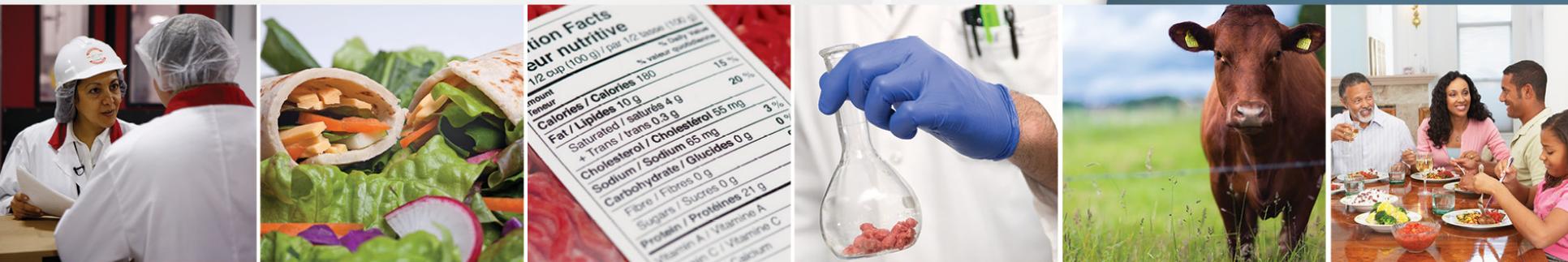


# SAFE FOOD FOR CANADIANS ACTION PLAN



Strengthening Canada's World-Class Food Safety System

## Canada's New Regulatory Framework for Federal Food Inspection



Canadian Food  
Inspection Agency

Agence canadienne  
d'inspection des aliments

Canada

## Presentation Overview

- Operating Environment
- Current Legislative and Regulatory Environment
- Overview of elements of a Canada's new regulatory framework for federal food Inspection
- Discussion



# The Canadian Food Inspection Agency

## Our Vision:

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



## Our Mission:

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





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**International Partners**

Set import requirements, provide export requirements.

Comparability and acceptance of food systems

Global food supply – market and trade requirements



**Provinces/ Territories  
Municipal Agencies**

Enforce food safety laws within their jurisdiction

Inspection, public health and food safety surveillance



**Federal Partners**

**PHAC** leads public health surveillance and outbreak investigations when more than one P/T or country involved

**Health Canada** develops health policies and standards and conducts health risk assessments



**Industry**

Responsible for the production of safe food in compliance regulatory requirements



**Consumers**

Responsible for safe food handling and preparation

**Collaboration with a Range of Food Safety Partners is key**



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## We are in a dynamic global food environment

The environment in which we operate is continually evolving and is becoming increasingly complex

- Globalization and industry consolidation
- Shifting consumer landscape – aging population and increasing expectations
- Evolving production and processing technologies
- Emerging pathogens and diseases
- Increased knowledge of risk and systems-based approaches
- Advances in science and technology
- Modernization initiatives of trading partners



As a result, Canada is moving to strengthen its world class food safety system

## *Safe Food for Canadians Act*

- The ***Safe Food for Canadians Act*** (SFCA) received Royal Assent in 2012 providing the legislative base for a modern federal food safety inspection system.
- The Act consolidates three CFIA inspection statutes – *Meat Inspection Act*, *Fish Inspection Act*, and *Canada Agricultural Products Act* – and food provisions of *Consumer Packaging and Labelling Act*.
- The *Food and Drugs Act* (FDA) continues to apply to all food sold in Canada, as do other CFIA statutes related to plant and animal health.
- Entire Act must come into force on one day with supporting regulations by mid-2015.



## Current Legislative and Regulatory base - 13 Acts and 38 Regulations

### *Canadian Food Inspection Agency Act*

*Food and Drugs Act (1)*  
*Meat Inspection Act (1)*  
*Fish Inspection Act (1)*  
*Consumer Packaging and Labelling Act (1)*

*Canadian Agricultural Products Act (10)*  
Applies to dairy, egg, fruit, vegetable, maple and honey products marketed through import, export and interprovincial trade

*Health of Animals Act (9)*  
*Plant Protection Act (9)*

*Feeds Act (1)*  
*Seeds Act (2)*  
*Fertilizers Act (1)*

*Agriculture and Agri-Food Administrative Monetary Penalties Act (1)*  
*Plant Breeders Rights Act (1)*



## Proposed New Federal Food Inspection Regulations

- **Single set of food inspection regulations that apply to all food imported, exported and prepared for inter-provincial trade**
  - For the most part new regulations do not apply to food traded solely within a province or territory (one exception being prohibition on tampering and hoaxes)
- **Regulations will include:**
  - Horizontal provisions (e.g. licensing, preventive controls, traceability, record-keeping);
  - Commodity–specific food safety and consumer protection requirements (e.g. slaughter provisions, standards of identity, grades, container sizes, inspection marks, labelling); and
  - Complementary regulations regarding disclosure of information and administrative monetary penalties.



