Air Transport Association

- Move towards a more outcome-based regulatory framework. For example, replacing the requirement for a plane to “provide a change of air not less than once every five minutes” with a requirement to provide all ventilation necessary to “prevent injury, suffering or death”. This will give regulated parties greater ability to apply technological advances in transportation to maintain high standards for animal welfare.

- Clarify expectations and better reflect new science regarding the care and handling of animals, thereby reducing the risk to animal welfare during loading, confinement, transport, and unloading.

- Better meet Canadians’ evolving expectations regarding the responsible care of farm animals and the humane treatment of animals during transport, including confinement, loading and unloading.

How does this regulatory amendment affect Canadian businesses?

The humane transport of animals is a shared responsibility between several groups, including owners, producers, buyers, sellers, auction markets, assembly points, abattoirs, and transporters. Businesses range from small operators that move one animal to systems that transport multiple animals over short and long distances.

The livestock and poultry industries and consumers are expected to benefit from the amendments through improved animal welfare, reduced transport losses and improved marketability and product quality. Some costs are expected for commercial carriers transporting livestock (pigs, cattle and horses) and poultry to comply with the record keeping, training, and the feed, safe water and rest requirements.

What was changed in the regulations?

The key changes:
- Animals spend less time in transport confinement.
- Animals must arrive at destination safely and be suitably fed, hydrated and rested
- The amount of time transported animals can go without feed, water and rest was reduced
- The feed, water and rest times for all hatching birds are now regulated. The previous regulations only applied to chicks.
- Regulations relating to compromised and injured animals were further defined

What are the benefits in this regulatory amendment?

The key amendments:
- Improved animal welfare and reduced the risk of suffering during transport by establishing clear requirements that better reflect animal needs and current industry practices.
- Provided clarification by adding definitions. For example, definitions of compromised and unfit animals and establishing clear requirements for regulated parties to better understand what is expected of them.
- Better align with the standards of Canada’s international trading partners and the OIE’s and IATA’s animal welfare standards for animals transported by land, air, and sea.
- Removed obsolete or unnecessary requirements and updating language to meet current legal references (i.e. changing the term “undue” to “unnecessary”).

Where can I get more information?

More information is available on CFIA's Humane Transport and Animal Welfare webpage. As well, for more information on the regulatory amendments, please send your questions to cfia.animaltransport-transportdesanimaux.acia@canada.ca

COMPLIANCE and ENFORCEMENT

Why did you give a two-year transitional period until February 2022?

The changes to Part XII of the *Health of Animal Regulations* were significant, and much like the CFIA's *Safe Food for Canadian Regulations*, it was decided that there needed to be a transition period to allow industry to adjust to implement the new feed, water and rest requirements. This period also allowed the CFIA to provide further training to its employees to ensure consistent application of the regulations.

How will the CFIA enforce the feed, water and rest requirements as of February 2022, when the transitional period ends after the 2+ years of compliance promotion, education and awareness?

As February 20, 2022 approaches, the CFIA will move from compliance promotion to the full application of the standard regulatory response, taking into account harm, history and intent for all humane transport requirements.

The CFIA continues to communicate that inspector discretion will be used when enforcing the prescriptive FWR time intervals if the incident is due to an unforeseen circumstance such as vehicle breakdown, traffic accident or unexpected weather events.

If asked for further details: Additional planned guidance to inspectors, as of February 20, 2022, is that at this time enforcement efforts should not focus on transporters that exceed the prescriptive feed water and rest (FWR) times by less than four hours for ruminants of 9 days of age and older (e.g. beef cattle, dairy cattle, sheep, dairy/veal calves 9 days of age and older), if all animal welfare outcomes are being met. This guidance reflects the current understanding of the ongoing research on transport of ruminants.

All sectors will continue to need to meet the FWR outcome-based requirements during any animal transport, specifically that animals must arrive at their destination safely and be suitably fed, hydrated and rested

Will the CFIA be present for every shipment of animals coming into Canada to be sure that transports comply with the new regulations?

At this time, CFIA inspection is only required for certain types or classes of animals and for loads where Canadian Border Services Agency has identified concerns relating to compliance with the humane transport regulations. The requirement for CFIA inspection is based on risk factors such as country of origin, species and method of transport. More information is available in AIRS.

When/in what circumstances does the CFIA do inspections of animal transport trucks in Canada?

Canada has an established animal transport inspection system. Targeted inspections are risk-based and used to verify compliance related to animal transportation, and when the CFIA suspects non-compliance.

Guidance has been provided which allows for CFIA inspector discretion with respect to enforcement in incidents resulting from unforeseen circumstances and out of the regulated party's control such as the recent BC floods where the emphasis will be placed on the best animal welfare outcome possible.

TRAINING

Will training for transporters be available?

Training for transporters is available through industry programs, such as the Canadian Livestock Transport (CLT) Certification Program. The CFIA has published interpretive guidance and will publish and update guidance as needed to help regulated parties meet the requirements and create appropriate training. The CFIA's humane transport webpage has useful guidance documents and infographics.

In addition, the National Farmed Animal Care Council (NFACC) publishes a Code of Practice for Animal Transportation, which is being revised to reflect the newly amended regulations.

FEED, WATER, and REST (FWR)

How did the CFIA determine the allowable time without access to feed, water and rest (FWR)?

The CFIA consulted experts in the humane transportation field from both industry and academia. The CFIA also examined relevant scientific articles to ensure the most current research available on the subject of animal transportation and its effects on animals was used to inform the amendment. Current animal transport practices, existing infrastructure and animal transport logistics, Canadians' evolving expectations on animal welfare and international standards were also considered.

A compilation of journal articles that helped inform the amended regulations are available as a list of references on Open Canada.

Is any new research being considered that could affect the FWR intervals for some animals?

Research currently available on the transport of animals is in alignment with the FWR time interval provisions in the amended regulations. Ongoing projects on different ages of cattle are investigating FWR times that extend no more than four hours past the current provisions.

The CFIA's compliance promotion period ends in February 2022 after which standard compliance and enforcement actions will take effect. Enforcement efforts will not focus on the enforcement of prescriptive FWR maximum time intervals for ruminants of nine days of age and over when the times are exceeded by less than four hours AND all animal welfare outcomes are met. This will provide the needed flexibility to the beef and dairy/veal industry and is consistent with research in progress.

Will flexibilities be provided to relax the rules around FWR?

The amendments to Part XII of the Health of Animals Regulations (HAR): Transport of Animals, were published in February 2019, and came into force in February 2020.
The Canadian Food Inspection Agency (CFIA) recognized that the feed, water and rest (FWR) maximum prescribed intervals outlined within the amended regulations required significant adjustments by some industry sectors. As a result, an additional 2-year compliance promotion period, focusing on education and awareness, was provided to allow industry further time to implement any adjustments, to identify issues, and work on solutions. The temporary 2-year compliance promotion period that was provided for the prescribed FWR interval provisions will end as planned on February 20, 2022.

After February 20, 2022, the CFIA will continue to use its discretionary power to enforce all humane transport requirements, and to prevent and act on animal welfare situations.

The CFIA is aware that research is continuing to look at transport times and FWR stops for both unweaned dairy calves and older beef calves. Therefore, at this time, the CFIA does not plan to prioritize enforcement efforts where the maximum intervals without FWR of 36 hours for ruminants of 9 days of age and older are exceeded by less than 4 hours and all animal welfare outcomes are being met (not exceeding 40 hours). It is important to note that the regulations also contain FWR outcome-based requirements to verify that animals are not likely to suffer, be injured or die during transport. In accordance with these FWR requirements, animals are to be provided with feed, water and rest during transport to ensure they do not suffer from exhaustion, a nutritional deficit, and dehydration. The CFIA will continue to enforce these FWR outcome-based requirements and CFIA Inspectors will continue to verify compliance with the requirements of Part XII of the HAR in the context of specific situations, and exercise their discretion to determine the enforcement actions that are appropriate in circumstances of over-limit transport times.

For further details on this, please refer to the following guidance document, Health of Animals Regulations Part XII: Transport of Animals Operational Compliance and Enforcement Approach.

How do the regulations protect animals from overly long transport times?

For *most* conveyances, the outcome-based requirements and prescriptive requirements for feed, water and rest must both be met. Both requirements were included in the regulations because the potential for harm is significant when these intervals are exceeded. The times referred to in the feed, water and rest interval provisions are maximum allotted times; the operator should stop at any time within those allotted hours if there is a possibility that animal welfare could be compromised.

For animals that are transported in fully equipped conveyances, outcome-based requirements must be met, but not the prescribed feed, water and rest times. These conveyances must meet specific requirements as laid out in the regulations which include feed and water dispensing systems, forced ventilation, protection from extreme conditions and other measures to maintain their health and well-being. The outcome-based requirements prevent animals from suffering from dehydration, nutritional metabolic abnormalities or exhaustion, irrespective of the time in transit.

While the CFIA supports innovation in the animal transportation industry, all innovations must adhere to federal regulations.

Why are there different feed, water and rest maximum times for poultry?

The main focus of the *Health of Animals Regulations* amendments is on the feed, water and rest times of animals in transit, which begin prior to loading and end after unloading. It is important to note that the CFIA's regulations for FWR times are the maximum allotted times. Operators can stop and provide FWR to their animals at any point within the allotted times.

The water maximum interval remains at 24 hours. This was determined to be the absolute maximum time between watering, factoring in all considerations. Only in the case of hatching birds is the time expanded to 72 hours. This is because hatching birds are born with yolk sacs that continue to provide nutrients to the hatching for 72 hours.

From CGI to CGII, four hours were added to the maximum allowed intervals between feed and rest times to reflect current limitations of existing infrastructure for poultry transportation and the current barriers to innovation in this area.

For example, innovations such as the use of fully equipped conveyances are not currently available for some crated animals. However, by focusing on outcomes, the regulations allow industry to more quickly put in place new technologies and apply new scientific findings that improve animal welfare when they are available.

Do the 2019 changes put Canada in line with international standards?

The amended regulations are more closely aligned with international standards overall and with the OIE. The amended regulations took into account several factors, including industry logistics and existing infrastructure. The regulations also take into account Canada's geographic size, climate and the time required to travel between locations.

Why are the regulations not completely in line with the US?

The CFIA's regulatory changes apply to all animals across all modes of transport, whereas the US regulations only apply to food animals. In the US, rules call for 28 hours of transport, but operators can apply for an extension to 36 hours of transport.

Rather than focusing on travel time, the *Health of Animals Regulations* amendments focus on feed, water and rest times, which begin prior to loading and end after unloading.

In Canada, the Health of Animals Regulations requirements are more flexible for adult ruminants (36 hours) but more stringent for vulnerable animals, such as compromised animals (12 hours) and very young animals (12 hours). The *Health of Animals Regulations* contain provisions to protect all species, including poultry, during transport.

Why are the regulations not completely in line with the European Union?

The regulations take into account Canada's geographic size, the time required to travel between locations, and current research. The regulations focus on animal welfare throughout the transportation process. The journey time is only part of that process, which begins when feed, water and rest are withdrawn and ends when they are offered again.

The regulations for feed, water and rest times are the maximum allotted times. Operators can stop and provide feed, water and rest to their animals at any point within the allotted times.

Why the difference between ruminants and non-ruminants?

Ruminants have multiple stomachs and a much slower digestive process that retains food for a much longer time, compared to non-ruminants, which only have one stomach and cannot similarly regurgitate their food. This allows fit adult ruminants to go longer between meals.

Because milk-fed calves can now only be transported for 12 hours instead of 18 hours, remote areas will not be able to respect this requirement. Can the CFIA comment?

Travel times for very young calves have been reduced because they are considered more vulnerable to animal welfare risks than older animals during long journeys. Calves under 9 days of age may only be transported for 12 hours and may not go through assembly centres. These very young calves are the most vulnerable during long travel times.

On review of ongoing research on the travel or ruminants, the CFIA is allowing some tolerance in the FWR time for calves 9 days of age and older. When all welfare outcomes are being met, the CFIA will not prioritize enforcement of the prescriptive FWR intervals when the times are exceeded by less than four hours.

The CFIA continues to work with industry on sector-specific concerns to identify potential solutions and will continue to review research results as they become available.

Why did you proceed with amendments in 2019 without the results of the research on cattle transportation?

In preparing the amended regulations, the CFIA consulted extensively with Canadians with a broad range of opinions, including transporters, producers, animal welfare groups and other stakeholders.

These consultations resulted in over 51,000 comments from 11,000 respondents.

The amended regulations took into consideration the often-divergent comments received, current animal transport practices, existing infrastructure and animal transport logistics, Canadians' evolving expectations on animal welfare, international standards and over 400 scientific journal articles. Research available on the transport of animals at the time of the amendments was in alignment with the FWR time interval provisions in the amended regulations.

The CFIA continues to review scientific research such as the ongoing research by industry on different ages of cattle and FWR times that extend no more than four hours past the current provisions.

C) Humane Slaughter and Transport – Media Lines

RDIMS: 18891502, v. 3

Humane slaughter and transport

FINAL

Canadian Food Inspection Agency
MEDIA LINES
For use by CFIA spokespersons only

TITLE

CFIA's role in humane slaughter and humane transport

KEY MESSAGES

- The Government of Canada is committed to the humane treatment of animals in Canada and takes the issue of animal welfare seriously.
- The humane handling and slaughter of food animals in Canada is a shared responsibility of federal, provincial and territorial governments, industry, transporters, operators, other stakeholders and every person who handles live food animals.
- The treatment of animals on farm is the responsibility of provincial authorities.
- The Canadian Food Inspection Agency (CFIA) inspectors and veterinarians verify that industry practices around animal transport, handling, stunning and slaughter meet the *Health of Animals Regulations* (HAR) and the *Safe Food for Canadians Regulations* (SFCR).
- In the case of slaughter inspection and verification, trained CFIA inspectors and veterinarians are present onsite throughout the entire slaughter operation, with a duty to verify the licence holder upholds food safety and animal welfare regulatory requirements under the SFCR and the HAR.

Humane slaughter

- Under the SFCR, licensed operators of federally regulated slaughter establishments must prevent avoidable suffering, injury, or death during all slaughter activities. Animal welfare responsibilities for food animals to be slaughtered at a federal establishment begin from the moment food animals arrive at the establishment until their slaughter.
- All slaughter establishments in Canada that operate under a federal licence must develop and implement a written Preventive Control Plan for animal welfare. The Plan must clearly outline and demonstrate humane handling and slaughter standards in the facility.
- CFIA officials verify that animal welfare, humane handling, and slaughter requirements are met through inspection and surveillance activities. If non-compliance is found, the CFIA takes appropriate enforcement action which could include licence suspension, or cancellation and monetary penalties.

Humane transport and animal welfare

- Animal welfare is a shared responsibility between the Canadian Food Inspection Agency (CFIA), provincial and territorial governments, producers, transporters, industry organizations, and many others.

- The CFIA enforces the humane transport requirements under the *Health of Animals Act* and *Regulations* and those requirements apply to animals being delivered to provincial slaughter facilities.
- Canada has a strong and robust animal welfare inspection system in place. Canadian laws require that all federally registered slaughter establishments ensure that all species of food animals are handled and slaughtered humanely.
- The CFIA works closely with our stakeholders and partners to ensure that animals are treated humanely during transportation and slaughter.

SUPPLEMENTAL MESSAGES

- The provincial *Meat Inspection Regulations* reference specific sections of the federal *Safe Food for Canadian Regulations* related to meat products and food animals. Provincial authorities are responsible for verifying compliance with all aspects of the provincial regulation, including those incorporated by reference.
- Once slaughter animals are off-loaded at their destination, the transport provisions of the *Health of Animals Act* and *Regulations* no longer apply.
- If any follow up action is required by the CFIA, it will be based on the agency's Compliance and Enforcement Policy.

AAFC messaging – humane treatment of animals
(approved)

- Humane treatment of animals is an issue which the Government of Canada takes seriously.
- Canada is a leader in animal welfare, with a unique and robust system in place to ensure that animals are well cared for through all stages of production. Animal welfare protection is subject to both federal and provincial laws. Each province implements its own regulations and is responsible for their enforcement.
- Canada's farm animal welfare system improves upon internationally recognized standards for the care and handling of farm animals. The Government of Canada supports the ongoing development of Codes of Practice for the Care and Handling of farm animals. Canada's 15 Codes of Practice (the Codes) on farm animal welfare form the basis for on-farm animal care assessment programs and are used by provincial authorities and their on-farm inspectors. The Codes are aligned with the principles of the World Organisation for Animal Health Global Animal Welfare Strategy, which Canada endorsed in 2017.

QUESTIONS AND ANSWERS

What is the CFIA's role during slaughter?

