



ALL ABOUT FOOD SAFETY

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NEW CHANGES TO FOOD INSPECTION REGULATIONS

The **Government of Canada** is taking action to further strengthen Canada's world-class food safety system with the food inspection regulations

- Consumer food safety awareness
 - Global supply chains
- Regulators limited authority to prevent import of unsafe food

Are you ready?

CFIA MODERNIZATION ACT

- The Canadian Food Inspection Agency (CFIA) Safe Food for Canadians Act is currently scheduled to come in effect in 2015.
- The modernization act will see CFIA implement consistent practises for all food commodities – from coffee and baked goods to baby formula – many not previously subject to CFIA registration and licensing.
- **The result:** better protection for Canadian families from risks to food safety

WHAT DOES THIS MEAN?

- This means a series of new requirements for companies that import or export food commodities as well as companies that prepare food commodities for international or interprovincial trade.
- Among the requirements are mandatory federal licences, Preventative Food Safety Control Plan including recall plans, record keeping requirements and a new inspection model.

GLOBAL TRENDS AND BEST PRACTISES

- Canada's food supply is already among the world's safest.
- The **Safe Food for Canadians Action Plan** focuses on continuous improvement based on science, global trends, and best practices.
- stronger food safety rules
- more effective inspection
- a commitment to service
- more information for consumers

ARE YOU READY?

In order to ensure your food imports into (and exports from) Canada are compliant when the changes come into effect you should be able to answer these questions:

1 – DO YOU HAVE A FOOD CONTROL PLAN?

- Under CFIA's new food inspection regulations, every company that deals with food and food products will be required to have a detailed Preventative Food Safety Control Plan (PFSCP).
- The written plan must document all aspects of the local food handling operation, including facilities, equipment, employee training, sanitation and pest control, transportation, storage and more.
- You must also demonstrate the plan's effectiveness and scalability before implementation.

2 – HOW WILL YOUR COMPANY MANAGE NEW LICENSING REQUIREMENTS?

- Licensing will be a mandatory requirement under the Safe Food for Canadians Act.
- Companies subject to the new regulations will be required to register and apply for licenses through a CFIA web portal, and must renew **every two years**.
- License requirements will apply to legal entities only, not individual establishments or locations.
- Every importer's requirements will be different.

3 – DOES THE IMPORTER HAVE A RECALL/TRACEABLE PLAN IN PLACE?

- Preventative measures are a key component of CFIA's modernization and food safety efforts. Even companies that aren't the licensed importer must have procedures in place to track and trace any food product. It will be up to the company to demonstrate that their documents detail and all product ingredients and that the books and records contain a full trail of the goods. The records can be requested by CFIA and must be provided within 24 hrs if it is determined that a food hazard exists.

4 – HAVE YOU MEASURED AND DOCUMENTED YOUR COMPLIANCE HISTORY?

- A company's compliance history will be an important factor in demonstrating their ability to meet all of CFIA's new requirements.
- CFIA, supported by the Canada Border Services Agency (CBSA), will want to ensure that all food importers are exercising due diligence and reasonable care in managing their businesses.
- CFIA will be conducting risk-based audits to ensure companies can demonstrate appropriate levels of compliance.
- If the company has ever been audited by CFIA or cited for non-compliance, it is imperative that the company takes and implements corrective action where indicated, and the company documents their process fully.

5 – DO YOU REGULARLY EXPORT FOOD PRODUCTS?

- Under new regulations, CFIA requires that exports affected by the new standards also meet the standards of the importing country – and Canadian standards may not align with all other countries (for example, Canada and U.S are currently operating under different standards).
- CFIA is assessing its options, one of which may be affixing a label or symbol which would identify that the goods are not for sale in Canada but are viable for export.
- Exporters will need to remain flexible in case CFIA implements new requirements.

UNDERSTANDING THE COSTS OF NON-COMPLIANCE

- As part of the modernization rollout, CFIA will be introducing new contraventions based on level of risk and non-compliance, including monetary penalties up to a maximum of \$25,000 per infraction.
- Companies will need ensure that they understand their level of risk and potential exposure under the AMPS system.

WHAT IT MEANS TO CONSUMERS

- The Safe Food for Canadians Act will manage today's risks to food and safety by making it safer and stronger for consumers.
- Canadians will know what the food contains and where it comes from.
- Consumers will be safer from food tampering, deceptive practises and hoaxes.

