

Standing Committee on Agriculture and Agri-food
Topic: Supplementary Estimates (B), Date and Time: November 30, 8:15-10:15am

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1. Minister's Opening Remarks

[Evidence - AGRI \(44-1\) - No. 85 - House of Commons of Canada \(ourcommons.ca\)](#)

2. Hot Topics

A) African swine fever – QP Card

AFRICAN SWINE FEVER

- The Government takes the threat of African swine fever seriously and recognizes the impact that this disease could have on our pork sector if it were detected in Canada.
- In August 2022, we announced \$45.3M to help prevent the spread of African swine fever into Canada and to put contingency plans in place to allow for swift action, should the worst happen.
- The Government will continue to work with Canada's pork sector to support their efforts to prevent and prepare for the potential introduction of African swine fever into Canada.

When Pressed:

Q1 – What measures has the Government of Canada already put in place to address the threat that the global spread of African swine fever poses to Canada’s swine industry?

The Government takes the threat of African swine fever seriously.

A pan-Canadian plan is being implemented that focuses on prevention, biosecurity, and preparedness as well as promoting business continuity and communications including international zoning agreements.

As part of this plan, strong import controls are in place, including restrictions on importation of live pigs, pork products and by-products as well as plant-based feeds from affected regions and including the use of Canadian Border Services Agency (CBSA) sniffer dogs at entry points.

Q2 – How does the launch of Agriculture and Agri-Food Canada’s (AAFC) African Swine Fever Prevention Program help to mitigate the risks and impacts of the disease?

The African Swine Fever Industry Preparedness Program was officially launched in November 2022 and will accept applications on an ongoing basis until November 30, 2024 or otherwise indicated by the program. This \$23.4M funding over three years (2022-23 to 2024-25) will support projects like the retrofit of existing slaughter houses, disposal preparations, sector analysis and related research projects.

Q3 – How has the Government of Canada reacted to the recent find of ASF in wild boar in Sweden?

The Government of Canada responds to the reporting of ASF in any country with strict measures, such as restrictions on importation of live pigs, pork products and by-products as well as plant-based feeds to protect the Canadian herd and industry from the potential impact of the disease and continues to monitor the situation closely.

BACKGROUND – AFRICAN SWINE FEVER

Risks and impacts of African swine fever to Canada's hog industry

African swine fever (ASF) does not pose a food safety risk and has never been reported in Canada.

- The introduction of ASF into Canada would have a significant impact on the entire pork value chain.
- Initially, all export markets of live pigs and pork products would immediately close and some could remain closed for several months.

ASF is a contagious viral disease that can cause high death rates in infected pigs.

- It can be spread directly between sick and healthy pigs as well as by indirect means (e.g. spread via ticks and contaminated objects, such as farm equipment, clothes and livestock feed).
- There is currently no treatment or vaccine for ASF that is approved for use in Canada.
- ASF is a reportable disease under the *Health of Animals Act*. This means that any suspected case of ASF must be reported to the Canadian Food Inspection Agency (CFIA). The CFIA encourages pork producers to maintain a high level of biosecurity on their farms. ASF is also a World Organisation for Animal Health (WOAH) listed disease, meaning that member countries such as Canada must submit timely information on disease situations

The hog/pork industry is an important part of Canada's agriculture and agri-food sector and the Canadian economy as a whole.

- Canada is the 5th largest pork producer in the world, representing roughly 2% of total global production,
- Canada is also the 3rd largest pork exporter after the European Union and the U.S., representing 13% of the world pork trade.
- In 2022, over 1.39 million tonnes of pork, valued at \$4.8 billion, were exported to 77 countries. The Canadian hog sector contributes an estimated \$28 billion to the economy and supports roughly 100,000 jobs.
- There are 7,330 hog farms and 26 federally inspected processing facilities.
- In 2022, 28 million hogs were produced, with inventories concentrated in Quebec (31%), Ontario (26%) and Manitoba (23%).
- Slaughter capacity also resides primarily in Quebec (38%), Ontario (19%) and Manitoba (28%).
- Exports of live hogs are also an important segment of Canada's hog industry. In 2020, 5.3 million live hogs were exported to the U.S., which represents approximately 19% of Canada's total hog marketing (i.e., slaughter and live hog exports).
- The Canadian hog sector is highly integrated with the United States (U.S.) sector

The Government of Canada is committed to protecting Canada's agricultural resources and animals, against animal diseases, such as ASF.

Detection of ASF in Various Countries

On August 3, 2018, China notified the WOA of the presence of ASF in the province of Liaoning. Since then, outbreaks have been confirmed throughout China and affected over a dozen other Asian countries.

- ASF continues to spread in both domestic pigs and wild boar across Europe and Asia at an alarming rate.
- Wild boar played a significant role in the persistence of the virus. ASF has been detected in the Americas region with findings reported in both the Dominican Republic and Haiti in 2021.
- In September 2023, Sweden detected ASF for the first time in wild pig populations. While a source of the disease has not been confirmed, human mediated spread is suspected given the large distance to the nearest cases.
- The ongoing spread and persistent presence of ASF poses a serious threat to the global swine population.

The Government of Canada continues to work extensively with international trading partners to prevent entry and mitigate the impacts of ASF in the Americas.

- Zoning is a disease control tool that separates areas of the country where disease is present and where disease is absent. Recognition of zoning decisions allows trade to resume from the disease-free parts of the country.
- In an effort to proactively minimize the impact of a positive ASF detection, Canada has confirmed zoning arrangements with key trading partners such as the European Union, the United States, Singapore, Hong Kong and Vietnam. Canada is also exploring zoning arrangements with Japan, South Korea, the United Kingdom, Australia, New Zealand, the Philippines and Colombia.
- In March 2021, the CFIA and the Animal and Plant Health Inspection Service of the United States Department of Agriculture signed a protocol to guide bilateral trade in the event that ASF is detected in wild pigs.

Roles and Responsibilities:

CBSA:

- Enforce import controls to prevent entry of ASF into Canada

CFIA:

- Lead the disease control and eradication activities
- Handle compensation for animals destroyed, where appropriate.
- Secure international acceptance of zoning and compartmentalization approaches.
- Lead strategy to regain disease-free status and international acceptance

AAFC:

- Help provincial governments develop cost-shared programs for depopulation and disposal efforts.
- Coordinate discussions in multi-jurisdictional areas, such as welfare culls at processing plants.
- Develop and deliver federal support programs, where appropriate.
- Lead the public communications response to the market interruption and hog surplus challenge in conjunction with PT and industry partners.

Industry:

- Proactively manage business risks by leveraging existing programming and private risk-management tools and making business decisions based on market conditions.
- Implement on-farm biosecurity standards to help mitigate against disease introduction.
- Lead on surplus hog depopulation and disposal activities on the ground, as well as developing and implementing biosecurity measures, supported by FPT governments, as necessary.

Provincial-Territorial governments:

- Coordinate surplus hog depopulation and disposal efforts on the ground, with the assistance of AAFC (for example, funding transfer, coordination, oversight, wellness /mental health support).
- Coordinate the development of a strategy to manage healthy surplus hogs across provinces.
- Facilitate implementation of mass carcass-disposal options, and work with municipalities to establish capacity.
- Develop and deliver support programs that meet regional/sector needs, in co-operation with municipalities and industry.

Actions to Date

Mitigating and responding to the potential threat of an ASF outbreak in Canada has been a government priority since 2018.

- The CFIA and AAFC have been engaged with industry and the provinces and territories through an Executive Management Board (EMB).
- The EMB provides leadership and strategic direction, through the Pan-Canadian ASF Action Plan, to provide a focused and coordinated approach to ASF prevention and preparedness under four pillars: preparedness planning; enhanced biosecurity; business continuity; and coordinated risk communications.

The Pan-Canadian ASF Action Plan provides guidance and strategic direction to industry to coordinate the wide range of ASF activities in Canada.

- In 2023-2024, the key priorities include supporting the advancement of the Invasive Wild Pig Strategy, clarification of roles and responsibilities and inter-organizational communications in the event of an ASF outbreak.
- The Action Plan also supports the development of tools for response (e.g. depopulation and disposal decision tools), financial recovery support for producers and processors, an ASF communication plan which includes preparing Canadians in advance on what to expect regarding ASF response efforts, and gathering resources to support mental health in the event of an ASF outbreak.
- The Pan-Canadian ASF Action Plan is broken down into four pillars:
 1. Prevention and Enhanced Biosecurity
 2. Preparedness Planning
 3. Ensuring Business Continuity
 4. Coordinated Risk Communications

On August 26, 2022, AAFC announced an investment of \$45.3M into preventing and preparing for ASF.

- Of these funds, \$23.4M is being made available to industry through the African Swine Fever Industry Preparedness Program (ASFIPP) for activities such as biosecurity assessments, abattoir retrofits, wild pig management, and research and analysis.
- \$19.8M is being dedicated to supporting CFIA efforts such as increased surveillance, laboratory testing capacity, supporting international partners in the development of an ASF vaccine, and establishing ASF zoning arrangements with key trading partners.
- The remaining \$2.1M is being used to enhance the CBSA's border control activities.

The CFIA is following the international situation closely and has strong import controls in place to prevent the import of live pigs, pork products and by-products from countries and zones affected by ASF. For example, the CFIA:

- has issued border lookouts for countries where active outbreaks are occurring;
- has worked with the CBSA to increase the number of food, plant and animal detector dogs at Canadian airports;
- is following the situation in the European Union closely and is only allowing imports from areas that are not contaminated or that are not identified as high-risk zones for ASF (this is in accordance with the agreed-upon zoning protocol); and
- continues to work with the CBSA and airlines to mitigate the risks related to illegal imports and travellers.

Canada has been recognized as a global leader in scientific and technical expertise to address problems relating to ASF. In May 2022, the WOHM officially recognized the CFIA's National Centre for Foreign Animal Disease (NCFAD) in Winnipeg as a WOHM Reference Laboratory to address ASF. There are only six other laboratories in the world with that designation.

The Government of Canada has led significant work in communications surrounding ASF, through airport signage and in-flight messaging to travellers and is currently delivering targeted communications directed at small producers, retailers and travellers.

Detector dogs are the CBSA's best tool for detecting undeclared food, plant and animal (FPA) products.

- To help prevent ASF from entering Canada, the CBSA received approximately \$31M through Budget 2019 to acquire and train an additional 24 FPA detector dog teams.
- To date, 21 of the additional 24 detector dog teams have been deployed at Toronto, Montreal and Vancouver airports and mail centres. The deployment of the remaining five teams is on track for 2023-24.

ANIMAL WELFARE AND TRANSPORTATION

- The Government is committed to protecting the health and well-being of animals entering, leaving or being transported within Canada and at slaughter facilities.
- The Canadian Food Inspection Agency is present at all times in federally inspected abattoirs when slaughter operations are underway and inspectors will not hesitate to intervene and request corrective action when there are concerns about the treatment or welfare of animals.
- The Canadian Food Inspection Agency has also established guidance for inspectors on requirements related to compliance with feed, water and rest times for animals in transport when unforeseen circumstances occur and the truck operator has demonstrated that the decisions made were in the best interest of animal welfare.

When Pressed:

Q1 – What actions are taken by the Canadian Food Inspection Agency at federally inspected abattoirs to prevent avoidable suffering of animals during their handling and slaughtering?

Under the *Safe Food for Canadians Regulations*, every slaughter establishment that is federally inspected must have a preventive control plan that aims to prevent or eliminate avoidable suffering, injury or death of animals during their handling and slaughtering.

The Canadian Food Inspection Agency is on site at all times to verify that licence holders effectively implement these plans and follow the applicable animal welfare laws.

When a licence holder does not meet its obligations, inspectors will not hesitate to intervene and request corrective action.

Q2 – What is this Government doing to facilitate the transportation of animals during emergency situations?

The Canadian Food Inspection Agency amended the *Health of Animals Regulations* in 2021 to allow a more expeditious transit or evacuation of regulated animals through Canada and the US in emergency situations such as flooding, forest fires, extreme weather conditions or disasters.

Q3 – What is this Government doing to the reduce suffering of animals during transportation?

Under Canada's humane transport regulations, there are maximum times during which livestock and poultry can be transported before they are given feed, water and rest. For example, weaned healthy cattle must be given feed, water and rest at 36 hour intervals.

Animal welfare research is reviewed and considered when making regulations. The Canadian Food Inspection Agency will adjust regulations as necessary as new scientific evidence becomes available.

Q4 – What is this Government doing to address concerns on Electronic Logging Devices (ELDs) for transporters regarding the potential impact on animal welfare while trying to comply with the *Commercial Vehicle Drivers Hours of Service Regulations*?

The Government recognizes that transporting livestock is complex as animal welfare, driver safety and public safety must all be considered. Scheduling trips complying with the rules for both driver safety and animal welfare will always be a challenge.

CFIA has established guidance for inspectors for use at their enforcement discretion with respect to requirements related to feed, water and rest times for animals in transport when unforeseen circumstances occur and the truck operator has demonstrated that the decisions made were in the best interest of animal welfare.

The regulatory authority for *Commercial Vehicle Drivers Hours of Service Regulations* rests exclusively with Transport Canada.

BACKGROUND – ANIMAL WELFARE AND TRANSPORTATION

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 CFIA amended the humane transport regulations on February 20, 2020. These were the result of a number of consultations that the CFIA undertook with stakeholders since the early 2000s. 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.

The CFIA implemented a two-year compliance promotion period ending February 20, 2022, specifically in relation to feed, water and rest maximum intervals requirements in the amendments to allow time for industry to work out logistical issues and work on effective ways to comply. 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. The CFIA will continue to consult with industry and researchers on humane transport issues and to identify future research needs.

Recent media coverage on a study from the Beef Cattle Research Council (BCRC) on transportation outcomes suggests different interpretations between the cattle sector and the CFIA. Results of this specific study will be reviewed by the CFIA, along with other research currently in progress.

Government of Canada participation in groups and support for projects to improve animal welfare practices (AAFC content)

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 Sustainable Canadian Agricultural Partnership (SCAP). For example, under SCAP, 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:

- An updated Dairy Cattle Code of Practice was published in March 2023 addressing 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).

Electronic Logging Devices (ELDs) for transporters of livestock

Transport Canada (TC) made amendments to their regulations to now require the use of ELDs by all transporters. This means the tracking of hours electronically is now mandatory, however the rules around transporters hours of service have not changed. Livestock transporters and the national livestock industry groups have been asking TC to provide more flexibilities to livestock haulers around these rules.

TC was consulted during Canadian Food Inspection Agency's update of the provisions under the *Health of Animals Regulations* pertaining to the transportation of animals. CFIA and TC worked together to ensure that the *Health of Animals Regulations* do not conflict with *the Commercial Vehicle Drivers Hours of Service Regulations*.

TC confirmed with industry that the introduction of ELDs has not affected the availability of regulatory flexibilities for hours of service when transporting animals. For example, a driver who encounters adverse driving conditions while transporting animals may increase their driving time by up to two hours to complete the trip, assuming the trip could have been completed under normal driving conditions. "Adverse driving conditions" is a broad term meant to cover any number of issues (e.g., weather, delays due to accidents or road closures, etc.). This exception can only be used in the context of an animal welfare emergency. TC is responsible for ensuring that regulated parties understand how those exceptions can be used. TC's regulations are enforced by the provinces and territories.

ANTIMICROBIAL RESISTANCE (AMR) AT THE CFIA

- The Government is taking action to address the threat that antimicrobial resistance poses to human and animal health..
- 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.
- Producers and veterinarians have been looking for access to a wider range of animal health products that are alternatives to using antibiotics, , such as effective vaccines, low-risk veterinary health products, and innovative feed products.
- The Canadian Food Inspection Agency is working to facilitate access to these types of products the help keep animals health and reduce the use of antimicrobials.

When Pressed

Q1 – How will the Canadian Food Inspection Agency address the Auditor General’s Report?

The Canadian Food Inspection Agency accepts the OAG’s recommendations and is committed to working with other government departments, partners and stakeholders to execute the Pan-Canadian Action Plan aimed at combatting antimicrobial resistance.

The Canadian Food Inspection Agency will continue to facilitate access to antimicrobial alternatives, and promote infection prevention and control measures, including the use of vaccines as appropriate and biosecurity measures.

These initiatives will keep animals healthy, and reduce the need for antimicrobials, all the while maintaining balance with animal welfare.

The Canadian Food Inspection Agency will facilitate access to the necessary information and tools to help stakeholders make informed decisions on antimicrobial use.

BACKGROUND – ANTIMICROBIAL RESISTANCE

Antimicrobial resistance (AMR) in Canada

The World Health Organization has declared that antimicrobial resistance (AMR) is one of the top 10 global public health threats facing humanity.

In 2020, approximately 82% of antimicrobials were sold for use in production animals, 17% for people, less than 1% for cats and dogs and less than 1% for plants/crops. Noting that there are many more animals than people in Canada, after adjusting for the underlying biomass, there were approximately 1.8 times more antimicrobials sold for use in production animals (food animals and horses) than for people.

The importance of addressing AMR was recognized in the Minister of Health’s 2019 and 2021 mandate letters. Specifically the Minister was asked to 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 on-going, 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.

Budget 2023 also proposed additional funding for PHAC including to help maintain PHAC's core capacities and secure new antimicrobials for Canadians.

CFIA actions to fight against AMR

The CFIA, together 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:

- a pilot initiative launched 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 like-minded 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. The 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 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 the pan-Canadian Action Plan (PCAP), which was published in June 2023. The CFIA will continue to actively contribute to the efforts of the federal family to respond to the threat of AMR.

AMR Office of the Auditor General (OAG) Audit

The Office of the Auditor General released an audit report on AMR ([Report 6](#)) on October 19, 2023. The report looked at organizations who have AMR responsibilities including the CFIA, Health Canada, PHAC and Agri-Culture and Agri-Food Canada. The CFIA is implicated in three recommendations in the report pertaining to 1) the execution and monitoring of the Pan-Canadian Action Plan, 2) The evaluation of a HC/CFIA joint approach to identifying non-compliance with the requirement that feed mills and retail feed stores sell feed containing medically important antimicrobials by prescription only, and 3) establishing and appropriate baselines for use and measurable goals for reducing antimicrobial use.

AVIAN INFLUENZA

- The Government of Canada is taking measures to control premises where highly pathogenic avian influenza (HPAI) has been found in domestic birds.
- 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 highly pathogenic avian influenza in domestic and wild bird populations.
- Poultry owners can protect their flocks by employing strict biosecurity measures on their property and immediately reporting any signs of illness to their veterinarian.

When Pressed:

Q1 – What is the Government of Canada doing about avian influenza and how is it protecting animal health and the spread of the disease?

Avian influenza outbreaks are occurring around the world in bird populations. The Canadian Food Inspection Agency has reported cases of highly pathogenic avian influenza (HPAI) H5N1 in domestic birds in nine (9) out of ten provinces since December 2021. To date, PEI has not reported cases of HPAI in domestic poultry.

When avian influenza is detected, the Canadian Food Inspection Agency declares Primary Control Zones to help control the disease and any potential spread through movements of domestic birds, vehicles and other things that may spread the disease.

Q2 – How is the Canadian Food Inspection Agency responding to Avian influenza?

Canada has a stamping out policy for highly pathogenic avian influenza. The intent of this policy position is to eliminate an outbreak in domestic flocks. As part of this policy, the CFIA responds to HPAI outbreaks by establishing movement controls, ordering the humane depopulation 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.

The goal is to eliminate the high pathogenicity virus by humanely destroying susceptible domestic birds on infected premises, followed by disposal of contaminated products, as well as cleaning and disinfection of the infected premises.

The Government is collaborating with provinces, territories and stakeholders to identify and implement solutions to help minimize the impact of the disease on the poultry industry.

Q3 – Does avian influenza pose risks to human health?

The Government of Canada is committed to protecting the health and safety of Canadians and animals. The risk of human infection from avian influenza is considered to be low for the general public and low to moderate for those occupationally exposed. There have been no known human cases of highly pathogenic avian influenza in Canada associated with the most recent outbreak and there has been no evidence of human-to-human transmission.

There is also no evidence to suggest that cooked poultry or eggs are sources of avian influenza infection for people.

Q4 – How does the Government support poultry producers?

The Government of Canada supports poultry producers across Canada and works to minimize both the animal health and economic impact of avian influenza when there is an outbreak.

When depopulation of birds is ordered under the *Health of Animals Act*, compensation may be paid to poultry owners for birds and other materials ordered destroyed such as bedding.

Q5 – What is the effect of avian influenza on the export of poultry and poultry products?

The Canadian Food Inspection Agency continues to notify the World Organisation for Animal Health (WOAH) of all positive highly pathogenic avian influenza (HPAI) detections. Following the most recent outbreak, 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.

Canada is working with its key trading partners to share information on the outbreak and how it is being managed to minimize the impact of trade disruptions.

Q6 – Does Canada allow importation of poultry from countries where Avian influenza is known to exist?

Live birds and raw poultry products may not be imported from regions affected by highly pathogenic avian influenza. The Canadian Food Inspection Agency also imposes strict requirements on the import of animals and animal products from countries where highly pathogenic avian influenza is known to exist.

Q7 – Have cases of potential transmission to mammals been detected?

In Canada, highly pathogenic avian influenza has been detected in some mammals, such as mink, fox, skunk, bear, seal, dog, feral cat, raccoon and dolphin. Exposure may occur through consumption of infected bird carcasses or through a contaminated environment.

The Canadian Food Inspection Agency collaborates with provincial, territorial and federal partners to report cases in mammals and monitor potential transmission between mammals.

While avian influenza H5N1 has caused large avian outbreaks globally over the last few years, the number of documented cases of avian influenza H5N1 in non-avian species, such as cats and dogs remains low.

Q8 – Are vaccines available for Avian influenza?

In anticipation of an internationally accepted vaccine for avian influenza becoming available in the future, the Canadian Food Inspection Agency has established a highly pathogenic avian influenza Vaccination Task Force dedicated to studying the challenges and opportunities of a vaccination program. This task force serves as a forum for discussion and consensus building that brings together insights from veterinarians, experts from academia, industry representatives and government representatives on issues relating to the potential use of vaccination against HPAI in Canada. The Agency continues to engage in discussions with international trading partners about potential vaccination strategies to minimize any potential impact on trade should a vaccination program be implemented.

BACKGROUND – AVIAN INFLUENZA

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, HPAI and LPAI subtypes H5 and H7 are reportable under the *Health of Animals Act* and the *Reportable Diseases Regulations*. All suspected cases of AI must be reported to the Canadian Food Inspection Agency (CFIA).

Human health

AI viruses, 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. However, there have been no known human cases of HPAI in Canada associated with the most recent outbreak.

Highly Pathogenic Avian Influenza in mammals and wild birds

Avian influenza is being reported in bird populations worldwide. Outbreaks are occurring in the United States, Mexico and in Africa, Asia, Europe, and Central and South America.

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 have been severe and have resulted in 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.

The CFIA's National Centre for Foreign Animal Disease confirmed on April 1, 2023, that a domestic dog in Oshawa (Ontario) had tested positive for HPAI. It is the only case of its kind in Canada.

While avian influenza H5N1 has caused large avian outbreaks globally over the last few years, the number of documented cases of avian influenza H5N1 in non-avian species, such as cats and dogs remains low.

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. 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. Collectively these actions are referred to as a stamping out policy.

When responding to animal disease events, the CFIA takes the following steps:

- Movement control - Access to infected premises is controlled until the disease transmission risk from the premise is eliminated;
- Investigation - Collection of critical information from the premises is undertaken;
- Diagnostics - Laboratory diagnostics are performed by a CFIA approved laboratory and/or the CFIA National Centre for Foreign Animal Disease;
- Traceability - Gathering of information to determine where the virus came from and where it may have spread is attained;
- Depopulation – Infected Birds are ordered to be destroyed;
- Evaluation & Compensation – Reimbursement 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 further mitigate the risk of spread of the infective agent from the infected premises.

From December 2021 to November 22, 2023:

Cumulative Cases by Province

Province	Cumulative Cases
Newfoundland	2
Nova Scotia	6
New Brunswick	2
Quebec	50
Ontario	48
Manitoba	22
Saskatchewan	43
Alberta	74
British Columbia	146
Total	393
Poultry = 330	Non-Poultry = 63
Number of birds affected	~9,648,500

*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.

**These numbers represent both currently infected premises and previously infected premises (released premises)

Trade restrictions

Trade restrictions have been implemented on certain poultry and poultry products as a result of the most recent outbreak in 2022/23. Some countries have implemented Canada-wide import restrictions while some have implemented provincial or zone-specific trade restrictions.

The government continues to work with key trading partners to share information on the HPAI outbreak and to minimize the impact of trade disruptions.

Vaccination against HPAI

Canada has historically employed a stamping out policy when faced with avian influenza outbreaks. However, the scale and duration of the 2022 outbreak has compelled countries, including Canada, to explore the use of vaccination as an additional tool in the fight against HPAI.

International standards published by the WOAHP support the use of vaccination against HPAI, with no trade restrictions, when adequate surveillance systems can support the country's claim that it does not have the disease. Nevertheless, trade of poultry and poultry products from countries that employ vaccination may still be affected as importing countries may choose not to follow WOAHP recommendations.

In collaboration with industry, academia/experts, other federal departments, provincial and territorial governments, and international regulatory authorities, the CFIA is considering the challenges and opportunities associated with the development and use of vaccination against HPAI in addition to its existing stamping out policy.

The CFIA has established the Avian Influenza Vaccination Task Force to serve as a forum for discussion and information sharing on an approach to HPAI vaccination in Canada.

BC Poultry Association [Federal Assistance Program \(FAP\)](#)

- An investment of \$1.81 million over three years to support BC Poultry Association's preparation for direct participation in responses to future outbreaks of highly pathogenic avian influenza (HPAI) in the province.
- The BC Poultry Association represents the supply-managed regulated poultry sectors - chicken, turkey, table egg, and hatching eggs - on common issues to support the commercial poultry sector.
- Within BC there is a highly concentrated production zone in the Fraser Valley which is also located in the Pacific flyway for migratory birds and home to a significant number of wild birds year-round.
- This investment will enable industry-led destruction and biocontainment activities that will be completed with oversight from the Canadian Food Inspection Agency (CFIA) so that overall response capacity is expanded without increased risk for animal welfare or disease spread.