The role of the Canadian Food Inspection Agency (CFIA) is to provide inspection and verification of slaughter operations to ensure the licence holder upholds food safety and animal welfare regulatory requirements under the SFCR at the time of slaughter.

Through onsite observation and verification of written protocols and records, CFIA ensures that the licence holder's Preventive Control Plan for animal welfare effectively prevents or controls any avoidable suffering, injury or death other than by slaughter during all slaughter activities.

CFIA officials verify that animal welfare, humane handling and slaughter requirements are met through inspection activities. If non-compliance is found, CFIA takes appropriate enforcement action which could include licence suspension/cancellation and monetary penalties.

What is industry's role during slaughter?

Canadian law requires that all licence holders who operate slaughter establishments under federal regulations must ensure that all species of food animals are handled and slaughtered humanely; starting with their arrival at the establishment, until slaughter in the facility.

The licence holder must have, by law, a written PCP for animal welfare that clearly outlines and demonstrates humane handling and slaughter standards in the facility, including:

- the manner in which stunning animals before their slaughter is carried out
- how it will be monitored
- how to correct animal welfare problems that emerge and prevent any reoccurrence.

2. Avian Influenza

A) QP Card

UPDATED **March 15, 2023**

Agency: CFIA

AVIAN INFLUENZA

ANTICIPATED QUESTION

What is the Government of Canada doing about avian influenza in Canada and how is it protecting animal health and the spread of the disease?

FIRST RESPONSE

1. **Avian influenza is being reported in bird populations worldwide; outbreaks are occurring in the United States, Mexico and countries in Africa, Asia, Europe and Central and South America.**

2. **The Canadian Food Inspection Agency reported cases of highly pathogenic avian influenza (HPAI) H5N1 in domestic birds in nine (9) provinces since December 2021: Newfoundland and Labrador, Nova Scotia, New Brunswick, Quebec, Ontario, Manitoba, Saskatchewan, Alberta and British Columbia.**

3. **Primary Control Zones within affected provinces have been declared to control the disease and any potential spread through movements of domestic birds, vehicles and other things that may spread HPAI.**

4. **The Agency respects Canada's obligations to the World Organisation for Animal Health (WOAH) by notifying them of any new positive HPAI findings weekly.**

SUPPLEMENTARY RESPONSE

1. **Our Government is taking appropriate measures to control premises where HPAI has been found in domestic birds.**

2. **The Canadian Food Inspection Agency works in collaboration with other federal departments, the provinces and territories, industry and Canadian farmers to conduct surveillance activities to detect HPAI in domestic and wild bird populations.**

3. **The Agency reminds Canadian poultry owners, including those with small flocks, to take an active role in protecting their flocks by employing strict biosecurity measures on their property and immediately reporting any signs of illness to their veterinarian.**

RESPONSIVE REGARDING CFIA'S PREPARDNESS EFFORTS TO RESPOND TO HPAI

1. **Under the *Health of Animals Act*, the owner of the animal, or any person having the possession, care or control of the animal, may be ordered to dispose of an animal or thing affected or contaminated by HPAI.**

2. **Depopulation and disposal activities may be undertaken by the owner of the animal or by a third party. If depopulation and disposal in a timely manner is not possible, the Canadian Food Inspection Agency may conduct the activity.**

3. **The Agency works collaboratively with provinces, territories and stakeholders to identify and implement solutions that will help minimize the impact of the disease on the poultry industry.**

RESPONSIVE REGARDING RISKS TO HUMAN HEALTH

1. **There is no evidence to suggest that eating thoroughly cooked poultry or eggs could transmit HPAI to humans.**

2. **HPAI cases in humans are rare and usually only occur in people that have close contact with infected birds or contaminated environments.**

3. **The risk of human infection is considered to be low for the general public and low to moderate for those occupationally exposed.**

4. **There have been no known human cases of HPAI in Canada associated with the current outbreak. Although human cases of HPAI H5N1 have been recorded in several countries, there has been no evidence of sustained human-to-human transmission.**

5. **We work closely with our national and international partners to monitor for potential human cases of HPAI.**

RESPONSIVE REGARDING COMPENSATION FOR POULTRY PRODUCERS

1. **Our Government supports poultry producers across Canada.**

2. **Compensation *may* be paid to the owner of an animal, such as poultry, when it is ordered to be destroyed under the *Health of Animals Act*.**

3. **Such compensation cannot exceed the prescribed maximum values set out in the *Compensation for Destroyed Animals Regulations*.**

4. **Various economic poultry models have been developed in collaboration with industry for assessing market value of poultry.**

5. **Our Government will continue to support producers and work with them to prevent further spread of HPAI in domestic birds.**

RESPONSIVE REGARDING EXPORT OF POULTRY AND POULTRY PRODUCTS

1. **The Canadian Food Inspection Agency continues to notify the World Organisation for Animal Health (WOAH) of the positive HPAI findings.**

2. **Trade of poultry and poultry products with some countries has been suspended.**

3. **Our Government is working with our key trading partners to share information on the HPAI H5N1 outbreak and how it is being risk-managed in order to minimize the impact of trade disruptions.**

RESPONSIVE REGARDING THE IMPORT OF POULTRY AND POULTRY PRODUCTS FROM COUNTRIES WHERE AVIAN INFLUENZA IS KNOWN TO EXIST

1. **The Canadian Food Inspection Agency imposes strict requirements on the import of animals and animal products from countries where HPAI is known to exist.**

2. **These requirements are implemented through various means including the implementation of specific import conditions and performing port-of-entry inspections done either by the Canada Border Services Agency or the Canadian Food Inspection Agency.**

RESPONSIVE REGARDING HPAI H5N1 IN MAMMALS

1. **Our Government is committed to protecting the health and safety of Canadians.**

2. **In Canada, HPAI H5N1 has been detected in some mammals, such as mink, fox, skunk, bear, seal, raccoon and dolphin. Exposure may occur through consumption of infected bird carcasses or through a contaminated environment.**

3. **HPAI – H5N1 infection in carnivores may result in severe illness.**

4. **The Canadian Food Inspection Agency collaborates with provincial, territorial and federal partners, including the Public Health Agency of Canada, to report cases in mammals and monitor potential transmission between mammals.**

5. **Any human cases are reported under the International Health Regulations.**

BACKGROUND

What is Avian influenza?
Avian influenza (AI) is a contagious viral infection that can affect several species of food producing birds as well as captive, pet and wild birds. AI viruses can be classified into two categories based on the severity of the illness caused in birds: low pathogenicity (LPAI) and high pathogenicity (HPAI) forms.

In Canada, high pathogenicity AI and low pathogenicity H5 and H7 AI viruses are notifiable AI, which is a reportable disease under the *Reportable Diseases Regulations*, taken under the *Health of Animals Act*. All suspected cases of notifiable AI must be reported to the Canadian Food Inspection Agency (CFIA).

Human health (as provided by PHAC)
AI viruses, such as the highly pathogenic H5N1 virus are present globally and may, on rare occasions, cause disease in humans. Transmission to humans has occurred through close contact with infected birds or heavily contaminated environments.

Highly Pathogenic Avian Influenza in mammals and wild birds
Mammals such as foxes, skunks, raccoons, otters, seals, dolphins and bears have been infected with HPAI H5N1 during this global outbreak. Infection is thought to occur following consumption of infected bird carcasses or significant exposure to the virus within the environment. Many wild mammal infections during this outbreak have been severe and have had respiratory and central nervous system involvement.

HPAI H5N1 has been detected in Canada in various mammals such as red foxes, skunk, seal, bear, wild mink, river otter and an Atlantic white-sided dolphin in 2022.

Current science suggests that the risk of humans contracting AI from an infected mammal (i.e. domestic dogs and cats or wildlife) is low; however, the potential role of mammals, domestic and wild, in human AI infection is not known. Therefore, appropriate precautions should be taken with any suspected or confirmed infected domestic or wild animals.

HPAI H5N1 has also been confirmed in wild birds in all provinces and territories.

Disease response
The CFIA responds to HPAI outbreaks by establishing movement controls, ordering the humane destruction of all infected and exposed poultry, conducting trace-out activities, overseeing the cleaning and disinfection of premises and verifying that affected farms remain free of HPAI according to international standards.

When responding to animal disease events, the CFIA will take the following steps:

- Movement control - Access to infected premises is controlled until the disease transmission risk is known
- Investigation - the CFIA collects critical information from the implicated producers
- Diagnostics - Laboratory diagnostics are performed by a CFIA approved laboratory and/or the CFIA National Centre for Foreign Animal Disease
- Traceability – the CFIA will gather information to determine where the virus came from and where it may have spread
- Depopulation - Birds may be ordered to be destroyed
- Evaluation & Compensation - Compensation may be paid for animals and things ordered destroyed (Market value as determined by the Minister of Agriculture and Agri-Food)
- Cleaning & Decontamination – performed by poultry farmers to mitigate the risk of further spread of the infective agent

From December 2021 to March 15, 2023:

Cumulative Cases by Province	
Newfoundland	2
Nova Scotia	6
New Brunswick	2
Quebec	31
Ontario	45
Manitoba	21
Saskatchewan	32
Alberta	60
British Colombia	103
Total	**302**
*Poultry = 251	*Non-Poultry = 49
Number of birds affected	**7,184,063**

*The Poultry and Non-Poultry numbers may not add up to the total number of cases because in some instances determination has not yet been made.

Trade restrictions
Trade restrictions have been implemented on certain poultry and poultry products. Some countries have implemented Canada-wide import restrictions while some have implemented provincial or zone-specific trade restrictions.

Our government will continue working with our key trading partners to share information on the HPAI outbreak and to minimize the impact of trade disruptions.

B) Media Lines

Highly pathogenic avian influenza (HPAI)

UPDATES: MARCH 2023 DRAFT

EN: 17877597

Canadian Food Inspection Agency

MEDIA LINES

For use by CFIA spokespersons only

Highly pathogenic avian influenza (HPAI) virus in Canada

ISSUE

On December 20, 2021, the Canadian Food Inspection Agency (CFIA) confirmed the presence of Highly Pathogenic Avian Influenza (HPAI), subtype H5N1, in a small flock in Newfoundland. Since then, outbreaks have been confirmed on commercial and non-commercial farms and in small flocks across the country. The latest information on AI detections across Canada is available on the CFIA website.

Due to the occurrence of HPAI in the United States (U.S.), as of February 11, 2022, the CFIA has prohibited the import of poultry, poultry by-products and birds from certain regions within the U.S. with active outbreaks.

On Thursday, March 31, 2022, the CFIA declared the first Primary Control Zone (PCZ). Since then, PCZs have been declared across the country to prevent the spread of HPAI. Notices to industry and information regarding the issuance of permits and movement permissions have been updated on the CFIA website and shared with stakeholders.

The CFIA and stakeholders continue to respond to sick bird calls and monitor the migratory patterns of wild birds.

POSITIONING STATEMENT

HPAI in Canada is a One Health issue with the involvement of several federal departments, provincial and territorial governments, industry, and science stakeholders. One Health recognizes the interconnections between people, animals, plants, and their shared environment.

The CFIA responds to the presence of H5N1 HPAI in small flocks, commercial and non-commercial farms with birds across Canada. The response helps eliminate and prevent the spread of HPAI in poultry while minimizing the impact of the disease on Canadians and international trade. This work includes:

- **Disease control at infected premises**, including investigations, depopulation, thorough cleaning and disinfection and disease surveillance activities
- **Placing movement controls, such as quarantining the infected premises** to prevent disease and further spread of HPAI in the area where the disease has been identified
- **Negotiating with key trading partners** to minimize the impact of trade disruptions
- **Actively engaging** with industry, provincial governments, and Indigenous rights holders on the response and recovery actions
- Reminding poultry owners to protect their flocks with **biosecurity measures and reporting** any signs of illness
- Imposing **strict requirements on the import** of animals and animal products from countries where avian influenza is known to exist

The CFIA does not respond to wild bird detections and questions regarding the spread of HPAI in Canada in wild animals, as this falls under the mandate of Environment and Climate Change Canada (ECCC) and the Department of Fisheries and Oceans (DFO).

The Canadian Science Centre for Human and Animal Health in Winnipeg, a joint laboratory with CFIA and the Public Health Agency of Canada (PHAC), is home to the CFIA's National Centre for Foreign Animal Disease (NCFAD). The NCFAD is a designated World Organisation for Animal Health (WOAH) Reference Laboratory for HPAI and low pathogenic avian influenza (LPAI).

Samples from domestic and wild animals across Canada are sent to the NCFAD for HPAI confirmatory testing. The samples are then sent to the PHAC National Microbiology Laboratory to conduct additional laboratory testing including virulence and transmissibility studies in models of influenza infection.

KEY MESSAGES

- The Canadian Food Inspection Agency (CFIA) is responding to the presence of highly pathogenic avian influenza (HPAI), subtype H5N1, in small flocks and commercial and non-commercial farms with birds across Canada.
- The typical response to avoid further spread of the HPAI includes movement restrictions and quarantines, investigations, depopulation, a thorough cleaning and disinfection of the infected premises, and surveillance activities.
- The continued detections of HPAI in both wild and domestic birds in Canada is a strong reminder for anyone raising birds to remain vigilant of HPAI and ensure they have effective biosecurity measures in place.
- Scientific evidence indicates that the avian influenza virus circulate naturally in wild birds and waterfowl, and spreads through migratory birds.
- The latest information on outbreaks of HPAI H5N1 in small flocks and non-commercial and commercial farms, including the establishment of new primary control zones (PCZ) or revocation of existing ones, is available on the CFIA website. Any updates will also be shared on the website. The website is an important part of the response and helps keep Canadians, including industry and the media, up-to-date on outbreaks in real time.

SUPPLEMENTARY MESSAGES

SCALE OF RESPONSE TO AVIAN INFLUENZA OUTBREAK

- The Government of Canada, with support from provincial governments, the poultry industry and producers, continues to devote significant resources to responding to the current outbreak of highly pathogenic avian influenza (HPAI) in Canada.
- The current global avian influenza outbreak has been unprecedented. In addition to Canada, HPAI outbreaks are occurring in the United States and other countries in Africa, Asia, Europe and Central and South America.
- In previous years, the CFIA responded to HPAI outbreaks in small flocks and commercial and non-commercial farms with birds on a seasonal basis, during bird migratory periods in Spring and Fall.
- The ongoing response is unique in the number of detections, the geographical distribution of outbreaks and its long duration, which has extended beyond typical migratory periods.
- Since the beginning of this outbreak, the CFIA has mobilized experts across Canada. The Agency activated a dedicated response team of experts including veterinarians, administrative and field staff to coordinate action with federal, provincial and municipal partners and industry.
- CFIA employees across the country are supporting the response at a regional and national level. The CFIA continues to work diligently as the situation evolves and new cases are identified, including deploying all available resources to support the response.
- The CFIA is working collaboratively with industry and the provinces to support a sustainable avian influenza response and minimize the impact of the disease on the poultry industry.

- CFIA staff is dedicated to this effort, working side-by-side with, farmers, industry, the provinces and territories, and other government departments.
- The CFIA follows internationally recognized standards for disease response to HPAI as determined by the World Organisation for Animal Health (WOAH) and report all new detections of HPAI to WOAH (domestic birds, wild birds, and mammals).
- Significant time, energy and resources can be expended with each detection of avian influenza.
- The detection and response to an outbreak can be emotionally exhausting for everyone involved, from farmers on the ground in communities, to industry representatives, veterinary professionals, and the Agency's response teams. This tireless work continues across the country.
- The CFIA's response has been informed by previous experience in responding to outbreaks in Canada and abroad, and the most current data and international understanding of HPAI.
- The CFIA is working closely with provincial, territorial, and Indigenous rights holders, as well as industry stakeholders and trading partners, to help eliminate the disease, prevent further spread and minimize impacts on trade.
- Preparing provinces, territories and industry to play a more active role in outbreak response is part of plans to be able to sustain support for the response over the long term. The CFIA is coordinating training and information sharing, and will ensure that any changes to the disease response are clearly communicated to the provinces and industry.

EPIDEMIOLOGY

- The primary source of infection of farmed birds in Canada is most likely through contact or contamination from the wild bird population, where the avian influenza virus circulate naturally.
- To date, epidemiological evidence indicates limited instances of farm-to-farm spread. Tracing and surveillance are ongoing to better understand disease spread.
- HPAI is highly transmissible and could move barn-to-barn within a farm, either directly (bird-to-bird contact) or indirectly (biosecurity breaches such as use of shared equipment between barns or when outerwear is not changed or cleaned prior to entering the barn, especially boots.)
- The ongoing outbreak is a strong reminder for anyone with birds to remain vigilant against HPAI. This includes ensuring they have effective biosecurity measures in place and preventing wild birds from coming in contact with their birds.

