



Canadian Produce Marketing Association
Safe Food for Canadians Regulations
Guidance Document
2018

Foreword

The publishing of the Safe Food for Canadians Regulations on June 13, 2018 was the conclusion of a six year journey undertaken by the Canadian government, food industry associations, individual companies and the Canadian public to modify and modernize the food laws of Canada. Members of the Canadian Produce Marketing Association (CPMA) played a pivotal role in advising and critiquing work being done by CPMA on their behalf helping to ensure members concerns would be discussed during the drafting of the regulation.

CPMA would like to thank all of the members who donated their time and expertise in helping us with the myriad details involved in a consultation process of this size and complexity.

As with all guidance, the following document is an effort to reduce the key elements of the regulation into an easily understood and useful resource for members. It is, at the time of issue, our informed understanding of the regulations, of CFIA issued guidance and associated information which affects the Canadian produce industry. We encourage members to use this document as guidance only and recommend they regularly visit the CFIA website for the most up to date and complete information regarding the SFCR.

Thank you for your continued support.

The CPMA Team
July 26, 2018



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Food Safety Information for Industry: SFCR - Overview

History:

The Safe Food for Canadians Regulations (SFCR) legislation is a modernization and strengthening of Canada's food safety and food related laws and regulation. Since the mid-70's, Canada has operated under a patchwork of regulatory requirements which were very prescriptive, difficult to revise, redundant, complicated for business and often counter intuitive. Modernization of the regulations was required if Canada was to remain competitive on a global scale.

The 2008 *Listeria* outbreak involving luncheon meats and the resulting Weatherill Report were the triggers that spurred the federal government to begin the process of updating both the language and functionality of the Canadian food system. The goal was to create legislation which continued to provide Canadians with access to wholesome, nutritious foods while allowing food companies and government the flexibility to keep pace with an ever changing industry.

What's in it?

The SFCR take a number of existing regulations and moves them all under one, overarching regulatory framework. Specific registered commodity groups (e.g. meat, dairy, honey) are included, but so are all other food commodities. Where possible, regulations were written to encompass all foods but there are also dedicated sections dealing with the specific needs of particular foods. A significant change is the regulations are now structured to include a mix of prescriptive and outcome based requirements. In this new regulatory environment, CFIA prescribes outcomes which regulated parties are expected to comply with within a regulatory backdrop which supports achieving the outcomes. For example, the regulation may no longer specify a food contact surface has to be made of stainless steel. Instead, the regulation will specify that food contact surfaces have to be non-porous, non-reactive, easy to clean and sanitize, free from the introduction of foreign materials and appropriate for the foods being processed. It's up to the producer to justify that the materials they choose meet these requirements.

The legislation is divided into a number of sections including:

- Licensing and My CFIA (electronic service portal)
- Preventive Food Safety Controls
- Traceability
- Importing Food
- Exporting Food
- Labelling and Grades

One other significant change is the introduction of the ability to revise the legislation via "Incorporation by Reference". This tool allows stakeholders an opportunity to provide comment to proposed updates to the documents incorporated by reference without having to

go through the slow process of a parliamentary revision. Changes can be “incorporated” based on scientific literature, industry agreement (i.e. grade standards) and foreign government statutes. The change would still have to be reviewed and accepted by government, but without the formality of the parliamentary process.

This guidance document is designed as a quick reference guide for CPMA members. It helps to explain the new regulations, how they will affect the produce industry, information on related issues and links to reference material. Members should always refer to the CFIA website for the most up-to-date guidance documents, FAQ’s and other support documentation. As always, if you have any questions, comments or concerns please feel free to address them to CPMA.

References for general SFCR information can be found [here](#).

Timelines 2019 and beyond

As of January 15, 2019, the SFCR come into force. This means that any of the regulations with an immediate implementation date must be in place as of that date. It is also the date where the old regulations become archived and are no longer in force. For the fresh produce industry there are a number of criteria which are required on the coming into force date. January 15, 2019 is also the date the clock starts for any of the regulations which have staggered coming into force dates. For example, if you only grow and harvest produce, then your traceability program must be in place by January 15, 2020.

The timelines are all dependent upon CFIA having the infrastructure in place, such as the licensing mechanism, for organizations to access. If CFIA is unable to meet the published timelines, we will keep members informed as the dates are revised. For now, however, consider the dates currently published as the dates to work towards. The following chart provides the compliance dates as published.