This investment will support the BC Poultry Association by:

1. Creating and implementing standard operating procedures (SOPs) for comprehensive training, personal protection equipment (PPE) inventories and rotation, secondary destruction methods and hiring contractors;
 2. Creating and tendering a contract for a primary supplier for destruction, biocontainment and training as well as secondary destruction capacity to assist if there is a surge in infected premises;
 3. Developing a partnership with BC AgSafe to assist with worker safety during training and annual fit tests for workers requiring PPE; and
 4. Developing and building strategic partnerships with BC Ministry of Agriculture and Food, processors and allied trades for an effective HPAI response.
- In BC from April 2022 to April 2023, there were 104 commercial and small holding premises confirmed with HPAI, which resulted in the death of 3.677 million birds. In the national outbreak which began in December 2021, BC producers dealt with 37% of the infected premises and 53% of the impacted birds to date.
 - The Lower Mainland (primarily in the Fraser Valley) is home to most of the poultry production in the province:
 - 79% of the commercial chicken farms
 - 70% of the commercial turkey farms
 - 80% of the commercial egg farms
 - 100% of the commercial hatching egg production

BOVINE SPONGIFORM ENCEPHALOPATHY (BSE)

- Protecting food safety, animal health and the health of our cattle sector from the impact of BSE has been and continues to be a priority for the Government of Canada.
- The Government continues to engage industry to understand the challenges associated with implementing bovine spongiform encephalopathy (BSE) control measures.
- An analysis is underway to determine if changes to the regulations regarding the list of specified risk material banned from animal feed in Canada would pose risks to human and animal health or threaten Canada's negligible BSE risk status.
- The Government is committed to restoring, maintaining and increasing market access for Canadian cattle and beef products.

When Pressed:

Q1 – Why are there differences between Canada and the U.S. in the measures to mitigate BSE risk ?

Both Canada and the United States are currently recognised by the World Organisation for Animal Health (WOAH) with a negligible bovine spongiform encephalopathy (BSE) risk status.

However, both countries have identified different risks, such as differences in BSE occurrences, history and industry infrastructure that require different measures be put in place to mitigate the risk of BSE.

We continue to work with industry and our partners in the U.S. to find ways to align our approach where possible.

Q2 – How does the detection of atypical BSE in Canada affect the risk status designation?

The World Organisation for Animal Health (WOAH) standards indicate that neither the BSE risk status nor trade should be affected as a result of the detection and reporting of cases of atypical BSE. Trading partners, however, may not follow these guidelines.

Some trade has resumed with South Korea and the Philippines, whereas trade with China remains disrupted.

The Government of Canada is working with international trading partners to maintain and restore, as well as increase market access for Canadian cattle and beef products.

Q3 – How does Canada's negligible risk status for BSE affect trade?

Having a negligible BSE risk status makes meeting trade requirements easier. Since achieving negligible risk status in 2021, Canada has been working towards expanding market access for Canadian beef, beef products and other bovine commodities globally.

For example, as a result of Canada's negligible risk status, in August 2021, Singapore approved first-time access for Canadian beef from cattle over thirty months of age.

Background - Bovine spongiform encephalopathy

Bovine spongiform encephalopathy (BSE), commonly known as mad cow disease, is a progressive, fatal disease of the nervous system of cattle that is associated with the presence of an abnormal form of a prion protein. In infected cattle, prions concentrate in certain tissues known in Canada as specified risk material (SRM). In Canada, BSE continues to pose an extremely low risk to human health.

There are two distinct types of BSE: first, the classical BSE strain, which occurs through an animal's consumption of contaminated feed, and second, atypical strains, which occur naturally and sporadically in all cattle populations at a very low rate and which have only been identified in old cattle.

The World Organisation for Animal Health (WOAH) upgraded Canada's risk status from "controlled" to "negligible" in May 2021.

On December 17, 2021, the Canadian Food Inspection Agency (CFIA) notified the WOAH of a case of atypical BSE in a beef cow on a farm in Alberta.

The detection and reporting of an atypical BSE case has not affected the WOAH negligible risk status of Canada.

Following detection of this atypical BSE case, Canada engaged key trading partners to provide information and maintain confidence in Canada's BSE safeguards. Canada continues to press for resumption of normal trade with China and to monitor other trading partner reactions.

The occurrence of atypical BSE cases would not impact Canada's status as long as the case is disposed of in a way that mitigates the risk for humans and other animals.

Despite WOAH guidance that states that trade should not be disrupted in response to a detection of an atypical BSE case, three trading partners either temporarily suspended beef imports or requested that Canada not certify exports of beef products for their domestic market pending their review of additional information provided by CFIA:

- **South Korea:** suspended imports of beef and beef products on December 21, 2021. The suspension was lifted on January 19, 2022 (trade suspended for 29 days). Shipments held at port as of December 21, 2021, were released for customs clearance as of January 19, 2022. From January to November 2021, Canada exported \$109 million worth of beef and beef products to South Korea. Beef exports to South Korea in 2022 reached \$192.4 million (18,962 tonnes).
- **China:** requested that Canada stop issuing export certificates for beef and beef products to China on December 24, 2021. This measure remains in place as Canada continues to engage China for approval to resume the issuing of export certificates for Canadian beef products. From January to November 2021, Canada exported \$182 million worth of beef and beef products to China.

- **Philippines:** suspended imports of beef and beef products, meat-and-bone-meal derived from cattle, and live cattle on January 5, 2022. From January to November 2021, Canada exported \$14 million worth of beef and beef products to the Philippines. On January 28, 2022, Canada received confirmation that the protocol agreed upon with the Philippines prior to the suspensions of the importation of beef and beef products, bovine-derived meat-and-bone meal and live cattle, remained valid. CFIA reactivated export certificates the same day.

BSE Specified Risk Material (SRM)

Each country holding a BSE risk status must identify its own unique risk factors of BSE entry and spread and measures to mitigate these risks. Canada achieved negligible status based on the existing risk mitigation program. In order to keep negligible risk status, Canada must demonstrate that controls to address the risks of BSE entry into and circulation within Canada continue to be in place and effective.

Canada and the United States (US) have identified different risks, and in 2007 and 2008, put different measures in place to control their respective risks. The US did not change its control measures after receiving negligible risk status in 2013.

Any future changes to Canada's BSE control programs would only proceed after careful analysis of any potential risks to human or animal health and verification that any change would not jeopardize Canada's negligible risk BSE status or international markets. The CFIA is currently working with the cattle and beef sectors on such an analysis.

In 2021, the Canadian Cattle Association hired a risk consulting company, Risk Sciences International (RSI), to complete a definition of the problem to be analyzed. Since then, the Canadian Cattle Association (CCA) has been awarded Federal Assistance Program funding from CFIA and has hired RSI to conduct a risk analysis to clearly identify the consequences that may arise through a proposed review of Canada's list of SRM prohibited from animal feed for the purpose of potentially harmonizing it with the list of cattle material prohibited in animal feed (CMPAF) in the US, in response to requests from industry. CFIA is supporting this work financially, providing technical expertise and is working collaboratively with the beef and cattle sectors to move this important work forward.

The outcome of this analysis will enable CFIA to identify what changes, if any may be considered to BSE regulatory controls in Canada.

The final risk analysis is expected to be completed in early 2024.

CHEMICAL CONTAMINANTS IN MUNICIPAL BIOSOLIDS

- The Government is committed to protecting the health of Canadians, the environment and the economy.
- Municipal biosolids imported or sold as commercial fertilizers are regulated by the Canadian Food Inspection Agency.
- When treated and applied properly, biosolids can be a beneficial source of nutrients and organic matter in agriculture, and reduce greenhouse gas emissions.

When Pressed:

Q1 – What is the Canadian Food Inspection Agency doing to protect animals and the food chain from contaminants in biosolids?

The Canadian Food Inspection Agency, along with Environment and Climate Change Canada and Health Canada have evaluated the level of risk posed by perfluoroalkyl and polyfluoroalkyl substances (PFAS) biosolids applied to land as commercial fertilizers.

Based on the risk assessment, the Canadian Food Inspection Agency has engaged with industry and provinces and territories to advance the implementation of an interim standard that will help protect food and feed from highly contaminated biosolids. In addition, webinars were held with each of the two target groups at the end of September 2023.

The feedback received is currently being reviewed. to help inform the development of an implementation plan and detailed guidance to importers and domestic generators and processors of commercial biosolids.

The Canadian Food Inspection Agency will also be seeking public comments on the implementation of the interim standard and detailed guidance in late 2023 targeting early 2024 for implementation of the interim standard.

The interim standard proposed by the Canadian Food Inspection Agency aligns with the State of Michigan's approach.

Q2 – Has the Government of Canada formulated a risk management plan to mitigate risks posed by perfluoroalkyl and polyfluoroalkyl substances (PFAS)?

In May 2023, Health Canada and Environment and Climate Change Canada published a draft Report on the State of Per- and polyfluoroalkyl substances (PFAS), including risk management options, in Canada Gazette, Part I which launched a 60-day public consultation.

Comments from the consultation will be taken in to consideration as the report and risk management approach is now complete and will soon be published.

Q3 – How are biosolids imported from the United States to Quebec regulated?

All provinces including Quebec are responsible for regulating the manufacture, use and disposal of municipal biosolids, including their application to agricultural land. In March, 2023, the Government of Québec issued a temporary moratorium on the use of imported biosolids on agricultural lands. On October 20, 2023, the Quebec government announced its intent to consult on new PFAS standards that would apply to all biosolids, composts, paper sludge, and other residual fertilizer materials. Consultations are expected to begin this fall.

The Canadian Food Inspection Agency is responsible for regulating biosolids imported as commercial fertilizers. It will continue working with provincial government departments to develop a coordinated approach to protect the safety of Canadians while continuing to support the needs of our agricultural sector.

Q4 - Why is the Government of Canada not applying standards as strict as those proposed by the Government of Quebec?

The Canadian Food Inspection Agency sets federal safety standards for fertilizers that are imported into or sold in Canada. These science-based standards set the minimum requirements that all regulated materials must meet.

Provinces and territories have authority over the land application of materials within their borders. Individual provinces and territories may establish requirements that are stricter than the Canadian Food Inspection Agency's to address regional needs, such as different climactic or soil conditions.

BACKGROUND – CHEMICAL CONTAMINANTS IN MUNICIPAL BIOSOLIDS IMPORTED FROM THE UNITED STATES

What are biosolids?

Biosolids result from the treatment of municipal sewage in a wastewater treatment facility. When treated to reduce pathogens and applied at the right rate, right place, and right time, they can be a beneficial source of nutrients and organic matter in agriculture. Such beneficial practices also divert organic waste from landfills and reduces greenhouse gas emissions.

Approximately 660,000 dry-tons of biosolids are produced annually in Canada. Biosolids can have multiple use but about half of what is produced in Canada is land-applied (including use in agriculture).

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.

Based on what is known about these substances and the potential for PFAS substances to behave similarly as well as the expectation that combined exposures to multiple PFAS increase the likelihood of detrimental impacts, the government is proposing that this class of substances is a concern for human health and the environment under the *Canadian Environmental Protection Act*. This designation would allow the government to implement additional regulatory controls on the use of these substances.

With respect to biosolids, PFAS are not used or added in the production of biosolids. However, 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. For this reason, PFAS can present as contaminants in biosolids.

Therefore, controlling what goes into the municipal sewage system is the most effective means of managing the level of PFAS contamination in biosolids. The level of contamination can be managed through controls at the source, regulatory standards and limits and appropriate import and use restrictions.

Regulatory landscape

Environment and Climate Change Canada (ECCC) and Health Canada (HC):

The manufacture, use, sale, offer for sale and import of certain Per- and polyfluoroalkyl substances (PFAS) [perfluorooctane sulfonate (PFOS), perfluorooctanoic acid (PFOA), long-chain perfluorocarboxylic acids (LC-PFCAs)] and products that contain them, are prohibited in Canada through the Prohibition of Certain Toxic Substances Regulations, 2012, under the Canadian Environmental Protection Act, 1999, with some exemptions.

In May 2022, proposed regulations were published that would further restrict these groups of substances by removing or providing time-limits for most remaining exemptions. The publication of the final regulations is expected to take place in late 2023.

In May 2023, Health Canada and Environment and Climate Change Canada published in the Canada Gazette, Part I (CGI), the draft State of Per-and polyfluoroalkyl substances (PFAS) Report, and the risk management scope for PFAS, launching a 60-day public consultation. The Report proposes that the class of PFAS is harmful to human health and the environment, and the risk management scope proposes actions to reduce human and environmental exposures to PFAS.

Canadian Food Inspection Agency (CFIA): The CFIA is currently developing the capacity to monitor fertilizers and supplements for their PFAS content. The CFIA intends to adopt an interim standard of less than 50 ppb of perfluorooctane sulfonate (PFOS) as an indicator in imported and domestic biosolids used as fertilizers. This approach is similar to the State of Michigan's approach for materials that can be used on land without restrictions.

Provinces/Canadian Council of Ministers of the Environment (CCME): CCME, as well as individual provinces are focused on implementing standards for PFAS in soil and drinking water – there are, as of yet, no standards specific to biosolids. The CFIA is working with provinces so that any provincial standards are based on the same science and that the risk management is aligned.

Province of Quebec: 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 Quebec. On February 24, 2023, the Government of Quebec announced a moratorium on the agricultural application of biosolid fertilizers imported from the United States. The prohibition is intended to be a transitional measure until a standard is in place to ensure that municipal biosolids generated outside of Canada have low enough levels of PFAS.

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 and animals 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 on Biosolids:

Domestic and international jurisdictions are closely monitoring scientific developments in the area of PFAS contamination in biosolids.

As part of the Government of Canada's broader suite of actions, the CFIA is working closely with domestic and international stakeholders to protect humans, plants, animals, and the environment.

Any regulatory action on biosolids 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.

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.

CHRONIC WASTING DISEASE (CWD) IN CANADA

- The Government is committed to protecting animal health and controlling the spread of chronic wasting disease in Canada while minimizing potential human exposure.
- Canadian federal control programs are available to deer and elk producers to help prevent chronic wasting disease from entering their farms.
- In collaboration with provincial and territorial partners, the Government of Canada continues to raise awareness about chronic wasting disease and to inform Canadians how to protect themselves against potential risks.

When Pressed:

Q1 – What is the Government’s response to Chronic wasting disease in Canada?

The Canadian Food Inspection Agency responds immediately to all cases of confirmed chronic wasting disease (CWD) in farmed cervids to limit spread of the disease. The agency also administers a Herd Certification Program to encourage producers to take preventative measures against CWD.

When humane disposal of a herd is required to prevent the spread of disease, the government works to reduce the economic impact on producers by providing compensation under the *Health of Animals Act and Regulations*.

Q2 – Does chronic wasting disease pose a risk to human health or food safety?

While there is no direct evidence to date to suggest that chronic wasting disease may be transmitted to humans, Health Canada recommends taking a precautionary approach.

Federal, provincial and territorial governments are working collaboratively to minimize human exposure by preventing any known chronic wasting disease positive animal from entering the food chain.

Q3 - What is the government's approach to reducing the trade impact of CWD?

CFIA's Herd Certification Program helps facilitates trade when foreign authorities have assessed the Program as meeting their domestic requirements.

The Canadian Food Inspection Agency will notify trading partners if animals with links to premises that are positive for CWD have been exported and provide clarification for any questions they may have. Importing countries determine their response to such exports. These can include temporary or permanent restrictions on Canadian imports.

BACKGROUND – CHRONIC WASTING DISEASE IN CANADA

First detected in Canada in 1996, chronic wasting disease (CWD) is a contagious, progressive and fatal disease that affects cervids (deer, elk, moose, caribou and reindeer). It spreads by direct contact with an infected animal or a contaminated environment.

CWD is present in large areas of Alberta and Saskatchewan in both farmed and wild cervids and has been detected in several wild deer in Manitoba since November 1, 2021. In 2018, CWD was detected in farmed cervids on one farm in Québec. The farm was depopulated with no further detections in farmed or wild cervids. CWD has not been detected in wild caribou in North America.

Farmed cervid producers are responsible for complying with legislative and regulatory requirements. In Canada, the federal/provincial/territorial and Indigenous governments have shared areas of responsibility in relation to the management of CWD.

Canada has regulatory and policy measures in place to help manage CWD under the *Health of Animals Act (HAA)* and *Regulations*. CWD is a reportable disease under the HAA. This means that all suspected cases must be reported to the Canadian Food Inspection Agency (CFIA) for immediate investigation. If the CFIA determines that CWD may be the cause of disease in a herd, the animals may be ordered destroyed.

CWD Herd Certification Program

In 2017, the CFIA updated the national standard for its Herd Certification Program (HCP) which was established in 2002. CWD-HCP is a voluntary program delivered and administered by third parties and audited by the CFIA. The updated CWD-HCP requires enrolled producers to take preventative measures against CWD in keeping with the current science of the disease. These measures include limiting the introduction of cervids into a herd, testing mature dead cervids, and practicing additional biosecurity measures such as protecting feed on the premises from access by wild animals.

As of April 1, 2019, only producers enrolled in and compliant with a CWD-HCP for at least 12 months are deemed eligible for depopulation and compensation.

The CFIA has also developed an enhancement to the CWD compartment response, whereby it may implement depopulation and compensation measures on the first cervid farm to detect CWD (not only CWD-HCP farms) in provinces/territories where CWD has not yet been detected. This enhancement is only available if the responsible wildlife authority in the affected province/territory agrees to implement eradication measures in wildlife surrounding the infected farm.

Historically, this drastic approach has been the only effective measure of preventing establishment of CWD within a geographic region. This collaborative, aggressive response was implemented in Québec in response to their first case detected in September of 2018. CFIA has negotiated a similar agreement with the wildlife ministry in Ontario.

Transmission to humans and other animals

To date, there has been no known transmission of CWD to humans. Extensive disease surveillance in Canada over the last 50 years and elsewhere has not provided any direct evidence that CWD has infected humans. However, there is still scientific uncertainty regarding transmission to humans as animal studies suggest that CWD could affect some types of non-human primates under experimental conditions. Experts continue to study CWD and its potential to infect other animals and humans. As a precaution, measures are in place to prevent known infected animals from entering the food chain, including the following:

- mandatory testing of all cervids sent for slaughter (over the age of 12 months) at all abattoirs in Saskatchewan, Alberta, Manitoba, Yukon, Quebec and Ontario. This is based on provincial testing requirements and applies to federal, provincial and territorial abattoirs in those provinces. In all federal establishments and most provincial establishments, live animal inspections are performed before slaughter and carcasses are detained until results of these tests are received.
- not allowing animals known to be infected with CWD to enter the commercial food chain.
- reporting all suspected cases immediately to CFIA, as CWD is a “reportable disease” under the HAA.

The Health Portfolio has updated risk communications products in collaboration with

their federal, provincial and territorial partners.

The provinces and territories take the lead role in monitoring and implementing any control measures taken in regards to CWD in wild cervids. Environment and Climate Change Canada is supporting the provincial and territorial wildlife managers in collaborating on their CWD-related measures with particular attention to protecting the caribou herd, as it poses a significant risk to food security for indigenous populations.

DOG IMPORTS

- The Government takes animal health seriously and is exploring options to strengthen the requirements for dogs entering Canada for the protection of animal and public health.
- In September 2022, a new measure prohibiting the importation of commercial dogs from countries at high-risk for dog rabies was put in place to prevent the introduction and spread of dog rabies into Canada.
- This measure supports the Canadian Food Inspection Agency in its effort to keep Canada free from dog rabies which would negatively impact the health of both animals and humans.
- The Canadian Food Inspection Agency will continue to take enforcement action against importers of dogs that are not compliant with Canada's requirements.

When Pressed:

Q1 – What is the government doing to prevent the introduction and spread of dog rabies in Canada?

Rabies is deadly for both humans and animals. In September 2022, the Government implemented a measure to prohibit the entry into Canada of all commercial dogs from countries at high-risk for rabies caused by canine-variant viruses (dog rabies).

Work is underway to develop additional conditions for the entry into Canada of personal pet dogs and assistance dogs from countries at high-risk for dog rabies as part of the effort to keep Canada free from dog rabies in order to further strengthen prevention efforts in this area.

Q2 – Why has the government implemented a measure to prohibit commercial dogs imported from countries deemed high-risk for dog rabies?

Canada is currently free of dog rabies. In recent years, however, two dogs infected with dog rabies were imported into Canada.

The import prohibition responds to calls from federal and provincial public health officials to strengthen Canada's import conditions for dogs to mitigate the risk of introducing dog rabies into Canada.

The Canadian Food Inspection Agency will continue to monitor and evaluate the impacts of this measure.

Q3 – What is the government doing for people fleeing the war in Ukraine with their pets?

The Government of Canada recognizes the trauma experienced by those who have been forced to leave their homes due to the war in Ukraine.

In this situation, the Government and the CFIA seek to accommodate personal pet dog imports whenever possible under the *Health of Animals Act* and the *Health of Animals Regulations*.

Q4 – What is the government's response to petitions to ban puppy mills and prevent puppy mill imports?

The Government takes animal health seriously. Regulating animal welfare, puppy mills or the online sale of companion animals falls under provincial and territorial jurisdiction.

However, the Canadian Food Inspection Agency continues to work with partners to provide Canadians with important information and guidance before they purchase or adopt a new dog.

BACKGROUND – DOG IMPORTS

The Canadian Food Inspection Agency (CFIA) is responsible for regulating the importation of regulated 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.

The authority to apply import requirements are provided under the *Health of Animals Act* and the *Health of Animals Regulations*. The import requirements 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). For dogs, most import requirements are prescribed in regulation.

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 into Canada. 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.

Many countries have reported an increasing trend of dog importations associated with introduction of serious human and animal diseases.

Certain rabies strains are found in Canadian wildlife, such as skunks, foxes, raccoons and bats however, 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.

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. There were 37 high-risk contacts who received rabies post-exposure prophylaxis treatment.

On June 28, 2022, the CFIA published an advance notice on its 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 the adoption of dogs from international dog rescue/animal welfare organizations.

International comparators:

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 frameworks of the two countries.

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. On July 6, 2023, the US CDC announced proposed changes to their Dog and Cat Importation Regulation, which will strengthen the import requirements for all dogs entering the US.

Puppy Mills:

The CFIA is not responsible for regulating puppy mills. Provinces and territories have legislation in place respecting the humane treatment of animals and are responsible for enforcing all related regulations. Animal control requirements are usually a responsibility of municipalities.

A 2020 petition (e2997) called upon the Government of Canada to ban the operation of puppy mills in Canada.

FOOT-AND-MOUTH DISEASE (FMD)

- The Government is committed to protecting animal health and preventing the introduction and spread of animal diseases.
- Strict measures are in place to prevent foot-and-mouth disease from entering Canada, including controls on animal and food imports and declaration requirements for travellers at the border.
- The Government is working with provinces and territories to establish a Canadian foot-and-mouth disease Vaccine Bank, and has announced \$57.5M over 5 years and \$5.6M ongoing to support this work.
- 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.

When Pressed:

Q1 – What is the Government of Canada policy on vaccination for foot-and-mouth disease?

The Government of Canada will only use foot-and-mouth vaccinations under certain circumstances in attempt to limit further disease spread while eradicating the disease during an outbreak response.

The evidence shows that using vaccination in large outbreaks combined with a stamping-out strategy significantly reduces the outbreak size and duration compared to a stamping-out strategy alone. In the event of an FMD outbreak, activities under the CFIA's stamping-out strategy include establishing movement controls, ordering the humane destruction of all infected and exposed animals, conducting trace-out activities, overseeing the cleaning and disinfection of premises and verifying that affected farms remain free of FMD according to international standards.

If emergency vaccination is deemed appropriate, the vaccine will only be administered in areas surrounding the disease outbreak.

Q2 – How is Canada working to secure sufficient doses of FMD vaccines to protect Canada's livestock industry against a significant FMD outbreak?

The Government of Canada is working with provinces and territories to establish a Canadian foot-and-mouth disease Vaccine Bank and has announced \$57.5M over 5 years and \$5.6M ongoing to support this work.

In addition to developing a Canadian Vaccine Bank, Canada is also a member of the North American Foot and Mouth Disease Vaccine Bank, which gives it access to a limited supply of vaccines.

Together these initiatives will help Canada ensure sufficient doses of FMD vaccine to be prepared for a disease outbreak and help mitigate prolonged market disruptions to trade should an outbreak occur.

BACKGROUND – FOOT-AND-MOUTH DISEASE (FMD)

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 laboratory conditions of very high virus exposure, transmission to humans has occurred and results in no more than mild blisters. 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, such as importation controls, are in place to prevent the disease from entering Canada.

Canadian livestock producers play a key role in protecting animal health. Strict biosecurity practises 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, dairy and meat products manufactured from susceptible species (mostly beef and pork) would be halted. Once the World Organisation for Animal Health (WOAH) has approved documented proof of the eradication of FMD from Canada, they will declare Canada free again and 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 infected, exposed and potentially-exposed high-risk animals, and decontaminate the environment to avoid further spread. Stamping out is defined by WOAH as, the depopulation, disposal and cleaning and disinfection of a premises. In practice, the scope and details of the response and timelines would depend upon several factors including how far FMD has spread before it is detected, the density of livestock in the affected area(s), and the effectiveness of biosecurity measures on the farms.

As FMD is an official status disease, trading partners will consider all of Canada to be infected with the finding of one case. The use of zones for disease control by CFIA (Primary control zone [PCZ]) will not be recognized by trading partners. WOAHP during an outbreak for diseases with Official status. The WOAHP Terrestrial Code has changed to allow one containment zone to be established by a country, which must contain all cases and be in place for 28 days. The affected country must submit a dossier containing the evidence that FMD is contained within the containment zone and appropriate controls are in place to prevent any escapes to the area outside of the zone. The Scientific Commission of WOAHP will then assess the evidence and if they agree, they will reinstate the free status of the area outside of the zone. Trade can then resume from the free areas if trading partners accept the WOAHP decision.

Changes to the WOAHP code now allow one zone to be created which must contain all cases and be in place for 28 days. Once approved by WOAHP they will declare the area outside the zone to be free and trade can resume from the free areas in trading partners accept the WOAHP decision.