INTERNATIONAL TRADE

- The CFIA is working to help eliminate and further prevent the spread of HPAI in domestic birds across Canada while minimizing the impact of these outbreaks on poultry and egg sectors and on international trade.
- Many of Canada's trading partners, including in Europe, Asia, and the U.S., are facing similar challenges as HPAI spreads across the globe. It is therefore important for all trading partners to work together to minimize the trade impacts of these outbreaks in accordance with the World Organisation for Animal Health (WOAH, founded as OIE).
- The establishment of primary control zones (PCZs) is an important measure for maintaining international trade with some countries for producers outside of PCZs, and resuming trade for producers inside PCZs after a control zone has been revoked.
- To maintain export market access, birds, their products, and by-products originating from outside a PCZ must meet the HPAI requirements of the importing countries.
- Canada has specific zoning agreements in place with the US and the EU that enable trade to continue from premises located outside of PCZs.
- Canada requests that trading partners limit trade restrictions to the PCZs and continue to allow trade outside of those zones, as per WOAH guidance.

- While many other trading partners have been following this approach, some have been imposing trade restrictions at the provincial or Canada-wide level.
- Canada will continue to work closely with our trading partners to minimize the impacts of any trade restrictions as much as possible.
- Canada will continue to inform trading partners when a new case of HPAI is confirmed in a commercial poultry flock in a new province. Trading partners can refer to the CFIA website and WOAH notifications for all other updates.
- The CFIA advises the WOAH of all confirmed cases of HPAI in Canada.
- The CFIA works with Global Affairs Canada to engage with trading partners. This includes delivering letters from Canada's Chief Veterinary Officer (CVO) or Deputy CVO to foreign CVOs that provide information on significant new developments, in particular if there are new confirmations in additional provinces.
- Canada's animal health status with the World Organisation for Animal Health remains "not free from AI".

CROSS-BORDER RESTRICTIONS FOR UNITED STATES

- Due to the occurrence of HPAI in the United States, as of February 11, 2022, the CFIA has prohibited the import of poultry, poultry by-products and birds from regions within the United States with active outbreaks.
- The current list of affected regions in the U.S. is available on the CFIA website.

For travellers entering Canada from the U.S. with food

- The CFIA regularly conducts risk assessments during the ongoing avian influenza outbreak.
- As of March 15, 2023, retail packaged and fully cooked poultry products for human consumption that are clearly labelled as a "Product of the USA" are acceptable for import from any U.S. state, regardless of its outbreak status. This applies to products presented in person only at the border, and not products imported by mail or courier.
- Further information about what products are or are not permitted is available on the CFIA website.
- Live pet birds are still permitted into Canada with official certification from the U.S. Department of Agriculture (USDA). Contact the Animal and Plant Health Inspection Service (APHIS) for more information on restricted areas.
- Carcasses of hunted wild game birds originating from the U.S. are still permitted into Canada with a hunting permit.

For travellers entering Canada from a country other than the U.S. with food

- Only the following commercially prepared meat products are permitted and only if accompanied by an individual into Canada (they cannot be brought in by mail or courier):
    - products cooked and shelf-stable (safe at room temperature)
    - products purchased in a sealed container (such as a glass jar, can, retort pouch, semi-rigid disposable serving dishes for ready-to-eat meals)
- Eggs, processed egg products and game animal carcasses originating from a foreign country other than the U.S. are not permitted into Canada.

For importers/exporters

- Commercial importers and exporters should always refer to the CFIA's Automated Import Reference System (AIRS) for the latest information on restrictions.
- A consolidated list of restrictions imposed by foreign countries as a result of HPAI in all commodities is available on the CFIA website.

Akwasasne exemption

- The Mohawk Council of Akwesasne, whose territory includes land in Ontario, Quebec and New York State, requested the exemption for its residents from cross-border prohibitions currently in place for poultry products and by-products due to the presence of highly pathogenic avian influenza. Currently, the area is deemed to be lower risk.
- After consultation with stakeholders and a review of the potential risks, the CFIA determined that as of August 13, 2022, the residents of Akwesasne are exempted from the personal use restrictions placed on the transport of poultry products and by-products from the U.S. into Canada.
- If there is a change in the status of the local avian influenza situation in or around the Akwesasne territory, the exemption may be re-evaluated and subject to change.
- With this exemption, residents of Akwesasne can transport grocery items in retail packaging purchased from the U.S. into Canada as long as the products are intended for their personal consumption within Akwesasne territory.

CANADA'S WOAH REFERENCE LABORATORY FOR HPAI

- WOAH Reference Laboratories are internationally recognized centres of expertise on specific animal diseases.
- CFIA's Winnipeg Laboratory, or National Centre for Foreign Animal Disease (NCFAD) (also part of the National Centres for Animal Disease), is designated as Canada's only WOAH Reference Laboratory for HPAI and low pathogenic avian influenza. While suspect cases can test positive for avian influenza at a Canadian Animal Health Surveillance Network laboratory, only the NCFAD can confirm cases as H5N1 HPAI.
- When there is a suspected case of a disease in a region, a sample is sent to the appropriate WOAH Reference Laboratory for confirmation through diagnostic laboratory tests. The results are then shared with the relevant authorities responsible for managing and controlling these diseases.

VACCINATION OF BIRDS

- There is no H5N1 avian influenza vaccine currently approved for use in Canada.
- Many of Canada's trading partners, including in Africa, Asia, Europe and Central and South America, Asia and the U.S. are facing similar challenges as HPAI spreads across the globe. The topic of vaccination has gained international interest as a strategy to prevent and mitigate the disease and its impact; however, it is internationally recognized that the effects of trade need to be considered carefully. In order to implement vaccination as a disease control strategy, all trading partners must work together to minimize the trade impacts of these outbreaks, in accordance with the World Organisation for Animal Health (WOAH).
- The CFIA continues to engage in these discussions with Canada's international trading partners on this topic.
- Currently, trade of poultry and poultry products would be impacted if Canada were to employ a vaccination policy. Further discussions are required with international partners to accept a proposed Canadian vaccination strategy to minimize impacts to trade.
- The CFIA works with the international community on advances in highly pathogenic avian influenza (HPAI) vaccine research and vaccination strategies.
- The CFIA's National Centre for Foreign Animal Disease works in collaboration with scientists at universities to support vaccine research and development.
- Vaccination of birds against AI is not always practical, effective or economical in a given outbreak situation. Various outbreak conditions and physical and resource limitations will have an impact on which control measures will be the most effective.
- Preventive vaccination of poultry for HPAI is not currently common practice in Canada.
- The CFIA continues to explore the use of vaccines based on scientific research, international trade and disease control considerations.

- The CFIA, in anticipation of a vaccine becoming available in the future, is working with the poultry industry to develop policy options for poultry vaccination in Canada.

FOOD SAFETY/HUMAN HEALTH (PHAC AND ECCC MESSAGING)

- There is no evidence to suggest that eating thoroughly cooked poultry, game meat or eggs transmits avian influenza to humans.
- The virus is most often spread by direct contact with live or dead infected birds or surfaces and objects contaminated by their feces.
- Backyard bird feeders and baths should be periodically cleaned using a solution of 25 millilitres of household bleach (sodium hypochlorite, 5%-6%) and 2 litres of water. Let stand until the surface is dry. For current directives visit.
- Anyone who comes in direct contact with bird droppings should thoroughly wash their hands with soap and warm water. (ECCC)
- For more human health information on H5N1 visit the Avian influenza (H5N1) website on Canada.ca.

WILD BIRDS (ECCC)

- The main virus currently circulating in Canada is the H5N1 highly pathogenic avian influenza (HPAI) – a strain of the virus that originated in domestic poultry. Avian influenza viruses, including HPAI H5N1, circulate and spread in wild birds. Wild birds are likely the cause of most introductions into domestic facilities in Canada during this outbreak.
- Wild birds are generally less susceptible to the disease than domestic poultry. Wild birds can typically shed this virus without significant mortality levels being observed. The H5N1 strain causing the ongoing outbreak, however, has been associated with widespread mortality in multiple species of wild birds.
- The virus can be introduced to domestic birds through direct contact with wild birds or through fecal matter and contaminated water, soil, and feed.
- Wild bird surveillance is conducted through a collaboration between CFIA, Environment and Climate Change Canada, Public Health Agency of Canada, the Canadian Wildlife Health Cooperative (CWHC) provinces and territories, Indigenous communities, and other stakeholders. More information is available on the HPAI in wildlife dashboard.
- Wild bird survey results can be found on the CWHC website.
- To minimize the risk of transmission of avian influenza, do not handle or feed any wild bird by hand. Bird feeders are generally safe to use, however, they should be cleaned regularly and removed from areas open to poultry and other domestic animals. If you care for poultry, prevent contact between wild birds and poultry by removing exterior/outdoor sources of food, water and shelter that attract wild birds. Consult the ECCC website for safe bird feeding guidelines.
- Dead, injured, or sick birds should not be touched and should be reported immediately to the relevant provincial or territorial authority, or the Canadian Wildlife Health Cooperative information line at 1-800-567-2033 or by using their online reporting tool.
- Recommendations for hunters of wild birds and other susceptible wildlife are available on Canada.ca.

INFECTION OF MAMMAL SPECIES (INCLUDING HUMANS)

- On July 7,2022, the CFIA reported detections of HPAI in mammals to the World Organisation for Animal Health (WOAH); detections in several wild mammal species have continued intermittently throughout the outbreak.
- Initial detections were discovered in foxes from Ontario, Quebec and British Columbia, and seals, dolphins and a black bear from Quebec. Detections have also been discovered in wild mink, raccoons, river otter, porpoises and skunks from several areas across Canada.

- Detections of HPAI in other mammalian species have been reported in other countries (e.g. bobcats, opossum, mountain lions, grizzly and kodiak bears, domestic cats, sea lions, and farmed mink). To date, similar findings have not been detected in Canada.
- The CFIA will continue to monitor the spread of HPAI in Canada and will report findings to the WOAH. The risk of HPAI transmission to humans remains low.

PHAC holding lines (AI in humans)

- Cases of avian influenza among humans are rare and almost always acquired through direct contact with infected birds or exposure to heavily contaminated environments. Based on current evidence in Canada, the risk to the general public is currently low.
- Human infections with H5N1 are rare and symptoms can range from mild to severe, and can include respiratory, gastrointestinal or neurologic symptoms, although some people may not develop symptoms at all. Some infections with H5N1 can cause severe illness and even death. Individuals experiencing any symptoms are encouraged to consult a healthcare provider.
- Although human infections are rare, avian influenza A(H5N1) has the potential to cause serious disease in people, and due to the potential for human infection, it is recommended that people working or in contact with live or dead poultry, farmed mink, wild birds or other wildlife suspected or confirmed of being infected with avian influenza, wear appropriate personal protective equipment, practice good hand hygiene and follow recommended biosecurity practices.
- To help prevent the risk of transmission of HPAI, the public should avoid contact with live or dead wild birds and wildlife and refrain from feeding or touching wild animals. (PHAC)
- Influenza viruses can change. The Government of Canada is monitoring the situation closely and collaborating with partners, provinces and territories and testing for new and emerging strains.
- Canada works closely with its domestic and international health partners, including the World Health Organization, on this issue. Together, we track influenza activity in Canada and around the world.
- Historically, avian influenza A(H5N1) has been most prevalent in areas of Asia and Africa; however, it has recently spread throughout Europe and the Americas (Canada, the United States, Mexico, numerous countries in Central and South America)). In 2022-23, the virus became widespread through migration of wild birds and has affected many different wild animal species and many poultry farms across Canada.
- People who are in close contact with infected birds or mammals and their environments (such as farmers, veterinarians, hunters, and wildlife workers) may be at increased risk of infection.
- Canada has not reported any domestically acquired human cases of A(H5N1) ; however, Canada has reported one travel-associated case of A(H5N1) in 2014 in a citizen who had travelled to China.

HPAI PREVENTION

- Prevention of the spread of HPAI is best achieved through strict biosecurity measures designed to protect poultry flocks from HPAI and other common poultry diseases. All individuals with poultry and pet birds should ensure that biosecurity measures are in place.
- Poultry owners should take the following precautions:
    - Prevent wild birds from coming in contact with poultry, as well as with their food and water
    - Maintain strict control over access to poultry houses, limiting access to people who must be there
    - Require that all persons who enter poultry barns or pens disinfect their footwear, wash their hands and wear clean clothing
    - Make sure that equipment is cleaned and disinfected before taking it into poultry houses

  - Avoid having bird feeders and duck ponds close to poultry barns because they attract wild birds
  - Maintain high sanitation standards
  - Where possible, avoid purchasing new birds

- Avian influenza resources are available at inspection.canada.ca/avian-influenza for producers and owners of small flocks and pet birds:

  - Keep your birds safe
  - 5 rules to prevent and detect disease in backyard flocks and pet birds
  - Protect your flock from bird flu
  - General producer guide – National avian on-farm biosecurity standard
  - National Avian On-Farm Biosecurity Standard

INFECTED ZONES AND PRIMARY CONTROL ZONES (PCZs)

- The purpose of the PCZ is to mitigate the risk of disease spread by controlling movements of designated animals and things (e.g. poultry and poultry by-products, including things that have been exposed to such birds) which are capable of being affected or contaminated by HPAI, as set out in the designation order.

- An infected premises (IP) is a specific location (commercial or non-commercial farm with birds) where HPAI has been confirmed.

- The CFIA has implemented two categories of PCZs: commercial and non-commercial. Commercial and non-commercial PCZs have different permitting and surveillance requirements based on the risks of disease spread. Any persons wanting to determine the permitting requirements will need to know the type of PCZ their movement is associated with.

- A PCZ is a declared zone which surrounds a non-commercial or commercial IP and includes the Infected Zone (IZ) and Restricted Zone (RZ).

  - The boundaries of the PCZ is determined based on the epidemiology of HPAI in order to prevent the spread of the virus and the outer boundary is set at a minimum of 10 km from any known IP.
  - The IZ is a minimum of 3 km from the IP and is the area that is considered to be of highest risk, and where more movement controls are in place.
  - The boundaries of the IZ may vary, depending on physical and geographic boundaries, and according to the progression of the outbreak.

- To find out if you are located in a PCZ, use the PCZ mapping tool. Enter a place name, postal code or street address in the bar at the top left hand corner of the map below. To zoom in to your location on the map, click on the crosshair icon.

- The CFIA does not release details about the operations of individual farms in order to help protect the privacy of producers.

- The CFIA declared the first PCZ of this outbreak in Ontario on March 31, 2022.

Movement permissions in PCZs

- All movement of domestic birds into, within and from a PCZ is strictly controlled and requires a permit issued by the Minister of Agriculture and Agri-Food Canada under the Health of Animals Regulations (HAR).
    - PCZs also apply to poultry products and by-products, as well as things such as equipment, litter and manure that may have come into contact with birds.
    - Anyone moving birds, or related products, must have a print or electronic copy of the permit identifying the birds and/or products being transported.
- Permitting requirements and conditions for the transportation of birds and by-products into, within, or from, a PCZ are available on the CFIA website.
- There are two permits available, a general permit and a specific permit. The type of permit required will depend on what is being moved, whether you are located in a commercial PCZ or a non-commercial PCZ, and what type of control zone the movement is originating from or destined to.
- In most cases, commercial operations in the PCZ will continue to operate normally through the use of general permits and appropriate biosecurity procedures.
- Owners of commercial or small flocks outside of PCZs who wish to move eggs from or within a PCZ must obtain a permit.
- Movement permissions are required to meet international trade agreements (to allow trade to continue for birds and bird products originating outside of a PCZ) for those countries that accept Canada's zoning for HPAI. These ensure that movements are following applicable conditions (e.g. biosecurity requirements) to prevent the spread of HPAI according to the risk posed by the movement.

Releasing IZs and PCZs

- A PCZ declaration may be revoked when it is determined that the disease no longer exists in the affected area.
- Infected Zone (IZ) and Restricted Zones (RZ) within a PCZ may be released when outbreak surveillance in the IZ was carried out for at least 14 days after CFIA approved disposal of all things ordered destroyed (e.g., carcasses, waste, litter, etc.). The results of outbreak surveillance testing must demonstrate that the disease did not spread from the infected premises to other premises within the IZ.
- Releasing an Infected Zone and a Restricted Zone means that premises within these zones move to being in a Security Zone (SZ). This means that some movement permission requirements may be reduced for these premises.
- In order to release a PCZ, specific surveillance testing must be performed, including testing of the commercial poultry farms within the PCZ, to demonstrate that the zone is free from HPAI.
- Post-outbreak surveillance testing to release a PCZ is conducted by the CFIA over a 28-day period, and includes dead bird surveillance and an on-site visit. Once this period is concluded and HPAI has not been detected, the PCZ can be revoked.
- Small flocks and non-commercial farms in a PCZ are required to notify the CFIA of any suspicion of HPAI. This helps ensure that the domestic poultry population within the PCZ does not have HPAI.
- Each infected premises, whether in a PCZ or not, must complete several steps after the infected birds are destroyed before the premises is released from quarantine.
- The revocation of a non-commercial PCZ follows the steps outlined on the CFIA web site.