SFCR requirement	SFCR FF&V Activities and Timelines					
	Growing & Harvesting	Field packaging, if produce will not be further prepared by licence holder in another province	Grading, (re)packaging labelling, treating, minimally processing	Import (sole activity)	Export (sole activity)	Interprovincial trade (sole activity)
Licensing	n/a	Jan. 15, 2019 n/a (if subsequently processed, treated, preserved, etc. by a license holder)	Jan. 15, 2019	Jan. 15, 2019	n/a (unless an export certificate or other export permission is requested)	n/a
Preventive controls	Jan. 15, 2020	Jan. 15, 2020	Jan. 15, 2020	Jan. 15, 2020	n/a	n/a
Written PCP	Jan. 15, 2020 (interprovincial - gross annual food sales >\$100K)	Jan. 15, 2020 (interprovincial - gross annual food sales > \$100K)	Jan. 15, 2020 (interprovincial - gross annual food sales > \$100K)	Jan. 15, 2020 (interprovincial - gross annual food sales > \$100K)	n/a (unless an export certificate or other export permission is requested)	n/a
	n/a (interprovincial - gross annual food sales <\$100K)	n/a (interprovincial - gross annual food sales <\$100K)	n/a (interprovincial - gross annual food sales <\$100K)	n/a (interprovincial - gross annual food sales <\$100K)		
Traceability	Jan. 15, 2020	Jan. 15, 2019 (if you have a license to field pack and label) Jan. 15, 2020 (if you do not have a license to field pack and label)	Jan 15, 2019 (Interprovincial) Jan. 15, 2020 (Export)	Jan. 15, 2019	Jan. 15, 2019	Jan. 15, 2019

Note: Information sourced from [CFIA Fresh Fruit and Vegetable Timelines](#). Members are encouraged to reference the source data for anything which may affect their specific business.

Food Safety Information for Industry: SFCR – Licensing and My CFIA

Licensing Background:

Canada's food regulatory structure has remained relatively static over the last 30 – 40 years. It was a rigid, prescriptive system with little flexibility and change mechanisms involving parliamentary approvals and other time consuming processes. One aspect of this change is licensing.

Licensing is not new to the Canadian food industry as it has been in place for years in the meat, seafood and dairy industries (the term registration has traditionally been used). Produce had the CFIA warehouse inspection program which was also a form of licensing. What's new in the SFCR is the requirement that almost all food producers, packagers, importers and exporters will now require a license to operate within Canada. An organization's activities will now be the catalyst which determines if they will require a CFIA license.

Licensing Basics:

The SFCR Licence is based on the activities an organization performs and not based on the types of food they deal in. The "licensable activities" include manufacture, process, treat, preserve, grade, package, and label. In some circumstances: importing and exporting would also be licensable activities.

Manufacture: Refers to making, developing or fabricating a food from raw ingredients or already pre-manufactured ingredients, manually or with the use of machinery.

Process: Refers to one or more steps taken on food to preserve, transform or change its properties.

Treat: Refers to applying a process or a substance to a food to protect it or to give it particular properties.

Preserve: Refers to maintaining a food in its original or existing state; to retain the condition of a food; to treat a food to prevent its decomposition.

Grade: The action of grading refers to examining a food against a set of criteria prescribed in the SFCR and to subsequently apply a grade name, mark or designation to that food or its package, if the prescribed criteria are met.

Package: The action of packaging refers to placing a food in an inner or outer receptacle or covering, including a wrapper or confining band.

Label: The action of labelling refers to applying or attaching a label, including a legend, a word or a mark, to a food or a package of food.

Intraprovincial, interprovincial, import and export trade activities may or may not be licensable activities. As a federal statute, the SFCR does not cover intra-provincial trade except in very

specific circumstances.¹ Trade of food which originates and stays within a single province falls under the relevant provincial legislation. It is, however, important that a producer understands where their product may be traded as those activities may trigger certain requirements under the SFCR.

Although the act of moving food via interprovincial trade does not require a license, the trader is responsible, for ensuring the product was produced by a license holder. This requirement creates a situation whereby producers and buyers both need to understand what may happen with the product as it moves thru the supply chain.