The use of vaccines in the event 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

While Canada has access a limited number of doses of vaccine from the North American Foot and Mouth Disease Vaccine (NAFMDV) bank, this allocation falls well below the estimated 1.9 million to 2.7 million doses required to control a large outbreak.

Budget 2023 announced \$57.5M over 5 years (2023-24 to 2027-28) and \$5.6M ongoing to establish a FMD vaccine bank for Canada and develop FMD response plans.

Funding will enable CFIA to secure sufficient doses of FMD vaccines, to protect Canada's livestock industry against large and uncontrolled FMD outbreaks.

This investment would be in addition to Canada's current access to vaccines through the NAFMDV bank.

The Canadian vaccine bank will help protect Canada from the emerging threat of this disease, maintain public confidence in the Canadian food supply, and help mitigate prolonged market disruptions to trade should an outbreak occur.

The Government of Canada is working together with provinces and territories to establish the Canadian FMD Vaccine Bank.

GENE EDITING: UPDATED GUIDANCE

- The Government is committed to providing Canadians with access to safe, nutritious foods and credible information about products in the market.
- We are delivering on our commitments to modernize guidance on food, seed and feed to support innovation and competitiveness in the Agri-food sector.
- Updated guidance makes it clear how new technologies, such as gene editing, can safely be used to improve agricultural crops.
- The government is committed to choice and transparency and we are working closely with a broad range of stakeholders to enhance transparency measures.

When Pressed:

Q1 – What is the Government of Canada doing to support modern plant breeding techniques and keep pace with technology in plant breeding?

The Government supports modern plant breeding techniques. These technologies will play a role in mitigating climate change challenges and enable Canada to provide leadership in addressing global food security.

In May 2022, Health Canada published an updated guidance for novel food. A year later, in May 2023, the Canadian Food Inspection Agency released updated guidance for novel seeds.

The CFIA is currently finalizing a guidance update for novel livestock feeds.

The Government carefully considers scientific information about the use of gene editing technologies in agriculture. Evidence-based decisions are essential for supporting plant innovation and maintaining the trust of Canadians, particularly when it comes to matters of health and the environment.

Q2 – Why was this guidance updated?

Improved regulatory clarity was a commitment in the 2019 Agri-food regulatory roadmap, in support of Canada's agriculture sector. Agriculture represents 7% of Canada's GDP.

Implementing the regulatory roadmap will drive competitiveness and market leadership, while upholding Canada's high standards and allowing Canadians to benefit from the advances offered by new technologies.

Q3– How is the Government working with industry on plant breeding innovation?

During consultations on the updated guidance, the organic sector highlighted the importance of comprehensive transparency for edited seed. A Government-Industry Steering Committee was put in place composed of seed, grain, and organic industry stakeholders. It oversees the implementation of transparency recommendations for edited seed varieties, including an industry-led seed variety database.

The Government is collaborating with industry and other government organizations to ensure that we support innovation and transparency, while continuing to protect food and feed safety and the environment.

Q4 – Was the Government's consultation on plant breeding innovation too narrow, or compromised by outside influence?

The consultation process for plant breeding innovation has been comprehensive, robust, and science-based. The Government is confident that the outcome will help ensure that Canada's agriculture and agri-food sector can sustainably contribute to growth and global food security without compromising important principles of health, food safety, and environmental protection for Canadians.

The Government of Canada authors its own guidance and policies and routinely consults with all stakeholders as part of the process. The updated guidance for food, seed and feed is the result of a deliberate, multi-phased consultative process, which included engagement with a wide range of stakeholders, including regulated parties, scientific experts, interested stakeholders, and the general Canadian public.

Q5 – How does the Government ensure the integrity of the organic sector?

The Government works with various agricultural stakeholders, including certification bodies accredited by the Canadian Food Inspection Agency to certify organic products.

The Safe Food for Canadians Regulations (SFCR) sets out the oversight and requirements relating to the certification of organic products.

In addition, during consultations on the updated guidance, the organic sector highlighted the importance of comprehensive transparency for edited seed.

A Government-Industry Steering Committee composed of seed, grain, and organic industry stakeholders was established to implement transparency for edited seed varieties. This includes the industry-led database as an additional tool for the organic industry to verify that the seeds they purchase meet the requirements specified in the Canadian Organic Standard.

Q6–How do plant breeders know if a pre-market safety assessment is needed?

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 through biotechnology.

The underlying regulations have not changed, and Canada is upholding its high standards for safety and quality. The updated guidance clarifies the requirements and helps developers know when to apply for an assessment of a novel product.

Q7 – How does Canada’s updated gene editing guidance compare with other countries?

To enable innovation and market competitiveness, it is important to consider international alignment. We need to also uphold Canada’s science-based approach and standards for safety and quality.

The Government continuously monitors regulatory and guidance updates in other countries relating to plant products of genome editing.

The Government continues to engage with international regulatory counterparts in both the organic and non-organic sectors and with domestic stakeholders.

BACKGROUND – GENE EDITING: UPDATED GUIDANCE

Issue:

With the advent of gene editing technology, plant developers have asked the CFIA and Health Canada for improved clarity on which plants or seeds, foods, and livestock feeds are novel.

The CFIA and Health Canada responded by updating guidance to clarify which plant products – whether developed traditionally or through new plant breeding innovations such as gene editing – require approval before being used in Canada.

Gene editing:

Gene-editing is a new technology that allows for precise changes to the DNA sequence. It 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 for novel plants based on the characteristics of the final product. To develop updated guidance, the CFIA and Health Canada considered a number of factors, including the following:

- 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 government’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:

Three separate regulatory programs are in place to assess the safety of novel products of biotechnology:

- **Food:** Health Canada is responsible for the assessment of novel foods, and published updated regulatory guidance in May of 2022
- **Seed:** The CFIA is responsible for the assessment of novel seeds (plants with novel traits) for environmental release, and published updated regulatory guidance in May of 2023.
- **Feed:** The CFIA is also responsible for the assessment of novel livestock feeds. A consultation on a draft guidance update for novel feeds ran from September 28 – November 27, 2023. Stakeholder input will be analyzed and a date for finalizing the guidance has not yet been determined.

Canada's product-based approach to the regulation of biotechnology has always been able to accommodate gene-edited products. This inherent flexibility means that the underlying regulations do not need to be changed to adapt to new technologies. The CFIA and Health Canada are also committed to upholding Canada's high standards for safety.

International Alignment:

Canada recognizes that many gene-edited products will be the same as products of conventional breeding. This aligns with approaches taken by many of our major trading partners, who also recognize that gene-edited products should not be regulated in the same manner as genetically modified organisms.

Canada's scientific conclusions about the overall safety of gene-editing technologies are in alignment with findings of other regulators, including in the EU, England, the USA, Japan, Argentina, and Australia.

Each country's regulatory framework has unique features, and some jurisdictions have not yet finalized the details of their regulatory programming. There is however a growing global consensus that products of gene editing should not be regulated in the same manner as genetically modified organisms, and recognize that edited lines will largely resemble products of conventional breeding. Canada's product-focused regulatory programs are in line with this approach.

Transparency Initiatives:

During the consultations on the CFIA's guidance about which plants will be subject to Part V of the *Seeds Regulations*, organic sector stakeholders have raised concerns about the potential for decreased transparency about which seeds have been gene-edited. Specifically, the sector raised concerns that organic producers may inadvertently purchase and plant gene-edited seed varieties, which would lead to loss of their organic certification.

In January 2023, Agriculture and Agri-food Canada (AAFC) launched an Industry-Government Technical Committee on Plant Breeding Innovation Transparency in an effort to address those transparency concerns. The committee, which consisted of stakeholders representing the seeds, organic and conventional sectors, developed a report that included a number of recommendations to increase transparency surrounding gene-edited varieties. One of the recommendations was the establishment of a Government-Industry Steering Committee to provide guidance on development and implementation of various transparency initiatives.

The Government accepted the report of the Technical Committee on May 3, 2023 and the Government-Industry Steering Committee subsequently began work on the development of various transparency measures. The Steering Committee held its first meeting on June 30, 2023 and will continue to meet regularly to advance these initiatives.

Health Canada's proposal for novel foods:

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

CFIA's proposal for novel feeds:

The CFIA is responsible for assessing novel feeds and is holding public consultation from September 28 to November 27.

Tiger Team:

The Government's 2018 Fall Economic Statement and 2019 Agri-food and Aquaculture Regulatory Roadmap commitments recognized a need for improved predictability, clarity and transparency with respect to the regulation of products developed through PBI. Canada's long-standing support for advanced plant breeding techniques continues to be vital as we seek to adapt to and mitigate climate change, help address global food security, and grow our sector.

The work on PBI was advanced through several government-industry working groups set up under the AAFC-led Grains Roundtable, and included a focused industry-government Tiger Team created in August 2019.

The work of the Tiger Team was wound down in 2020, having accomplished its focused, short-term mandate to put forward options and help identify outstanding scientific questions and technical/implementation details for ongoing consideration by regulators in determining how to move forward on commitments to increase predictability, clarity, and transparency in the regulation of PBI.

EXPORT OF LIVE HORSES FOR SLAUGHTER

- The commitment to ban the live export of horses was included in the Minister of Agriculture's mandate letter in 2021.
- We welcome the introduction of Bill C-355 by the member from Kitchener-Conestoga.
- We have consulted industry members, provincial governments, animal welfare advocates and scientific experts in consideration of the best way forward.
- We will work with the member from Kitchener-Conestoga every step of the way, and we encourage members of all parties to collaborate, to ensure this Bill moves through the parliamentary process in a timely manner.

When Pressed:

Q1 – Will the Government support Private Members' Bill C-355?

The Government will deliver on the commitment to ban the export of live horses for slaughter. We appreciate the initiative taken by the member of Kitchener-Conestoga and look forward to engaging on this important topic at every stage of this Bill in the House of Commons.

Q2 – Why has the Government not acted on this mandate letter commitment?

The Government takes this commitment seriously and acknowledges the need to develop policies and strategies that are effective. As a review of the bill is undertaken through Parliament, it is important to note that this is a complex issue that touches on a number of key considerations, including legal obligations, international trade commitments and relations, animal welfare and public morals.

We value the perspectives of stakeholders affected by government decisions. This requires extensive research and stakeholder engagement, to ensure all considerations are properly identified and addressed.

Q3 – How many horses are exported from Canada for slaughter?

Since 2003, approximately 45,000 horses have been exported by air to Japan for the purpose of being slaughtered or fattened for slaughter. In 2022, the total number of horses exported to Japan was 2,872.

Q4 – What is the value of the live horse export market?

As of June 2023, Statistics Canada data indicates that horse exports to Japan since 2013 have been valued at about \$202.5 million. In 2022, the total export value of horses exported to Japan was approximately \$19 million.

Q5 – What is the anticipated impact of the export ban on this sector?

At present, there are less than five export companies and a few hundred producers that we anticipate could be directly impacted by the ban. The Government of Canada remains committed to working and engaging with key stakeholders, provincial and territorial partners, Indigenous communities and animal rights advocacy groups to better understand the consequences of a ban.

BACKGROUND – EXPORT OF LIVE HORSES FOR SLAUGHTER

Current policy for the live export of horses for slaughter

At present, the Canadian Food Inspection Agency (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 *Health of Animals Regulations*. 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;
- transport is scheduled to be completed within the maximum travel time that horses can go without feed, water and rest (28 hours); and
- CFIA veterinary inspectors are present for air shipments of horses to certify the export as required by the *Health of Animals Act*.

Private Member's Bill and Senate Bill

On September 19, 2023, Tim Louis (Kitchener-Conestoga) introduced [Private Member's Bill, C-355, Prohibition of the Export of Horses by Air for Slaughter Act](#). The Government is currently considering the contents of this Bill in the context of the Minister of Agriculture and Agri-Food's mandate letter commitment.

In parallel, Senator Pierre J. Dalfond introduced Bill S-270 in the Senate on June 21, 2023, "to amend the *Health of Animals Act* and the *Agriculture and Agri-Food Administrative Monetary Penalties Regulations* (live horses)".

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.

The CFIA amended the humane transport regulations on February 20, 2020. These were the result of a number of consultations that the CFIA undertook with stakeholders since the early 2000s. 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.

Legal challenge – CFIA’s enforcement approach to welfare of export of live horses for slaughter

In response to the Canadian Horse Defence Coalition, court challenge against 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 but on hold due to the Government’s commitment to ban the live export of horses for slaughter.

LIVESTOCK TRACEABILITY

- Livestock traceability, which includes tracking when and where diseased and exposed animals have been, is crucial for mitigating the public health, economic, and environmental consequences of animal disease outbreaks.
- The Canadian Food Inspection Agency is proposing to update federal regulations to improve livestock traceability and address the gaps in the current system.
- The Canadian Food Inspection Agency is considering all comments received during the formal *Canada Gazette* consultation that took place from March to June of 2023. It is committed to striking the right balance between mitigating disease risk and limiting the burden on the Canadian livestock industry.

When Pressed:

Q1 – What is the Canadian Food Inspection Agency doing to address the concerns of livestock industry with the proposed regulations?

Livestock traceability is an important and effective tool for the protection of animal health, public health and food safety. It also helps limit the financial impact on industry when an outbreak occurs.

The Canadian Food Inspection Agency will consider all comments received during the formal consultation and will continue to work with provinces and territories and the Canadian livestock industry, including the Canadian Association of Fairs and Exhibitions, to ensure the final regulations can achieve their objectives while limiting burden on stakeholders.

Q2 – What is this Government doing to address the concerns of the impact of the proposed regulations on Canadian fairs and exhibitions?

Risk of spreading disease is high when animals of different species, breeds, and ages are brought together from various locations and herd management backgrounds at one site, like a fair or an exhibition.

The CFIA knows that the Canadian Association of Fairs and Exhibitions and the many local and regional fairs, recognize and support the importance of livestock traceability, but that they are concerned about their capacity to tag and track animals and feel it should be the responsibility of the producers who are bringing their animals to the sites.

The CFIA will consider all positions on this issue and continue to engage with industry to find a path forward.

Q3 – When will the final livestock traceability regulations be published?

The proposed amendments were pre-published in the *Canada Gazette*, Part I, on March 18, 2023. The public comment period of 90 days closed in June 2023.

The Agency is reviewing the comments and will publish a “what we heard report” to summarize the feedback from the consultation.

The Canadian Food Inspection Agency will continue to engage with all livestock stakeholder groups as they work to finalize the proposed regulations.

Q4 - Have Indigenous groups been made aware of the livestock traceability proposal and have they been provided an opportunity to have their concerns heard?

In addition to the open consultation on the proposed regulations, the Canadian Food Inspection Agency has worked to engage with Indigenous people involved with livestock. CFIA will consider all comments received from Indigenous people on the current livestock traceability proposal as they work to finalize the regulations.

BACKGROUND – LIVESTOCK TRACEABILITY

Animal traceability is the ability to follow an animal through all stages of its life, with the objective of mitigating the impact from a disease outbreak or food safety issue.

The *Health of Animals Regulations* already sets out requirements for the identification of bison, cattle, sheep and pigs, and requires reporting on the movement of pigs.

The [draft amendments](#) to the *Health of Animals Regulations* (Identification and Traceability) are proposed to help fill in gaps in Canada's livestock traceability system that will make the system more effective and responsive to animal disease emergencies.

The proposed amendments seek to address gaps in Canada's system in the following manner:

- adding goats and farmed cervids (such as deer and elk) to national traceability requirements. These species would need to be identified and their events (for example, movement, death) would need to be reported.
- shortening the event reporting time requirement to 7 days (from 30 to 60 days), bringing alignment between all regulated species
- introducing the requirement for the identification of livestock premises through provincial premises ID programs
- introducing event reporting requirements for cattle, bison, sheep, goats and farmed cervids. This would align with pigs and farmed wild boars which are already subject to such requirements.

Addressing these gaps will improve how the CFIA, provinces and industry stakeholders respond to and recover from diseases. It will ensure species that share diseases (e.g. Foot and Mouth Disease) all have traceability requirements so there will be no information gaps. In addition with new traceability requirements for goats and cervids, the ability to investigate and control outbreaks from diseases affecting those species will be much improved.

The CFIA has been working to update the requirements for livestock traceability under the *Health of Animals Regulations* for many years. On June 16, 2023, it completed a 90-day formal consultation on the proposed regulations. The proposal aims to ensure a balance between an effective and efficient response to animal health issues and the burden/impact on stakeholders.

The CFIA is currently reviewing and analyzing over 1,200 comments that were submitted during the consultation. The CFIA will take these comments into consideration as it considers whether changes are required as part of the regulatory development process. As the Agency examines what changes may need to be made to the proposal, it will continue to engage with both the livestock industry, fairs and exhibitions and provinces and territories.

CANADIAN ORGANIC AGRICULTURE

What is the Government of Canada doing to ensure the long term sustainability of the Canada organic regime?

Value statement:

Canada maintains rigorous organic production systems to:

- enable organic farmers to promote and adopt climate smart practices, data collection and reporting to further Canada's commitment to sustainability
- protect consumers and producers against fraud / unsubstantiated product claims
- ensure that all stages of production and processing comply with the organic standards
- harmonize Canadian provisions with international systems through equivalency arrangements to facilitate access to high-value export markets

Take away:

The Government of Canada is actively exploring options to ensure the long term sustainability of the elements essential to maintaining the Canada organic regime. Some of this work is being done in collaboration with national organic industry organizations.

POTATO WART ON PRINCE EDWARD ISLAND

- The Government of Canada is committed to helping contain, control and prevent the potential spread of potato wart and protecting the economic viability of the Canadian potato industry.
- Under the requirements of the Ministerial Order, over 95% of PEI potatoes are eligible for movement to the rest of Canada, as well as export to PEI's primary export market, the U.S.
- The Canadian Food Inspection Agency will continue to engage with growers, provinces and trading partners on program elements during the development of the new National Potato Wart Response Plan and work towards implementation in 2024.

When Pressed:

Q1 – What do growers have to do to meet the CFIA’s program requirements?

Potato wart is a quarantine pest in Canada and many other countries. Control measures are required to prevent the spread of potato wart including surveillance, biosecurity and traceability.

The Canadian Food Inspection Agency is working with the industry and various stakeholders to develop a new National Potato Wart Response Plan to reduce the risks and minimize the impact of potato wart on Canadian industry, keep trade open and prevent potato wart from spreading.

Q2 – Will Prince Edward Island seed potatoes be allowed to resume movement to the U.S. and domestically?

Domestic movement of seed potatoes from PEI is restricted under the Potato Wart Order and is only allowed following a case-by-case evaluation. Currently two farms are able to move seed potatoes domestically.

The Canadian Food Inspection Agency is in discussions regarding options for the establishment of pest-free places of production and pest-free production sites with producers in PEI to facilitate broader movement.

Q3 – Will the Government of Canada review its Ministerial Order in order to lift or relax the requirements?

The requirements of the Potato Wart Order help contain, control and prevent the spread of potato wart to protect this important agriculture sector and enable continued trade.

There is currently no timeline in place to review this Ministerial Order but discussions with industry and stakeholders are ongoing to support the development of a new National Potato Wart Response Plan for the management of potato wart.

Q4 (AAFC) – How does the Government of Canada support potato farmers through federal programs?

The Government of Canada acted quickly to provide up to \$28M under the Surplus Potato Management Response Plan to effectively manage the potato surplus.

The Government provided a one-time payment adjustment to seed producers that will better align the support received through the Surplus Potato Management Response Plan with compensation provided under the Potato Wart Compensation Regulations.

Farmers also have access to a suite of Business Risk Management programs including AgriStability, AgrilInsurance and AgrilInvest to help them manage income declines at the whole-farm level.

Q5 – What is the Government of Canada response to the potato wart judicial review?

The Government of Canada accepted the findings of the Federal Court on April 14, 2023, with regard to the legality of the Ministerial Order. Decisions continue to be guided by solid data, science, international standards, legislative authorities and best practices.

The Prince Edward Island Potato Board has appealed part of the findings.

BACKGROUND – POTATO WART IN PEI

Potato wart is soil-borne fungal disease that can remain dormant in a field for more than 40 years. It is spread through the movement of infested tubers, soil and farm equipment. It reduces yield and can make potatoes unmarketable, but does not pose a risk to human health or food safety.

Control measures are required to help manage the spread of potato wart including:

- Surveillance
- Biosecurity
- Traceability

Potatoes produced in the affected fields must be disposed of or processed in a manner that would not spread the disease. There is no rapid detection method for potato wart and there are no chemical treatments that could be used to eradicate it.

The Canadian Food Inspection Agency (CFIA) currently follows the Potato Wart Domestic Long Term Management Plan (2009) developed specifically for potato wart to minimize the impact on Canadian industry and to help prevent this quarantine pest from spreading within Canada or to other countries through trade.

Timeline for most recent detections

In October 2021, the CFIA confirmed the presence of potato wart on two processing farms in Prince Edward Island (PEI). The investigations that followed are now complete and involved the collection and analysis of almost 50,000 soil samples. Potato wart was detected in an additional 4 fields as part of the investigation. Since 2000, potato wart has been detected in 37 fields, across all three counties of PEI.

In the fall of 2023, the CFIA conducted the third annual national survey for potato wart to determine if it is detected in the soil samples collected and tested from fields located across Canada where potatoes are grown. As in previous years, the national survey was conducted in fields in British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, Quebec, New Brunswick, and Nova Scotia.

Also during the fall of 2023, the CFIA conducted additional potato wart surveillance activities in PEI for the first time since 2021. The 2022 survey activities did not include PEI because resources were focused on the ongoing investigations of potato wart on the Island. The objective of the 2023 PEI potato wart survey is to determine whether potato wart is detected in soil samples from unrestricted fields (i.e. fields that do not meet the definition of “restricted area” under the Potato Wart Order).

On April 1, 2022, the United States (U.S.) indicated that imports of PEI potatoes for consumption could resume, with conditions. The U.S. has updated their federal order regarding PEI potatoes accordingly. Field grown seed potatoes from PEI may not be exported to the U.S. at this time.

Current management program

The requirements under the Potato Wart Order are expected to help mitigate the risk of potato wart spreading into other parts of Canada and support continued trade. The current program allows PEI seed potato farms to operate and grow seed potatoes for use within the province and supports the continued movement of table stock and processing potatoes to other provinces. Seed potatoes are permitted to move out of the province when specific criteria are met. At present, two farms have met the criteria to do so.

The CFIA Potato Wart Domestic Long-Term Management Plan (2009) remains in place and is being applied to the new finds, as are regulatory measures to help prevent potato wart spread elsewhere in Canada, including in PEI. The CFIA is currently working with industry and stakeholders to develop a new National Potato Wart Response Plan.

The CFIA is also working to develop a program for Pest Free Places of Production (PFPP) and Pest Free Production Sites (PFPS) in PEI.

Proposed criteria for establishing PFPP and PFPS are currently under review by PEI stakeholders with feedback expected before the end of 2023. Next steps will be to discuss the criteria with potato producers outside of PEI.

Advisory panel on potato wart disease management on PEI

The CFIA engaged an international scientific advisory panel who provided its non-binding report to the CFIA on December 17, 2022, and to stakeholders on December 19, 2022. The panel presented its final report to the CFIA, AAFC, the government of PEI and Canadian industry stakeholders on January 16, 2023, and responded to questions.

The report is being used to continue discussions with industry, provinces and other pertinent stakeholders on the path forward for potato wart in PEI and the rest of Canada. It will be considered when informing the Agency's future decisions on potato wart in PEI. These decisions will be made in accordance with its plant protection mandate as Canada's National Plant Protection Organization under the International Plant Protection Convention.

The report is publically available to all Canadian stakeholders on the CFIA website in both official languages. There are three methods to assess the viability of potato wart spores: field testing, pot bioassay, and microscopic examination of spores.

All three methods have known limitations, which could result in false positive or false negative results. Given the need to help control, contain, and prevent the spread of potato wart, the CFIA has not implemented any of these methods for diagnostic purposes.

Together with key partners including Agriculture and Agri-Food Canada, the CFIA is closely monitoring the latest scientific research on potato wart and exploring opportunities to collaborate and accelerate research in priority areas, such as developing a reliable viability test using new molecular methods.

Compensation

The *Potato Wart Compensation Regulations* were enacted in 2003 and may provide compensation for certain losses resulting from treatment, prohibition, restriction or disposition required because of the pest.

Compensation may be available to affected parties who have been issued a notice by the CFIA for any treatment, prohibition, restriction or disposition imposed as a result of the presence of potato wart.

The Prince Edward Island Potato Board has indicated that the *Potato Wart Compensation Regulations* are dated and should be reviewed. The CFIA supports this request.

Federal Programs to Support Potato Farmers (AAFC Content)

1) Business Risk Management Programs

Business risk management (BRM) programs – including AgriStability, AgrilInvest, AgrilInsurance and AgriRecovery 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.

The full range of BRM programs is available to support impacts on potato producers in PEI. These are 60:40 cost shared programs between the federal government and the province.

- AgriStability protects producers against large declines in farming income for reasons such as production loss, increased costs and market conditions. The program provides approximately \$2.6 million a year to support PEI producers in need.
- AgriStability can provide support quickly if producers apply for interim payments for immediate financial challenges. Producers can enroll in the program for 2023 in the early months of the New Year.
- For the 2021 and 2022 program years, the following changes applied:
 - Late Participation - Producers who had not applied before the program deadline could still enroll after the deadline but were subject to a 20% penalty for any payments issued
 - Interim Payments - The program interim payments have been increased from 50% to 75% of the expected financial assistance
- A large portion of potato producers (92%) participate in the AgriInvest program, and funds are immediately available to use as they wish. The average account balance is approximately \$90,000.
- AgriInsurance will respond to production and quality losses directly caused by potato wart (i.e. directly infected farms).
- AgriInsurance will provide support for farms that face production and quality losses directly caused by potato wart, with coverage for up to 90% of their losses.
- For producers with advances under the Advance Payments Program, a Stay of Default for outstanding loans was granted in March 2022 to provide producers additional flexibilities to repay the outstanding advances. If a Stay of Default was not granted, many producers would have been in non-compliance and would have been required to pay their advance or find other sources of security within 30 days. Failing that, producers would have been declared in default and would have been ineligible for new advances. In general, a Stay of Default can be implemented four months before impending default at the request of the administrator (e.g. early June for advances due in September 2022); however, in the case of PEI potatoes, the impending default was much sooner than the repayment deadline. In order to be eligible for the Stay of Default, producers must have been in good standing under the program and must have had sufficient potatoes of marketable quality in storage to cover their outstanding loans.
- AAFC records show that the 2021 Stay of Default has protected 90 PEI potato producers (\$14,892,000 in advances) from being declared in default. All of the PEI potato producers protected by the Stay of Default were able to repay their 2021 advances by the deadline.