INFORMATION FOR OWNERS OF SMALL FLOCKS AND PET BIRDS

- A small flock is a flock of birds maintained on private property, often for sole use by the owner.
- HPAI is a significant threat for Canadian birds, the poultry industry and owners of small flocks and pet birds that have access to the outdoors.
- Wild birds can carry HPAI. Small flocks and pet birds are at higher risk of catching HPAI when wild birds migrate to and through Canada, typically in the spring and fall. In general, the spring migration lasts from mid February until June, while the fall migration typically lasts from mid-August to November or December.
- HPAI is highly transmissible and may pass to small flocks directly (bird-to-bird contact) or indirectly (contact with contaminated feed, water or equipment).
- Owners of small flocks are encouraged to learn more about how to protect their flock from bird flu.
- Owners of small flocks who hunt wild birds should avoid all contact between wild bird carcasses, including offal and blood, and their small flock. Wild birds infected with HPAI may not appear to be sick.
- The CFIA strongly recommends that Canadian owners of small flocks and pet birds confine them in a coop or enclosure for the duration of the migration period to prevent all contact with wild birds and other wildlife and lower the risk of disease transmission. This guidance extends to organic and free-range farmers whose birds may typically spend time outdoors.
- Identification of infected small flocks will not lead to the establishment of a PCZ.
- If you are an owner of a small flock located in a PCZ there may be movement restrictions applicable to your flock.
- Find out if you are located in a PCZ using CFIA's map tool to determine if there are movement restrictions applicable to your flock.
- The CFIA recommends that owners of small flocks located in a PCZ delay the purchase of chicks and hens for the duration of the migration periods, to lower the risk of disease transmission from wild birds.

CLEANING AND DISINFECTION

- Each infected premises, whether in a PCZ or not, must complete several steps after the infected birds are destroyed before the premises is released from quarantine.
- Owners are responsible for cleaning and disinfecting structures or equipment on their premises, under guidance from the CFIA.
- Once cleaning and disinfecting are completed, CFIA staff evaluate a premises to determine when the quarantine can be lifted (minimum 14 days later, typically 21 days).

SURVEILLANCE

- The CFIA's avian influenza response includes collecting epidemiological information about infected premises to determine potential connections to other premises.
- The CFIA studies avian influenza positive samples to gather additional information on the virus so that comparisons of the virus at different locations can be made. This can help track movement between premises.
- Surveillance is required for the revocation of a PCZ and the related movement controls. The cooperation of the poultry industry in completing surveillance so that a PCZ can be removed is essential. More information is available on the CFIA website.

DEPOPULATION AND DISPOSAL

- Canada has a stamping out policy for highly pathogenic avian influenza and low pathogenicity avian influenza (subtypes H5 and H7). This is based on the goal of eliminating the virus by destroying susceptible domestic birds on infected premises and implementing movement control measures to prevent further spread.
- Under federal law (the *Health of Animals Act*), the CFIA may order the disposal of animals and/or things that are, or are suspected of being, affected or contaminated by HPAI. Things ordered disposed of may include feed and manure. Alternatively, things such as manure or slurry may be ordered to be treated or cleaned and disinfected. The cleaning and disinfecting of equipment used for the destruction and disposal may be eligible for compensation.
- The *Health of Animals Act* authorizes a CFIA inspector to order an owner to destroy and dispose of birds on an infected premises. The depopulation may be carried out either by the owner, the CFIA or by a third party. However, the depopulation method must be approved by the CFIA. The CFIA provides oversight of the method to ensure that it is conducted according to the expected standards.
- All birds are humanely destroyed and disposed of using internationally recognized methods and in accordance with all necessary provincial requirements.
- CO_2 is the preferred method of destruction of the birds for both efficiency and the mental health of responders. At times, to ensure a quick response and humane treatment, cervical dislocation is sometimes required.
- Given the unprecedented scale of the ongoing avian influenza outbreak and an expected surge of cases during migration periods, the CFIA is examining all poultry depopulation options in consultation with provinces, industry, NGOs, and the veterinary medicine community.
- In previous outbreaks that were limited to one province, the CFIA completed destruction and disposal activities. The CFIA will continue to provide destruction and disposal as resources permit, but it is recognized that a multi-province outbreak, or more than one type of disease outbreak at the same time, could outstrip CFIA resources which would be detrimental to the poultry sector.
- The CFIA continues to be open to viable destruction plans proposed by individual producers or their associations that can be completed humanely and in compliance with the applicable provincial animal welfare regulations and standards. Methods used must be approved by the CFIA.
- Composting is a common disposal method. The CFIA requires that compost piles are built to certain standards to allow for optimal heating of the pile. The pile must be built and capped according to CFIA guidelines. Once capped, the CFIA monitors the compost pile to ensure appropriate temperatures are reached (biological heat treatment) over a period of time to ensure that the organic matter in the compost is free of the HPAI virus.
- When the biological heat treatment of the compost pile is completed, the compost is released to the owner of the premises who must dispose of it according to provincial regulations.
- Based on certain barn configurations, there may be limitations or an inability to conduct composting activities inside the barns. In these cases, the composting phase may occur outside of the barn in the safest possible manner. In limited situations, as required, CFIA may use other disposal methods off-site. Precautionary measures are taken to prevent the potential spread of HPAI during the movement of materials and composting.

CO_2 supply

- For large commercial barns, the CFIA uses the internationally accepted application of carbon dioxide gas to humanely depopulate the birds. This method results in rapid death for birds inside sealed barns, and is the preferred method of depopulation. It will continue to be used whenever possible.
- Sourcing large volumes of carbon dioxide gas during the current HPAI outbreak in Canada has been challenging. There have been supply shortages which can result in delays in depopulation and increase the risk of disease spread, particularly in areas of dense poultry production. Delays in depopulation also result in birds suffering for several days and dying from the HPAI virus.
- Canada has a limited number of CO_2 gas suppliers
- There have been delays and challenges in accessing and delivering gas attributed to truck, driver and qualified technician access and availability.
- The CFIA is continuing to work with providers across the country to ensure secure dedicated resources to support the response to HPAI.

Ventilation shutdown + heat (VSD+H)

- Highly pathogenic avian influenza (HPAI) continues to spread not only in Canada, but around the world. If there is a significant surge during migration periods, the rate of spread of the virus may exceed the capacity of industry and the CFIA to respond in a timely manner.
- Regulatory action such as the depopulation and disposal of affected birds is a joint responsibility. The CFIA is exploring all options with provinces and territories, the poultry industry, and the veterinary medicine community.
- At this time, Ventilation Shut Down and Heat (VSD+H) is not a method approved by the CFIA and is not listed as an acceptable method of depopulation by the World Organisation for Animal Health. VSD+H has not been used in Canada to depopulate farms.
- Whole barn gassing using carbon dioxide continues to be the preferred method for humane depopulation of HPAI-infected birds in large-scale commercial poultry operations.

If pressed on VSD+H method depopulation

- VSD+H depopulation is delivered by sealing air intakes and venting, shutting down ventilation systems and raising the temperature inside the barn. This results in the birds dying from overheating (hyperthermia). The method produces effective mortality rates but they are not achieved as rapidly as with the use of carbon dioxide and surviving birds may require depopulation by other methods such as cervical dislocation.
- VSD+H must be done under veterinary supervision by individuals who are fully briefed on VSD+H operating guidance and associated instructions.
- Versions of the VSD+H method have been used as a method of last resort in the United States. The CFIA is also aware that the method is deemed unacceptable by some of our trading partners.

All available resources are committed to the avian influenza response

- The CFIA is committed to a robust response to this unprecedented outbreak and it is one of the agency's top priorities. Wherever possible, available resources from other inspection activities are being deployed to the HPAI response.
- At points in the response, an estimated 10% of CFIA's work force has been reallocated or deployed to support with response activities).

COLLABORATION ON RESPONSE WITH PROVINCES AND INDUSTRY

- The response to a large-scale disease outbreak such as HPAI requires close collaboration and planning with various stakeholders to deliver timely disease control and mitigation measures.
- The CFIA has collaborated with Animal Health Canada for several years to develop disease response plans for each participating province and industry.
- The CFIA and each province across Canada have a Foreign Animal Disease Emergency Support (FADES) plan. The FADES plan outlines roles and responsibilities during an animal health incident.
- The provincial governments have supported the response as per CFIA's current FADES plan. Examples of provincially determined support include: laboratory capacity, Geographic Information Systems, and technical expertise to support the CFIA's response activities.
- Provincial agriculture ministries are the CFIA's interface with public health authorities for human health considerations, and environmental authorities on the conditions for disposal (e.g. composting, burial).
- In addition to response efforts by the CFIA, industry and the provinces need to bring concrete solutions to support the response. This includes collaboration between the provinces to share knowledge, resources and lessons learned from supporting the response. The current collaboration between the province and the poultry industry in Quebec is a concrete example of this collaboration. Options under consideration include:
    - use of trained poultry industry workers for destruction
    - strategic placement and maintenance of CO_2 depots near dense poultry production areas
    - collective CO_2 delivery contracts
    - contracting, by industry, producers who have their own destruction equipment to provide service to other producers
    - use of trained industry poultry workers for managing biocontainment on infected premises.
- Examples of collaboration with British Columbia (BC): CFIA is working collaboratively with the province of BC to support a sustainable avian influenza response and minimize the impact of the disease on the poultry industry. CFIA is looking forward to continuing the collaboration to support industry in building their response surge capacity to AI.
- CFIA appreciates all the support received from the BC Ministry of Agriculture during this event. This includes:
    - testing capacity provided by the provincial laboratory in Abbotsford;
    - help with destruction when the situation in BC overwhelmed CFIA's response capacity, and
    - support from other provincial authorities to solve logistical and tactical issues including liaising with BC Ministry of Environment on disposal issues.

COMPENSATION / SUPPORT FOR PRODUCERS

- Under the *Health of Animals Act* (HAA), the CFIA has the authority, delegated by the Minister of Agriculture and Agri-food to compensate owners for animals and things ordered disposed during disease response situations. This includes compensation for the value of the animals that were destroyed according to the amounts provided for under the HAA and the Compensation for Destroyed Animals Regulations (CDAR).
- As well, compensation may be ordered for the reasonable costs paid or incurred by the owner in relation to the disposal of the carcasses of animals that were destroyed as set out under the HAA and the CDAR.
- Compensation for animals and things, such as feed, that were destroyed under the HAA is calculated based on the market value.

- The CFIA uses the information provided by owners, including sales records and receipts, to calculate the recommended amount of compensation that may be awarded in reference to the value of the animal and disposal costs.
- For an overview of the compensation process provided under the *Health of Animals Act*, consult What to expect when an animal is ordered destroyed.
- Compensation amounts greater than $100,000 by recipient are disclosed in Public Accounts, which are usually made public in the fall (October).
- Producers have access to a comprehensive suite of Business Risk Management (BRM) programs to help manage significant risks that threaten the viability of their farms and are beyond their capacity to manage.
- AgriStability protects producers against large declines in farming income for reasons such as production loss, increased costs (including disease and quarantine resulting from Avian Influenza) and fluctuating market conditions. Producers enrolled in AgriStability will receive support when their production margin in the current year falls below their historical reference margin by more than 30%. Producers can apply for interim payments under AgriStability to help them cope with immediate financial challenges.
- The BRM suite also includes the AgriRecovery Framework, which allows federal/provincial/territorial governments to evaluate the impacts of natural disasters on producers and implement initiatives when needed. To initiate an AgriRecovery assessment of a disaster event, provinces make a request to the Federal Government. AgriRecovery initiatives focus on assisting with the extraordinary recovery costs to recover from a disaster. Initiatives are not intended to address revenue losses, or duplicate support already available by existing government programs, including business risk management programs, and private insurance.

3. Ban of Export of Live Horses for Slaughter

A) QP Cards

RDIMS: 17983092, v. 11

UPDATE **February 3, 2023**

Agency: CFIA

HUMANE TRANSPORT OF LIVE HORSES FOR EXPORT

ANTICIPATED QUESTION

As per the 2021 mandate letter for the Minister of Agriculture and Agri-Food Canada, the Government has committed to ban live export of horses for slaughter. What actions is the government doing to make good on this commitment?

FIRST RESPONSE

1. **Our Government is currently exploring possible ways to meet the objective of the mandate commitment to ban the export of live horses for slaughter.**

2. **We acknowledge the need to develop effective and science-informed policies and strategies and value the perspectives of stakeholders affected by its decisions.**

3. **Initial discussions with stakeholders have been held and stakeholder engagement will continue so their views can help shape Canada's future approach on this matter.**

RESPONSIVE REGARDING REGULATIONS FOR EXPORT OF LIVE HORSES FOR SLAUGHTER

1. **Our Government works to protect animals in Canada as well as those imported into and exported from Canada.**

2. **The Canadian Food Inspection Agency (CFIA) conducts inspections for shipments of horses prior to export to verify that they are fit to travel and that they will be transported humanely.**

3. **Modernized humane transport requirements regulate the humane and safe transport of animals, including horses, during the transportation process.**

RESPONSIVE REGARDING TRANSPORT OF HORSES TO JAPAN

1. **In Canada, the transport of live horses, regardless of intended use, is permitted.**

2. **Although segments of the Canadian population are in disagreement with this end-use of horses, horse meat is eaten in many parts of the world, including in Canada.**

3. **The Canadian Food Inspection Agency (CFIA) veterinarians and inspectors enforce the humane transport requirements and verify that horses are fit to travel and may be transported humanely on the trucks, at the airport and in the plane.**

4. **The Agency's enforcement policy under the former *Health of Animals Regulations* was the subject of a judicial review application. The Court determined that the Canadian Food Inspection Agency exercised its discretion reasonably under the regulations.**

5. **The Court dismissed the judicial review application. That ruling is currently being appealed.**

RESPONSIVE REGARDING ANIMAL TRANSPORT CONDITIONS

1. **The Government's modernized animal transportation requirements support the safe and humane transport of animals including livestock.**

2. **Updates include requirements relating to overcrowding, container construction and the compatibility of the animals being transported together.**

3. **The modernized requirements also lowered the maximum times that animals can be transported without food, water and rest.**

RESPONSIVE REGARDING ANIMAL TRANSPORT – NON-COMPLIANCE

1. **The Canadian Food Inspection Agency conducts inspections about incidents related to the humane transport of animals within its jurisdiction and responds to instances of non-compliance as appropriate, including taking enforcement measures.**

2. **The Agency's regulatory response process takes into account harm, history and intent for all humane transportation requirements.**

BACKGROUND

Humane treatment of animals during transport

- Under the *Health of Animals Act (HAA)* and the *Health of Animals Regulations (HAR),* the Canadian Food Inspection Agency (CFIA) has legislative authority for the humane treatment of animals during transportation into Canada, leaving Canada or anywhere across Canada.

- The amended humane transport requirements under the *HAR* followed a number of consultations CFIA had with stakeholders since the early 2000s. Most stakeholders agreed that amendments were needed.

- The amended humane transport regulations under the *HAR* were published in the Canada Gazette, Part II, February 20, 2019 and came into effect on February 20, 2020.

- The CFIA implemented a two-year compliance promotion enforcement approach to allow industry to work out logistical issues, gather data on impacts of requirements and work on effective solutions. This transition period ended in February 2022 with the CFIA's standard enforcement process now applicable.

Live horse exports

- Currently, any Canadian exporter who has successfully negotiated a commercial contract with an importing country and who can comply with its import conditions (as specified in an established health certificate) may export live horses, including for slaughter. The CFIA does not have the authority to deny export shipments that are in compliance with the humane transport regulations and the requirements of the importing country.

- Live horse exporters must comply with any applicable animal transport requirements of the *HAR*. For example, CFIA veterinarians and inspectors verify that:
    - the horses are fit for transport,
    - the loading of horses into crates is completed in a manner that is not likely to cause the horse's suffering, injury or death.
    - the combination of horses in each crate meet the requirements for compatibility and are not overcrowded, and
    - transport is scheduled to be completed within the maximum travel time that horses

can go without feed, water and rest (28 hours).