Example:

If an apple orchard grows, harvests and bags (packages) apples for consumers which are only sold within their province, no license is required. If, however, the apple grower sells to a distributor who plans on moving the product across provincial boundaries, it will be the distributor's responsibility to ensure the apple grower has a license as they are packaging product for interprovincial trade.

The requirements covering importing and exporting are also changing. Whomever imports food into Canada must be a SFC license holder unless that food is going to be further processed. An importer is considered the person involved with the act of importing. Another way to state this is the person who caused (triggers) the product to be imported must be a license holder. Customs brokers who help facilitate the movement and paperwork involved in the act of importing are not deemed to be the importers.

Exporting product from Canada to other parts of the world is not a licensable activity unless the exporter requires an "export certificate or other export permission" from CFIA. A request for an export certificate triggers a requirement that the exporter be licensed under the SFCR. (It's also important for the exporter to ensure items for export are compliant with the applicable regulations of the importing country.)

In both the importing and exporting situations, the company whose sole purpose is to convey (i.e. transport) the product between provinces or countries is not required to be licensed. It is the responsibility of the license holder to ensure the transporting company is capable of moving product in a compliant manner.

In an effort to help organizations better understand if they are subject to licensing, CFIA has created a web-based interactive tool. The tool can be accessed here: [Licensing Tool](#).

¹ The (SFCR) set out the requirements for all foods that are imported, exported and inter-provincially traded. Some traceability, labelling and advertising provisions also apply to intra-provincially traded foods.

SFCR licenses will be in effect for 2-years and there will be a cost for the initial license and subsequent renewals. It is expected the licenses will cost between \$200.00 and \$300.00 but this has not been confirmed at time of writing. At the present time, SFCR licenses cannot be issued as the regulations have not come into force. Once the January 15, 2019 coming into force date is reached, the CFIA should be prepared to issue licenses. The process to obtain a license will take place thru CFIA's "My CFIA" web portal.

My CFIA

My CFIA will be the electronic service portal through which all business related interactions will take place between CFIA and the food industry. CFIA will be adding functionality to the system over the next few months and it is thru this site that licenses will be obtained. While CFIA works towards getting the systems up and running, they are encouraging organizations to create a My CFIA account to avoid any back logs which may be created once the licensing function is initiated.

Note: "My CFIA" should not be confused with "Ask CFIA". Ask CFIA is the portal which businesses, consumers, and others can use to pose questions to CFIA.

References for licensing and My CFIA can be found [here](#).

Food Safety Information for Industry: SFCR – Preventive Control Plans

Preventive Control Plans Background:

The concept of safe food is universally accepted as a mandatory, intrinsic quality of all the food we purchase and consume. The process of food safety, however, has to be built into the system from the substrate used to grow the products; through harvesting and packaging; transportation and storage; retail and food service and finally onto the plates of consumers. Understanding the particular characteristics for each type of food, their components, the processes they go through and how to mitigate the risks associated at each step is the basis upon which preventive control plans (PCP) are built.

Preventive Food Safety Controls

Under the Safe Food for Canadians Regulations (SFCR), most businesses will need to put in place preventive food safety controls to:

- manufacture, process, treat, preserve, grade, package or label food to be exported or sent across provincial or territorial borders
- grow or harvest fresh fruits or vegetables to be exported or sent across provincial or territorial borders
- import food

Also, most businesses will need to document their food safety controls in a preventive control plan (PCP). Exceptions to this requirement are exporters of food (other than meat products or fish) who do not need an export certificate or other export permits, and businesses with \$100,000 or less in gross annual food sales.

Find out if and when you need a PCP by using the preventive control plan [interactive](#) tool.

Preventive controls help to prevent food safety hazards and reduce the likelihood of contaminated food entering the market, whether they are prepared within or outside of Canada.

Preventive food safety controls address hazards and risks in such areas as:

- sanitation and pest control
- treatments and processes
- equipment
- maintenance and operation of establishments
- unloading, loading and storing food
- employee competence
- employee hygiene
- employee health
- complaints and recalls

The reference section includes documents which provide information on select preventive control practices for operators to mitigate food safety risks associated with the preparation of fresh fruits or vegetables. This information is intended to inform and support the development and implementation of a preventive control plan.²

References for preventive control plans can be found [here](#).