2) Other AAFC Programs

The Surplus Potato Management Response Plan (SPMRP) was cost-shared between Agriculture and Agri-Food Canada and the Prince Edward Island Department of Agriculture and Land. As part of this plan, the Government of Canada committed to provide up to \$28M and the Province of PEI up to \$12.2M. The PEI Potato Board delivered the plan on behalf of both governments to manage potatoes that had been rendered surplus.

The SPMRP aimed to divert as many potatoes as possible to processors, packers, other markets and food banks to minimize the amount of surplus potatoes that had to be destroyed and to support environmentally sound destruction of potatoes where needed. Destruction activities were completed in early March 2022 and diversion activities continued until August 31, 2022.

In the spring/summer of 2022, a difference in support level arose between those seed potato producers who destroyed their product under AAFC's SPMRP and those who were compensated under CFIA's Potato Wart Compensation Regulations. To address this difference in support levels, AAFC worked with the PEI Potato Board to deliver a one-time payment adjustment to those affected seed potato producers. The SPMRP contribution agreement with the PEI Potato Board was amended to allow for adjustment of \$12 per cwt of seed potatoes that were destroyed under the SPMRP.

Payments under the SPMRP were delivered to producers from March 2022, through to the end of March 2023.

Not part of the Minister's current QP binder

Last updated May 2023

Included given CFIA received questions on this topic previously at Committee

TREATMENT OF IMPORTED VS. DOMESTICALLY PRODUCED FOODS

ANTICIPATED QUESTION:

Does the federal government regulate 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 Canadian food laws.**
- 3. Food importers and domestic manufacturers preparing food for export or interprovincial trade with limited exceptions, are required to meet the requirements set out in the *Safe Food for Canadians Act* and Regulations including those that focus on food safety at the source.**

- 4. All persons importing and selling food in Canada must meet the applicable food related requirements set out in the *Food and Drugs Act* and Regulations.**

RESPONSIVE REGARDING STRENGTHENING IMPORT PROGRAM:

- 1. The Government of Canada is committed to strengthening its oversight of food imports.**
- 2. The Canadian Food Inspection Agency is increasing its inspection, laboratory testing and oversight programs, and developing ways to target higher-risk foods. The Agency is strengthening its partnerships with the Canada Border Services Agency.**
- 3. The Canadian Food Inspection Agency is also strengthening its offshore program, conducting foreign food system assessments, and providing technical assistance to enhance the safety of imported foods.**

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 generally subject to requirements set out in the *Safe Food for Canadians Act* and Regulations including those that focus on food safety at the source. All persons importing and selling food in Canada must meet the applicable food-related requirements set out in the *Food and Drugs Act* and Regulations.
- Food importers are required to obtain a licence to import and maintain preventive control plans that include information to 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 recall 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. The CFIA can issue border lookouts and undertake points-of-entry inspections to prevent non-compliant food from entering Canada including through orders to remove from Canada or destruction of the product, and/or suspension/cancellation of licences. Other non-compliance actions may include correction action requests, seizure and detention, and even prosecution.
- The CFIA can enter into arrangements with international trading partners that outline 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.

3.Previous AGRI Committee Summaries and Transcripts

A) C-355, Prohibition of the Export of Horses by Air for Slaughter Act, debate at 2nd reading

Transcript: [Debates \(Hansard\) No. 251 - November 20, 2023 \(44-1\) - House of Commons of Canada \(ourcommons.ca\)](#)

Full Detail of Bill C-355: [C-355 \(44-1\) - LEGISinfo - Parliament of Canada](#)

B) AGRI, Electronic Logging Device Requirements and Animals Transport, November 2, 2023

Summary Report on Committee Hearing

Name of committee: [Standing Committee on Agriculture and Agri-Food \(AGRI\)](#)

Date and time: Thursday, November 2, 2023, 8:15 a.m. to 10:15 a.m.

Location: Room 315 Wellington Building, 197 Sparks Street

Topic: Electronic Logging Device Requirements and Animal Transport

Witnesses

Canadian Food Inspection Agency

- Dr. Mary Jane Ireland, Executive Director, Animal Health Directorate, Chief Veterinary Officer for Canada

Department of Transport

- Melanie Vanstone, Director General, Multi-Modal and Road Safety Programs

To view the Committee in its entirety, please click [here](#).

The unofficial Committee transcript ("Blues") are typically available 24 -72 hours after the meeting and will be circulated to the CFIA Committee Summary Distribution List.

Transcription of CFIA Opening Remarks and Questions and Answers

Opening Remarks:

Dr. Mary Jane Ireland: ..I'm very pleased to be here to speak with you today as you continue your consideration of electronic logging device requirements in animal transport.

The Canadian Food Inspection Agency is a science-based regulatory agency. It is dedicated to safeguarding animal health, plant health and food safety to enhance the health and well-being of Canadians, the environment and the economy. In this capacity, the CFIA administers and enforces a variety of legislation, including the Health of Animals Act and the health of animals regulations.

I'd like to take a few minutes to outline the objectives of the health of animals regulations and the federal government's role as it pertains to the transportation of animals. The CFIA, provincial and territorial governments, producers, transporters, industry organizations and many others all have a role to play in animal welfare. Specifically, the CFIA regulates the humane transport of animals and the humane treatment of food animals in federal abattoirs. The intent of the Canadian humane transport regulations is to ensure that whoever transports animals does so without causing avoidable suffering of these animals throughout the transportation process.

In February 2019, after extensive consultation, the Government of Canada published the updated humane transport regulations. As part of this consultation process, the CFIA worked with Transport Canada to ensure these regulations do not conflict with the commercial vehicle drivers hours of service regulations. The updated humane transport regulations prescribe maximum intervals in the time between withdrawing feed and water while loading the animals to stopping once again to provide access to feed, water and rest. For example, for very young and compromised animals, the interval is up to 12 hours for pigs, 28 hours for horses and 36 hours for cattle. These provisions exist to protect animals from dehydration, exhaustion and the nutritional deficit associated with long hauls.

As these new regulations came into force in February 2020, the industry asked for time to establish best practices and make investments to enhance the number of feed, water and rest access locations across Canada. The CFIA worked extensively with industry and granted a period of two years for the implementation of the requirements specifically related to feed, water and rest times.

Humane animal transportation is complex. It is dynamic, and things can go wrong. Responding appropriately to an evolving situation requires knowledge, skill and planning ahead. That is why, as part of the updated regulations, livestock transporters are required to have contingency plans that establish measures to reduce or mitigate suffering if unforeseen delays or circumstances occur.

CFIA supports industry by providing guidance and tools to help regulated parties understand and implement the updated regulations. This includes practical tools, such as a contingency plan template that industry can adapt and use. The CFIA is aware that you can't plan for every possible scenario. This is why guidance to industry also states that, when rare circumstances occur, inspectors may use discretion in enforcing feed, water and rest times, as long as it was an unforeseen situation, actions were considered reasonable, animals were monitored and measures were taken to avoid suffering. The CFIA employs highly skilled veterinarians, veterinary inspectors and other inspectors who administer and enforce the humane transport regulations. They understand that flexibility may be needed at times.

The CFIA has also issued guidance and training. They have these in place to ensure consistent inspector discretion regarding feed, water and rest time intervals, in order to address cases that are in frequent occurrences and due to unforeseen circumstances out of the regulated party's control. These include situations such as the breakdown of a conveyance, a traffic accident, an unexpected road closure when no other options for stopping are available, and unforeseen weather events. In these circumstances, the regulated party would need to demonstrate that decisions were made in the best interest of the animals and animal welfare. The CFIA monitors compliance with the regulations by conducting routine inspections at strategic locations, including points of entry into Canada, federal and provincial abattoirs, assembly centres and roadside blitzes, as well as following up on reports of non-compliance as needed. Mr. Chair, I hope this provides a general overview of CFIA's role in humane animal transport.

Questions and Answers

MP Heath MacDonald: ..I'll go to CFIA this time—how closely you work with Transport Canada on these exemptions. Has there been any communication or coordination between the two departments to ensure this is consistent?

Dr. Mary Jane Ireland: Yes. Thank you very much. In the development of our own humane transport regulations, we did consult with Transport Canada to make sure that our humane transport regulations and their regulations do in fact work together, and they do. When this issue was brought up by industry, we certainly did engage with Transport Canada. We have been present at the discussions with industry, because I think we bring an important perspective, not only with our experience with live animal transport, but also in terms of how we've clarified the rules for the same group of stakeholders in our journey and our implementation of amended regulations.

We are engaged with Transport. Our organizations are in discussion about this issue, but Transport has a rule around public safety and driver safety. That is their area of expertise and regulatory oversight, and ours is around animal safety. They are not mutually exclusive. These rules have to work together, and we have to consider the spectrum of animal safety and welfare, as well as driver and public safety and welfare.

MP Yves Perron: Ms. Ireland, I'd like to wrap up this issue with you. Your organization and Transport Canada are working together to change the interpretation of section 76 of the commercial vehicle drivers hours of service regulations. Can your two organizations get the work done quickly? Should there be good communication between you two?

Dr. Mary Jane Ireland: Mr. Chair, thank you for the question. As my Transport Canada colleague has said, we have regulatory frameworks. Mine pertains to avoidable animal suffering as it relates to animal transport, and hers relates to public safety and driver safety. As I said, these are both areas of requirement that are needed. These two regulatory frameworks work together, and we and Transport Canada do work together, particularly on an issue that intersects like this one. We have been in discussion with Transport Canada. We have listened to industry, and we have come together, all of us, to have several discussions about this issue. CFIA remains available to continue to work with Transport Canada, with industry, to find solutions to issues related to animal transport.

MP Alistair MacGregor: Dr. Ireland, I'd like to start with you. We previously heard from witnesses that with livestock trailers there's a certain requirement for a minimum amount of airflow. When you look at the hours that certain livestock are allowed to be loaded onto a vehicle, what previous witnesses have told us is that you can't just have those trailers stationary, because the ventilation systems won't work properly. I guess some witnesses were concerned that the requirement for airflow may require a driver to be put into an uncomfortable situation. How do your inspectors generally monitor the airflow requirements in trailers for livestock?

Dr. Mary Jane Ireland: Thanks very much. To give you an example, the feed, water and rest interval for cattle able to eat exclusively hay and grain would be 36 hours. From taking food and water away, transporting them and providing them feed, water and rest, for a more mature beef cow it would be 36 hours. Transports have different ways of ventilating. Some are open-sided with slats. Some will have probably not as many fans or abilities to mist and cool animals. Yes, on a hot and humid day, I would be concerned about not having a trailer moving, because the ventilation for some of the species would be important. On cooler days, there are other ways to manage ventilation.

The requirement in the regulations is really that animals have proper airflow and that they maintain their proper temperature. For transports, there is, at times, the ability to stop, but it depends on the weather and a number of circumstances.

That is why we have given CFIA inspectors interpretive guidance, so that they can use their enforcement discretion with respect to the requirements for those feed, water and rest times.

When unforeseen circumstances occur and a truck operator demonstrates that decisions have been made in the best interests of animals, the guidance we have provided and the training we have provided to inspectors, which industry has been involved with and is aware of, allow them to use some criteria, such as whether the incident is an infrequent occurrence, whether it is due to an unforeseen circumstance or it is reasonable under the circumstances, whether the animals are suffering, and whether the animals are being monitored. Our inspectors use judgment, and they look at the situation in its totality and determine whether enforcement and compliance actions are required or whether some discretion is merited.

MP Tim Louis: Maybe this would be a good time to pivot to Dr. Ireland from the CFIA. Your job is regulating the humane transport and treatment of animals. You mentioned a contingency plan template, and said that livestock truck transporters need to have contingency plans. Can you tell us what type of measures are included in this template?

Dr. Mary Jane Ireland: Thanks, Mr. Chair. I don't have the template in front of me. I will say that we have worked extensively with the different associations on all elements of the regulations and implementation. We have provided many tools, including a contingency plan template, to help them understand what things they should think about. Really, they need to think about what they will do if their truck breaks down. What will happen if the weather changes? What will happen if there's a road closure? What happens if there are delays at the border?

These contingency plans are really thinking about the "what ifs" so that they can continue to provide care for the animals in their possession in their trailers. It's just one tool of many, in fact, that we've developed with industry over many years to help them come into compliance with the regulation, understand best practices and really facilitate what we're all trying to achieve, which is to really prevent unnecessary or avoidable suffering for animals in everyone's care.

MP Tim Louis: I was going to ask if you saw patterns of people who are seeking that guidance on frequency and severity. In the last few seconds, can you put forward some of those categories where the subjectivity could be at play here?

Dr. Mary Jane Ireland: Sure. The unforeseen circumstances would be weather conditions, inclement weather, a storm, a road that is closed, an issue with the driver or a medical condition. There are a number of factors that our inspectors would consider if someone was found to have gone over the feed, water and rest times.

If you're a trucker and you have beef cattle, you should have offered the animals feed, water and rest after 36 hours. If it is 42 hours, the CFIA inspectors would ask questions. Why did it go over the 36 hours? What were the circumstances?

They would use their discretion to determine whether the outcomes.... What was the severity of the outcomes? Were the animals in good shape coming off the trailer? Is this a consistent pattern that this particular trucker was seen to follow? Was he or she always going over 40 hours? There are a number of factors that our inspectors look at, and they use judgment, because we all understand that things can happen and things can go wrong with the transportation of animals.

MP John Barlow: I appreciate my NDP colleague's questions, as I have Cargill meat processors literally in my backyard, and I understand how much truck traffic goes by my place. I would certainly love to see additional processing capacity in Canada. We need to worry about interprovincial trade barriers to get that done too. It's a good topic for discussion, certainly. Dr. Ireland, you mentioned it briefly in one of your answers, but I want you to expand on it a little bit.

One of the interesting comments from previous witnesses was that the livestock transportation industry needs to plan better. When you see Highway 1 near Thunder Bay, for example, where they go to The Barn as one of the main hubs, the Trans-Canada Highway is a one-lane highway with no shoulders. Certainly the weather in that area can be unpredictable and unforeseeable, let's say. Is it more impactful or more harmful for cattle if you are loading and unloading? Is it better for their health to keep them on the truck rather than having to unload and load them multiple times?

Dr. Mary Jane Ireland: Thank you, Mr. Chair. I appreciate the question. We developed the humane transport regulations based on the best available science and from an incredible amount of literature, information and evidence. We determined that the feed, water and rest prescriptive times in regulation, as I mentioned, for older beef cattle would be 36 hours; for pigs, 28 hours; and for young ruminants, two hours. We based those times on information and science around animal health and welfare.

What we are saying with these regulations is that feed, water and rest must be given after that length of time. Transporters need to plan around that. There are some—arguably, not enough—infrastructure locations like The Barn where animals can be off-loaded and allowed to rest and reloaded and taken to their end location.

The industry needs to plan. You're correct. I think the livestock transport sector has one of the most complex planning and logistics for animals because of the multiple regulatory frameworks and the long distances that they need to take animals. Those times and the ability to off-load and rest and reload are there for animal welfare, so we don't have nutritional deficits, exhausted animals, and so we have animals coming off the truck and going into our food system in good shape.

MP John Barlow: How many other infrastructure facilities like The Barn are there in Canada, where there is a designated facility to load and unload animals?

Dr. Mary Jane Ireland: Thanks. I have some indication here in my notes of the locations, but we can provide more later.

MP John Barlow: If you wouldn't mind tabling that with the committee, that would be great.

Dr. Mary Jane Ireland: We do know there's one in Thunder Bay called The Barn, in central Canada, and another location in the Hearst-Hallébourg area. Those are privately run, owned and operated facilities that offer a location for animals to rest before they carry on for their trip.

The Chair: Ms. Ireland, you heard me provide the example of a truck driver who picked up cattle and was moving them a distance. Let's say it was about 10 hours, in terms of the distance between the feedlot and the processing facility, whatever the case might be. The driver is 75 kilometres away. They're at 12 hours and 55 minutes, under their ELD time. The definition allows security of the load, so the truck driver is sitting there saying, "Okay, I think it's important. We want to be able to finish this trip." There is no rest station, which you referenced, in either Thunder Bay or Hearst. They're out in western Canada.

From an animal health perspective, does it make sense, necessarily, to stop for the required rest time and keep the animals on a trailer, or would it be more beneficial to animal health to finish the load in that time? That's part of the nuance here. I'm trying to understand that. If it's 30°C on a hot summer day and the truck has to pull over for a certain period of rest—I'll reference eight hours, but it may or may not be; I don't know the specifics—that doesn't sound like it could be very beneficial to the animals. What advice, as a veterinarian, would you give in that situation?

Dr. Mary Jane Ireland: The flexibilities we show at CFIA under the humane transport regulations focus on unforeseen circumstances. A driver will understand where they are and where they're going, the number of hours and where the rest stations might be. They need to plan around those elements. I'll say again that transporting livestock is very complex, because we have animal

welfare, public safety and driver safety in play. Coordination and communication are essential for these requirements.

Now, if you ask me about pulling over on a hot, humid day, that is not optimal, because, as I mentioned, airflow is needed. There are other ways a truck can cool. Certainly, inclement weather such as snowstorms would be one element under the humane transport regulations that our inspectors might look at to determine whether they went over their feed, water and rest time and whether it was warranted. We would look at the other factors I mentioned. Was it really unforeseen or could it have been better planned?

The Chair: Ms. Ireland, I appreciate that. I am not contemplating a situation over the feed or rest time. I am contemplating a situation where the ELDs come into play. I appreciate your answer, because what you said is that, particularly in certain circumstances, as opposed to keeping the animals on the trailer, there could be a situation where animal health is “not optimal”. Those were your words.

C) AGRI, C-275, Clause-by-clause, October 16, 2023

Transcript: [Evidence - AGRI \(44-1\) - No. 75 - House of Commons of Canada \(ourcommons.ca\)](#)

Summary Report on Committee Hearing

Name of committee: [House of Commons Standing Committee on Agriculture and Agri-Food \(AGRI\)](#)

Date and time: Oct 16, 2023, 4:30 p.m. to 6:30 p.m.

Location: [Room 410, Wellington Building, 197 Sparks Street](#)

Topic: [Bill C-275, An Act to amend the Health of Animals Act](#), Clause-by-Clause Consideration

Witnesses

Canadian Food Inspection Agency

- Dr. Mary Jane Ireland, Executive Director, Animal Health Directorate, Chief Veterinary Officer for Canada
- Joseph Melaschenko, Senior Counsel, Agriculture and Food Inspection Legal Services

Department of Agriculture and Agri-Food

- Donald Boucher, Director General, Sector Development and Analysis Directorate
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To view the Committee in its entirety, please click [here](#).

The unofficial Committee transcript ("Blues") are typically available 24 -72 hours after the meeting and will be circulated to the CFIA Committee Summary Distribution List.

Transcription of CFIA Questions and Answers

Questions and Answers:

MP Heath MacDonald: I am just wondering whether it would be possible to have a comment from one of our guests here today on the effect of this. You've heard a bit of the debate. I'm just wondering if anybody is interested in making a comment.

Mr. Joseph Melaschenko: I've heard the comment about the effort to keep this bill within federal jurisdiction, but I can't speculate or provide legal advice to the committee on what the constitutional impact would be of removing these words.

MP Leah Taylor Roy: Could you give any comment on the constitutionality of it without removing those words? As it stands now, do you believe that it's infringing on provincial jurisdiction?

Mr. Joseph Melaschenko: I'm sorry, but my role here today is not to provide legal advice to the committee. I can provide technical legal information. That question really calls on me to give a constitutional opinion on the provisions, so I have to respectfully decline to answer it.

MP Leah Taylor Roy: Without giving an opinion, could you comment on what this bill is doing technically in terms of trespassing law that is already in place on provincial books?

Mr. Joseph Melaschenko: I'm not quite sure I understand where we're going with that question. It's correct that trespass falls under provincial legislation. I understand that the committee is conceiving of this bill as possibly a biosecurity measure and possibly a trespass measure as well, or some combination of the two, which is what the committee is discussing right now. I couldn't give you much more than that.

MP Leah Taylor Roy: I have just one quick follow-up. On the words "without lawful authority or excuse, enter a building or other enclosed place", is that what is generally used to describe a trespass?

Mr. Joseph Melaschenko: I think it's correct to say that those words apply to trespassers, yes.

MP Alistair MacGregor: Thank you, Chair. I wanted to ask a question of the CFIA. It's a technical interpretation.

When you look at the term "applicable biosecurity measures", if this committee decides to adopt this amendment to Bill C-275 and we eventually get to a point where Bill C-275 becomes a part of the Health of Animals Act.... If the CFIA is investigating a disease outbreak on a farm and is going to have to pay attention to this section of the Health of Animals Act, can you provide the committee with your understanding of what your obligations would be on the farm with respect to the term "applicable biosecurity measures"?

Would that require the CFIA to look at the farm's biosecurity plan? Would this still be applicable to everyone on the farm—the farm workers and the farmer—including potential trespassers?

Dr. Mary Jane Ireland: Applicable biosecurity measures would be biosecurity efforts or protocols and practices that are in place on a particular premises. Biosecurity practices and measures can be simple, and they can be very complex. They can start from washing your hands, changing your footwear and walking through a disinfectant foot bath to wearing personal protective equipment as a more complex measure, but each premises would have its own unique protocols and practices in place that we hope are consistent with the national biosecurity standards and that address each individual premises' hazards and specific areas of risk. Measures can be any of those practices or protocols that I just mentioned for a particular premises.

MP Alistair MacGregor: My second question was whether the CFIA would regard this as applying to everyone equally.

Dr. Mary Jane Ireland: We would be looking at the particular measures that are in place via a premises to determine whether they had been followed or not—because they're not mandatory; they're voluntary—and each premises would have its own applicable protocols and practices in place. We would be looking to see whether those had been followed.

MP Alistair MacGregor: Is that a way of confirming...? If someone was there—borrowing from the previous amendment's phrase—with lawful authority or excuse, and following an investigation, they were found to have contravened the applicable biosecurity measures, no matter their status on the farm...? Even if they were there with lawful authority or excuse, would this new amendment to the Health of Animals Act apply to them, no matter their legal status on the farm? I'm just trying to narrow that down.

Dr. Mary Jane Ireland: The CFIA would consider in their investigation whether the biosecurity measures on the premises had been followed. We would seek to have information about what was expected of individuals who went past a biosecurity zone or an area that was marked as having beyond it particular practices expected of the people within that biosecurity zone.

MP Ben Carr: ..Dr. Ireland, this is to Mr. MacGregor's previous comment on the bill as it's currently worded and "knowing that or being reckless as to". It confuses me in regard to how we determine, and who determines, what is reckless. If that can't be determined, then effectively the rest is moot. That's why in part I tried to replace "reckless" with a specific mention of biosecurity measures, regardless of whether they may vary across different properties. If the bill were to be passed as is, who would be responsible for determining what reckless is? Would you be able to provide an example, if one comes to mind, about where one would be found guilty or in breach of this law for having been reckless, should it pass as is?..

Mr. Joseph Melaschenko: I'll try to take part of this question. The words "knowing that or being reckless as to" would mean that the CFIA would have to prove a certain mental state of mind on behalf of the accused. Recklessness could be commonly understood as a failure to take appropriate care. That's about as far as I can go in terms of speculating on how that meaning would play out.

MP Francis Drouin: ..The one issue, as I think the CFIA mentioned, is your assumption of "reckless" stops. The expertise you have is in animal care, so the assumption of proving for CFIA through the Health of Animals Act is whether or not an animal has been properly taken care of, but you wouldn't have the ability, necessarily, to provide whether or not a person's mental state is okay or not. Because you made some comments, I just want to make sure I understood what you said.

Mr. Joseph Melaschenko: It's not that it's an impossible thing to do, but it's a more difficult thing to do, of course, if you have to bring proof of a person's state of mind.

MP Francis Drouin: Practically, if the bill were to pass as is, what would CFIA do? Would you consult with psychologists? You'd have to go outside the organization, I suppose. I rarely get calls at the constituency office asking if the CFIA can do an assessment on a person, but I suppose that.... I'm just trying to determine the expertise that you guys have versus the expertise that you don't under the act that we're trying to amend.

Mr. Joseph Melaschenko: Yes. This type of offence that requires proof of a mental state of mind is not uncommon in the Criminal Code, for example. In that case, as opposed to recourse to a psychologist or what have you, there are simply inferences that are made about the person's state of mind based on the available evidence.

MP Leah Taylor Roy: Okay. I'm sorry. Can you explain? I thought you were saying that was what they were doing. Right now we have no biosecurity measures that are enforced at all. Am I correct in saying that?

Dr. Mary Jane Ireland: ...The national biosecurity standards are voluntary. They were developed collaboratively with CFIA, provinces and territories, academics and producer associations. There are about eight of them, so they cover the major species.

Those national standards are the gold standard upon which producers' associations can develop their own, tailored to their own needs. We know that the Dairy Farmers of Canada, Turkey Farmers of Canada and Chicken Farmers of Canada have included elements of the national biosecurity standards in their mandatory on-farm programs, so members would need to follow certain elements of biosecurity that are consistent with elements of the national biosecurity protocol. We do not mandate or require compliance with the national biosecurity standards. They are voluntary and they are tailored by associations and producers to their own risks and their own needs.

MP Leah Taylor Roy: To clarify on the inspection question, you do no inspections regarding the specific voluntary biosecurity standards that the chicken farmers, dairy farmers or anyone else has.

Dr. Mary Jane Ireland: The Canadian Food Inspection Agency.... As Dr. Rick James-Davies pointed out in the last appearance, there are not inspectors on farm routinely to determine whether biosecurity measures are in place, because they're voluntary. However, producer associations and their on-farm programs would have oversight to make sure that their members are following their own programs. We are not on farms to decide whether biosecurity protocols are being complied with.