- CFIA veterinary inspectors are present for air shipments of horses to certify the export as required by the *Health of Animals Act*.

Legal challenge – CFIA's enforcement approach

- On February 21, 2021, the CTV news program W5 broadcasted a story about the export of live horses to Japan for fattening and slaughter. The story was sympathetic to the views of the Canadian Horse Defence Coalition (CHDC), a group that is calling for a ban on live horse export for slaughter and is committed to ending horse slaughter in Canada. The CHDC claimed that the welfare of the horses was compromised in feedlots and collection yards – which fall under provincial jurisdiction. It remains unclear whether the CHDC attempted to contact provincial officials.

- When the CHDC went to court to challenge the CFIA's enforcement approach, the Federal Court ruled that the CFIA is engaged in the protection of animal welfare during export and is reasonably exercising its discretion and dismissed the CHDC's application for a judicial review. That decision is now under appeal.

- As per the 2021 mandate letter for the Minister of Agriculture and Agri-Food Canada, the Government has committed to ban the live export of horses for slaughter. This commitment is not referring to the slaughter of horses in Canada, but to the export of horses for the purpose of slaughter.

B) Media Lines

RDIMS: 16836132, v. 1

Canadian Food Inspection Agency

MEDIA LINES

For use by CFIA spokespersons only

Canadian Horse Defence Coalition appealing the dismissal of their application for a judicial review

ISSUE

The Canadian Horse Defence Coalition is appealing the December 4, 2019 dismissal of their application for a judicial review of the CFIA's regulation of live exports by air to Japan. The CHDC also continues to advocate for a ban on the export of live horses for slaughter.

POSITIONING STATEMENT

The CFIA continues to complete inspections for shipments of horses to Japan to verify that their transport is safe and humane.

KEY MESSAGES

- A commitment to ban the export of horses for slaughter was included in Minister Bibeau's mandate letter from the Prime Minister. The legal and policy framework for implementing a ban on live horse exports for slaughter has not yet been determined.
- Until a ban on exports is enacted, the Canadian Food Inspection Agency (CFIA) will continue to enforce the Health of Animals Act and Regulations and to verify that the horses are fit to travel and will be transported humanely.
- The CFIA is present at the airport for each export shipment to verify that the horses are being shipped in compliance with the applicable regulations.

SUPPLEMENTAL MESSAGES

- There have been approximately 43,500 horses exported to Japan 2013 with five deaths (as of April 2022). This means that 99.988% of the horses shipped are delivered alive (0.012 mortality rate).
- Statistics Canada data (as of April 2022).indicates that horse exports since 2013 have been valued at almost $181 million dollars.

BACKGROUND

- More information on the CFIA's current regulatory model is available on the CFIA web site at: https://inspection.canada.ca/animal-health/humane-transport/horses/exports-to-japan/eng/1601347381621/1601347382153

4. Bees - Media Lines and Qs & As

(AAFC lead)

RDIMS: 15010506, v16
Bee imports

Updated: January 9, 2023

DRAFT

RDIMS 15010506

Canadian Food Inspection Agency

MEDIA LINES

For use by CFIA spokespersons only

BEE IMPORTS (NEW)

ISSUE

In 2021, requested CFIA permission to import bee packages from the US and Ukraine, respectively, after severe losses this winter. Industry reported that overwinter hive losses have affected Ontario and Alberta and "reached a crisis point" that could have negative consequences for honey production and for pollination of important crops (e.g. canola and blueberries).

On April 19, 2022, Alberta's Minister Horner sent a letter to both the Minister of Agriculture and Agri-Food and the Minister of Health – expressing concerns reported by the beekeeping sector of up to 45% losses in honeybee colonies each year. Alberta is seeking an emergency exemption for the importation of packaged bees into Canada from Northern California, citing the number of packages of bulk bees coming in from approved countries (Australia, New Zealand, and Chile) as too little to cover the overwinter losses. Some provincial Ministers may also inquire about the potential for AgriRecovery or other program supports as a means of helping the sector recover from losses.

On April 22, MP John Barlow (MP for Foothills, AB & Shadow Minister for Agriculture, Agri-Food and Food Security) posted an open letter to the Minister of Agriculture and Agri-Food on the developing crises in the bee industry in Canada, stating overwintering losses have been up to 90% in some regions, and seeking:

- An immediate and temporary emergency exemption allowing packages of bees to be transported from regional-safe zones in the U.S., like northern California
- A new risk assessment conducted by CFIA
- Inclusion of commercial beekeeping and importation of bee packages on the agenda for the FPT Ministerial meeting in May 2022
- Continued support for research into bee health and sustainable beekeeping practices, and exploring new technologies to improve the health of honey bees.

Roles and responsibilities:

- CFIA: review scientific evidence and risk assessments to determine necessary import restrictions under the Health of Animals Act
- AAFC: provide programs to support industry innovation and competitiveness

POSITIONING STATEMENT

Import restrictions on honey bee packages are in place to protect Canada's honey bee stock given their importance to all Canadians.

KEY MESSAGES

- Bees are an important resource in Canada as they play a primary role with pollination, and produce honey and wax.

- Restrictions for importing bees into Canada are in place to keep the existing Canadian bee population healthy. These import restrictions are based on risk assessments that follow an approach recommended by the World Organisation for Animal Health (OIE).

- Based on scientific evidence and risk assessments, Canada currently allows imports of handpicked, healthy honey bee queens from the United States, Chile, Australia, New Zealand, Denmark, Ukraine, Italy and Malta.

- Honey bee packages present a higher disease and pest risk than queens and can only be imported from Chile, Australia and New Zealand. These packages carry a higher risk of disease and pest introduction because they are shipped with contents of their hive, which may include mites, parasites and bacteria. A 2014 science-based risk assessment carried out with regards to imports of U.S. packaged bees concluded that if imports are allowed, there is a non-negligible probability of establishment and spread of honey bee pests and diseases in Canada.

- The CFIA has put significant effort into exploring options to find approved sources of bee packages and queen bees internationally to provide a sustainable beekeeping sector.

- The CFIA will continue to evaluate any new scientific information or mitigating strategies available that relates to the risk of imported bees from other countries.

- The Government of Canada engages regularly with the Canadian Honey Council, Canadian Horticultural Council, and other key industry stakeholders to ensure we keep abreast of issues facing Canada's beekeepers, and address them, wherever possible.

- AAFC and CFIA recently launched an industry-government Honey Bee Sustainability Working Group to explore short and long term solutions for the sector, including on matters relating to high mortality of honey bee colonies and the impact of varroa mites. The Working Group includes the Canadian Honey Council, the Canadian Association of Professional Apiculturists, and provincial government representatives from most provinces, including BC, Alberta, Saskatchewan, Manitoba, Ontario, Quebec and New Brunswick.

If asked about bee imports from the Ukraine, Malta and Italy

- In 2019, the CFIA completed a risk assessment on the importation of honey queen bees and attendant bees from Ukraine, Malta and Italy.

- Based on these risk assessments, queen bees have been allowed to be imported from these countries since 2020.

If asked about bee imports from the US

- The science risk assessment carried out with regards to imports of U.S. packaged bees concludes that if imports are allowed, there is a significant probability of establishment and spread of pests and diseases in Canada.

- In 2014, the CFIA completed a risk assessment on the importation of honeybee packages from the continental United States. The following risks were identified:
    - *Apis mellifera scutellata* (killer bees);
    - Oxytetracycline-resistant American foulbrood;
    - Small hive beetle; and
    - Amitraz-resistant varroa mites.

- Based on this risk assessment, Canada currently allows imports of queen bees from the U.S., primarily because they are hand-picked and can be individually inspected for health and the presence of pests.

- This is not the case for bee packages. Despite the country of origin packages carry a higher risk of disease introduction because they are shipped with contents of their hive, including mites, parasites and bacteria.

- Given the unrestricted movement of bees across the United States, there is no evidence that suggests that bees from one state present a lesser risk than those from another.

- Risk assessments are conducted following a request to import animals, animal products or by-products from a country from which Canada currently does not import such commodity.

- Risk assessments may be updated following a change in sanitary status, either in Canada or in an exporting country, to ensure conditions of import are at an acceptable level of protection.

- The CFIA would review any new scientific information or mitigating strategies regarding honey bee health status and is also actively exploring options to find approved sources of bee packages and queen bees internationally to provide a sustainable beekeeping sector.

If asked about the significant losses experienced in 2022 [response provided by AAFC]

- This spring, a higher than usual level of overwinter honey bee colony losses has posed additional challenges to the industry. Losses are related to weather, pest pressures such as varroa mites, and a number of other factors. For statistics on overwinter hive loss, including details on the preliminary loss figures for spring of 2022 for each province and the national average, please consult the Canadian Association of Professional Apiculturists.

If asked about government support to beekeepers [response provided by AAFC]

- Beekeepers have access to a comprehensive suite of business risk management programs to help manage significant risks that threaten the viability of their operations and are beyond their capacity to manage. The suite includes the core programs of AgriInsurance, AgriStability and AgriInvest. The AgriInsurance program is designed to provide assistance for production losses related to weather, pests, or disease.

- Producers enrolled in AgriStability are eligible to receive payments when affected by issues such as production loss, fluctuating market conditions and increased costs. Producers will receive AgriStability support when their production margin in the current year falls below their historical reference margin by more than 30%. Most farms also have access to an AgriInvest account, which is a government-matched savings account. The money in these accounts can be accessed at any time and used for any purpose. For more information on support to beekeepers, please reach out to Agriculture and Agri-Food Canada.

If asked this new vaccine launching for honeybees in the U.S.:

- The Canadian Centre for Veterinary Biologics (CCVB) of the Canadian Food Inspection Agency (CFIA) is responsible for licensing veterinary biologics (VB), including veterinary vaccines, colostrum, antibody products and test kits for the diagnosis of infectious diseases, manufactured and/or distributed in Canada under the legal authority of the Health of Animals Act and the Health of Animals Regulations. A VB manufactured and licensed in the U.S. may be licensed in Canada, provided the product is pure, safe, potent and efficacious. The CCVB accepts and considers licensing applications for products that have been licensed in the country of manufacture—including the U.S., in this case. Detailed guidelines on how to submit a new product manufactured and/or licensed in the United States can be found here: VB-GL-3.1.2: Preparation of new product licensing (registration) submissions for veterinary biologics manufactured and/or licensed in the United States - Canadian Food Inspection Agency (canada.ca)

- If all requirements for the Canadian licensing of the foreign manufactured VB are met, then the designated Canadian importer(s) will be issued a Permit to Import Veterinary Biologics to allow the importation of the product into Canada from the manufacturer's facility.

SUPPLEMENTAL MESSAGES

- A risk assessments are currently underway for the import of honey bee packages from Ukraine and Italy; and assessments of honey bee queens from Cuba and Slovenia are in the queue.

5. Biosolids

A) QP Card

RDIMS: 18425126, v.21

UPDATED **March 8, 2023**

Agency: CFIA

CHEMICAL CONTAMINANTS IN MUNICIPAL BIOSOLIDS IMPORTED FROM THE UNITED STATES

ANTICIPATED QUESTION

What is the Canadian Food Inspection Agency doing to protect animals and the food chain from contaminants in imported biosolids?

FIRST RESPONSE

1. **Our Government is continuously mitigating risks to food safety, the health of Canadians, our environment and our economy.**

2. **Municipal biosolids imported as commercial fertilizers are regulated by the Canadian Food Inspection Agency.**

3. **When treated and applied properly, biosolids can be a beneficial source of nutrients and organic matter in agriculture and reduce greenhouse gas emissions.**

SUPPLEMENTARY RESPONSE

1. **The Agency, along with Environment and Climate Change Canada and Health Canada are assessing the level of risk posed by biosolids coming from the United States.**

2. **Biosolids can contain residues of chemicals commonly used in households or in industrial operations including PFAS – perfluoroalkyl and polyfluoroalkyl substances.**

3. **Risk mitigation options under consideration include increased frequency of inspections, stricter border controls and interim standards for PFAS in biosolids while recognizing the impacts on waste diversion efforts across Canada.**

RESPONSIVE ON BIOSOLIDS IMPORTED FROM THE UNITED STATES TO QUEBEC AND NEW BRUNSWICK

1. **Provinces are responsible for regulating the manufacture, use and disposal of municipal biosolids, including application to agricultural land.**

2. **The Government of Québec, recently (February 24, 2023)** published proposed regulations **to ban the use of imported biosolids on agricultural lands.**

3. **The CFIA is responsible for regulating biosolids imported as commercial fertilizers.**

4. **The Agency will continue working with provincial government departments to develop a coordinated approach to protect the safety of the Canadian agricultural sector.**

BACKGROUND

What are biosolids?

- Biosolids result from the treatment of municipal sewage in a wastewater treatment facility. When treated and applied appropriately, they can be a beneficial source of nutrients and organic matter in agriculture. This practice also diverts the material from landfills and reduces greenhouse gas emissions.

- Approximately 660,000 dry-tons of biosolids are produced annually in Canada, with about half of that being land-applied.

- Effective management of biosolids includes controlling where waste comes from (differentiating between industry and house-hold waste, and removing heavily contaminated sources), proper treatment and managed conditions for land application.

What are PFAS?

- Per- and polyfluoroalkyl substances (PFAS) are a group of over 4,700 human-made substances that are used as surfactants, lubricants, repellents (for dirt, water, and grease). They can be found in certain firefighting foams, textiles (including carpets, furniture, and clothing), cosmetics, and in food packaging materials.

- While few of the PFAS chemicals have been associated with adverse human health and environmental effects, the toxicological and epidemiological data on the majority of these substances in the class is lacking and is being actively researched in Canada and around the world.

- Due to their wide-spread use, PFAS can now be detected in air, surface water, groundwater, wildlife, fish and human tissues. Therefore, their presence in household and industrial municipal waste is unavoidable, but the level of contamination can be managed through control at the source, regulatory standards and limits and appropriate import and use restrictions.

- PFAS are not *used* or added in the production of biosolids. They are present as contaminants. Therefore, controlling what goes into the municipal sewage system is the most effective means of managing the level of PFAS contamination in biosolids.

Regulatory landscape:

- **Environment and Climate Change Canada (ECCC) and Health Canada (HC):** Adverse environmental and human health effects have been observed for PFAS. As a result, several of these chemicals in the class have recently been categorized as toxic under the *Canadian Environmental Protection Act*, (CEPA) and slated for virtual elimination. This prohibits their intentional release into the Canadian environment through manufacture or import of industrial and consumer products. The PFAS class as a group is under review by ECCC and HC to be completed by April 2023. This concerted government effort to control PFAS at the source will minimize contamination of wastes such as biosolids.

- **Canadian Food Inspection Agency (CFIA):** The CFIA does not currently monitor fertilizers and supplements for their PFAS content (due to lack of conclusive evidence of risk, analytical capacity or validated methods in biosolids).

- **Provinces/Canadian Council of Ministers of the Environment (CCME):** CCME as well as individual provinces are focussing on standards for PFAS in soil and drinking water – there are no standards specific to biosolids.

- Province of Québec: Due to the recent ban on land application of biosolids in the State of Maine, the volume of municipal biosolids imported into Canada has increased and the majority (86%) of these shipments appear to be destined for the province of Québec. Most recently (February 24, 2023), Québec's government (Ministère de l'Environnement et de la Lutte contre les Changements Climatiques, de la Faune et des Parcs) announced a moratorium on the agricultural application of biosolid fertilizers imported from the United States. The prohibition introduced by the amendments to Farming Operations Regulation is intended to be a transitional measure until a standard is in place to ensure that municipal sludges generated outside of Canada have low enough levels of PFAS. The publication of this addendum allows for the rapid implementation of this moratorium to ensure the continued safe recycling of organic residuals.

- **US EPA:** The US Environmental Protection Agency (EPA) is in the process of conducting a risk assessment specific to PFAS in biosolids. They are targeting December 2024 for completing and publishing their assessment.

- **PFAS in biosolids – state-by-state:** Fertilizers are regulated on a state-by-state basis in the US (not federally). This has resulted in a diverse range of approaches in the US ranging from inaction to a complete ban of land application of biosolids. Some examples include:

    - **Maine**: following several cases of farmland severely impacted by the spread of PFAS-contaminated biosolids, Maine announced very strict rules for PFAS which effectively placed a ban on the application of biosolids to land in April 2022.

    - **Michigan**: the Department of Environment, Great Lakes and Energy published an interim approach to PFAS that limits the use of biosolids based on their level of Perfluorooctanoic Acid (PFOA) contamination (PFOA is a common type of PFAS found in biosolids and has been extensively studied). Producers of biosolids are required to test their products.