Food Safety Information for Industry: **SFCR - Traceability**

Traceability Background:

Traceability is the process by which a product, and key information related to the product, is followed through a supply chain. In most cases the organizations involved in a supply chain are responsible for identifying the one step forward and one step back movement of items including information that identifies that particular instance of the item (e.g. lot codes). The exception to this rule are the one-up final sales to consumers in either a retail or food service setting are not required, although some companies with loyalty programs or memberships can often track these sales as well. Historically, produce has been quite difficult to trace given the complex supply chains and product consolidations which can occur as product is transformed from raw agricultural commodities to consumer packaged and ready-to-eat items.

² Information in this section is drawn from the source material at [CFIA - SFCR Home Page](#), and related site locations

SFCR and Traceability:

The SFCR requires organizations to have a system in place which facilitates one-up / one-down traceability of products. This information must be accessible in Canada, generally within 24 hours but possibly sooner if requested by the Minister, as either a paper or electronic record, it must be in a human readable form (not encrypted) in either of the official languages and the document should be editable in one of the common software tools (i.e. word, excel) or easily transferred to these formats. These conditions are important so data can be quickly extracted and analyzed when tracking product movement in the event of a recall.

90 (1) Any person who sends or conveys a food from one province to another, or who imports or exports it, any holder of a licence to slaughter a food animal, to manufacture, process, treat, preserve, grade, store, package or label a food or to store and handle an edible meat product in its imported condition and any person who grows or harvests fresh fruits or vegetables that are to be sent or conveyed from one province to another or exported must, if they provide the food to another person, prepare and keep documents that set out

- (a) the common name of the food, a lot code or other unique identifier that enables the food to be traced and the name and principal place of business of the person by or for whom the food was manufactured, prepared, produced, stored, packaged or labelled;
- (b) except if they provide the food to another person as a sale at retail, the date on which it was provided and the name and address of the person to whom it was provided;
- (c) if they were provided the food by another person, the name and address of that person and the date on which it was provided; and
- (d) the name of any food commodity that they incorporated into the food or from which they derived the food and, if they were provided the food commodity by another person, the name and address of that person and the date on which it was provided.

Traceability records must be maintained for 2 years after the day the food was provided to another person or sold at retail and must be accessible in Canada. If required by CFIA, documents must be provided within 24 hours of the request by the Minister of Agriculture. Shorter or longer periods may be specified dependent on the circumstances.

Traceability information must be included in a label that is attached to or accompanies any food. For specifics on this and other traceability requirements noted above, please refer to the resource section.

Organizations operating under a GFSI-recognized certification program, and those who have implemented the Produce Traceability Initiative (PTI) should already have a traceability system in place which would satisfy the SFCR requirements. However, even if working under a GFSI-recognized certification program it is important to do a side-by-side comparison of your existing program with the SFCR requirements to ensure all of the regulatory elements are included.

References for traceability can be found [here](#).

Food Safety Information for Industry: SFCR – Importing

Importing Background:

Canada is one of the most efficient producers of high quality, nutritious food in the developed world. Unfortunately, we also have to contend with a relatively short growing season, greenhouses notwithstanding, so a vast majority of our fresh fruits and vegetables have to be imported through the colder months of the year. Additionally, the demographics of Canada are continuously evolving as we welcome an ever increasing diversity of new immigrants to the country. New Canadians look for familiar fruits and vegetables and as such, the Canadian produce industry is very good at procuring and importing products to meet this demand. Importing will continue to be a core business function and is expected to continue growing for the foreseeable future.

Importing:

As an importer, you will need to ensure that the food you import is safe to consume and meets Canadian requirements. The SFCR include a requirement that imported food be prepared with the same level of food safety controls as food prepared in Canada. The vast majority of food importers will require a license, preventive control plans and traceability procedures to import. The following interactive tools can be used to help determine what is required with respect to importing fruits and vegetables: [Licensing Interactive Tool](#), [PCP Interactive Tool](#) & [Traceability Interactive Tool](#)

There is a limited group of food that falls into one of the 3 exempted categories: 1) food additives 2) alcoholic beverages 3) unprocessed foods set out in [Schedule 1](#) of the regulations.