MP Alistair MacGregor: I also have a question for the CFIA. From your technical understanding of the two different proposals we've had for line 6, if the CFIA is conducting an investigation and believes there has been a contravention of the Health of Animals Act under the new proposed section 9.1, how does the term "with lawful authority or excuse" compare to the term "applicable biosecurity measures"? How do the differences between that language inform your investigations on the farm?

Mr. Joseph Melaschenko: Thank you, Mr. Chair. The presence of the words "without lawful authority or excuse" means that the provision would be limited to trespassers. Perhaps I could pass it over to you, Dr. Ireland, for the second part.

Dr. Mary Jane Ireland: Mr. Chair, the CFIA's role in enforcing these new rules would be to use the existing authorities under the Health of Animals Act. These would include inspection, seizure, the detention of animals or things and investigation of non-compliance, and recommending prosecution to the Public Prosecution Service of Canada.

If we had alleged non-compliance, first of all, we would triage the complaint, taking into consideration all the other matters at hand. Is there a risk of foreign animal disease? Is there a finding of highly pathogenic avian influenza?

We would then inspect to determine whether non-compliance had occurred; we would determine what enforcement action, if any, was appropriate; we would investigate to gather and secure evidence and determine penal liability, and, if warranted, we would recommend prosecution to the Public Prosecution Service of Canada. It would be the PPSC that actually determines whether or not to pursue charges.

That is how we would enforce a new rule under the Health of Animals Act, similar to the existing rules under the Health of Animals Act.

Mr. Ben Carr: Thanks, Mr. Chair. I wanted to ask Dr. Ireland for clarification. I was a little confused about one thing. You laid out what the process would be should there be amended rules, but with the language in the amendment I've put forward, it specifically says, "the applicable biosecurity measures". Where my confusion lies is in how you would know what the CFIA's response would be unless you knew what specific biosecurity measure was being breached.

Dr. Mary Jane Ireland: Mr. Chair, I would say that is part of the inspection of the particular incident. What were the protocols in place? What were the biosecurity measures in place on the premises, and were they followed or not? It would be part of our investigation—gathering all the facts of what occurred.

MP Ben Carr: When you drew a reference a moment ago, for example, to influenza, you were using that as an example of something, as opposed to what would happen in each specific case.

Dr. Mary Jane Ireland: Mr. Chair, I'm sorry if I've caused confusion. What I am trying to say is that we would triage a complaint. We would take into consideration all of the other complaints currently in our queue and the region base. We would also look at our resources at that time.

Triaging the complaint is something that we do routinely under the Health of Animals Act and regulations in terms of whether we are concerned about an animal disease entering into premises. The avian influenza was really just a reference to the agency having a number of priorities right now, including addressing highly pathogenic avian influenza, as an example.

MP Ben Carr: I appreciate that clarification. I have one last follow-up. Maybe I missed it, but Mr. MacGregor asked something. Is the answer you gave to his question the same if the legislation reads “reckless” versus if it reads the language that has been included in my amendment? I just want clarity on that. Would your response be the same in both instances?

The Chair: Dr. Ireland, if I may, because what I heard, Mr. Carr.... I appreciate the comment you're making, but the testimony I heard from our witnesses—and they can clarify with a yes or no—is that their job would be to look at the legislation. What you have proposed here is “applicable biosecurity measures”, which I think we've heard vary depending on the circumstance in question. They would provide recommendations and then perhaps even be a witness if the Public Prosecution Service decided it wanted to move forward on the basis of what is there.

Dr. Ireland, can you confirm if that's the case? It would be different. You would go in, look at the circumstances in question and then provide recommendations and advice based on that. Is that what I heard as the committee chair?

Dr. Mary Jane Ireland: Yes, I think that's correct. As part of our investigation, we would ask a producer, for example, what are your biosecurity measures in place? What is expected when someone enters into your biosecurity zone? Is it expected that they shower in/shower out? Is it expected that they change their footwear? Is it expected that they wash their hands? We would gather information about the incident and the applicable measures that a particular premises has in place and expects individuals who enter it to adhere to.

MP Francis Drouin: I just wanted to touch on a couple of points related to this amendment. Dr. Ireland, obviously CFIA doesn't have the resources to inspect farms every day. I don't think any government has the resources to go on farms and inspect whether a certain protocol...and that's even veering off biosecurity protocols. While this act may not necessarily address preventive measures that CFIA is working on with industry, whether it's on ASF or when outbreaks happen, what's the role of CFIA when outbreaks happen?

For instance, in the Fraser Valley, what was the role that you guys were playing in there in terms of helping farmers either depopulate or respect strict protocols? They do vary. In the Fraser Valley it's really tight. In my riding it's not tight. It's not as strict. If we asked for a depopulation within a one-kilometre radius, I might hit just one farm. If we asked for the same protocols in the Fraser Valley, we could hit two or three or four or five farms. I just wanted to get your comments on that.

Dr. Mary Jane Ireland: The situation changes drastically around biosecurity when there is a reportable disease found on a premises. The day-to-day biosecurity is voluntary, but when we find a disease like the highly pathogenic avian influenza, the biosecurity becomes a requirement. A facility or premise may be put under quarantine. Things don't leave and they don't go in. We have a primary control zone. It controls movement of things into the zone, through the zone and out of the zone.

All these efforts are to ensure that the disease that is significant in nature, which all reportable diseases are, is contained and eliminated. Biosecurity measures become mandatory to some degree. That includes quarantine and not allowing things to move out unless they are properly monitored and approved. It's a different situation around biosecurity when there is a reportable disease.

MP Leah Taylor Roy: Yes. I'm also just trying to clarify something. I think we're hearing different things, which might be dependent on confirmation bias. You said that right now biosecurity is voluntary and the CFIA is not involved unless there is a reportable disease on the premise. Then it becomes mandatory. When you were talking earlier about going in and seeing whether compliance had occurred, were you talking about what would be the case if the amendment that my colleague put forward was passed? If it said, "without having taken the applicable biosecurity measures", then the CFIA would have a role in actually seeing whether those measures had been in place. If it weren't amended this way, it would remain the way it is now, where you do not inspect for biosecurity measures unless there is a reportable disease on the premises. Am I correct in that summary?

Dr. Mary Jane Ireland: The enforcement of this rule would be consistent with our authorities under the Health of Animals Act and regulation. As I outlined, we would triage, inspect, investigate and recommend prosecution, or give the details of our investigation to the Public Prosecution Service of Canada.

Biosecurity in the day-to-day operations on a farm is voluntary. When we become aware of a suspected or confirmed reportable disease—it's mandatory to report it to the CFIA—that is when the CFIA would take action to prevent the spread and eliminate the disease on a particular premises. Our responses to this bill or to rules under the Health of Animals Act are largely the same. We would follow the same process we do for other suspected non-compliance under the Health of Animals Act and regulation. If there was a reference to biosecurity measures, then we certainly would have to ascertain what the biosecurity measures were with regard to what was in place and what might have been breached or not conformed to.

MP Leah Taylor Roy: Just to be clear, what I heard, then, is that if this amendment were put in place, you would then actually investigate what the biosecurity measures were on that farm and whether or not they'd been breached.

Dr. Mary Jane Ireland: It's my understanding that if the language were there, we would need to find out whether biosecurity measures had been breached.

The Chair: Mr. MacGregor, while you're contemplating that, I have one point of clarification, from my point of view, for CFIA, with respect to Ms. Taylor Roy's line of questioning about applicable biosecurity measures as being the threshold. The bill as proposed right now says, "could result in the exposure of the animals to a disease or toxic substance that is capable of affecting or contaminating them".

That is the language, in terms of the threshold, regarding the class of individuals if they were to expose the animals to a disease. I presume you would still have to be able to look at that through an analysis and that the local biosecurity rules in question would still inform your opinion to the Public Prosecution Service as to whether or not that could reasonably have resulted.

Do you follow my line of questioning, Dr. Ireland? It's about you, CFIA, as an agency, under the bill as it reads right now, being asked whether the persons' having entered the building or enclosed place could possibly result in exposure of the animals to disease or toxic substances that are capable of affecting or contaminating them. Would that be an analysis your agency would actually do? I presume one of your baseline criteria as you go in is whether the entry into an enclosed space could contaminate the animals. You would look at the biosecurity question on the local farm. Is that a fair comment?

Dr. Mary Jane Ireland: Mr. Chair, I think that's a fair comment. I would also say we would take into consideration a number of things about whether visitors or individuals might have introduced something or could have introduced a disease. This is a very complex area. Have the visitors been to another farm in the last while? What is the disease we're concerned with? Is it a virus? Is it feed-borne? Is it water-borne? Is it airborne? We would certainly have to ask a lot of questions to determine whether they could have introduced or presented a risk of introduction of a disease.

MP Alistair MacGregor: I found the section. I appreciate my Conservative colleagues' pointing it out. Under section 7 of the existing act is the heading "Notice forbidding entry". The Conservatives are correct in that there are provisions under section 7 that allow for controlling the entry of people into certain areas, but we have to put those provisions in the context of section 7 as it is written—and I'm going to ask if I'm correct in my reading of this—if there exists an area in which a disease or toxic substance has been reported. There is a special notice that an inspector would have affixed to the door because of the circumstances. I think we're kind of moving from trespass to an actual biosecurity containment zone because of the danger. Am I reading section 7 correctly? It seems to apply to everyone equally, as I read subsections 7(2) and 7(3) of the existing Health of Animals Act.

Dr. Mary Jane Ireland: I'm sorry, Mr. Chair, but I don't have that in front of me. I'd have to look at that carefully.

MP Alistair MacGregor: First of all, I have a question for the CFIA. If clause 2 of Bill C-275 did not end up surviving committee deliberations, am I correct in understanding that the currently written subsection 65(1) of the Health of Animals Act would then apply to Bill C-275? It says, "Every person who contravenes any provision of this Act, other than section 15".... I won't read the rest. Basically, it has the exact same punishments: \$50,000 for a summary conviction and \$250,000 for an indictable offence. Am I correct in interpreting that? Subsection 65(1) of the existing Health of Animals Act would apply if we did not include clause 2 of Bill C-275.

Mr. Joseph Melaschenko:

Yes. I agree with that interpretation.

The Chair: Okay, so there's a replication of that. Mr. Barlow explained the rationale for wanting there to be specific fines on corporations that are involved in the type of activity being discussed before Bill C-275. If the committee were to remove the personal penalties to keep in line with what Mr. MacGregor is suggesting on subsection 65(1), do you know if that impacts the corporate piece, which Ms. Taylor Roy is...or that we will discuss next, I guess, in terms of keeping or not keeping that in the bill? Can you follow my convoluted path, Mr. Melaschenko?

Mr. Joseph Melaschenko: I'll try. I'm sorry. I don't have the amendment in front of me, so I can't speak to the technicalities of how we're all going to work this out. It's certainly possible to have a stand-alone provision that deals with every person other than an individual—in other words, corporate entities.

D) AGRI, C-275, October 5, 2023

Link to transcript: [Evidence - AGRI \(44-1\) - No. 74 - House of Commons of Canada \(ourcommons.ca\)](https://ourcommons.ca/evidence/AGRI-44-1-No-74)

Summary Report on Committee Hearing

Name of committee: [House of Commons Standing Committee on Agriculture and Agri-Food \(AGRI\)](#)

Date and time: October 5, 2023, 8:15 am – 10:15 am

Location: [Room 035B, West Block](#) and by videoconference

Topic: Bill C-275, An Act to amend the Health of Animals Act (biosecurity on farms)

Witnesses

8:15 a.m. to 9:15 a.m.

As an individual

- Dr. Jodi Lazare, Associate Professor (by videoconference)

Animal Justice

- Camille Labchuk, Executive Director

Canadian Food Inspection Agency

- Dr. Mary Jane Ireland, Executive Director, Animal Health Directorate, Chief Veterinary Officer for Canada
- Dr. Rick James-Davies, Director General, Western Operations (by videoconference)

9:15 a.m. to 10:15 a.m.

Canadian Pork Council

- René Roy, Chair
- Ray Binnendyk, Member, Owner of Excelsior Hog Farm Ltd. (by videoconference)

Dairy Farmers of Canada

- David Wiens, President (by videoconference)
- Daniel Gobeil, Vice-President (by videoconference)

Humane Canada

- Dr. Toolika Rastogi, Senior Manager, Policy and Research
 - Erin Martellani, Campaign Manager, Animal Advocacy, Montreal SPCA ([by videoconference](#))
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To view the Committee in its entirety, please click [here](#).

The unofficial Committee transcript ("Blues") are typically available 24 -72 hours after the meeting and will be circulated to the CFIA Committee Summary Distribution List.

Transcription of CFIA Opening Remarks and Questions and Answers

Opening Remarks:

Dr. Mary Jane Ireland: Thank you very much. We are pleased to be here to speak with you today as you continue your consideration of this private member's bill, Bill C-275, an act to amend the Health of Animals Act, with regard to biosecurity on farms.

The CFIA is a science-based regulatory agency and is dedicated to safeguarding animal health, plant health and food safety to enhance the health and well-being of Canadians, the environment and the economy. In this capacity, the CFIA administers and enforces a variety of legislation, including the Health of Animals Act, which Bill C-275 seeks to amend.

The primary objective of the Health of Animals Act is to protect animals and prevent the transmission of federally regulated animal diseases and toxic substances to both animals and humans. The CFIA employs highly skilled veterinarians, veterinary inspectors and other inspectors, who administer and enforce the Health of Animals Act. Under the act, CFIA inspectors have the authority to conduct inspections, seize and detain animals or things, investigate cases of non-compliance and recommend prosecution when it is appropriate to do so.

CFIA inspectors are not peace officers. They do not have the authority to detain persons who violate the Health of Animals Act.

The CFIA works with various stakeholders, including producers, to help protect animal health and prevent the spread of diseases, including through the development of animal biosecurity measures, which can be implemented by producers on their farms.

Animal biosecurity is an area of shared responsibility. It involves federal, provincial and territorial governments, as well as industry associations and producers.

The Health of Animals Act and its regulations contain biosecurity requirements for federally regulated diseases. Provinces and territories may also develop and enforce their own biosecurity requirements. Provinces and territories provide funding to producers to improve biosecurity measures and to support certain disease-control activities.

In addition, the CFIA, industry, academic institutions and provinces and territories have worked together to develop voluntary national biosecurity standards. These standards outline the practices and protocols for farmers to routinely implement in order to prevent animals from being exposed to disease at the farm level.

In Canada, most on-farm biosecurity standards are voluntary, and farmers are responsible for implementing biosecurity standards on their premises. While these standards are voluntary, several industry associations have integrated parts of them into their mandatory on-farm programs. This collaborative effort between industry associations and producers has promoted the use and adherence to on-farm biosecurity measures, and these measures, combined with other regulatory requirements, help to reduce the threat of disease spread and to maintain market access.

While the objectives of Bill C-275 are commendable, we would like to identify a few considerations regarding the current text of the bill.

The current wording poses legal risks. It does not account for existing provincial and territorial jurisdiction over property and civil rights. Almost every province has legislation to address trespassing, and five provinces have passed enhanced private property legislation to prohibit trespassing at locations where animals are kept.

At the federal level, the Criminal Code includes prohibitions related to trespassing, such as mischief and breaking and entering, and these provisions have been successfully used to convict individuals who have engaged in this type of activity. There is a risk the prohibition may not be a valid exercise of federal agricultural power, which is understood to be limited to agricultural operations that are inside the farm gate.

The bill also presents enforcement challenges. The Crown would have to prove beyond a reasonable doubt that the accused understood the risk of disease transmission as a result of entering the premise or that they acted recklessly to expose an animal to disease or toxic substances. Additionally, the police of local jurisdiction would need to respond to trespassing incidents, as CFIA officials are not peace officers.

We would encourage you to take these considerations into account as you continue your study of this bill.

Mr. Chair, I hope this provides a general overview of the CFIA's role in animal health and biosecurity as well as an overview of some of the challenges with the current text of the bill. We welcome any questions the committee may have. Thank you.

Questions and Answers

MP Leah Taylor Roy: Thank you. I'd like to turn to Dr. Ireland. I'm curious. There are voluntary standards on farms and there are standards through associations. Does the CFIA have regular inspections for these, or are you only inspecting when you're called in because there's a breach of some sort?

Dr. Mary Jane Ireland: Thanks very much. I'll start and then I'm going to pass to my colleague Dr. James-Davies, who is involved with operations and can speak to the farm level. You're correct that national biosecurity standards are voluntary. Biosecurity in general is a responsibility shared federally, provincially and territorially with industry associations and producers. The national biosecurity standards are the gold standard that has been produced through collaboration between the CFIA with industry, experts, provinces and territories. They establish a framework for biosecurity. Those standards—and there are eight of them—can be tailored and adopted and used by associations and producers to create their own biosecurity strategies. They have been adopted by several national associations to build into their mandatory on-farm safety programs. Examples are the Dairy Farmers of Canada, the Chicken Farmers of Canada and the Turkey Farmers of Canada.

With that, I'm going to pass it over to Dr. James-Davies to talk about the presence of the CFIA on farms.

Dr. Rick James-Davies: Thank you, Dr. Ireland and Mr. Chair. The CFIA's activities are in line with a suite of regulations and policies that regulate the animal industry as a whole. The majority of those activities happen downstream from the farms.

As Dr. Ireland has said, on-farm biosecurity is really the responsibility of farmers, their associations and the provincial bodies that essentially provide a suite of best practices and farm regimes—

MP Leah Taylor Roy: I'm sorry to interrupt, but I just had to ask: Do you regularly inspect to see that these biosecurity measures are being enforced, are being practised?

Dr. Rick James-Davies: There's no regulatory regime to do on-farm inspections of biosecurity.

MP Leah Taylor Roy: Thank you very much. Do you feel that mandatory biosecurity measures would be more effective in preventing biosecurity risks?

Dr. Rick James-Davies: Well, I think, as Dr. Ireland said, that's really a shared responsibility across the sector. CFIA's role is to respond to acts and regulations put forward by Parliament, and a change in regulation would certainly change the nature of our activities.

MP Leah Taylor Roy: Thank you very much...

MP Yves Perron: Thank you very much, Mr. Chair. My thanks to the witnesses for joining us. I'm going to start with Dr. Ireland. You said that there was a problem with the wording given the jurisdictions. I'd like you to explain that to me in greater detail and tell me what amendments should be made to the bill, in your opinion, to ensure that this problem is solved.

Dr. Mary Jane Ireland: Mr. Chair, we are concerned that the agricultural powers are limited to premises inside the farm gate, and we are concerned that this bill may actually include premises outside of the normal jurisdiction.

I remind everybody, Mr. Chair, that I am not a lawyer. I am a veterinarian. More details on that I think would need to be provided by a legal expert.

I also would say that unfortunately my role here is not to recommend amendments but just to point out some of the things that we would like you, as a committee, Mr. Chair, to consider that may be problematic about this bill. Thank you.

MP Yves Perron: Thank you very much. I understand that you're not a lawyer, but short of drafting the amendment, do you feel that focusing the bill more on biosecurity could help solve the problem?

Dr. Mary Jane Ireland: What I would say is that biosecurity is an extremely important component of preventing disease introduction into premises and further spread of disease. Making sure that producers and veterinarians practice high biosecurity is really a critical part in controlling disease and preventing disease. As we have pointed out, that's an area of shared responsibility.

For CFIA's part, we have contributed to the production of national standards for codes of practice for biosecurity. We promote those in terms of web material, communications and working with industry and stakeholders. We also fund the development of some of those biosecurity standards, and we also, as an agency, put in place import restrictions to make sure that products like live animals and things from places that have diseases that we do not want here in Canada do not come into the country.

MP Yves Perron: Thank you for your answer, Dr. Ireland...

MP Alistair MacGregor: I'll turn to the CFIA. Dr. Ireland, I'd like to ask you this: From the CFIA's documented cases and from all of the experiences that members of your organization have with respect to farms, what is the greatest source of risk for transmission of disease on farms?

Many of us are wondering whether this bill is a solution in search of a problem. We've heard that there's not a strong evidential link between activists' being on farms and transmitting disease.

Can you inform the committee, from the CFIA's perspective, of the greatest risk in transmission of diseases on farms?

Dr. Mary Jane Ireland: Mr. Chair, I wish I had a simple answer to that question. The introduction of disease and the spread of disease on a farm or premises where animals are kept are very complicated and complex. There are a number of ways a disease can enter into a farm. Humans can introduce disease onto a farm. Animals can introduce disease onto a farm, and that includes animals that may have left the premises, commingled someplace else and come back. It can also be the introduction of new animals.

We also have wildlife that have the potential to introduce disease onto farms. In cases of highly pathogenic avian influenza, we have seen that wild migratory water birds are the likely source of introduction into Canada. We also have things that can introduce disease—tractors and objects that might be contaminated with manure from wild birds, for example. That is why biosecurity contemplates all the different routes of transmission onto premises.

We also have to think about which disease we're worried about. How is it transmitted? Is it a virus? Is it bacteria? Is it food-borne, feed-borne or water-borne? That is why biosecurity standards and protocols are so important. Each farm is going to have different risk factors to consider, and those national biosecurity standards give people a starting place from which to build their own.

I would also say that we are not aware of a confirmed case of a disease as a result of trespassers, but humans are a factor in the introduction of disease onto a farm.

To conclude, Mr. Chair, I would like to say that we as the Government of Canada take the health and well-being of animals, including farmed animals, very seriously. The vast majority of producers also take the health and welfare of their animals very seriously. It is linked to their livelihood and their businesses.

MP Warren Steinley (Regina—Lewvan, CPC): Thank you to all the witnesses for being here. Dr. Ireland, you said there are no confirmed cases, but in the example in Quebec there had been no rotavirus on that farm for 40 years. Then, after unlawful protesters were on that farm, rotavirus came back. Is that not an actual link between those two, or was it that after 40 years it just magically appeared because they changed practices? The only thing that was different on that farm was that one day there were unlawful protesters and the next day there weren't, and then they had rotavirus.

Dr. Mary Jane Ireland: Mr. Chair, I deal in science. That is not a confirmed case in which we would say trespassers were linked to that, and I wouldn't want to speculate on cases.

MP Warren Steinley: Would you confirm that it could not be linked?

Dr. Mary Jane Ireland: I cannot confirm that because I don't have the data in front of me and I have not investigated it.

MP Warren Steinley: On a mink farm in Ontario, trespassers released thousands of animals, and then there was an outbreak of distemper. Can that be just a coincidence?

Dr. Mary Jane Ireland: Mr. Chair, again, I deal in evidence. I don't know that case. I don't have the data before me. I would say that the release of animals may cause an animal health and welfare issue, but I cannot confirm that one equalled the other there.

MP Warren Steinley: You wouldn't deny there is a possibility of that happening.

Dr. Mary Jane Ireland: I would not speculate either way.

MP Warren Steinley: There obviously has been speculation either way, though, because we're having the discussion of whether that's a possibility or not. To just blindly make a statement like, "Canadians don't have trust in our farmers anymore" is damaging to our reputation, and I think it does a great disservice to our producers across the country. I really feel that we've gone into a weird place with the agriculture committee right now, where we're actually putting farmers on trial and saying that they're not doing their jobs.

I grew up on a dairy and beef farm and I know the protocols we had. Some of the CFIA standards we're talking about are voluntary. We're trying to say now that our producers aren't doing the job and aren't going the extra mile to make sure their animals are safe. I, for one, don't believe that for a second.

We had a program, and lots of dairy farmers have this program—Mr. Lehoux is a dairy farmer, as well—called "herd health". Veterinarians come and check on the herd health twice a month. If the veterinarians find something wrong or if they have a big concern, they contact the CFIA.

Dr. Ireland, can you comment on some of the processes and protocols that our producers do voluntarily, and on the fact that, as with the herd health program, if there is something wrong, they have professionals on the farm who come to check? They have it in other industries as well, such as pork and dairy.

Just comment on some of those protocols our farmers follow that are above and beyond those in some other jurisdictions around the world.

Dr. Mary Jane Ireland: In the next session you're going to have a producer speak to you, so that might be a good question for them. I think producers and associations are well placed to talk about their practices.

I was a large animal veterinarian. I am aware, and it links back to my earlier comment, that the vast majority of producers value the health and welfare of their animals. That includes proper veterinary care. That includes biosecurity, because preventing disease spread and introduction of disease into a farm are in everyone's best interest. It is linked to their livelihood. It is linked to their business. I would say it's also important for a backyard flock owner to maintain the health and well-being of their animals.

MP Ben Carr: My next question is for Dr. Ireland. Do you think we need laws that would amend the mandate of the CFIA to include stronger animal rights provisions?

I appreciate that you are here as a member of the CFIA, but you're also a vet. You swore an oath as a vet that in your professional conduct you would ensure the well-being of animals. I'm wondering if you can comment, as a veterinarian, on whether or not you think we have to have stronger laws in this country to protect the rights of animals, as Animal Justice is suggesting. If so, is that a mandate that should fall within the CFIA or is that a mandate that should be an authority given to a new agency within the country? I'm asking you as a vet.

Dr. Mary Jane Ireland: You are correct: I'm both a veterinarian and a CFIA employee. The area of animal welfare is actually a shared jurisdiction in this country. It's both provincial-territorial and federal. CFIA has oversight over the transportation of animals into, within and out of the country under the transportation regulations that oversee that. As well, the safe food for Canadians regulations oversee the humane slaughter of animals in processing plants.

The provinces and territories also have animal welfare responsibilities for things that occur on farm, so with the suite between federal and provincial and the sharing of areas, I do think we have animal welfare and health covered in this country.

MP Yves Perron: Thank you very much, Mr. Chair. Dr. Ireland, I'm picking up a little on what Mr. Steinley said. We all know that farmers take care of their farms and that they are all conscientious.

Let's say, however, that one exception exists. If someone from the outside the farm suspects that it's mistreating animals, is there a mechanism they could use other than trespassing on the farm? No one here wants to condone trespassing.

What could an individual do if they saw something happening on a farm? It could be someone from three farms over or whoever. Without trespassing, which is a criminal offence, how could they report it to you?