    - **Washington State**: The Department of the Environment reviews all applications involving waste-derived materials and conducts risk assessments for their application to land. The result of the assessment is either a rejection or an approval for use with conditions.

Government of Canada Action Plan:

- Domestic and international jurisdictions are closely monitoring scientific developments in the area of PFAS contamination.
- The CFIA is investigating regulatory options to manage risks associated with the importation of contaminated material from other countries (including the US).
- Any regulatory action must be carefully considered in the context of available science and the level of reported risk as well as any potential negative impacts on the waste diversion sector. This includes treatment facilities, generators and processors, landfill operators and ultimately farmers who use these products to offset the rising fertilizer cost and to reduce greenhouse gas emissions.
- In response to recent bans in the state of Maine, the CFIA is considering:

    - targeted inspections at the border
    - import data requirements
    - adoption of interim standards used by other jurisdictions (e.g., Michigan)

- The CFIA will continue to work with its federal partners (ECCC and HC), provincial counterparts (CCME, Provincial Ministries of Environment) and international counterparts (US EPA, state officials in the US) to ensure up-to-date science is available and to coordinate standards and, as appropriate, land application restrictions.

B) Media Lines and Qs & As

PFAS contamination in imported biosolids

RDIMS 18490054

Approved

March 2, 2023

Canadian Food Inspection Agency

MEDIA LINES

For use by CFIA spokespersons only

PFAS contamination in imported biosolids

ISSUE

There has been increasing media attention on the potential harm of per- and polyfluoroalkyl substances (PFAS, also known as “forever chemicals”) on human health and the environment. Quebec media are particularly focused on the imports of biosolids from Maine, which has banned the use of biosolids on its agricultural land due to high levels of PFAS found in dairy milk. The province of Quebec receives the majority of biosolids imported into Canada. On February 24, 2023, the Government of Quebec published its proposed regulation to ban the use of imported biosolids on agricultural lands; the public consultation is open for 45 days. The CFIA is currently looking at options to protect Canadian agricultural land from biosolids high in PFAS content.

KEY MESSAGES

- The Canadian Food Inspection Agency (CFIA) regulates commercial fertilizers, including biosolids (human waste products) sold or imported as fertilizers.

- The CFIA is working with Environment and Climate Change Canada, Health Canada and provincial governments to assess risks and develop a coordinated approach to protect the safety of Canadian agriculture and human health.

- The CFIA’s approach will be based on available science and risk level while considering impacts on the sector and waste diversion efforts across Canada. Options include:
    - targeted inspections at the border,
    - imposing stricter border controls, and
    - adopting interim standards used by other jurisdictions (e.g. Michigan is limiting the use of biosolids based on the level of Perfluorooctanoic Acid (PFOA) contamination and producers are required to test their products).

[If pressed] The timing of a decision depends on a number of factors, including the outcomes of the qualitative assessment of PFAS as a class of chemicals by ECCC and HC, to be released for consultation in the spring.

SUPPLEMENTAL MESSAGES

- Biosolids result from the treatment of municipal sewage in wastewater treatment facilities.
- When treated and applied appropriately, biosolids can be a source of nutrients and organic matter in agriculture.
- Using biosolids as fertilizer also diverts the material from landfills, and reduces greenhouse gas emissions from farm operations.
- PFAS are not used or added in the production of biosolids. They are present as contaminants because of PFAS in consumer products and industrial discharges.

QUESTIONS AND ANSWERS

What options is the CFIA exploring? How soon will changes take effect?

The CFIA is currently assessing the level of risk posed by biosolids coming from the United States, including Maine, while taking into account impacts on the waste diversion sector and farmers who use these products to offset increasing fertilizer cost.

The CFIA is working with Environment and Climate Change Canada, Health Canada and provincial governments to develop a coordinated approach to protect the safety of Canadian agriculture.

The CFIA's approach will be based on available science and risk level to the environment and human health. It will also factor in the impacts on the agricultural sector and waste diversion efforts across Canada. Options include:

- targeted inspections at the border,
- imposing stricter border controls, and
- adopting interim standards used by other jurisdictions (e.g. Michigan is limiting the use of biosolids based on the level of Perfluorooctanoic Acid (PFOA) contamination and producers are required to test their products).

[If pressed] The timing of a decision depends on a number of factors, including the outcomes of the qualitative assessment of PFAS as a class of chemicals by ECCC and HC, to be released for consultation in the spring.

What are biosolids?

Biosolids result from the treatment of municipal sewage in wastewater treatment facilities. When treated and applied appropriately, they can be a source of nutrients and organic matter in agriculture. Using biosolids as fertilizer also diverts the material from landfills and reduces greenhouse gas emissions.

Approximately 660,000 dry-tons of biosolids are produced annually in Canada; about half of that is applied on land.

Effective management of biosolids includes controlling where waste comes from (differentiating between industry and household waste, and removing heavily contaminated sources), proper treatment and managed conditions for land application.

What are PFAS?

Per and Poly fluoroalkylated substances (PFAS) are a group of over 4,700 synthetic chemicals, the most commonly detected in the environment being perfluorooctane sulfonate (PFOS) and perfluorooctanoic acid (PFOA).

PFAS are used in a wide variety of industrial and consumer products, such as adhesives, textiles (including clothing and furniture), cosmetics, cleaning products, and in specialized chemical applications, such as firefighting foams. PFAS are also used in water-, stain-, and oil-repellent coatings for fabrics and paper.

Why are PFAS found in biosolids?

PFAS are persistent in the environment ("forever chemicals") and an emerging contaminant of concern both in Canada and around the world. Because they are used in so many manufactured materials, PFAS are found in air, surface water, groundwater, wildlife, fish, human blood and breast milk, as well as human and industrial municipal waste.

Therefore, their presence in biosolids is unavoidable, but the level of contamination can be managed through control at the source, regulatory standards and limits, and restrictions on imports and how biosolids are used.

Why are PFAS a problem?

PFAS do not breakdown naturally in the environment and they bio-accumulate in living organisms. High levels of certain PFAS are a proven risk to both the environment and human health.

Several chemicals in the PFAS class have recently been indentified as toxic under the *Canadian Environmental Protection Act* (CEPA). Canadian regulations prohibit the manufacture, use, import and sale of these PFAS, with limited exemptions.

Why doesn't the CFIA test for PFAS in biosolids?

Municipal biosolids, when sold and imported into Canada, are regulated as fertilizers but are exempt from pre-market assessment and registration as long as they meet the compositional criteria specified on the List of Primary Fertilizer and Supplement Materials - Canadian Food Inspection Agency (canada.ca).

The CFIA's food safety testing for PFAS from 2013 to 2016 showed no measurable level of PFAS in any food samples. As a result, the CFIA did not pursue testing of fertilizers, and there are currently no established upper limits for PFAS in fertilizer.

Why doesn't the CFIA ban the use of biosolids on agricultural fields?

The provinces regulate the manufacture, use and disposal of municipal biosolids, including application to agricultural land.

Banning the use of biosolids could negatively impact farmers who use these products to offset fertilizer costs, the waste processing industry and waste diversion efforts across Canada. When treated and applied properly, biosolids can be a source of nutrients and organic matter in agriculture and reduce green house gas emissions. They can also be processed to generate energy – gas, fuel and electricity.

This practice:

- is cost effective for farmers;
- is available in large supply;
- is a method to divert organic material from landfills;
- returns valuable nutrients and organic matter back into the soil;
- generates energy; and
- reduces greenhouse gas emissions associated with large-scale agriculture.

ROLES & RESPONSIBILITIES

- The CFIA is responsible for ensuring that fertilizers and supplements imported into and sold in Canada are safe and properly labelled.
- HC sets safety standards in food and establishes Drinking Water Guidelines
  - HC has information on PFAS posted on its website.
- ECCC is the lead on environmental safety under the *Canadian Environmental Protection Act, 1999* (CEPA). ECCC focuses on the release of chemicals into the environment through industrial processes, manufacturing and use or consumer products.
- The provinces regulate the manufacture, use and disposal of municipal biosolids, including application to agricultural land.
- The Canadian Council of Ministers of the Environment as well as individual provinces are focusing on standards for PFAS in soil and drinking water.

6. Changes at Olymel in Québec QP Card

RDIMS: 17946022, v. 16

UPDATE **February 3, 2023**
Agency: CFIA

CLOSURE OF SOME OLYMEL PLANTS IN QUEBEC

ANTICIPATED QUESTION

What action is the Government of Canada taking regarding the end of operations at some Olymel plants in Quebec?

FIRST RESPONSE

1. **The Government of Canada will continue supporting Canadian producers with the resources they need.**

2. **Olymel has made a business decision to close some pork processing plants in Quebec.**

3. **The Canadian Food Inspection Agency continues to deliver inspection services at other federally regulated processing and slaughter establishments in the region to preserve the integrity of Canada's food safety system.**

RESPONSIVE REGARDING INSPECTION RESOURCES AT OTHER NEARBY FEDERALLY REGULATED ESTABLISHMENTS

1. **The Canadian Food Inspection Agency will continue to respond to requests for export inspection services and will monitor activities as establishments wind down.**

2. **Inspectors will be assigned to another federally regulated establishment in the region.**

3. **The Canadian Food Inspection Agency will continue to allocate the necessary resources to support the needs of the pork industry in the various establishments in Quebec.**

AAFC'S RESPONSIVE REGARDING AGRICULTURE PROGRAMS TO SUPPORT PRODUCERS

1. **Agriculture and Agri-Food Canada provides a wide range of support to help the pork sector succeed.**

2. **Since the inception of the Canadian Agricultural Partnership, the federal government has approved up to $17.6 M in funding to the pork sector through its AgriMarketing and AgriAssurance programs.**

3. **Producers who may be impacted continue to have access to a suite of Business Risk Management Programs, including AgriInvest, a producer-government savings account that can be used at any time and for any reason. AgriStability is available and is a whole-farm disaster program that provides protection against large declines in farming income.**

AAFC'S RESPONSIVE REGARDING THE LABOUR STRATEGY FOR THE SECTOR

1. **A strong and reliable workforce is critical to the vitality of the sector.**

2. **Development of a sector-specific agricultural labour strategy to address chronic labour shortages in farming and food processing is a top priority for this Government.**

3. **As we develop this strategy, we will work closely with industry to identify and address the short and longer-term labour issues faced by employers in the agriculture and agri-food industry.**

BACKGROUND:

The Canadian Food Inspection Agency (CFIA) allocates the necessary resources to support the needs of the pork industry in various slaughter establishments in Quebec.

Over the past year Olymel has made business decisions to close three processing plants in Quebec. Agency resources have been transferred to other slaughter establishments in the region. These plants are involved in meat processing for pork and some poultry processing.

AAFC programs:

Although the AgriMarketing and AgriAssurance programs do not directly support meat processors, Agriculture and Agri-Food Canada does support national organizations, such as the Canada Pork International, the Canadian Pork Council, and the Canadian Meat Council. The AgriMarketing and AgriAssurance programs support the sector as a whole, from traceability initiatives to market access and development. Together, these organizations are receiving just over $17.6M in program funding (2018-23).

Details on AgriMarketing Program Funding related to pigs/pork:
The Canada Pork International was approved for two projects, for up to $7,224,215, to obtain, to maintain and to enhance market access in international markets and to assist Canadian pork exporters in their export market development initiatives.

The Canadian Pork Council was approved for two projects for up to $1,674,807 to increase pork consumption and encourage end-users to use Canadian pork, to provide valuable market information to pork industry members, to exchange information and to develop working relationships with the world meat industry as well as to develop competitiveness, profitability and sustainability.

The Canadian Meat Council was approved for two projects for up to $1,584,772 to build relationships with international export markets; to perform market research; to undertake industry-to-industry trade advocacy and policy development with incoming, outgoing and exploratory missions; and to provide expert, real-time support for ministerial missions.

Details on AgriAssurance Program Funding related to pigs/pork:
The Canadian Pork Council was approved for three projects for up to $7,161,026. The objectives of each project are:

- to advance the national swine health surveillance systems by utilizing the new multiplex molecular assay for six swine enteric viruses, development and implementation of a proficiency testing program for these viruses and utilization of the new multiplex assay and existing assays for swine health surveillance through Canadian Pork Council associated surveillance networks (e.g., Canadian Swine Health Intelligence Network and Canadian Animal Health Surveillance System).
- to successfully launch the Canadian Pork Excellence platform, which integrates the Canada Pork Council's three principal on-farm programs (i.e., food safety and biosecurity program –

PigSAFE, animal care program – PigCARE, and traceability program – PigTRACE). The output of the project will be the advancement of the national pork assurance systems, helping producers demonstrate the use of the most current on-farm standards through credible and effective assurance programs.

- to maximize PigTRACE program compliance, pursuant to federal regulatory requirements, through enhanced education and improved pig movement reporting tools. A secondary objective is to optimize the usefulness of PigTRACE in "peacetime" by driving value from the data for market intelligence and leveraging PigTRACE database infrastructure for use by CPC's other two on-farm programs: PigSAFE and PigCARE. The three programs collectively constitute "Canadian Pork Excellence".

Details on Business Risk Management programs:
Business risk management (BRM) programs are joint Federal-Provincial-Territorial (FPT) programs that are in place to help producers manage risks that threaten the viability of their farms and provide protection against different types of income and production losses. Producers take responsibility for managing normal risks, while government support is in place to help manage events that exceed producers' capacity to manage. Hog producers are eligible and encouraged to participate in BRM programs, the most relevant of which are AgriInvest and AgriStability.

The AgriInvest program allows producers to save a portion of the proceeds from their annual net sales, with a matching government contribution up to a maximum of $10,000 annually, to help manage smaller income declines. AgriInvest deposits are accumulated year-over-year and account balances can be used at any time to offset reductions in farm revenue.

The AgriStability program is a whole-farm program designed to support producers who have experienced a net income decline of more than 30% for reasons such as production loss, increased costs and market conditions. Producers need to enrol at the beginning of each year to ensure their coverage under the program is in place, with an option for late participation that can be invoked by a province as result of exceptional circumstances.

7. Dog Imports

A) QP Card

RDIMS: 17958498, v. 5

UPDATE **January 31, 2023**

Agency: CFIA

DOG IMPORTS

ANTICIPATED QUESTION:

What is the government doing to address concerns from industry and the public regarding the importation of dogs into Canada?

FIRST RESPONSE

1. **Our Government is improving protections for animals in Canada and dogs imported from outside Canada.**

2. **In June 2022, the Canadian Food Inspection Agency announced a new measure that was implemented on September 28, 2022 to prohibit the entry into Canada of all commercial dogs from countries at high-risk for rabies caused by canine-variant viruses (dog rabies).**

3. **In May 2021, changes were made to the dog importation rules for the import of commercial dogs under eight (8) months of age to ensure that dogs, and the kennel they originate from, meet a minimum health standard.**

4. **The Agency will continue to take enforcement action against importers of dogs that are not compliant with Canada's requirements.**

RESPONSIVE REGARDING PREVENTION OF INTRODUCTION AND SPREAD OF DOG RABIES

1. **In Canada, certain strains of rabies are found in wildlife such as skunks, foxes, raccoons and bats. However, Canada does not have dog rabies.**

2. **At this time, the disease risk for dog rabies is highest with the entry of commercial dogs into Canada.**

3. **Options to impose conditions on the entry into Canada of personal pet dogs and assistance dogs from countries at high-risk for dog rabies are currently being explored.**

4. **The Agency is taking action to protect human and animal health in view of preventing the introduction and spread of dog rabies into Canada.**

RESPONSIVE REGARDING THE NEW MEASURE PROHIBITING ENTRY INTO CANADA OF ALL COMMERCIAL DOGS FROM COUNTRIES AT HIGH RISK FOR DOG RABIES

1. **A new measure took effect on September 28, 2022, prohibiting the entry into Canada of all commercial dogs from countries at high-risk for dog rabies.**

2. **In recent years, two dogs infected with dog rabies were imported into Canada.**

3. **This new measure is consistent with requests from federal and provincial public health officials to strengthen Canada's import requirements for dogs to mitigate the risk of introducing dog rabies.**

4. **The Canadian Food Inspection Agency will continue to monitor and evaluate the impacts of this new measure.**

RESPONSIVE REGARDING THE SITUATION IN UKRAINE

1. **The Government of Canada recognizes the trauma that those forced to leave their homes experience and seeks to accommodate personal pet imports when possible within the *Health of Animals Act* and the *Health of Animals Regulations.***

2. **All import requirements must be met before an animal is allowed to enter Canada.**

3. **If an animal arrives in Canada that does not meet the import requirements, the Canadian Food Inspection Agency will review the situation, including examination of the animal and documentation, then make a decision as to whether an animal is allowed to enter Canada or is ordered removed from Canada.**

RESPONSIVE REGARDING PETITIONS TO BAN PUPPY MILLS AND PREVENT PUPPY MILL IMPORTS

1. **Our Government takes animal protection seriously.**

2. **The Canadian Food Inspection Agency is not responsible for regulating animal welfare, puppy mills or the online sale of companion animals and pets. This falls primarily under provincial jurisdiction.**

3. **The Agency continues to work with partners to provide Canadians with guidance and considerations before purchasing or adopting a new dog.**

BACKGROUND:

- Canada's import requirements for commercial dogs less than eight months of age were revised on May 15, 2021. Changes that were implemented include:

    a. Require import permit applications to be submitted using the My CFIA online service.
    b. Cease issuing multiple entry import permits and issue only single entry import permits. Importers will be required to specify the number of dogs to be imported and the complete travel route from the country of origin to the final destination in Canada, including the airport or land border crossing that will be used to enter Canada.
    c. Require importers to schedule a Canadian Food Inspection Agency (CFIA) inspection at the airport or land border crossing where the animals will enter Canada before the shipment leaves the country of origin.
    d. Clarify the current requirement that an official veterinarian of the country of origin must certify that the animals were born in the kennel of origin and that the kennel meets specific animal health criteria. The requirement for a USDA Kennel License will continue to apply for dogs imported for resale/adoption from the United States.
    e. Require dogs to be vaccinated for rabies at least 28 days before export to Canada (there will be an exception for recognized breeders).
    f. Require dogs to be treated for internal and external parasites prior to export to Canada.
    g. Require that importers transporting dogs by air have a post-import quarantine facility that has been pre-approved by the CFIA in case arriving animals require further inspection and/or quarantine.