## Horizontal Requirements: Licensing

### Licensing allows CFIA to:

- Authorize activity and attach specific conditions
- Identify who is preparing or importing food in Canada
- Determine where food businesses are located and what activities they are conducting

### Licensing will:

- Broaden requirements so everyone who imports or prepares food for inter-provincial trade will be required to have a licence
- Apply to many who were not covered by CFIA regulations in past
- Allow regulated parties to apply for multiple licenses (e.g., for each physical location, for a number of locations or by activity)
- Be valid for two years and fee will apply for each license.

**Regulations will include the ability to suspend and cancel licenses, as well as criteria for application of these enforcement tools.**

## Horizontal Requirements: Preventive Control Plan (PCPs)

- Proposal to move from prescriptive commodity-specific rules that cover some food commodities, to regulatory outcomes for all food traded across borders, while maintaining commodity-specific requirements where needed.
- Approach provides flexibility to introduce new technologies and processes that could enhance safety and/or reduce costs.
- Depending on nature of operation, PCPs would need to address the principles of HACCP and include some or all of following elements:
  - processes and products
  - equipment design and maintenance
  - sanitation and pest control
  - employee hygiene and training
  - receiving, transportation and storage
  - physical structure and maintenance of the establishment
  - recall and complaints



## Horizontal Requirements: Traceability and Record Keeping

- Rapid identification of origin and movement of a food commodity is essential for protecting consumers during a food recall
- Proposed regulations would apply *Codex* standard of maintaining records on inputs and distribution, “One step forward, one step backwards”, to every stage of food supply chain, from primary producer to retailer
- Regulations would require that operators:
  - collect and maintain traceability information in an accessible, useable format, in English or in French.
  - provide records to CFIA on request , un-encrypted and within 24 hours in a format which can be imported and manipulated by standard commercial software
- Operator who believe that food is not in compliance with food safety requirements would have to :
  - immediately initiate procedures to withdraw the food from the market
  - inform the CFIA
  - inform consumers if it could have reached them and recall if necessary
- Retailers, restaurants and catering companies will not be required to collect information about consumer purchases.
- All records would need to be maintained and accessible at an address in Canada for a period of not less than three years.



## **New prohibitions against tampering, deceptive practices and hoaxes**

- With the adoption of the Act, the Government will have the means to take swift action against threats related to food commodity tampering, deceptive practices and hoaxes
- As part of the PCP requirements, regulated parties will be responsible for taking into consideration what they would do in the event that something went wrong, including unforeseen food safety and non-compliance situations
- Tougher penalties and fines will also be put in place to deter wilful or reckless threats to the health and safety of consumers
  - Penalties as high as \$5 million, or in the case of the most serious offences, even higher at the courts discretion
  - Previously, anyone convicted of a serious offence could have been fined up to a maximum of \$250,000.



## Outcomes of new approach...

A food safety system capable of continuous improvement based on science, global trends and best practices and be:

- able to deliver better protection from food safety risks for Canadians;
- focused on science-based and risk-based prevention and control of potential hazards as well as robust and responsive;
- transparent so consumers can play their role and so industry understands obligations;
- internationally consistent and harmonized wherever possible;
- enabled with best available skills tools and technology to efficiently provide regulatory services to industry; and
- outcome-based whenever possible and assessed regularly to verify that outcomes are achieved and that systems are functioning well.



## Canada and US Food Safety Laws and Regulations - Review

- While Canada is moving to one food program, the US rules will not cover meat, poultry, processed egg products and catfish which are regulated by the US Department of Agriculture (USDA).
- The US Food and Drug Administration (USFDA) draft rules under the FSMA are largely aligned with CFIA's proposed approach to new regulations.
- Canada and the US have noted the significant alignment between the food safety modernization approaches, as well as areas of potential challenge, and areas for further collaboration such as recognition or private certification schemes.
- The timing of the Canadian and US food safety initiatives presents an opportunity to pursue coordinated regulatory approaches that could enhance consistency between our respective food safety regulations.

## Coming into Force and Next Steps

- **Spring 2014:**
  - Draft content of food inspection regulations
  - Draft guidance documents for industry
- **Target for new Food Inspection Regulations to Come into Force: mid-2015**

# Feedback

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