Dr. Mary Jane Ireland: On-farm activities would be covered by the provinces, largely, so if someone was concerned about the welfare of animals they could contact, for example, in Ontario, the Ontario ministry of agricultural and rural affairs. Provincially, that's how they could address or raise their concerns.

There's also law enforcement, which could then channel the questions and the concerns in an appropriate way. The CFIA certainly could be called, but we would defer that to the provinces in most cases. If it is a humane transportation issue—animals on a truck—or an issue at a slaughterhouse, that would be under our purview.

MP Yves Perron: Thank you very much. So there is a way to do something...

Summary Report on Committee Hearing

Name of committee: [House of Commons Standing Committee on Agriculture and Agri-Food \(AGRI\)](#)

Date and time: May 31, 4:00 pm – 6:00 pm

Location: [Room 330, Wellington Building, 197 Sparks Street](#) and by videoconference

Topic: Environmental Contribution of Agriculture, Bee Mortality

Witnesses

4:00 p.m. to 5:30 p.m.

American Beekeeping Federation

- Daniel Winter, President ([by videoconference](#))

Canadian Food Inspection Agency

- Dr. Nancy Rheault, Senior Director and Deputy Chief Veterinary Officer, Animal Import/Export Division
- Dr. Parthi Muthukumarasamy, Executive Director, International Programs Directorate

Department of Agriculture and Agri-Food

- Dr. Stephen F. Pernal, Research Scientist, Apiculture and Officer-in-Charge, Beaverlodge Research Farm, Science and Technology Branch ([by videoconference](#))

Department of Health

- Dr. Connie Hart, Senior Science Advisor, Environmental Assessment Directorate, Pest Management Regulatory Agency
- Frédéric Bissonnette, Acting Executive Director, Pest Management Regulatory Agency

National Association of State Departments of Agriculture

- Ted McKinney, Chief Executive Officer ([by videoconference](#))

5:30 p.m. to 6:00 p.m.

In Camera

To view the Committee in its entirety, please click [here](#).

The unofficial Committee transcript ("Blues") are typically available 24 -72 hours after the meeting and will be circulated to the CFIA Committee Summary Distribution List.

Transcription of CFIA Opening Remarks and Questions and Answers

Opening Remarks:

Dr. Parthi Muthukumarasamy: Thank you, Mr. Chairman, and good afternoon.

The CFIA is pleased to be invited here today to share its knowledge and regulatory perspectives.

The CFIA is a science-based regulatory agency, and its mandate is the safeguarding of plants, animals and food, which enhances the health and well-being of Canada's people, environment and economy. The CFIA fully recognizes that bee populations are important for the health and vitality of the Canadian agricultural sector.

Federal and provincial jurisdictions share responsibility for managing bee health in Canada. The CFIA works at the national level, first, by designating certain bee diseases as regulated and reportable diseases—this means that specific disease-control measures have to be applied for their control—second, by minimizing the risks of introducing bee diseases into Canada through the control of importations, and third, by providing guidance to the bee industry through the national bee farm-level biosecurity standard.

The provincial governments help to maintain bee health within their jurisdictions by administering bee health management programs and regulating the interprovincial movement of bees to minimize the spread of bee diseases and pests. Canada has always relied on strict, science-based import measures to safeguard our borders from the introduction of diseases and pests.

Comprehensive import risk assessments, guided by the methodology of the World Organisation for Animal Health, are conducted by CFIA science experts before imports of bees are permitted from any country. These risk assessments are peer-reviewed by members of the Canadian Association of Professional Apiculturists, an independent organization consisting of academia, researchers, and federal and provincial apiculturists. We then consider identifying, developing and implementing possible options for risk assessment.

Bee diseases and pests can spread between countries through the international trade of bees, especially with respect to packaged bees. A package of bees poses higher risks than queen bees, usually weighs two or three pounds, and contains about 8,000 to 12,000 bees. On the other hand, honeybee queens can be individually inspected for health and the presence of pests before importation into Canada and, therefore, pose lower risks than honeybee packages.

Based on science-based risk assessments, Canada currently allows for the import of honeybee queens from the United States, Chile, Australia, New Zealand, Denmark, Italy, Ukraine and Malta. Due to higher risks, honeybee packages are only permitted for import from Chile, Australia, New Zealand and, more recently, Italy and Ukraine.

I will now share some information on the current situation with the importation of honeybees from the United States.

Canada closed its border to U.S. honeybees in 1987 due to reports of varroa mites and tracheal mites in the United States. The CFIA reassessed the situation in 1994, 2003 and 2013. Although the last risk assessment was conducted in 2013, the CFIA, on an ongoing basis, reviews new scientific information on Canadian and U.S. honeybee health, and if any significant new information warrants a risk assessment, the CFIA would initiate another risk assessment.

Due to diverse views among experts and stakeholders on whether sufficient new scientific information is available or not, the CFIA undertook an initiative between July and October 2022 to formally request a call for submission of any new scientific information regarding honeybee health in Canada and the United States. The CFIA is currently evaluating all submissions received and remains open to receiving additional submissions. If sufficient new evidence is available that would warrant a new risk assessment, the CFIA will proceed with a new risk assessment. At that time, the CFIA will also review any science-based risk-mitigation protocols that could mitigate any risk.

The CFIA continues to engage with the Canadian Honey Council, the United States Department of Agriculture, provincial governments and apiculturists, and it is open to receiving information from other stakeholders and members of industry on the import of honeybees. However, the CFIA's first and primary responsibility is the safeguarding of plant and animal health and food safety.

Thank you again for this opportunity to provide the CFIA's perspective on bee health in Canada.

Questions and Answers

MP John Barlow: ... To CFIA now, you've allowed queen bees to be imported from areas in the United States for many decades. What is the decision between allowing queen bees to be imported from those areas but not allowing live packaged bees?

Dr. Parthi Muthukumarasamy: The risks posed by queen bees and packaged bees are totally different. Queen bees are single bees with a few helpers that are exported. They are able to be inspected and to be certified as being free from pests, diseases and parasites, because it's a very small number. However, packaged bees, as I mentioned in my opening statement, are about a kilogram in size and weight, and include 8,000 to 12,000 bees. The risk parameters are different.

When we did the risk assessment in 2003, at that time we were able to allow queen bees to be imported from the United States but not packaged bees, because the risk is higher.

MP John Barlow: You mentioned in your opening statement that we're also allowing the importation of bees from Ukraine. The United States has not allowed bees to be imported from Ukraine. Obviously, there are some issues going on with Russia's illegal invasion of Ukraine.

How is that assessment done? Why are we not following a similar decision to that of one of our most important trading partners, which obviously has concerns about importing these bees from Ukraine where Canada does not?

Dr. Parthi Muthukumarasamy: Our decision to allow imports of packaged bees from Ukraine was made after the extensive risk assessment that was conducted on Ukraine and its control programs, its surveillance programs, the disease prevalence, and a number of other scientific parameters.

MP. Francis Drouin: .. You've identified significant new scientific information. I'm just trying to understand how CFIA labels significant new information when we talk about, for instance, if we're allowed to send packaged bees from south to north. I think that's part of the reason we're here. I don't know the answer, so I'm asking honestly. How do you say this is significant new information versus this is not significant new information?

Dr. Parthi Muthukumarasamy: The risk assessment looks at four hazards from a bee health perspective. The four of them are small hive beetle, amitraz-resistant varroa mites, oxytetracycline-resistant American foulbrood and Africanized bees.

There is a scientific process where it assigns risks to each of those subsets. If the risk level changes as a result of new scientific information that is available on surveillance, on control measures and on mitigation measures, that will allow us to re-evaluate and to re-quantify the risks that are there. It is based on a World Organisation for Animal Health process—the risk assessment itself. It is a scientific process where you can say that there is significant new information that changes our assessment from the 2013 or not.

MP Francis Drouin: I look at my colleague, Mr. MacGregor, who's in B.C., and I've certainly been to his province. We know that there are two roads: one's in the U.S., and one's in Canada. There's farmland right there. The bees aren't going to stop at CBSA and say “I need to get in, in order to pollinate, or to get some food”. How do we measure that risk versus other risks that you've certainly identified?

How do we move away from saying “no” and move to managing risk properly in terms of saying there's a lack in the Canadian market? We know that packaged bees are going to other continents. I'll be honest with you. I have an issue with them. We are going to other continents, yet we can't go to the North American continent, especially the northern American continent, where we have an artificial political Canada-United States.... I get it, but bees don't get it.

How do we manage this risk? How do we communicate it if there's really an issue? Your basing this on 2013 science. I'm having a hard time saying that, since 2013, since 10 years ago, we haven't had a significant update on science information in order for us to not only import queens but also import packaged bees.

Dr. Parthi Muthukumarasamy: I will make two quick comments.

First, in terms of bees flying over from across the border, bees fly relatively short distances—one kilometre to five kilometres. They are bound to their hives, so they go back to their hives.

The situation does not pose the same risk as the intentional introduction of 8,000 to 12,000 bees coming in packages and being introduced in the high-production areas. The risks are very, very different, and that's why—

MP Francis Drouin: Respectfully, in the Abbotsford region, whether you put a beehive in the U.S. or in Canada, it's the same thing. They are very close.

Are we monitoring this particular region, to say, “Let's treat this as a pilot project. Let's look at this particular region”? From my understanding, there's absolutely no difference. There's no net that goes up thousands of kilometres.

I know that the bees are travelling from one kilometre to five kilometres away from the beehive, but in that particular region, I know for a fact that they are pollinating in blueberry harvests and going back to the U.S. I'm having a hard time explaining this to Canadians in that particular region, who are looking for whether it's their honeybees or pollinators. I'm having a hard time explaining that.

To me, if we're basing this on 2013 science, are we looking at this particular region? It is a perfect area to say that they are actually travelling one kilometre back and forth across the border. They're not checking in to CBSA, I can tell you that.

I'm not trying to dumb down the conversation. I'm trying to get the scientific basis as to why we're still refusing packaged bees from northern states to Canada.

Dr. Parthi Muthukumarasamy: Although our risk assessment was done in 2013, we review any new publications, new surveillance reports, any new science that's coming out, to continually evaluate whether there are any significant changes that would warrant a risk assessment.

Also, I mentioned in my opening remarks that CFIA has formally solicited calls for new information and scientific information from a number of stakeholders, which we have received and we are currently reviewing. In the next few weeks, we will make a decision on whether we will go ahead with another risk assessment or not.

MP Yves Perron: ...I'd like to continue with the folks from the Canadian Food Inspection Agency. You say that you're constantly reviewing the bee standards from the United States, and I have a series of questions about that.

If I understand correctly, you have been importing queens without any issues. You're going to tell me it's because we can inspect them.

What's the difference between 8,000 packaged bees from the United States and 8,000 packaged bees from Ukraine? You can't inspect the ones from Ukraine any better, can you?

Dr. Nancy Rheault: At the Canadian Food Inspection Agency, we follow a rigorous risk analysis process. When we go through that process, we assess the risks based on the information we receive from the exporting country as well as the monitoring programs and measures in place.

When we assessed the situation in Ukraine, we obviously had a lot of discussions. We received scientific evidence to ensure that the imported bees came from safe areas. There were also questionnaires that told us Ukraine met the requirements. When Ukraine imports bees, a qualified vet certifies that the bees come from safe areas.

MP Yves Perron: Can't you get that information from the United States?

Dr. Nancy Rheault: We did a risk analysis for packaged bees from the United States, and there are currently no mitigation measures to reduce the risk to an acceptable level.

MP Yves Perron: So if they have offered to cooperate, we can hope that they will one day be reassessed. Can we agree on that?

Dr. Nancy Rheault: Yes. I'd also like to point out that, since bees fly, this situation doesn't carry the same risks as the intentional introduction of a hive of 8,000 to 12,000 bees packaged for import. In 2022, beekeepers imported 56,000 packages of bees. We're talking about twice as many packages of imported bees. There's no doubt that the intentional introduction of packaged bees doesn't carry the same level of risk as the biological aspect.

MP Yves Perron: Thank you very much. I have another question. The previous witnesses mentioned the importance of restricting imports of bees from different climate zones. Maybe that's the way to look at it. For example, they recommend limiting imports of bees bearing the African gene, which are less resistant to the cold. Imports of bees from the United States could also carry a transportation advantage. The transportation of bees results in a lot of losses, so fewer would be lost because they would travel shorter distances.

Do you have any data on the losses caused by overseas transportation? What can we do to improve on that?

Dr. Nancy Rheault: Perhaps Mr. Pernal from Agriculture and Agri-Food Canada can answer this question about bee transportation.

MP Alistair MacGregor: Thank you very much, Mr. Chair. Thank you to all the witnesses for joining us today. I would like to start my questioning with the CFIA. Again, I'm trying to get into the specifics on how you conduct your risk assessment. You're trusting a lot of the information you receive from an authorized veterinarian who can provide some assurance or where the bees are coming from or whether they are free from disease. Is there an acceptable level of disease? If you were to look at a package of bees coming in.... You said it could be in the neighbourhood of 8,000 to 12,000 bees. If one bee were to show the problem of having a mite or disease....

What are the percentages you're looking at, as an acceptable risk? I want you to walk the committee through some of the specifics of how you arrive at these conclusions.

Dr. Parthi Muthukumarasamy: The risk assessment is not based on individual packages. It's based on the entire system the country has in place, including its veterinary infrastructure, its surveillance, its research, its control measures for bee movements, the prevalence of any disease we are concerned about and also its reporting. Every country and national competent authority, as we call it, has obligations under the World Trade Organization SPS agreement and also under the World Organisation for Animal Health to have certain measures in place to protect its bee health. Also, when they export and certify that these bees are safe, they have to meet certain parameters.

The risk assessment is based on a number of scientific parameters, as I mentioned. Once we are satisfied with all the control measures that are in place, then we look at how we can permit imports from those countries. We also have conducted audits in other countries, going on site to evaluate for ourselves that the measures that have been conveyed to us are actually in place.

There are a number of measures in place to ensure that the bees we import are safe and are free of diseases, pests and parasites.

MP Alistair MacGregor: Do you have anything to add from the CFIA's perspective? (regarding amitraz resistance)

Dr. Parthi Muthukumarasamy: Certainly, amitraz-resistant varroa mites are one of our hazards, one of our concerns, that we include when we do the risk assessment. When there is varroa resistance in another country that wants to export to Canada, certainly the CFIA will be looking at that from a risk assessment perspective because it introduces varroa resistance to Canada. We already heard in the committee that there are very few treatment products available for varroa mites, and we don't want to introduce any resistance into the Canadian bee population through importation.

MP Arnold Viersen: ..To the Canadian Food Inspection Agency, from your perspective, is there a significant difference in the disease profile of America versus Canada? We've heard from beekeepers. They're saying the diseases they're dealing with in North Dakota are the same as the diseases we're dealing with in northern Alberta. It doesn't make sense that we can't take the bees from one place to the other, because there are no differences in the way we're keeping bees or the diseases we're fighting.

Could you talk a little about that?

Dr. Parthi Muthukumarasamy: Thank you for the question.

We demonstrated that there is a different level of risk and disease prevalence between Canada and the U.S. That is the basis of the risk assessment and the decision to restrict the import of packaged bees into Canada.

MP Arnold Viersen: Is there a disease the Americans have that we don't have

Dr. Parthi Muthukumarasamy: For example, the Americans have Africanized bees in California, and they are moving north every year. We don't have Africanized bees in Canada. Africanized bees, as you know, have undesirable traits, such as more aggressive swarms and bees—

MP Arnold Viersen: However, Africanized bees are not a disease.

Dr. Parthi Muthukumarasamy: It is a pest we are concerned about. In terms of the small hive beetle, for example, that's another parasite that is present. While it is in the U.S., it's only sporadic in localized areas in Canada. However, we also have excellent control programs in the provinces that manage bee health and ensure these, for example, small hive beetles do not spread to other parts of the country or within the province.

MP Arnold Viersen: Would there be opportunities to do assessments on individual states?

Dr. Parthi Muthukumarasamy: That depends. Each state has a different disease prevalence and disease status. There are opportunities to look at a zone, but they need significant scientific information and assessment in terms of, again, the prevalence of the disease: when they last had outbreaks, what kind of surveillance they have in place and what natural barriers are present that don't allow the disease to come into a state. There are a number of scientific parameters and risk mitigation options that CFIA would look at, if there is scientific evidence provided for us.

MP Yves Perron: Dr. Rheault, with regard to assessments, from what I understand, one of the reasons we haven't yet accepted packaged bees imported from the United States is because the U.S. doesn't have uniform legislation, since the laws vary from state to state. Is that correct? In that case, could we not assess import possibilities with a particular state, particularly one of the border states, further north and in a climate zone similar to ours?

Dr. Nancy Rheault: When we do a risk analysis, we assess the acceptable risk. What is the acceptability of the risk?

When we did the risk analysis for packages of bees from the U.S., the risk associated with the dangers mentioned was significant. When we assess that the risk is not acceptable, we must ensure that we evaluate the mitigation and control measures taken before imports are permitted.

MP John Barlow: ...This is for the CFIA. I think we've all been talking about this, but as my colleague Mr. Drouin was saying, we're basing a lot of these decisions on information that may or may not be outdated. I think one of the recommendations we may come up with on this is that a new assessment be done as quickly as possible to re-evaluate the dangers of importing bees from the United States.

Can you give me a timeline on whether that's possible? Is it in the works to do that, or is that a regular thing that's done on a certain schedule?

Dr. Parthi Muthukumarasamy: As I mentioned in the opening remarks, we are reviewing the call for information and scientific data we have solicited. We have received over 55 scientific documents, publications, opinions and comments. We are reviewing those. In the next eight weeks, we will make a determination on whether we will go ahead and proceed with a new risk assessment or not.

The Chair: ...I do want to take one quick opportunity to ask a question with CFIA and PMRA here. Certainly when I deal with my agricultural producers at home in Nova Scotia, one of the things they talk about often is competitiveness. I don't know if there's an actual provision within your legislative statute that talks about that, but I think about things like Bill S-6, which is before the House right now and which, I believe, allows and opens the door for both of your agencies to start considering foreign recognition.

Can you tell this committee what is being done through CFIA, whether on crop protection products or certain seeds, when there are demonstrably strong scientific processes from other jurisdictions, to create expedited pathways in Canada?

Mr. Bissonnette, you talked, for example, about how you really have to wait until someone actually comes to apply to Canada, but the evidence that I think many of our colleagues would have at this committee is that many major manufacturers would start in the United States or they'd start in Europe—they'd start in larger markets—before they would even get to Canada, and then we would still have a couple-year process by the time it landed in our lap.

How do we close that gap for competitiveness? Are there ways in which we can use the existing science of other agencies that we trust to expedite our own processes? What work are you guys doing in that domain? I'll start with CFIA and then go to PMRA.

Dr. Parthi Muthukumarasamy: Thank you, Mr. Chair. I'm not qualified to talk about seeds, but in general CFIA has excellent regulatory co-operation with many other jurisdictions that do assessments similar to CFIA's.

We also have international standard-setting bodies. For food, it is Codex Alimentarius. For animal health, it's the World Organisation for Animal Health, and for plants, it's IPPC. We work through those organizations but also bilaterally and also with like-minded partners in terms of exchanging regulatory practices, in terms of their assessments. We pool the assessments and share best practices among ourselves on a very regular basis.

F) AGRI, Main Estimates, May 17, 2023

Transcript: [Evidence - AGRI \(44-1\) - No. 64 - House of Commons of Canada \(ourcommons.ca\)](#)

Summary Report on Committee Hearing

Name of committee: [House of Commons Standing Committee on Agriculture and Agri-Food \(AGRI\)](#)

Date and time: May 17, 2023, 4:30 pm - 6:30 pm

Location: Room 035-B, West Block and by videoconference

Topic: Main Estimates

4:30 p.m. to 5:30 p.m.

Appearing

- Hon. Marie-Claude Bibeau, P.C., M.P., Minister of Agriculture and Agri-Food

4:30 p.m. to 6:30 p.m.

Witnesses

Canadian Food Inspection Agency

- Sylvie Lapointe, Vice-President, Policy and Programs
- Philippe Morel, Vice-President, Operations

Department of Agriculture and Agri-Food

- Stefanie Beck, Deputy Minister
- Marie-Claude Guérard, Assistant Deputy Minister, Corporate Management Branch

To view the Committee in its entirety, please click [here](#).

The unofficial Committee transcript ("Blues") are typically available 24 -72 hours after the meeting and will be circulated to the CFIA Committee Summary Distribution List.

Transcription of CFIA Questions and Answers

Questions and Answers

MP Yves Perron: ..As you know, we did a study on poultry imports from Ukraine. Officials from the Canadian Food Inspection Agency, CFIA, and Agriculture and Agri-Food Canada told us earlier this year that the first 10 poultry shipments from every establishment would undergo full inspection. Can you tell us whether CFIA's inspections revealed any substances that are banned in Canada?

Hon. Marie-Claude Bibeau: I'm going to ask Mr. Morel to provide more information on that.

Mr. Philippe Morel: Since the tariffs were reduced, we've received 24 containers of poultry from Ukraine, 11 of which were fully tested. The testing is complex and can take up to a month to complete.

As you mentioned, Mr. Perron, the first 10 shipments are undergoing a comprehensive inspection. Of the lots received, three portions were found to be non-compliant and had to be destroyed or shipped back out of the country. The rest, however, were found to be compliant. I should point out that the samples were very detailed, as per the requirements and our policy for the first 10 shipments. If the poultry from a given establishment is found not to comply with Canadian standards, we increase the number of shipments we test to 15, and that testing is just as rigorous.

MP Warren Steinley: ..Talking about the new amendments put forward by CFIA on traceability, I had a conversation with both the CEO and the president of Canadian Western Agribition. They see this as being very cumbersome to add these new traceability regulations onto fairs, counties, the Royal Agricultural Winter Fair in Toronto. Agribition sees this as a big amount of red tape that it's going to have to cut through, making it much more cumbersome to track animals on and off yard, which it didn't have to.... They're also very concerned about actually having to tag animals at these fairs...if something goes wrong and they lose their tag. Do you guys have any consultations with

any fairs or exhibitions? This is really going to hurt 4-H and small town shows as well, because it's going to put a lot of pressure on these volunteers. Who did you consult with before you brought in these new traceability amendments?

Hon. Marie-Claude Bibeau: I will ask Ms. Lapointe to answer that question.

Ms. Sylvie Lapointe: We haven't yet put the regulations in place. We are out consulting under Canada Gazette, part I. There is a tremendous amount of opportunity for fairs and other interested parties to give us feedback, which we are getting. Then we will take that feedback and again engage with people. There will also be a second round of consultations.

MP Dave Epp: ..I'm going to switch over to our CFIA folks. Is the chief redress officer still operational?

Mr. Philippe Morel: No. The position does not exist anymore.

MP Dave Epp: The position does not exist. Do you know when it was eliminated?

Mr. Philippe Morel: No. I don't have that information with me.

Mr. Dave Epp: Can you table with this committee how many complaints were received since 2015, while that office was in operation, how they were broken down by subject matter and by province, and the outcomes of those complaints?

Mr. Philippe Morel: What we have right now is a complaints and appeals office that takes complaints from regulated...or even from citizens, and this office still exists. We receive some complaints/questions and even congratulations on our services or actions. What information would you like to have?

Mr. Dave Epp: It's just exactly what came in from the provinces and exactly what the outcomes were of those complaints. Thank you.

Mr. Philippe Morel: I don't have that with me, but we can provide that.

MP Laurel Collins: My first questions are for the Canadian Food Inspection Agency. Back in February, my colleague Alistair MacGregor presented a petition with more than 36,000 signatures to the House, calling for a ban on exporting live horses for slaughter. There was a huge outpouring of support from Canadians across the country. It was in the top 20 for the highest number of signatures ever for any petition to the House of Commons. The government responded on March 29. Presumably, officials from CFIA had some involvement in the drafting of that response.

The last paragraph states: To conclude this answer, the Government would like to thank petitioners for this opportunity to reiterate that the Government takes the issue of animal welfare seriously. We remain engaged in working diligently to implement the mandate letter commitment to ban the live export of horses for slaughter. I'm curious as to whether the department officials can share with the committee what the holdup is with implementing this section of the Prime Minister's mandate letter to the minister.

Ms. Sylvie Lapointe: We are taking very seriously the mandate commitment that is in Minister Bibeau's letter. We are continuing to analyze and look at ways forward. We will be getting back to members as soon as we can on this one.

MP. Laurel Collins: Do we have any sense of a timeline?

Ms. Sylvie Lapointe: I don't think I would be able to commit to a timeline, but I can certainly say that while we are looking into how we can implement that mandate commitment, the CFIA continues to hold very high animal welfare standards and to inspect all the shipments using measures that are in place that are based on very strong science international standards.

Ms. Laurel Collins: On that note, also in February, four days after my colleague presented this petition, Animal Justice sent a letter to the minister, signed by eight other organizations, bringing it to her attention that a shipment of live horses had been transported out of Winnipeg on December 12, 2022. The letter talked about how the duration of travel had been far beyond the 28-hour limit for live animal transport. At least three horses had collapsed and died during transport. They also noted that CFIA had been alerted to this and responded, acknowledging that the 28-hour limit was not met. If you are committed to animal welfare and you continue to state that you're reminding the parties involved about their responsibilities, why is it that this practice continues to happen? Why is it that the CFIA allows this to happen?

Mr. Philippe Morel: On this one, if my recollection is appropriate.... When horses are boarded onto a plane, we ensure that we have the travel trajectory and that the time of arrival is less than 28 hours, or else they have to stop and be fed, watered and rested. Sometimes it happens that there are weather issues or plane issues. If I recall correctly, this plane had to land in Alaska for a couple of hours for refuelling and some repairs. After that, it left for Japan. It was an exceptional situation, but we make sure that before they leave they have the right plan to—

Ms. Laurel Collins: I'm going to interrupt for a moment, just to clarify. Before leaving from Winnipeg, they were delayed by 16.5 hours. There was no way the 28-hour limit would be met by the time they flew out. Those involved proceeded with the shipment anyway. Then there were further delays in Seattle, resulting in an even longer journey. This kind of arduous trip means that we lose animals, and it is extremely taxing on the other horses who do survive. How many times is this going to happen before CFIA steps in and takes measures to ground flights arranged by companies that are profiting off this practice?