- The CFIA is aware of a recent petition (e2997) calling upon the Government of Canada to ban the operation of puppy mills in Canada. The CFIA is not responsible for regulating puppy mills. Provinces have legislation in place respecting the humane treatment of animals and the authority to enforce its respective regulations. Animal control requirements are usually a responsibility of municipalities.

- The CFIA is responsible for regulating the importation of animals, including dogs, into Canada in order to prevent the introduction and spread of diseases that could negatively impact the health of both animals and humans.

- Canada's dog import requirements are provided under the *Health of Animals Act* and the *Health of Animals Regulations*. The import conditions are developed by the CFIA. They take into account the diseases and conditions affecting animals, the current national disease health status, the risk to human health, and Canada's obligations as a member of the World Organization for Animal Health (WOAH) and the World Trade Organization (WTO).

- The humane transport of animals is regulated under the *Health of Animals Regulations*: Part XII. It applies to the transport of animals entering, leaving or within Canada. Commercial carriers are subject to many of the requirements including the need to have a contingency plan in the event of unseen delays or circumstances that could result in the animal’s unnecessary suffering, injury or death.

- Canada's import requirements for dogs are very specific and dependent on the country of origin, the purpose of import, the age of the dog at the time of the importation and whether the dog is accompanied by the owner. In general, all dogs imported into Canada must be healthy and fit to travel with no visible signs of illness. They must have the necessary vaccines and documentation.

- All import requirements must be met before an animal is imported. If an animal arrives in Canada and does not meet the import requirements, the specific details of the case will be evaluated. Depending on the results of the inspection, the animal may be ordered to be removed from Canada, monetary penalties may be applied or other enforcement actions may be pursued.

- In July 2021, a dog imported from Iran into Ontario was diagnosed with rabies caused by canine-variant viruses (dog rabies). A considerable public health response involved nine different health units and identified 24 people at risk, 14 of whom required rabies post-exposure prophylaxis treatment.

- On January 15, 2022, the CFIA was informed of a second case of rabies in a dog imported from Iran on June 28, 2021. The dog was seen at an emergency clinic in Toronto on January 12, 2022 for neurological symptoms and was euthanized on January 16, 2022. There are 37 high-risk contacts who received rabies post-exposure prophylaxis treatment.

- Canada has been free of dog rabies since the 1960s. The last reported human death due to dog rabies that was acquired in Canada was in 1944.

- Many countries have reported an increasing trend of dog importations, which have been associated with introduction of serious human and animal diseases.

- The Public Health Agency of Canada (PHAC) recognizes the need and is supportive of additional measures being put in place to protect the public in Canada from the introduction of serious public health diseases through the importation of dogs.

- On February 24, 2022, Russia launched an invasion of Ukraine. Some Ukrainians are fleeing war in their country and bringing their pet animals with them. The Government of Canada recognizes the trauma that those forced to leave their homes experience and seeks to accommodate personal pet imports when possible within the *Health of Animals Act* and the *Health of Animals Regulations.*

- On June 14, 2021, the United States' Centers for Disease Control and Prevention (CDC) introduced a temporary suspension for dogs imported from high-risk countries for dog rabies. In June 2022, this suspension was amended to allow the importation of dogs from countries at high-risk for dog rabies under specific import requirements. While Canada and the U.S. have identified the same countries to be considered high risk for dog rabies, the two countries have different legal authorities and import policies. The differences reflect the different regulatory tools and supporting infrastructures of the two countries.

- On June 28, 2022, the CFIA published an advance notice on the Agency's website about a new measure prohibiting the entry of commercial dogs from countries at high-risk for dog rabies that came into effect three months later on World Rabies Day, September 28, 2022. Commercial dogs include dogs intended for purposes such as being given/transferred to another person, resale, adoption, fostering, breeding, show or exhibition and research. This measure applies at Canadian airports declared as Secondary Control Zones under the *Health of Animals Act* until further notice. The notice also mentioned that further changes are being explored for the entry of personal pet dogs and assistance dogs from countries at high-risk for dog rabies.

- A judicial review of the current measure prohibiting entry of all commercial dogs from countries considered high-risk for dog rabies has been filed with the Federal Court of Canada by organizations supporting international dog rescues. A petition opposing the measure was also tabled in the House of Commons.

B) Media Lines and Q and A on Dog Rabies in Iran

RDIMS: 15993802, v5

Dog Imported into Canada

Tests Positive for Rabies

UPDATED

February 9, 2022

Canadian Food Inspection Agency

MEDIA LINES

For use by CFIA spokespersons only

TITLE

Case of rabies infection in a second dog imported from Iran (NEW)

ISSUE

In January 2022, Canada's Chief Veterinary Officer (CVO) was informed by the CVO of Ontario of a possible case of rabies in a dog imported from Iran on June 28, 2021. The dog was seen at an emergency vet clinic in Toronto on January 12, 2022, for neurological symptoms and was euthanized on January 16, 2022.

Toronto Public Health (TPH) initiated an investigation and indicated there was significant human contact/exposure. Impacted individuals have been contacted by the health unit and have started post exposure prophylaxis.

Samples from the dog were sent to the Lethbridge Laboratory and found to be positive for rabies virus. The tissue was sent to the Ottawa Laboratory Fallowfield for viral typing and infection was confirmed to be due to a canine variant rabies virus (dog rabies), which was not previously in Canada. The finding will be reported to the OIE as an immediate notification since this variant is not endemic in Canada. This is the second time in 8 months that a dog imported to Canada from Iran has tested positive for rabies.

After being informed of the second case, the CFIA immediately halted the issuing of import permits for dogs from Iran as a targeted regulatory response to this aggravated risk situation.

On January 25, 2022, Toronto Public Health (TPH) published a news release seeking an unidentified owner and dog who came into contact with the infected dog. The news release did not mention that the dog was imported or the CFIA.

POSITIONING STATEMENT

The CFIA regulates the importation of animals into Canada in order to prevent the spread of animal diseases.

KEY MESSAGES

- In January 2022, Canada's Chief Veterinary Officer (CVO) was informed by the CVO of Ontario of a possible case of rabies in a dog imported from Iran on June 28, 2021. The dog was seen at an emergency vet clinic in Toronto on January 12, 2022, for neurological symptoms and was euthanized on January 16, 2022.

- The dog in question had the required rabies vaccination certificate, which was presented to Canada Border Service Agency (CBSA) officers when imported in June 2021.

- Toronto Public Health (TPH) initiated an investigation and indicated that there was significant human contact/exposure. Affected individuals have been contacted by the health unit.

- Laboratory results confirmed that the rabies virus strain is associated with a variant not endemic in to Canada (canine variant rabies). The finding must be reported to the OIE (World Organisation for Animal Health) since this variant is not endemic in Canada.

- This is the second dog imported into Canada from Iran that has been confirmed to have rabies. In July 2021 a 1.5-year-old-dog that was imported from Iran was confirmed to have rabies. Both dogs had the required rabies vaccination certificate, which was presented to CBSA officers upon entry to Canada.

- As of January 18, 2022, the CFIA suspended the issuing of import permits for commercial dogs from Iran as a targeted, precautionary regulatory response to the discovery of a second case of rabies imported from this country.

- Import controls protect human and animal health by preventing animal diseases from being brought into Canada. The CFIA is currently exploring additional measures to prevent canine rabies virus variants from entering Canada.

- Rabies in humans is rare. In Canada, rabies is commonly found in certain wildlife, including foxes, skunks, bats and racoons, and can spread through contact to domestic animals such as dogs. However, the rabies variant from the imported dogs from Iran is not found in Canada.

Questions and Answers:

Does Canada plan to follow the recent decision in the US to suspend or ban the import of dogs from countries with known endemic rabies in dogs? If not, why?

- The CFIA can, and does, suspend imports from specific countries when there are compliance issues. For example, after being informed of the second case of rabies in a dog from Iran, the CFIA suspended the issuing of import permits for dogs from Iran as a targeted regulatory response to this aggravated risk situation.

- The CFIA's authority for animal imports is based on the *Health of Animals Act and Regulations*. Import conditions are developed and take into account:
    - the diseases and conditions affecting dogs in Canada
    - the national disease health status
    - the risk to human health
    - World Organization for Animal Health (OIE) standards
    - World Trade Organization (WTO) obligations

- The CFIA is currently investigating additional measures to enhance the prevention of canine rabies virus variants entering Canada.

As a result of a second case from Iran being discovered, does Canada plan to make any changes to rabies vaccination requirements?

- As of January 18, 2022**,** the CFIA suspended the issuing of import permits for dogs from Iran as a targeted regulatory response to this aggravated risk situation.

- Rabies vaccination is required for dogs older than three months of age entering Canada unless they originate from a country that the CFIA recognizes as rabies-free. The CFIA is evaluating existing measures in place to continue to prioritize the protection of human and animal health.

How does a dog with rabies get into Canada?

- Rabies vaccination is required for dogs older than three months of age entering Canada unless they originate from a country that the CFIA recognizes as rabies-free.

- The dog in question had a rabies vaccination certificate, which was presented to Canada Border Services Agency (CBSA) officers upon arrival into Canada. The dog was not showing signs of illness at the time of importation.

- Animals can be infected with rabies virus without appearing sick; this is known as the incubation period. Infected dogs usually start showing signs of rabies within a couple weeks to several months after being exposed, but longer incubation periods are possible. Rabies in animals can only be confirmed post-mortem by laboratory tests on brain tissue.

- Rabies vaccination can at times be unsuccessful due to issues with the vaccine such as improper storage, etc.

- The CFIA is currently exploring options to prevent canine rabies virus variants from entering Canada.

Should dog owners or the public be concerned about this situation?

- Toronto Public Health initiated an investigation and indicated that there was significant human contact/exposure. Affected individuals are being contacted by the health unit.

Does this have anything to do with the recent changes made to Canada's dog import requirements?

- No. The new requirements apply to the import of commercial dogs under eight months of age for breeding, resale/adoption and show/exhibition (permanent stay in Canada). The dog in this case was a personal import.

Is there anything people can do to avoid adopting an animal with potential health issues?

- The CFIA is working with Friends of Humane Society International, Humane Canada, the Canadian Kennel Club and the Canadian Veterinary Medical Association to raise awareness and support Canadians in making an informed decision when considering a new puppy or dog.

- Additional information is available on the CFIA's website:
  - Importing and travelling with pets (inspection.gc.ca/pets)
  - If you're thinking of buying or adopting a dog (inspection.canada.ca/dog decision)
  - Fact Sheet: "Then and Now" dog import changes
  - News Release: Importing dogs to Canada: Government introduces updated import requirements for commercial dogs less than eight months old (for the breeding and resale/adoption end uses)
  - Notice to industry: Updates to the import requirements for commercial dogs less than 8 months of age for breeding and resale (which includes adoption) end uses (May 4, 2021)

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8. Foot and Mouth Disease QP Card

RDIMS: 18296829, v.12

UPDATED **January 31, 2023**
Agency: CFIA

FOOT-AND-MOUTH DISEASE (FMD)

ANTICIPATED QUESTION

What is the Government of Canada doing to keep Foot-and-mouth disease out of Canada?

FIRST RESPONSE

1. **Our Government works to protect animal health and prevent the introduction and spread of animal diseases.**

2. **Strict measures are in place to prevent Foot-and-mouth disease from entering Canada including animal and food import controls and declarations for travellers at the border.**

3. **The Canadian Food Inspection Agency monitors the status of Foot-and-mouth disease worldwide and has emergency preparedness and response plans ready in the event the disease enters Canada.**

4. **Our Government will continue to work with provincial veterinary authorities and industry to exchange information, monitor risk, and raise awareness while promoting preventative efforts.**

RESPONSIVE REGARDING A CANADIAN FMD VACCINE BANK

1. **Canada is a member of the North American Foot and Mouth Disease Vaccine Bank and part of a working group evaluating the efficacy and feasibility of establishing a Canadian FMD Vaccine Bank.**

2. **Together with provincial, territorial and industry partners, we are exploring options on how a Canadian Foot-and-mouth disease Vaccine Bank could be created and funded.**

3. **The Canadian Food Inspection Agency is working with members of Animal Health Canada's working group, along with federal, provincial, territorial, and industry representatives to update protocols for deploying the vaccine from the North American vaccine bank in a disease outbreak scenario.**

BACKGROUND

Foot-and-Mouth Disease (FMD) is a severe, highly communicable viral disease of cattle and swine. It also affects sheep, goats, deer and other cloven-hoofed ruminants. The disease is characterized by fever and blister-like sores on the tongue and lips, in the mouth, on the teats and between the hooves. Many affected animals recover, but the disease leaves them weakened and debilitated. Horses are not affected.

FMD is not readily transmissible to humans and is not a public health risk. Under certain conditions of very high virus exposure, transmission to humans has occurred and results in no more than a light rash. It is not considered a food safety issue.

In Canada, FMD is a reportable disease under the *Health of Animals Act*, and all suspect cases must be reported to the Canadian Food Inspection Agency (CFIA).

Canada has been free from FMD since 1952, and strict measures are in place to prevent the disease from entering Canada.

Canadian livestock producers play a key role in protecting animal health. Strict biosecurity practices should always be followed to minimize the introduction and spread of any infectious animal disease, including FMD. Anytime an individual suspects the presence of a reportable disease in their animals, they are required to immediately contact the CFIA and/or a private veterinarian.

If FMD was found in Canada

If FMD was found in Canada, the export of live animals, meat and meat products manufactured from susceptible species (mostly beef and pork) will be halted. Once the World Organisation for Animal Health (WOAH) has re-instated the free status of a part or all of Canada, the CFIA would work together with partners in Global Affairs Canada, Agriculture and Agri-Food Canada and national industry associations to re-establish trade as quickly as possible.

Canada has plans in place to rapidly and effectively control and eradicate FMD. The current strategy is designed to quickly identify all exposed premises, cull exposed and potentially-exposed high-risk animals, and decontaminate the environment to avoid further spread. In practice, the scope and details of the response and timelines would depend upon how far FMD has spread before it is detected, the density of livestock in the affected area(s), effective biosecurity measures on the farms, and other factors.

The recent highly pathogenic avian influenza (HPAI) outbreak has confirmed the extent to which a large scale outbreak can impact CFIA resources, and how collaboration with industry and the provinces is critical to the success of eradicating a foreign animal disease like FMD. The strategies mentioned above will be effective if FMD has not spread widely and the outbreak stays small in areas with low animal density; however, if it becomes extensive, then a vaccination strategy will need to be considered.

The use of vaccines in case of an FMD outbreak will require the extensive participation of the livestock sectors. The CFIA is working in collaboration with Animal Health Canada, national producer associations, provinces and territories on a vaccination strategy before the need arises.

Vaccine bank

The Government of Canada is exploring options on how a Canadian FMD Vaccine Bank could be created and funded. CFIA is actively working with Animal Health Canada, federal, provincial, territorial, and industry representatives to advance this issue.