WHAT THIS MEANS TO CANADIAN INDUSTRY

- Will provide clear and, consistent and straight forward inspection and enforcement rules for industry.
- Greater consistency for Canadian businesses for both the domestic and international markets.
- Consolidating and modernizing CFIA's food commodity statutes by creating a single set of rules will clarify expectations and make compliance easier to achieve.
- Level playing field for industry for domestic, import and export.
- Export opportunities for Canadian producers by providing CFIA the authority to certify all food commodities for export.
- Flexibility by allowing authorities for timely responses to new international trade requirements.

WHAT WILL BE THE NEW AUTHORITIES FOR INSPECTORS?

- Power to request a warrant by telephone
- More explicit authority for an inspector to pass through or over a private property for inspection or purposes to take photographs
- Power to request that an individual start or stop an activity to prevent non-compliance with the act.
- The power to ask for documents to be produced
- Prevention and interference with an inspector to carry out his duties

In addition, many authorities have been updated from their previous version to reflect new drafting conventions and make them clearer for all the stakeholders.

ARE THERE BENEFITS TO THE CONSUMERS?

- Introducing consistent food inspection practises across all food commodities
- Increasing some existing fines and introducing new fines and penalties
- Giving the CFIA the ability to require regulated parties to have traceable systems
- Giving prohibition against selling food commodities that has been recalled
- Introducing new and stronger prohibitions against deceptive practices, tampering and hoaxes
- Giving the CFIA the ability to require the registration or licensing of regulated parties and establishments
- Prohibiting the importation of unsafe food commodities

WILL THIS BENEFIT INDUSTRY?

- The new legislation will strengthen control over imported food commodities, introduces powers to register or license industry, and prohibits the importation of unsafe food commodities
- Allowing CFIA to certify food commodities for export will help Canadian businesses compete on a global stage (many foreign governments are requiring food imports be licensed by the originating country).

ARE THERE CHANGES TO TRACEABILITY?

The amendments to the Health of Animals Act strengthen Canada's regulatory-making authorities and expand our existing traceability requirements which already include animal identification and components of movements reporting. It will further enhance the ability to follow items such as animal, plant, or food products or their ingredients from one point in the supply chain to another.

The national system will lessen the impact and severity of an animal disease outbreak, thereby protecting animal health, human health and safeguarding food supply.

HOW WILL THE REVIEW MECHANISM CHANGE?

- The review process will allow businesses with a more transparent and accessible way to register complaint and appeals.
- The review officer can confirm, change or cancel a decision.
- If the stakeholder feels they have been treated unfairly by an inspector, they can contact the Compliant and Appeals Office / or submit a claim through the CFIA website.
- If the regulated party disagrees with the reviewing officer's decision, the regulated parties can ask for a judicial review by the Federal Court.

BEYOND THE REQUIREMENTS - BUILDING YOUR FOOD SAFETY PLAN

1. What are your reasons for building a food safety plan?
2. What are your specific requirements? Are there benchmarks you need to/want to meet such as HACCP or GFSI?
3. What are the food safety gaps specific to your business/operations? What do you need to do to close the gaps?
4. How do you prioritize items in your work plan?

EXPECTED COMING INTO FORCE OF THE PROPOSED REGULATIONS

	Meat, Seafood, Dairy & Cheese Canned & Frozen Fruit & Veg., Honey, Maple (including meat importers)	Fresh Herbs & Spices; Fresh Fruit & Vegetables	Processed Foods & Commodities e.g. Spices-regulated only under F&D Act
License	2016	2016	2017
PCP	2016	2017	2018

NON RESIDENT IMPORTERS

Non-Resident Food Importers

- CFIA had also proposed a new requirement that only Canadian residents would be allowed to import food into Canada. This would have resulted in serious disruptions in business relationships between grocery retailers and their US vendors. “Non-resident importers” have always been a trusted and critical part of the food industry. A new residency requirement would have been a costly and unnecessary administrative burden.
- RCC is pleased to confirm that its efforts to remove this requirement were successful. After months of correspondence and meetings with the Federal Government and other associations, RCC was also able to ensure that non-resident importers would continue to be able to import food into Canada.

NEXT STEPS -

- Develop the recall plan
- Once the recall plan is in place, work through different scenarios to ensure you can account for all products at all times, tracking ingredients, imports, exports, and domestic sales.
- Work with service provider to perform a self audit in order to assess compliance and to ensure you are ready for a CFIA audit.

NEXT STEPS

- Ensure your company's entire license application process and procedures are established and tested. Review your internal procedures, but also ensure that your verification steps, record keeping documentation will meet the new regulation requirements.
- Establish your Standard Operating Procedures (SOPs) to support your preventative control plan which will include procedures for determining root cause of any deviation to prevent recurrences and ultimately avoid recall situations.
- CFIA conducts over 300 food recalls per year ensure your Traceability Procedures are in place to avoid this occurrence.

QUESTIONS?

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