Mr. Philippe Morel: I don't have with me the specifics of that flight, but I can assure you that we always have inspectors on site to ensure that the flight plans can be respected. If there are delays at the airport, it means that the horses should not be boarded on the plane. They have to be provided with feed and water and a place to rest before they are boarded for the trip to their destination, which has to take less than 28 hours.

MP Warren Steinley: ..I'm going to go back to the CFIA for a second. Just to reiterate, I'm a 4-H kid. I grew up on a dairy and beef farm. Going to livestock shows was a huge part of my growing up and really learning more and more about agriculture. These volunteers who put on these shows.... Please review these traceability regs that you're putting forward, because it's going to shut down a lot of these shows.

The problem I see right now with part of what's going on in agriculture is that there is a disconnect between rural and urban Canadians. So many Canadians in Toronto, Regina and all urban centres really, for the first time, get to see animals and learn about animals at these smaller shows, and big shows such as the Toronto winter fair. It's something that's a really big part of our agriculture heritage. To put these onerous new regulations on volunteers and these shows is going to be very taxing on them. You need to listen to their feedback. I think we can take a step back and review what's going on. That's the final pitch from me. Perhaps you could make a couple of comments on that, please, Ms. Lapointe.

Ms. Sylvie Lapointe: We are definitely very aware of the concerns that the fairs are raising, and we are actively working with them to find solutions. I just want to say that traceability is incredibly important to prevent foreign animal diseases from coming in. Fairs are places where animals congregate and then return back to their farms, for example.

MP Warren Steinley: If you could table documents that show how much disease has been spread from fairs, that would be great. This also has to do with producers who don't show. There are lots of producers who think that these renewed traceability regs are going to be onerous, as well.

MP Richard Lehoux: ..Ms. Beck, we've heard all sorts of figures about chicken from Ukraine, and the committee would like to have them confirmed. At present, we're told that over 700,000 kilograms of chicken from Ukraine have entered Canada. Is that true? How much chicken comes from Ukraine?

Ms. Stefanie Beck: The Canadian Food Inspection Agency has the exact numbers, but for now, I can assure you it is not 700,000 kilograms.

MP Richard Lehoux: All right. Did you wish to comment, Mr. Morel?

Mr. Philippe Morel: Currently, 285,000 kilograms of chicken have entered Canada, and the chicken has undergone intensive testing. Through increased and intensive testing, we ensure that the chicken that goes on the market is of the same quality as Canadian poultry.

MP Richard Lehoux: The committee is aware that the agreement on the conditions for importing meat products from Ukraine is valid until June. We do not know if this agreement will be renewed or not. Do you know how much chicken will be imported into Canada over the next few weeks or months?

Mr. Philippe Morel: We don't know exactly, because the importers are the ones who make those decisions. At this time, we have no indication that any more chicken will be exported to Canada, and no indication that we have been asked to inspect any more incoming chicken. All chicken that has arrived in Canada has been tested. If more chicken has been exported to Canada, it may have been returned elsewhere.

MP Richard Lehoux: We know that chicken from Ukraine could be exported to Canada until June. Do you know how much more could be exported to Canada? Has anyone calculated the impact this could have on our chicken producers? After all, we're talking about supply management here.

Mr. Philippe Morel: Perhaps I'll ask my colleagues at Agriculture and Agri-Food Canada to answer. Nevertheless, I can tell you that at the moment, we have received 14 deliveries of chicken, and only 9 more deliveries are expected. However, those deliveries have not yet been announced.

MP Yves Perron: ..I have a question for the folks at the Canadian Food Inspection Agency. What is the status of revising the bovine spongiform encephalopathy standard for cattle producers? Will the electronic truck registration be implemented in a flexible way, so that there's a little leeway in the transportation of animals, for their welfare?

Ms. Sylvie Lapointe: As Minister Bibeau said, we are working with our colleagues at Transport Canada. We understand the concerns expressed by people in the industry. We don't want to have any safety issues. We are having discussions with Transport Canada officials to try to explain our regulations in relation to theirs, and to find a pragmatic solution for carriers.

G) AGRI Biosecurity, May 3, 2023

Link to transcript: [Evidence - AGRI \(44-1\) - No. 61 - House of Commons of Canada \(ourcommons.ca\)](#)

Summary Report on Committee Hearing

Name of committee: [House of Commons Standing Committee on Agriculture and Agri-Food \(AGRI\)](#)

Date and time: May 3, 2023, 4:30 pm - 6:30 pm

Location: [Room 425, Wellington Building, 197 Sparks Street](#) and by videoconference

Topic: Biosecurity safeguards and Preparedness

Witnesses

4:30 pm - 5:50 pm

Canadian Food Inspection Agency (appearing in-person)

- Dr. Mary Jane Ireland, Executive Director, Animal Health Directorate, Chief Veterinary Officer for Canada
- Philippe Morel, Vice-President, Operations

Canada Border Services Agency (appearing in-person)

- Shawn Hoag, Director General, Commercial Program

Department of Agriculture and Agri-Food (appearing in-person)

- Tom Rosser, Assistant Deputy Minister, Market and Industry Services Branch
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To view the Committee in its entirety, please click [here](#).

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Transcription of CFIA Opening Remarks and Questions and Answers

Opening Remarks

Dr. Mary Jane Ireland: ..My name is Dr. Mary Jane Ireland. I am Canada's chief veterinary officer and executive director of animal health at the Canadian Food Inspection Agency. With me today is Mr. Philippe Morel, vice-president of operations.

We appreciate this opportunity to speak to the committee on biosecurity preparedness and the safeguards we have in place in case of threats to Canadian agriculture.

The CFIA is a science-based regulatory agency. Its broad mandate encompasses animal health, plant health, food safety and international market access.

Around the world, threats related to diseases, pests and the environment are constantly changing. The Government of Canada takes the issue of animal welfare and disease prevention very seriously. This responsibility is shared with the federal government, provincial and territorial governments, producers, transporters, industry organizations and others.

Canada has always relied on stringent import measures to safeguard our borders. Science-based import controls at international borders have successfully prevented the introduction of foreign animal diseases such as foot-and-mouth disease and African swine fever for many years.

In the event that a foreign animal disease presents itself in Canada, the CFIA has a robust animal health program in place to manage these events, to promote and regulate animal welfare, to support biosecurity standards and to facilitate trade and market access for Canadian animals and products.

As the chief veterinary officer for Canada, I co-chair the Council of Chief Veterinary Officers, which is a forum for federal, provincial and territorial CVOs to ensure a strong and safe animal health and agri-food system across Canada. By working together, we provide strategic direction for animal health and welfare using a “one health” and evidence-based approach to assessment, collaboration and consensus-building.

The CFIA works closely with veterinary colleges to support training of the next generation of veterinarians, and also has partnerships with universities and veterinary colleges to support research for animal health.

What is biosecurity? Biosecurity can be defined as measures, actions and attitudes needed to prevent the introduction and spread of disease. Biosecurity is a complex issue that continues to evolve.

To promote and facilitate the industry implementation of biosecurity measures on-farm, the CFIA has developed voluntary national biosecurity standards and guidance in collaboration with provinces, producer organizations, territorial governments and academia. These standards are in place for livestock and poultry industries, sheep and goat producers, and such other industries as apiaries, deer and elk, horses and mink farms. This standardization allows for producer organizations as well as provinces and territories to develop complementary biosecurity programs.

The CFIA also works with other government departments, such as Canada Border Services Agency and Environment and Climate Change Canada, to support biosecurity at our borders and to prevent diseases and pests from entering into Canada.

When a federally reportable animal disease is found in Canada, CFIA takes the lead in the response. As this committee is aware, the CFIA is actively addressing the highly pathogenic avian influenza outbreak that began spreading in Canada in 2021. The disease is significantly impacting poultry and other birds, not only in Canada but around the globe. As of April 24, there have been 319 premises with confirmed avian influenza in nine provinces, and about 7.6 million birds have been affected. Of those 319 premises, 54 continue to have active outbreaks in seven provinces.

When a disease like avian influenza is detected, surveillance and strong biosecurity measures along with rapid and effective action are important to limit the spread of disease and minimize the impact to producers in Canada.

The agency is also working to protect animal health by preventing the introduction of animal diseases. This includes preparing for African swine fever, ASF, which has been significantly impacting the pork industry globally but so far has not been detected in North America.

The government is working with provinces and industry to take every necessary precaution to prevent the introduction of ASF and to ensure that we are ready should an outbreak occur. The government is also currently working on planning, preparing and testing responses with industry and stakeholders, including provincial governments.

An investment of \$23.4 million is supporting the pork industry's prevention and mitigation efforts, and another \$19.8 million is being invested in prevention, emergency response planning, enhancing laboratory capacity, establishing zoning arrangements and contributing to international efforts to develop an ASF vaccine.

We are also putting measures in place to prevent foot-and-mouth disease, FMD, from entering Canada. The CFIA is also establishing a Canadian foot-and-mouth disease vaccine bank, as announced this year, with \$57.5 million over five years and \$5.6 million ongoing to both establish the vaccine bank and also update FMD response plans. This funding will secure sufficient doses of vaccine to protect Canada's livestock industry against large and uncontrolled outbreaks of FMD. This would help mitigate prolonged market disruptions in trade should an outbreak occur.

The CFIA has an emergency preparedness plan for FMD and other key diseases, including Avian influenza and Newcastle disease—

The Chair: Ms. Ireland, I don't mean to interrupt but I have to, because we are well past the five minutes. If you would just like to wrap up quickly, I would appreciate that, and we'll get to questions momentarily.

Dr. Mary Jane Ireland: Thank you, Mr. Chair. I apologize.

In conclusion, effective biosecurity is crucial to minimize the negative impacts that animal diseases and plant pests can have on Canada's plant and animal resources, which in turn impact all Canadians and the economy.

Questions and Answers

MP John Barlow: ..Now, Ms. Ireland, you mentioned an emergency preparedness plan that CFIA has for animal disease outbreaks. With the recent outbreak of avian flu, we certainly heard some great frustration from farmers towards CFIA regarding a lack of CO2. You're supposed to be on-farm within 48 hours when the avian flu is detected. We were hearing it was up to 10 days in some cases.

Do you have the resources necessary to handle these outbreaks when they happen? Was there something that was unexpected with the most recent flu outbreak? We had this in 2004. We had this in 2014. I really hope we not only have an emergency preparedness plan in place, but also the resources to make sure that when that happens, you can get into action and resolve the issue as quickly as possible.

Mr. Philippe Morel: Thank you for the question.

Yes, we have the resources we need. Certainly, during particular weeks in the last outbreak in the fall on the west coast, we had up to 10% of the agency deployed to respond to avian influenza.

You referred to the gas supply. We have a system whereby we prioritize which establishments need to be depopulated, based on risk. We were close to having not enough gas, but we were able to depopulate.

There was some waiting time, as you said. Some farms were depopulated in a longer period—up to 10 days—but those farms were also identified as the lowest risk, where the death rate was very, very low.

Of course, when we arrive on site and we see that 30% or 40% of the birds are dead, it's at the top of the list. When we see only some signs of distress in some birds, we can wait, because the birds are not suffering, and then it could take several more days.

It's not ideal to be at 10 days. We try to respond faster than that. It was only in two or three situations over the last year that it happened. It was not made at the expense of birds suffering, and we were there to give support.

The other thing I want to mention is that collaboration with industry and with the province was key there. Having the industry help us get gas supply was essential, particularly in B.C., where we had a lot of depopulations happening at the same time. Having the workforce from industry help us depopulate was also key.

MP John Barlow:

Thank you, Mr. Morel. I would think that another option would be to look at industry as a partner when it comes to euthanizing. I know you're saying that 10 days is unacceptable, but for those farmers, our stakeholders, that is a massive mental health issue for them. They know how to handle these things, so I would think that this would also be an opportunity that the CFIA should look at—allowing, or working to build a framework that will allow, the farmers themselves to take on that euthanizing, rather than having to wait for the CFIA. That's something that I would leave with you to take a look at.

This next issue may be a little bit off from what we were expecting to deal with, but it has arisen with Canadian fairs and agricultural societies. I had mine in Alberta call me earlier this week on the new changes being proposed to the health of animals regulations. You're asking farmers markets, 4-H clubs, rodeos and agricultural societies to take on the traceability and identification of animals being brought to those organizations for maybe a calf show or a 4-H show. They are very concerned about having to take on this responsibility. They don't have the manpower or the resources to do this.

Are you working with the agricultural societies across Canada to address this issue? We do not want to lose these groups in our rural communities.

Dr. Mary Jane Ireland: Mr. Chair, I thank the member for his question. We are currently consulting on new traceability regulations amendments as published in Canada Gazette I. Currently CFIA is consulting with industry in all sectors and having webinars and discussions on what is proposed in the regulatory package that was preconsulted on and then published in Canada Gazette I. We are consulting, and have been for some time, with the fair societies. We are very open to feedback and understanding and hearing their concerns. We'll work with them on looking at solutions.

I would say that in the context of what we are discussing today around biosecurity, the ability to understand where animals have been, where they are going and what other animals they have interacted with is essential. When we have animal disease in this country, it is essential to be able to trace and track and see who might be affected, and what animals, and to deal with them appropriately. This traceability regulatory package increases our ability to do that and our understanding of where animals are in a short period of time.

MP Ryan Turnbull: ..Dr. Ireland, I'll pose some questions to you to start. I am looking for a general sentiment from you. I know it's hard to generalize, perhaps, but how adequately prepared is Canada for the various biosecurity threats in agriculture, just in general? Can you give me a general sentiment? Are we well prepared, very prepared...?

Dr. Mary Jane Ireland: Thank you very much for the question. I think we're very well prepared. As we described in the opening comments, the CFIA has worked extensively with other federal departments and with industry and governments to ready ourselves to be prepared for an incursion and to prevent an incursion of a foreign animal disease. We continue to do that with avian influenza and we do that with foot-and-mouth disease, as well as with many other diseases that can enter the country, including African swine fever.

That includes helping to develop national biosecurity standards. That means strong import controls to prevent infected products or animals from coming into the country and having response plans ready in case they do. Those are our hazard-specific plans.

We need to continue to establish or monitor the global events and trends. What are the diseases we're seeing emerge? Where are they? They inform our policy, they inform our regulatory approach and they inform our import controls.

MP Ryan Turnbull: Thank you. We essentially have emergency preparedness plans, as I understand it, for every disease that we're aware of. Is that correct?

Dr. Mary Jane Ireland: We have hazard-specific plans, which are playbooks for us, really, in terms of what we would do if a disease were to enter Canada. In addition, there are associations in provinces and territories that also prepare themselves should a disease incursion happen.

The CFIA remains ready for those and is constantly updating its approach, based on the global trends and analyses.

MP Ryan Turnbull: When you say “constantly updating its approach”, how often would you say that is?

Dr. Mary Jane Ireland: We look at our hazard-specific plans as we understand diseases evolving in other parts of the world. I wouldn't say that we change them every month, but we certainly do review them and make sure that they are solid. We update them if it is required. We do that in discussion with other groups, as well, so that they understand what our response plan would be. We're all in it together when there's a foreign animal disease, and it's an “all hands on deck” situation.

MP Ryan Turnbull: I've heard that somewhere before, but thanks for that. That's reassuring.

I want to ask you this: In terms of how Canada stacks up with various other jurisdictions around the world, are we more prepared, would you say? I know it's probably hard to stack us up, but I seem to think that we're better prepared than many other jurisdictions around the world are. Would you say that's true?

Dr. Mary Jane Ireland: That's a very broad question. I would say that one of the things that we spend a considerable amount of time doing, and that I do as the chief veterinary officer, is discussing, collaborating and working with our international partners.

I belong to the Animal Health Quads Alliance, which is a community of CVOs from New Zealand, Australia, the U.K. and the U.S. We discuss matters such as response to avian influenza and African swine fever. We do work with other countries, our counterparts in international affairs, to make sure that we understand what other countries are prepared to do. There's a certain degree of alignment, for example, on a response to a disease like avian influenza. We're all under the same pressure globally with regard to this disease. It's unprecedented.

MP Ryan Turnbull: ..I want to ask you about zoonotic diseases. With the increase in climate change, the changing patterns, and the loss of biodiversity.... There are many factors, I think, that are involved, including monoculture within our agricultural systems, and all of them may play a role in the increased incidence of diseases jumping from animals to humans. Are we monitoring that as well? Is that part of the CFIA's role, or does the CFIA have to collaborate with Health Canada and others? Could you speak to that a little bit?

Dr. Mary Jane Ireland: The vast majority of diseases that affect humans originally come from animals. Zoonotic diseases are diseases that can transmit from animals to humans and from humans to animals. It goes both ways.

The agency works, indeed, with other federal departments, such as the Public Health Agency of Canada, Health Canada, and Environment and Climate Change Canada, to take what we call a “one health” approach. That means, really, that we're interconnected. The health of animals is interconnected with that of humans and of the environment. When we approach issues, we take a “one health” approach. The veterinary community does the same.

That's also certainly been a theme for the chief veterinary officers of the provinces and territories.

MP Ryan Turnbull: It must be very difficult to stay on top of all of the latest strains and diseases as they're emerging. Is that challenging in the environment that we're in these days? Is it increasingly challenging? How do you stay on top of it?

Dr. Mary Jane Ireland: Well, it is challenging. A couple of things help us with that. We have some of the best and brightest scientists at the Canadian Food Inspection Agency, and they work on such issues. We're also a member of the World Organisation for Animal Health. At the agency, I am Canada's delegate. When reports from countries come in, they are reported through an electronic system.

We have an international awareness. We have a situational awareness. We have, within the government, very strong connections with our health partners and our environmental health partners so that we can share information, and that's become increasingly important with regard to things such as avian influenza.

MP Yves Perron: ..Ms. Ireland, according to an article in the Canadian Veterinary Journal, Canada does not have a collaborative national surveillance system for animal diseases. Yet, I listen to you speak and I get the impression that there really is a surveillance system, and that you are part of it.

Can you tell me why the author wrote that and explain to me how the system works? Do you really have all the data? Do you have to look for information from other departments or agencies, which could cause delays? Do you think it would be better to have an umbrella organization?

Dr. Mary Jane Ireland: Mr. Chair, I would appreciate some clarification. Do you mean an overarching system, a data system to share between public health and environmental health colleagues? My apologies.

MP Yves Perron: Ms. Ireland, I am quoting from a 2017 article in the Canadian Veterinary Journal. It explains that Canada does not have a national, collaborative animal disease surveillance system.

I have been listening to your testimony from the beginning, and it sounds to me like there is such a system. I just want to see if there is a need for an organization, perhaps “supraministerial”, responsible for monitoring diseases and centralizing information, or if the work is already being done now.

MP Yves Perron: Dr. Ireland, I have been made aware of a problem regarding vaccines against animal diseases. Once an animal has been vaccinated or when it is slaughtered for export, it would be impossible, when taking blood samples or other samples, to tell the difference between a vaccinated animal and one that is infected with a disease.

Is there any work being done on this? Do you think something could be developed quickly to overcome this problem?

Dr. Mary Jane Ireland: Vaccines that are used to address foreign animal diseases have a very important characteristic that must be present: They must distinguish between natural infection and vaccination. It's called a DIVA vaccine. It will be very important that vaccines for FMD, or maybe ASF in the future, be DIVA vaccines so that we are able to determine that the animals have been vaccinated versus naturally infected with a disease. Ultimately, we want to make sure that animals that are infected with the disease are dealt with immediately and promptly to reduce the spread of infection.

MP Yves Perron: If I understand correctly, it is in fact possible to tell the difference between an infected animal and a vaccinated animal. Does mass vaccination entail commercial restrictions? Some traces of the injected virus must be left in the animal.

Dr. Mary Jane Ireland: On the use of a vaccine in the face of an outbreak, if maybe we could use the FMD vaccine, for example, countries import according to their own import requirements. Countries have their own import requirements for what they accept. Some will accept vaccinated animals and some will not.

Currently, avian influenza may be a better example. Most countries do not allow the import of vaccinated animals. Therefore, as we contemplate vaccination strategies and using vaccines in the face of an outbreak, we need to think about it and discuss it internationally and work with the World Organisation for Animal Health to ensure that we use vaccines properly and also are able to return to freedom to export products as quickly as possible.

In a foreign animal disease outbreak, a vaccine is used when you find the disease; it's not used to prevent it from coming into the country. In FMD, maybe someday avian influenza, maybe someday ASF, vaccination is generally used to address a disease outbreak when it happens. That will be the case with the foot-and-mouth disease vaccine: We won't use it unless we have an outbreak, and then we'll use it to prevent the spread and to return to freedom from the disease as quickly as possible.

MP Alistair MacGregor: ..Dr. Ireland, I would like to start with you. Biosecurity seems to be a hot topic in Parliament. Not only are we examining it at this committee, but we also have some legislation that we're looking at. It had its first hour of debate on Monday.

In my research for that piece of legislation, I noted that most biosecurity incidents are the result of people who are authorized to be on the farm. Some reports have found that despite those risks.... You mentioned that the CFIA has voluntary biosecurity guidelines for some animal farming sectors. They are developed in co-operation with industry and government, but the adherence to those standards is not a legal requirement. Provincial legislation varies, and we're a very regional country.

Given the threat posed to some sectors by diseases such as avian influenza, which is keeping many scientists up at night, do we need to step it up a bit more and have a legal requirement for adherence? It's more in line with what Mr. Perron was asking about a requirement for stronger national laws and requirements, given the threats posed by some of these diseases.

Dr. Mary Jane Ireland: Mr. Chair, I won't comment on the legislation. I will, however, talk about biosecurity. You're right. Today, biosecurity and the national biosecurity standards are voluntary. The CFIA doesn't have authority to mandate that. I would say that they are dependent on a number of factors, including human behaviour and following best practices. I would also say that many national producer associations actually require their producers to follow their species-specific biosecurity standards.

Biosecurity can mean a number of things. Every farm is going to have their own biosecurity requirements. It needs to be very tailored. Do you have animals outside? Do you have visitors? Do you hire summer students who need to understand the importance of biosecurity?

We can set national biosecurity standards, and then producer organizations can tailor them to their own needs, but every individual producer needs to think about their own facility and what makes sense for their particular operation and then follow it.

The extraordinary incursion of avian influenza virus, brought in most likely by wild birds or wild bird migration, has really underscored the importance and also the challenges of maintaining very strict biosecurity each and every day. In the case of avian influenza, that is what's needed to prevent infections.

MP Alistair MacGregor: ..Dr. Ireland, on that same line of questioning, you've talked about the close working relationship you have with them (Dean's Council). Of course, you depend on those schools to refill your ranks. Going forward, what are the demographics like at the CFIA? What is the number of people who are close to retirement, or do you have enough people coming through? Is the education supply adequate to maintain your needs?

Dr. Mary Jane Ireland: That's an excellent question. At the agency, one of the things that I'm preoccupied with is the Canadian issue of a veterinary shortage. We have a shortage of veterinarians in Canada. That's not only a Canadian issue; it's actually a global issue. There's been an increase in pet ownership, and demands increased over the pandemic period.

We too at the agency are short of veterinarians, and we are trying to forge relationships and make sure that new veterinarians and veterinarians in school understand what we do and the exciting careers we have to offer them. We do a lot of work through summer student internship programs, and I try to work with the universities and the veterinary schools to make sure that we are top of mind for veterinarians when they graduate or if they want a career change.

There is a shortage also in private practice, and many of the schools, as the deans might have talked to you about, are increasing their enrolments to try to address that issue and are working with provinces for more provincially funded seats. However, we're all very seized with this issue because veterinarians are the key to animal health, environmental health and human health. We need a good supply of them and we're all working together. The Canadian Veterinary Medical Association is also driving forward on making sure that we all understand best practices on keeping veterinarians, and we're working together internationally as well.

MP Richard Lehoux: ..My first question is for both the Canadian Food Inspection Agency and the Canada Border Services Agency. At previous meetings, we heard someone state that one in 10 shipments of food entering Canada was selected for a tighter control procedure. Is it still the case? I am thinking of the issue of chickens being passed off as spent hens, for example, as well as dairy products. I understand that you cannot control everything, but is the tighter procedure still used in one of 10 food shipments?

Mr. Philippe Morel: The number of inspections depends on the risk associated with the type of food. For higher-risk food, we inspect more than one in 10 shipments. If the risk is lower, we do fewer inspections. I do not know what food you are talking about exactly.

MP Richard Lehoux: I was talking about spent hens and chickens, among other things.

Mr. Philippe Morel: All right. As far as the spent hens are concerned, that is about it.

MP Richard Lehoux: ..Canadian producers are being asked to meet fairly strict environmental and other standards, and that is fine. However, we should make sure that we enforce those standards. This brings me to the issue of reciprocity of standards. There may be a lot of work to do on that side. Is this a matter for the Canadian Food Inspection Agency, the Canada Border Services Agency, or the Department of Agriculture and Agri-Food? This is something that should be seriously looked at, because there are still a lot of customs posts between Canada and its southern neighbour.

Dr. Ireland, you mentioned that there is a shortage of veterinarians. Are there other resource shortages? Can we define the problem precisely so that we can find a solution quickly? Indeed, this has a direct impact on Canadian producers.

Mr. Tom Rosser: Mr. Chair, we have an ongoing dialogue with the various sectors where we have concerns, such is the case for spent hens. In the dairy sector, for example, we are working with the Border Services Agency as well as our colleagues at the Canadian Food Inspection Agency. In terms of spent hens, we have been working for several years with the Border Services Agency to do better testing and inspections, and we have seen a significant drop in the volume of imports of spent hens, over the last few years.

Mr. Philippe Morel: As far as reciprocity of standards is concerned, I would add that we demand the same quality for imported food as we do for food produced in Canada. So there is no difference. The same risk models are being used. However, the risk models may vary depending on the country of origin. This is also part of the risk analysis that is done for the import, but the requirements for the final product are the same.

MP Richard Lehoux: I agree with you. Certainly, the same requirements apply when food enters the country, but there are probably differences in how it is produced, and perhaps more rigorous work needs to be done about the processes. As can be seen on their website, the Canadian Food Inspection Agency currently has a plan related to a specific foot-and-mouth disease risk. Are there any other response plans that you are considering implementing or that are ready to be implemented? What is the status of these plans?