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9. Lloydminster Pilot Project Media Lines

Notice of Intent

Amendment to the *Safe Food for Canadians Regulations*

RDIMS 18477926

Final

Canadian Food Inspection Agency

MEDIA LINES

For use by CFIA spokespersons only

Notice of intent to amend to the Safe Food for Canadians Regulations

ISSUE

On January 16, 2023, the Canadian Food Inspection Agency (CFIA) will publish a notice of intent to inform stakeholders of the CFIA's plan to amend the *Safe Food for Canadians Regulations* (SFCR). This amendment proposes that the city of Lloydminster's Saskatchewan (SK) and Alberta (AB) food businesses would not be subject to the specific provisions of the SFCR relating to interprovincial trade as long as the trade outside the province is limited to the city of Lloydminster.

The city of Lloydminster is unique in that it is situated in both SK and AB. Food businesses that prepare food to be sold to the part of Lloydminster in the other province are subject to the interprovincial trade provisions of the SFCR. The goal of the regulatory amendment is for safe foods to move in the city of Lloydminster similarly as in cities that are not split by provincial boundaries. This would allow such food businesses to prepare food for trade into all of the city of Lloydminster, including the part of the city that is not within their province, without having to hold an SFC licence and be subject to related requirements.

There has been significant collaboration between the CFIA and the provincial governments of SK and AB on this initiative. The provinces, in partnership with the Lloydminster Chamber of Commerce, have developed a pilot project to address the unique challenges of food businesses in Lloydminster while the CFIA pursues the regulatory amendment. The CFIA is supporting partners as needed. The CFIA will only respond to media questions related to the SFCR amendment and areas within its mandate. Questions will be referred to the Provinces or Municipality, as appropriate.

POSITIONING STATEMENT

The CFIA continues to work in collaboration with industry and provincial partners to facilitate trade and verify that the food Canadians buy and consume remains safe.

KEY MESSAGES

- The Canadian Food Inspection Agency has published a notice of intent to amend the *Safe Food for Canadians Regulations* to address the unique interprovincial context of the city of Lloydminster.
- Because Lloydminster is situated in both Saskatchewan and Alberta, businesses that prepare food to be sold to the part of the city in the other province are currently subject to federal requirements related to interprovincial trade.
- The goal of the regulatory amendment is to allow for the movement of safe foods in the city of Lloydminster similarly as in cities that are not split by provincial boundaries.
- The Saskatchewan and Alberta provincial governments are working closely with the Lloydminster Chamber of Commerce to administer a pilot for food traded within the city of Lloydminster while the Canadian Food Inspection Agency pursues a long-term regulatory solution.

- Food businesses participating in the provincial pilot must continue to comply with provincial requirements, as well as with the requirements of the *Food and Drugs Act* and its regulations and the requirements of the *Safe Food for Canadians Act* and its regulations that apply to all foods sold in Canada.
- The Canadian Food Inspection Agency continues to work with industry, as well as provincial and federal partners, to verify that food safety is maintained throughout this process.

Lloydminster Provincial Pilot

- The Saskatchewan and Alberta provincial governments are working closely with the Lloydminster Chamber of Commerce to administer the provincial pilot. For any questions about the pilot, please contact [insert email/ phone].

Obligations under the SFCR

- The *Safe Food for Canadians Act* (SFCA) and Regulations (SFCR) generally apply to food businesses in Canada that **import food or prepare food for export or interprovincial trade**.
- This means that if a food business sells food to customers in other provinces or countries, or imports food, they need to meet the requirements under the SFCR, including licensing, preventive controls, preventive control plans and traceability.
- Some traceability, labelling and packaging requirements under the SFCR also apply to food businesses that trade within one province or territory, as well as to those trading interprovincially.
- In addition to the SFCA and SFCR, all food sold in Canada must meet applicable requirements of the *Food and Drugs Act* and *Food and Drug Regulations*.
- Saskatchewan and Alberta food businesses preparing food for export or interprovincial trade outside the city of Lloydminster will continue to be subject to all requirements under the *Safe Food for Canadians Regulations*, including licensing.
- Foods sold in Saskatchewan and Alberta are also subject to their respective applicable provincial legislation.

QUESTIONS AND ANSWERS

Q1 **Why is the CFIA proposing this amendment to the *Safe Food for Canadians Regulations*?**
The city of Lloydminster is unique in that it is situated in both Saskatchewan and Alberta. Food businesses in these provinces that prepare food to be sold to the part of Lloydminster in the other province are subject to the interprovincial trade provisions of the *Safe Food for Canadians Act* and its regulations (SFCA/R). This includes licensing, the resulting preventive control requirements and, for slaughter establishments, requirements relating to onsite inspection and humane treatment of animals. Businesses in other Canadian cities where food is traded wholly within one province are not subject to these federal requirements.

The goal of the regulatory amendment is for safe foods to move in the city of Lloydminster similarly as in cities that are not split by provincial boundaries. It also supports the previous commitment made by Federal, Provincial and Territorial Agriculture Ministers in November 2021to pursue and prioritize interprovincial trade solutions under the Sustainable Canadian Agricultural Framework.

Q2 **To which businesses will this amendment apply?**
The amendment will apply to food businesses in Lloydminster Saskatchewan and Alberta that prepare food for trade into the city of Lloydminster.

This amendment would not apply to food businesses that prepare food for export or interprovincial trade beyond the city limits of Lloydminster.

Q3 **How will the CFIA ensure food safety during the provincial pilot?**
While the CFIA actively pursues a long-term regulatory solution for food traded within the city of Lloydminster, the CFIA in collaboration provincial partners will verify that food safety is maintained throughout this process.

The CFIA will continue its current risk-based approach to the enforcement of regulations in Lloydminster. The Saskatchewan Health Authority (SHA) which provides food inspection oversight within all of Lloydminster will continue to carry out its responsibility under the *Public Health Act* of Saskatchewan. The SHA will maintain a list of food businesses participating in the pilot and those business will keep traceability records for foods traded within Lloydminster to confirm foods are not traded beyond the city limits.

Food businesses in Saskatchewan and Alberta participating in the provincial pilot must continue to comply with provincial requirements, as well as with the requirements of the *Food and Drugs Act* and its regulations and the requirements of the *Safe Food for Canadians Act* and its regulations that apply to all foods sold in Canada.

Q4 **Why just Lloydminster? Why won't the amendment apply to other cities near provincial borders?**
Lloydminster is a unique Canadian city in that it spans the provinces of Alberta (AB) and Saskatchewan (SK). The city is incorporated by both AB and SK as a single city, with a single municipal administration and a single mayor. The Lloydminster Charter provides the framework for administration and governance for the City of Lloydminster. It provides authority to apply legislation from one province to the entire City, thus enabling a "seamless" city where possible. For example, food inspection for the entire city is carried out by Saskatchewan Health Authority, under the authorities of the *SK Public Health Act* (as stipulated in the Lloydminster Charter).

This is different from any other cities near provincial borders. Unlike Lloydminster, these cities have their own municipal and provincial oversight established within a single province and can conduct local business within their municipality without additional federal requirements.

Q5 **Why can't we trade across provincial boundaries now, when provincial food is safe to eat?**
It is possible to move food across a provincial border, if food businesses comply with federal requirements and hold a federal licence. Interprovincial trade of foods in Canada is a federal responsibility, while trade and commerce of food produced within a province is primarily a provincial responsibility. This is all part of the constitutional division of powers in Canada.

The federal requirements are based on international standards. They provide a consistent approach to food safety oversight across Canada that gives confidence to consumers and our international trading partners, and enables our producers to access domestic and foreign markets.

Provinces and Territories, under their constitutional responsibilities for local commerce, can have different inspection requirements for foods sold within their jurisdictions.

All food sold in Canada, regardless of where it is traded, must comply with the *Food and Drugs Act* and its regulations (FDA/R), and the corresponding parts of the *Safe Food for Canadians Act* and *Regulations* (SFCA/R). These regulatory requirements ensure that all food in Canada is safe to eat and maintain consistency in labelling and food representation.

11. Reciprocity of Standards/Treatment of Imported vs Domestically Produced Foods QP Card

RDIMS: 15740137, v.5

UPDATE **January 24, 2022**

Agency: CFIA

TREATMENT OF IMPORTED VS. DOMESTICALLY PRODUCED FOODS

ANTICIPATED QUESTION:

Does the federal government treat imported foods the same as domestically produced foods?

FIRST RESPONSE:

1. **The Government of Canada is committed to food safety and to protecting Canadians from food-related illnesses.**

2. **All food sold in Canada, whether prepared domestically or imported, must comply with all Canadian food requirements.**

3. **Food importers and domestic manufacturers preparing food for export or interprovincial trade are required to meet the requirements set out in the *Safe Food for Canadians Act* and *Regulations* focusing on food safety at the source.**

RESPONSIVE REGARDING REVITALIZING IMPORT PROGRAM:

1. **The Government of Canada is committed to strengthening its oversight of food imports.**

2. **The Canadian Food Inspection Agency has started working on an import revitalization program. This will help support new ways of doing business, while still taking a risk-based approach to food safety.**

3. **The CFIA is also increasing its inspection, laboratory testing and oversight programs, and developing ways to target higher-risk foods, and is strengthening its partnerships with the Canada Border Services Agency.**

BACKGROUND:

- All foods sold in Canada, whether domestically prepared or imported, must comply with all applicable federal food legislation.

- Food importers and domestic manufacturers preparing food for export or interprovincial trade are subject to requirements set out in the *Safe Food for Canadians Act* and *Regulations* focusing on food safety at the source. All persons importing and selling food in Canada must meet the food-related requirements set out in the Food and Drugs Act and Regulations.

- Food importers are required to obtain an import licence and maintain food safety plans that demonstrate their imported food achieves the same level of food safety protection as domestically produced food. Importers are also required to maintain traceability records of food origins and destinations, and to have recalled plans.

- The Canadian Food Inspection Agency (CFIA) conducts risk-based activities to ensure the safety and compliance of food, both domestic and imported, by verifying that food importers meet federal food requirements. This includes sampling and testing of products, inspections and verification of preventive control plans. CFIA can issue border lookouts and undertake points-of-entry inspections to prevent non-compliant food from entering Canada. In the most serious cases, this can lead to orders to remove the product from Canada, destruction of the product, refusal of entry of food shipments into Canada, or suspension/cancellation of licences. Other non-compliance actions include correction action requests, seizure and detention, and even prosecution

- CFIA can enter into arrangements with its international trading partner that outlines specific conditions for import, and conducts some offshore audits and verification of foreign establishments based on risk, particularly in respect of high-risk foods.

- The Government of Canada is investing $162.6 million in the CFIA over the next five years and $40 million per year to maintain the integrity of Canada's food safety system, protect the health of plants and animals to safeguard the food supply, and provide ongoing support to Canadian businesses in their export and import activities to overcome pandemic interruptions and global trade volatility. One of the areas of focus is to develop an import revitalization program, so that import activities adapt to and support new ways of doing business, are aligned with a risk-based approach, and are positioned to take advantage of new and existing regulatory tools.

- The CFIA is also increasing its capacity in several areas:
    - its ability to develop strategies to target higher-risk foods,
    - its inspection and laboratory analysis capacity to respond effectively and quickly to import activities, and
    - its performance measurement systems, to provide constant improvement

- The CFIA is also investing in digitization, and is strengthening its partnerships with the Canada Border Services Agency.

12. Spent Fowl - Media Lines and Questions & Answers

RDIMS: 14924686, v. 9

Spent Fowl and DNA Testing

CFIA President's Office Approved
2021-04-13

Canadian Food Inspection Agency
MEDIA LINES

For use by CFIA spokespersons only

ISSUE

On March 11, 2021, the (then) Vice-President, PPB, said to Member of Parliament Yves Perron at the Standing Committee on Agriculture that the Canadian Food Inspection Agency (CFIA) was going to use DNA testing to help identify misrepresented imports of spent fowl meat.

While this DNA test is available, it is only currently being used on a case-by-case basis and the CFIA has no plans to use it routinely.

The Minister has a meeting with industry this week (April 4) and IAB would like these media lines/Qs and As to be shared with MINO prior to the meeting.

BACKGROUND

For several years, concerns have been raised by the Chicken Farmers of Canada about the improbably high volume of imported spent fowl meat.

The CFIA has developed a screening test that is used on a case-by-case basis to differentiate between male and female chicken meat. While broiler chickens can be either male or female, spent fowl are female only. The test helps to verify if further follow-up activities are required to reduce potential misrepresentation of broiler meat.

The CFIA does not foresee using this test on a routine basis as we have existing import requirements in place to control the misrepresentation of meat imports. Additionally, spent fowl do not represent a food safety concern.

The CFIA's Science Branch and Operations Branch will continue to work with the Canadian Border Services Agency (CBSA) to see how this test could be used in the future to test imported chicken to confirm it is properly represented on the label.

KEY MESSAGES

- The Government of Canada has strong measures in place in Canada to ensure the safety of the Canadian food supply and that food products imported into Canada are safe and properly labelled.

- All food in Canada, whether domestic or imported, must comply with Canada's food safety and labelling laws as well as any animal health or plant protection requirements.

- Broiler meat entering Canada is subject to import controls and tariffs which do not exist for spent fowl, resulting in potential for misrepresentation of broiler meat.

- The Canadian Food Inspection Agency (CFIA) works closely with the United States Department of Agriculture - Food Safety and Inspection Service (USDA-FSIS) to control the misrepresentation of meat imports through existing import requirements.

- On a case-by-case basis, a DNA test can be used to differentiate between male and female chicken meat and help to verify if further follow-up activities are required to reduce potential misrepresentation of broiler meat.

Responsive only:

- DNA testing could be used in a situation when an inspector suspects the meat is from broiler birds but cannot confirm it with visual inspection.

ON CANADA'S REQUIREMENTS

- The CFIA regulates food imports, including meat products, to verify that they comply with Canadian consumer protection and human and animal health requirements.

- If the CFIA becomes aware of any potential food safety risks, appropriate actions are taken to prevent contaminated foods from entering the domestic or international food supply.

ON FOOD MISREPRESENTATION

- The Government of Canada is committed to addressing the issue of food fraud, so Canadians can be confident that the food they buy is accurately represented.

- Canadian laws prohibit the misrepresentation of food. The mislabelling and substitution of food, including meat, can be a form of misrepresentation, constituting food fraud.

- Food fraud deceives the consumer and food businesses with false or misleading information and creates an unfair market for businesses that sell accurately labelled, legally imported products.

Questions and Responses

1.) What is the DNA test?

A DNA test at the time of import can be used to differentiate between male and female chicken meat in order to assist with required follow-up activities that reduce potential fraud.

2.) When will it be implemented?

DNA testing is used on a case-by-case basis, such as when an inspector suspects the meat is from broiler birds but cannot confirm it with visual inspection.

3.) What is "spent fowl" and how is it different than other chickens?

Broiler chickens are raised for meat consumption and are the product most frequently found in meat counters. Broiler chickens can be either male or female.

Spent fowl are older laying hens (female only) which are processed once their egg laying productivity declines. Their meat, which can be tougher and stronger tasting, is typically used for processed products like soups, patties, nuggets, or deli meats.

4.) Why are Canadian chicken farmers concerned with imports of spent fowl?

Chicken meat could be fraudulently declared as spent fowl in order to bypass import controls. Broiler meat entering Canada is subject to import controls and tariffs, which don't exist for spent fowl – resulting in the potential for misrepresentation.

5.) If broiler chickens can be male or female, how will testing for the sex of the chicken confirm if the meat is spent fowl or broiler meat?

The DNA test is an indicator test that the imported product might need to be investigated further. For example, if a shipment is identified as spent fowl, but has male chicken DNA in it, it might indicate that it is actually broiler chicken. The DNA test results would trigger further investigation.

I. Previous Standing Committee on Health (HESA) Transcripts

- November 29, 2022, Supps B, Evidence - HESA (44-1) - No. 46 - House of Commons of Canada (ourcommons.ca)
- June 8, 2022, Supps A, Evidence - HESA (44-1) - No. 25 - House of Commons of Canada (ourcommons.ca)
- March 21, 2022, Supps C, Mains and DP, Evidence - HESA (44-1) - No. 11 - House of Commons of Canada (ourcommons.ca)

44th General Election, September 20, 2021

- June 18, 2021, Supps A, Evidence - HESA (43-2) - No. 45 - House of Commons of Canada (ourcommons.ca)
- April 30, 2021, Mains, Evidence - HESA (43-2) - No. 33 - House of Commons of Canada (ourcommons.ca)
- March 12, 2021, Supps C, Evidence - HESA (43-2) - No. 25 - House of Commons of Canada (ourcommons.ca)
- Feb. 5, 2021, COVID-19, Evidence - HESA (43-2) - No. 17 - House of Commons of Canada (ourcommons.ca)