Dr. Mary Jane Ireland: Thank you very much for the question. We do in fact have a hazard-specific plan or a response plan for foot-and-mouth disease should we have an incursion. We are currently working with Animal Health Canada to enhance and consider broader vaccination should we have an incursion of FMD. Working with Animal Health Canada means working with provinces and industry associations to think about how we would use a vaccine if we needed to. That also requires an extensive amount of collaboration with industry. They are an important consideration, and their views are important in that regard.

The FMD vaccine, as I mentioned, would only be used if we had an incursion. How we use it, when we use it and where we use it depends on many factors: Is it a big outbreak? Is it a small outbreak? Where is it? How many animals are involved? These are all decisions around FMD that we will be working with Animal Health Canada on as we move forward.

MP Yves Perron: ..There is a commitment to animal disease prevention, so you seem to have some resources, but are they sufficient? I am not sure. Would you need more money to ensure herd safety?

Mr. Philippe Morel: I can assure you that we are making the best possible use of the resources allocated to us by Parliament.

MP Yves Perron: As I understand it, you use the resources you have, but more resources would be really helpful. Fine, that answers my question.

Inversely, my next question is about bovine spongiform encephalopathy, for which Canada has had negligible risk status for over a year, since 2021. Far be it from me to jeopardize the safety of production or to put the public at risk, but is there any consideration of reviewing this status? Cattle producers frequently talk to us about this, because it reduces their profitability. Is there any way to review it? If we cannot go back to what was done before, is there any way to find a middle-of-the-road solution that would not compromise safety, but would put fewer restrictions on our producers?

Dr. Mary Jane Ireland: Thank you very much for that excellent question.

We received negligible risk status in 2021 from the World Organisation for Animal Health for our current BSE program. Our current BSE program was examined and determined to be strict enough and efficient and effective enough to grant us negligible risk status. That's based on our existing program.

We understand from industry that there are concerns, and that the differences between the U.S. and Canada in the handling and the listing of what we call "specified risk material"—those materials that present risk of BSE—are causing concerns for economic interests.

At the agency we are supporting a risk assessment to look at what the risks would be should we harmonize with the U.S.: risk to human health, risk to animal health, risk to our international trade and risk to our negligible risk status. We are working with industry to have this risk assessment completed so that we can determine whether or if changes to the BSE program could be accomplished and what the risks might be. To say it perhaps more plainly, we are making sure that we do not make changes to the BSE program that cause risk. We need to know what those are, so a study is ongoing and we are collaborating with industry to get that done.

MP Alistair MacGregor: ..I would like to get a sense of approximately how many novel pests and pathogens Canada faces each year on average. Is it an overwhelming number? Do you have a ballpark figure? I'm just curious as to the threat level our scientists have to deal with and the number that are novel, the approximate number that we have to be on the lookout for. If you don't have a number, can you gauge it as a fairly serious threat or a growing threat from worldwide pathogens and pests and their impacts?..

Also, how is the CFIA using its expertise to help other countries develop best practices? We live in a globalized world, of course, and the best defence might be a good offence in helping other countries beef up their internal programs.

Mr. Philippe Morel: Thank you. I don't know how many new diseases we face every year. It's a very difficult question. What I can say for sure is that commerce is increasing and that the risks that come with commerce are also increasing. Every time we refine our detection and our inspection risk, we review the risk grid that we have for every product we import. Our reaction is based on the level of activity that is happening, and we do everything we can to make sure that where the risks are known or potentially known, we are there to respond to it and mitigate them.

Dr. Mary Jane Ireland: In addition, you asked about working with other countries to keep animals healthy globally. We do in fact work with other countries, and some of those countries, like the U.S., work with other countries. We are very cognizant of the globalized nature of animals and the movement of animals. To give you an example, through efforts through the World Organisation for Animal Health, our scientists will work with other countries to help establish diagnostics, capacity and training. We have twinning projects with other countries. We work through WOA around issues like ASF. At the end of May, I'll go to the general assembly and discuss avian influenza.

The community of CVOs is not that big, and we share our expertise. As I said, we have the best and brightest scientists at CFIA, and they can help countries with capacity building and expertise and are really willing to do that. It enriches their work and their profession as well.

MP Warren Steinley: ..I would like to revisit the question around the negligible risk status for our country that we received in May of 2021, two years ago. My understanding is that it was because we have not detected any BSE in this country since 2015. I am wondering why it would affect our trade status, if the animal health organization felt we had negligible risk, if we changed our regulations within Canada. Did half of the reason that we got that status have to do with our regulations, or was it just because we haven't detected any BSE since 2015 in our country?

Dr. Mary Jane Ireland: In order to obtain negligible risk status, Canada provided the World Organisation for Animal Health with a very comprehensive, in-depth package of information and data to show that we have the right controls in place to prevent BSE from occurring again. Those were all the components of our processes, our inspections and our data. That was evaluated by the scientific commission, and it was determined that our program was solid and sufficient and that Canada was deserving of negligible risk status. The negligible risk status that was given to Canada did not change the program. The program is what that status is based on. It's not to say the changes can't occur—

MP Warren Steinley: I understand that. I'm just wondering if a regulation change will affect our status.

Dr. Mary Jane Ireland: If we were to make regulatory changes or policy changes, we would provide our information to the World Organisation for Animal Health, and they would make an assessment about whether those changes were significant. We would do that through a reporting system as—

MP Warren Steinley: Does America have the same status that we have right now?

Dr. Mary Jane Ireland: The U.S. has a negligible risk status also. The U.S. has a different history with BSE in terms of cases and types of BSE. They have different infrastructure and different risks, which they have addressed with their own program. We have different risks, which we have addressed with our own program.

Mr. Shawn Hoag: Thank you for the question.

I can't speak to the spotted lanternfly specifically, but I can follow up with the committee on plans regarding that invasive species specifically.

In general, the way we approach invasive species is that once we get information from Environment and Climate Change Canada or Agriculture Canada or the CFIA, we convert that into direction to our frontline officers. That direction to frontline officers takes the form of indicators or things to look for. Those could be things on boats. They could be things in wood packaging or pests that are inside containers—all of those different modes or vectors by which goods and pests could arrive.

Once the officers look at the risk of the goods that are arriving and conduct a progressive exam—they look deeper, depending on what they are seeing—then they detain the goods and seek advice if they don't fully understand what's in front of them. If they do fully understand what they have and it is regarded as an invasive species, then they reject its entry or they move to seize and have it destroyed.

Mr. Philippe Morel:

If I may, Mr. Chair, in 10 seconds, we have a very aggressive communication approach on spotted lanternflies to make sure....

With invasive species, rule number one is to detect. As soon as you detect, you can contain, and in some situations you can also eradicate. We have a very aggressive communication package, for example, in southern Ontario and southern Quebec where the risk is higher for these species.

The Chair: ...I represent Nova Scotia, and the Annapolis Valley specifically. This is one of the first areas in which avian influenza was detected in a poultry flock. I'm curious about testing. Obviously, when there could be some suspected AI cases, there are irregularities that farmers are normally the first to notice. Where does one actually test samples to make sure it is AI or that we are able to identify it? I'm curious as to what that regional outlook looks like.

My understanding is that there has been some work with UPEI to upgrade their facility such that the actual distance and the time in order to get the CFIA involved in these types of investigations and support efforts hinge on it being a positive case, which really dictates a different process. What does it look like across the country? I know Winnipeg has a lab that is quite proficient. Give this committee a sense of the regionality of where those samples are tested.

Dr. Mary Jane Ireland: When avian influenza is suspected, a sample is taken and sent to a lab, which can be a provincial lab, as an initial step. To confirm the disease formally, the sample will be tested at the NCFAD, the National Centre for Foreign Animal Disease in Winnipeg. That is the lab that will confirm and that is what we use for international reporting.

Across Canada there are provincial laboratories that can do initial testing. That will depend on a number of factors, but certainly the CFIA takes action and places quarantines very early. I would say we have advanced since the early days of this in terms of making sure we have labs and in helping labs come up to standard. We really need the labs to make sure that when they say something is negative, it's really negative, and if they suspect it's not negative, that they say that with accuracy because of the nature of the disease. There are provincial labs across the country that help the CFIA do the testing, but the formal response comes from our WOAHA-recognized lab, NCFAD, which does the confirmatory testing.

The Chair: We probably don't have time, and I don't want to push my colleagues, but I would be interested in this, Dr. Ireland, in terms of the different protocol for how the CFIA responds.

I can appreciate that a provincial lab may identify an irregularity or perhaps a certain sample. Does that dictate different procedural elements from the CFIA versus the waiting game until you actually get that officially confirmed, or does the CFIA treat a provincial result the same as a result in Winnipeg?

Dr. Mary Jane Ireland:

We take early action based on early findings of the provincial labs. We can get you more information on how that rolls out. With regard to the avian influenza outbreak, given the findings in multiple provinces and the experience that our labs have with sampling, we don't wait, particularly if it's been found already in an area. Rapid response is critical to prevent spread.

Summary Report on Committee Hearing

Name of committee: [House of Commons Standing Committee on Agriculture and Agri-Food \(AGRI\)](#)

Date and time: December 7, 2022, 4:30 pm - 6:30 pm

Location: [Room 410, Wellington Building, 197 Sparks Street](#) and by videoconference

Topic: Subject Matter of Supplementary Estimates (B), 2022-23: Votes 1b, 5b and 10b under Department of Agriculture and Agri-Food

4:30 pm - 5:30 pm

Appearing

- Hon. Marie-Claude Bibeau, P.C., M.P., Minister of Agriculture and Agri-Food

Witnesses

Canadian Food Inspection Agency

- Philippe Morel, Vice-President, Operations

Department of Agriculture and Agri-Food

- Chris Forbes, Deputy Minister
- Marie-Claude Guérard, Assistant Deputy Minister, Corporate Management Branch

5:30 p.m. to 6:30 p.m.

Witnesses

Canadian Food Inspection Agency

- Philippe Morel, Vice-President, Operations

Department of Agriculture and Agri-Food

- Chris Forbes, Deputy Minister
- Marie-Claude Guérard, Assistant Deputy Minister, Corporate Management Branch

To view the Committee in its entirety, please click [here](#).

The unofficial Committee transcript ("Blues") are typically available 24 -72 hours after the meeting and will be circulated to the CFIA Committee Summary Distribution List.

Transcription of Questions and Answers

Questions and Answers

MP Richard Lehoux: ...Mr. Morel, we know that there have been no inspections in Ukrainian factories since 2019. You are relying on our Ukrainian colleagues, but given what has happened there and the destruction of several facilities there, can we really be sure of the safety of their products? I'm not saying we shouldn't trust them, but have you taken any precautions?

Mr. Philippe Morel: Yes. Under the process in place, the Ukrainians have to do inspections, and the last one was in 2019, as you mentioned. Then they have to put in place monitoring plans and prepare documentation. For their part, those who import chicken from Ukraine must ensure that all this documentation is provided and that the product is inspected at their plant. We are confident that if chicken is imported from Ukraine...

MP Richard Lehoux: If there are larger than expected arrivals, will border services have the resources to check everything?

Mr. Philippe Morel: Yes, we would have the resources. As the minister mentioned earlier, we will inspect the first 10 arrivals. Depending on what we find, the risk analysis will determine whether we need to do inspections on a more regular basis, or on a random basis as we do with imports from other countries. It's always based on the risk and the origin of the product.

MP Ryan Turnbull:...Mr. Morel, I have a quick question about CFIA's perspective. We heard a bit about concerns regarding avian influenza with the goods remission order and the potential for Ukrainian frozen chicken or poultry products to come across the border into Canada. However, there's no scientific basis, as far as I can tell, for this to be a real concern. It's one thing to have a concern and it's another to suspect we might be prone to avian influenza coming in.

Is it not true that Canada already has avian influenza? Is there any evidence to suggest it could be coming from Ukraine, based on all your information?

Mr. Philippe Morel: Thank you for the question. Yes, avian influenza has been very present in Canada since February 2022. It is of concern, but it's not transmitted by chickens coming into the country from a foreign country. The most likely scenario is that it's coming from migratory birds. It may have an impact on biosecurity, depending on how farms are built or whether they are next to each other. Likely it's coming from migratory birds.

We did see that in the spring, following the thread of migratory birds moving east to west. Now it's moving down south—

MP Ryan Turnbull: To be clear, then, you're not concerned about it coming from Ukraine.

Mr. Philippe Morel: We're not concerned about it coming from Ukraine.

MP Ryan Turnbull: Okay. That's great. Thank you...

MP Yves Perron: Good evening. I'd like to provide some context for Mr. Turnbull: I think the concerns submitted by producers and the industry during our study last week were legitimate. Of course, there is much less risk with a frozen product, but the risk still exists at the processing stage.

Our point was not to say that this decision is not based on science, but that it represents a new loophole in supply management, allowed by a government that always promises us that this is the last loophole and that there will never be another.

Mr. Morel, you will not be surprised by my first question: why did you not wait for the committee's report before authorizing the import? This authorization was not in force last week, when we were doing the study. The next day, however, it came into force, before we finished our work, which I would like to understand.

Mr. Philippe Morel: I don't think there was any coincidence. The process to allow the import of chickens went through its normal course. The process took longer because of COVID. The assessments were done in 2019. Since then, there has been an exchange of documentation with the authorities and responsible persons in Ukraine. There was no rush; we did not receive any request to speed up the process of issuing permits.

MP Yves Perron: Mr. Morel, with all due respect, this is what I understand from your response. You were doing your studies and your normal procedures.

Today, even though parliamentarians have launched a study on the issue at the request of the industry and we accelerated the work in November to give the authorization, you continue your work and you put forward your elements without taking them into account.

Mr. Philippe Morel: What I am explaining is that the process is based on science and information exchange, not on political or administrative requests, which would be at a higher level. If the committee had asked us to wait, it is likely that we would have assessed this request as we must.

However, the important thing remains that this is a neutral process and it has to be neutral. There is no authorization process at the level of senior officials in the agency. It's really an administrative process between scientists and inspectors who assess the safety of the processes in place in the exporting country to ensure that the quality of the imported food meets the criteria of the Safe Food for Canadians Act.

MP Yves Perron: All right. Thank you for your honest answer. I naively thought that this would be taken care of, but I take note that it will have to be requested next time. I would like to inform you that the perception from the outside was not positive. We feel that we are working for nothing.

Respectfully again, is it worth our reporting, or is the decision made and the authorization will be valid until June? If our report included proposals and recommendations, such as to do an additional inspection, would they be taken into account?

Mr. Philippe Morel: When risk measures need to be taken into account or new information is communicated to us, we obviously take into consideration all the information that is made available to us.

The announcement that was made in June by the Prime Minister was not just about the import of Ukrainian chicken, but a series of measures. Chicken is only one of the products affected. It has an impact because of the authorization that was requested by Ukraine in 2019 and granted not so long ago.

MP Yves Perron: Thank you for your reply...

MP Yves Perron: ...Mr. Morel, you said you might consider a report from the committee. Earlier, Mr. Lehoux asked what would happen if a large quantity of product arrived. You know that production and supply management require predictability. Do you have a quick adjustment process in place to use if products start to come in at capacity?

Mr. Philippe Morel: The agency's role is to ensure the inspection of products coming into Canada. Since Ukraine has never exported chicken to Canada, we have no history of what the potential might be. We know that only three slaughterhouses have been authenticated and recognized as being able to export chicken to Canada. If they are able to produce the necessary documentation to ensure food safety, the agency will have the people in place to provide authorization.

We will then be able to see the extent of these imports. If there are supply management implications, I imagine that my colleagues at Agriculture and Agri-Food Canada will be the ones to step in. We'll work with them.

MP John Barlow: Maybe Mr. Morel could answer this really quick one. I've also heard from P.E.I. farmers that for other vegetables—carrots, onions and turnips—CFIA is not giving them export certification due to soil concerns. Is that factual?

Mr. Philippe Morel: That's correct. We're managing the potato wart, the pests and the soil that could be on vegetables. If it is and they're not washed, they need to have the same kind of process as potatoes. It's not only for potatoes.

MP John Barlow: Is this a new protocol?

Mr. Philippe Morel: No, it's the same. Those industries are way less impacted because they already had the process in place to clean and remove the soil. That's why we heard less of them.

Just to correct you regarding compensation, up until now we have spent more than \$6 million in compensation to 33 growers for seed potatoes that were destroyed.

MP John Barlow: Thanks.

MP Yves Perron: Thank you, Mr. Chair. Mr. Forbes, I don't know if you're aware of the phenomenon of imported municipal sewage sludge. In news reports this week, we learned that trucks were arriving from the United States with municipal sewage sludge, also known as "biosolids", which is subject to a ban on spreading in certain American states. They're coming to spread this on our land and it must not be good for the land, given that our producers are getting money for it.

Were you aware of this situation? Can you tell us about it? What are the next steps?

Mr. Chris Forbes: I am aware of the situation, but Mr. Morel will answer the question.

Mr. Philippe Morel: Of course, we know about it. The Canadian Food Inspection Agency is involved in the importation of these biosolids when they are intended to be used as fertilizers, as seems to be the case according to some of the news reports that have come out this week.

We are working with Environment and Climate Change Canada on the Chemicals Management Plan to ensure that this situation is properly managed. At this time, based on the studies and science available to us, there is no indication that there is a high enough presence of perfluoroalkyl substances in this sludge to impact animal or human health.

We continue to ensure that sampling is done at the source, so that products are accepted when they arrive in Canada. The province of Quebec does not have any regulations prohibiting the use or presence of these products in its territory. For our part, we ensure that they are not prohibited by Canadian regulations, and indeed they are not.

MP Yves Perron: All right, but this raises a major concern: the rates are reputed to be five times higher than what is allowed in some states in the U.S., hence the U.S. ban. If we're spraying things that are banned elsewhere, that raises a major issue. I think you should look at this seriously.

Are you doing any work on the standards for specified risk material in cattle slaughter? Are you considering adjusting these standards?

Smaller slaughter projects could gain profitability if these standards were amended or withdrawn without questioning safety requirements. We have had negligible risk status for some time now.

Mr. Philippe Morel: I thank the member for his question. We are currently working with the industry to see what the consequences would be if the World Organization for Animal Health were to issue negligible risk status to Canada. We are also doing a risk analysis, but there are different contexts in Canada and the United States to consider, which the study should tell us.

If there is another case in Canada, there is a huge chance that our status will change, and for much longer. As part of our analysis of the potential risks, we will try to work with the beef industry to minimize the risk of long-term impact to them. So this is not a decision we can make quickly.

4. Committee Details

A) Logistics

Preparation:

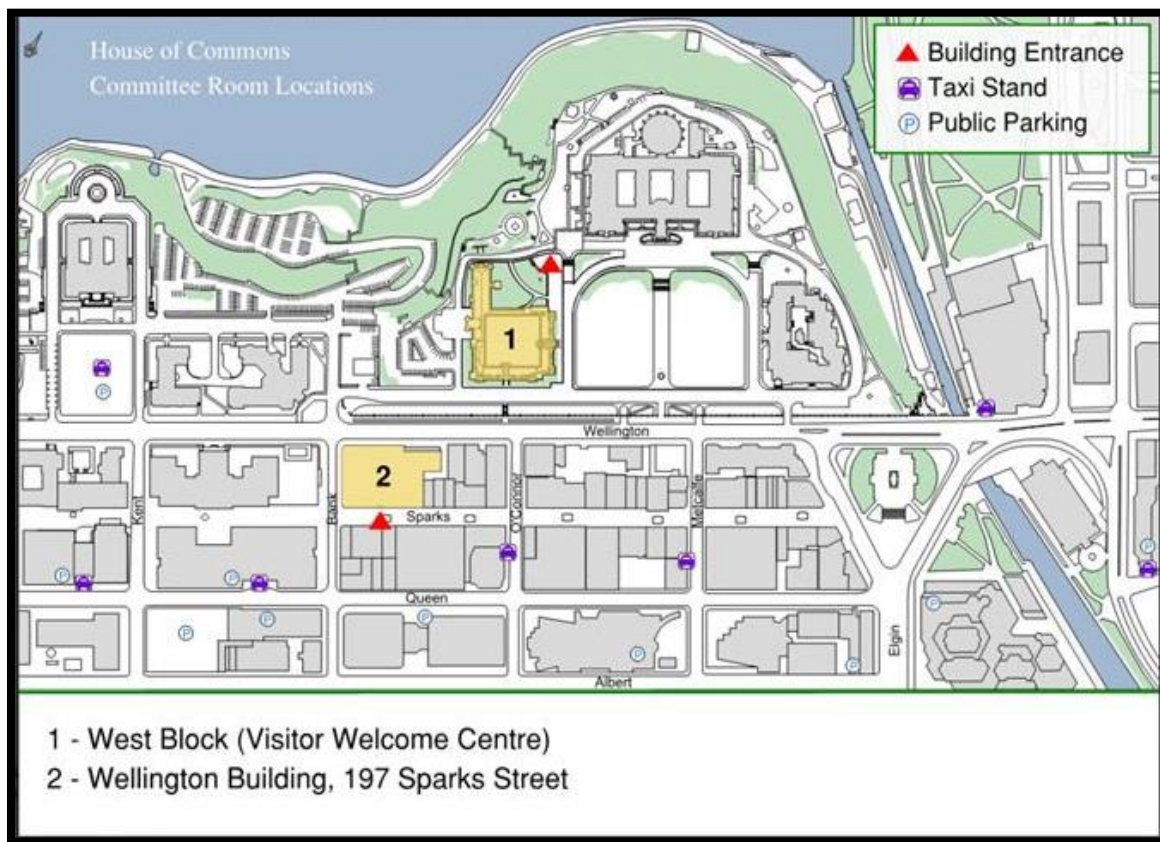
- Normally it is recommended that you plan to arrive at least 30 minutes prior to the meeting to go through security, as well as greet other witnesses and ensure proper seating.

Parking:

- See image below (P)

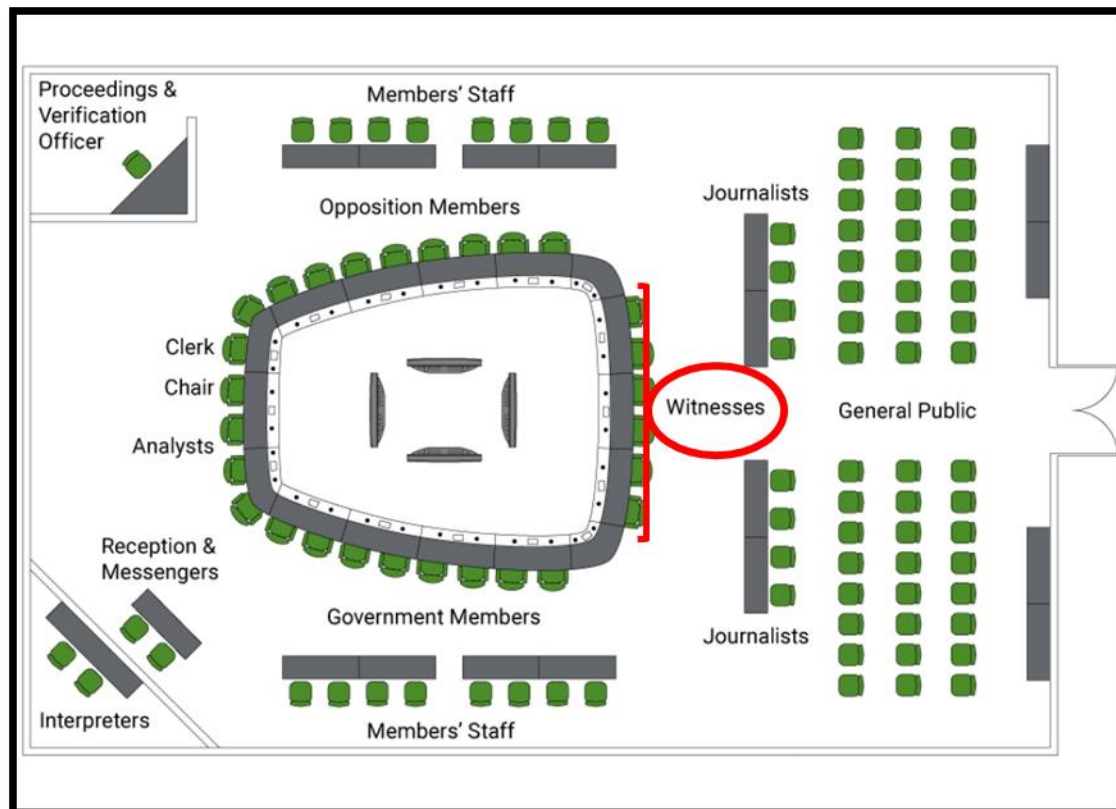
Committee Meeting Location:

- Room 315, Wellington Building, 197 Sparks Street (#2 in the image below).
- Note entrance at the corner of Bank and Parks (▲).



Committee Room Layout

A name plate will be set out for your indicating where you should sit on the witness side of the table.



B) Meeting Notice

[Notice of Meeting - AGRI \(44-1\) - No. 85 - House of Commons of Canada \(ourcommons.ca\)](https://ourcommons.ca/notice-of-meeting-agri-44-1-no-85)

5. Committee Membership Photos



Kody Blois
Chair
Liberal
Kings-Hants, N.S.



Ben Carr
Liberal
Winnipeg South Centre,
Man.



Francis Drouin
Parliamentary
Secretary to the
Minister of AAFC
Liberal
Glengarry-Prescott-
Russell, Ont.



Tim Louis
Liberal
Kitchener-
Conestoga, Ont.



Heath MacDonald
Liberal
Malpeque, P.E.I.



Leah Taylor Roy
Liberal
Aurora-Oak Ridges-
Richmond Hill, Ont.



John Barlow
Vice-Chair
Conservative
Foothills, Alta.



Richard Lehoux
Conservative
Beauce, Que.



Lianne Rood
Conservative
Lambton-Kent-
Middlesex, Ont.



Warren Steinley
Conservative
Regina-Lewvan, Sask.



Yves Perron
Vice-Chair
Bloc Québécois
Berthier-Maskinongé,
Que.



Alistair MacGregor
NDP
Cowichan-Malahat-
Langford, B.C.