1. Licensing - Importers, with a few exceptions, will require a licence to import food into Canada.
2. Preventive Controls - Importers will be required to keep food safe by understanding the food being imported including associated risks, confirming your supplier is producing food which meets the Canadian regulations and implementing written preventive control plans.
3. Traceability - Importers will need to keep clear and readable records that trace where food was sourced and to whom it was provided. This would significantly reduce the time it takes to recall a product if necessary.

See graphic [here](#) for an illustration of the import / export requirements.

References for importing can be found [here](#).

Food Safety Information for Industry: SFCR – Exporting

Export Background:

Canada has a long history of exporting agricultural products to the rest of the world. Grains, pulses, maple syrup, fruits and vegetables have been staple export items. With the passing of the Safe Food for Canadians Act (SFCA) legislation, this export trade will be positioned for

continued growth. SFCA and SFCR will show the world that Canadian producers are operating in one of the most food safety conscious regions and that items produced under these conditions are reliable, consistent and of good quality.

Exporting:

Under the SFC regulations (SFCR) exporters have a number of responsibilities including:

1. Licensing – although the exporter may not need a license, they are responsible to ensure whoever produced the food are compliant with the SFCR.
2. Preventive Controls – exporters will be responsible for understanding the food they control, ensuring it complies with labelling, grading, quantity, etc., being aware of the foreign country's importing requirements and in some cases having a preventive control plan in place.³
3. Traceability – all trade in food, with limited exceptions, require a one up / one down traceability system. Records must be kept in a format easily accessible in Canada and the data must be in a human readable form.

Canada, and by default her exporters, has a responsibility to ensure the trade of food is done in compliance with established international policies. Adherence to these standards ensures ongoing and increased access to global markets for Canadian food producers. The following interactive tools can be used to help determine what is required with respect to importing fruits and vegetables: [Licensing Interactive Tool](#), [PCP Interactive Tool](#) & [Traceability Interactive Tool](#)

See graphic [here](#) for an illustration of the import / export requirements.

References for exporting can be found [here](#).

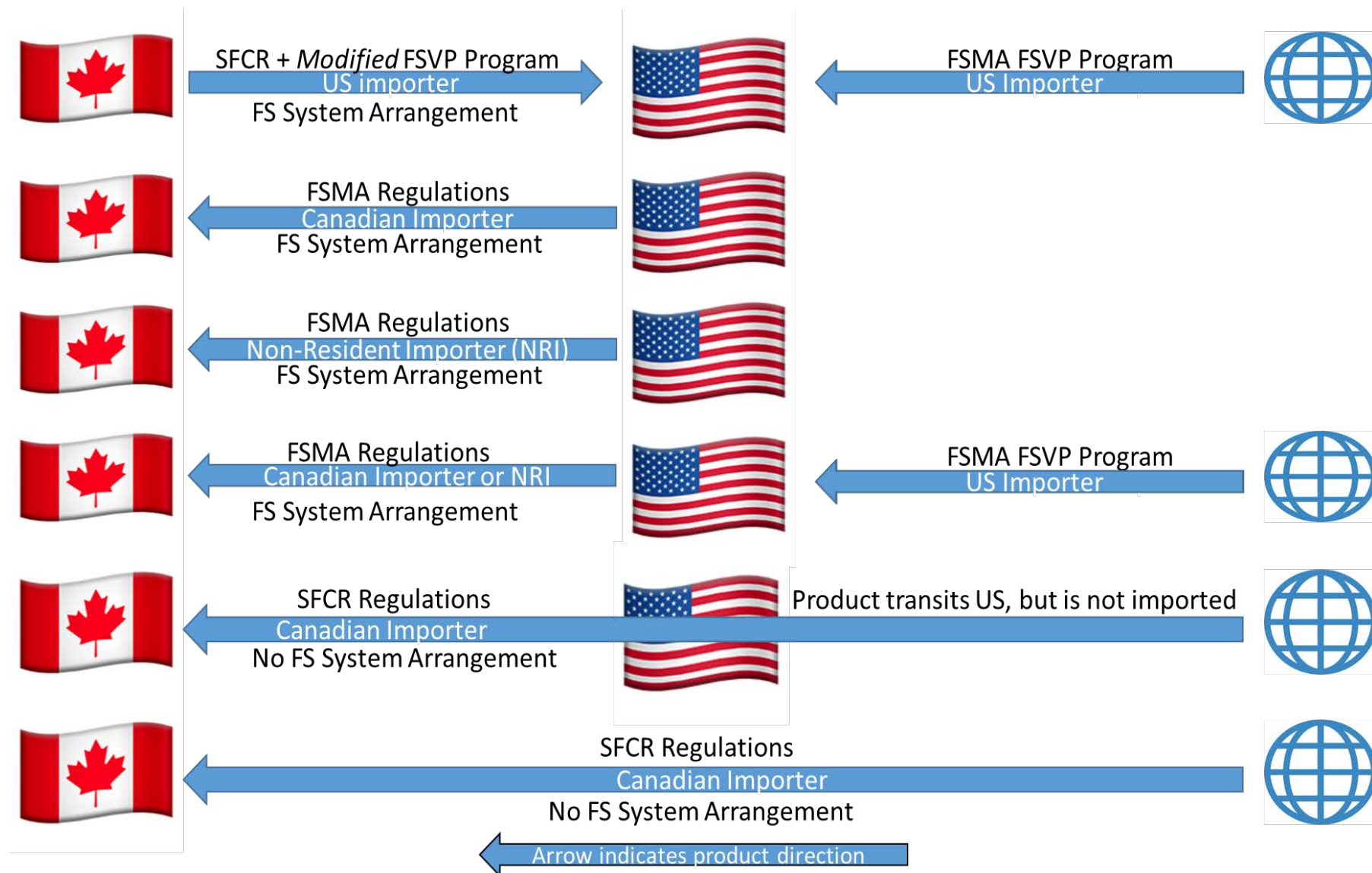
For those looking for more information regarding the US FSMA legislation and the Food Safety Recognition System, please see:

[Appendix 1](#) - The United States of America Food Safety Modernization Act (FSMA)

[Appendix 2](#) - SFCR – FSMA Foreign Supplier Verification Program and the Food Safety Systems Recognition Arrangement

³ Exceptions to this requirement are exporters of food (other than meat products or fish) who do not need an export certificate or other export permits, and businesses with \$100,000 or less in gross annual food sales.

Import / Export Criteria Based on SFCR and FSMA Regulations



Food Safety Information for Industry: **SFCR – Labelling, Grades & Organics**

Labelling

The SFCR consolidates all food labelling, standards of identity and grades requirements from the former Consumer Packaging and Labelling Act, Canada Agricultural Products Act and a number of others and their respective regulations. In addition, requirements on standards of identity and grades have been included in [documents incorporated by reference](#).

The current requirements under the Food and Drugs Act (FDA) and Food and Drug Regulations (FDR) will remain. As such, companies must continue to adhere to FDA and FDR requirements in addition to those under the SFCR.

(CFIA Reference: Labelling, standards of identity and grades [Labelling, Standards of Identity & Grades](#))

CPMA will update the labelling requirements of the SFCR and amendments to the Food and Drug Regulations (FDR) in the labelling guidance documents posted on our website after requested clarifications are received.

Labelling requirements applicable to produce in the SFCR can be found at:

- PART 5 Traceability - Sec. 92
- PART 11 Labelling
 - DIVISION 1 General
 - DIVISION 2 Requirements Applicable to Prepackaged Food
 - DIVISION 3 Specific Requirements for Certain Foods
 - SUBDIVISION A-C
 - SUBDIVISION H
 - DIVISION 4 Exceptions
 - SUBDIVISION D

Grade Information

When the SFCR comes into force, grade requirements for fresh fruits and vegetables will be consolidated and incorporated by reference in the *Canadian Grade Compendium, Volumes 2 and 9*, organized by commodity and maintained by the CFIA.

SFCR requirements applicable to produce can be found at:

- Part 12 Grades and Grade names
 - Division 2 Grade names
 - Division 3 Grading
 - Division 4 Packaging and Labelling
 - Subdivision A – General
 - Subdivision D – Fresh Fruits or Vegetables

Organic

Under the Organic Products Regulations, 2009, only producers of organic products and anyone labelling and packaging organic products were required to be certified. This requirement is maintained in the SFCR. SFCR requirements for organic product can be found in Part 13.

Labelling requirements specific to organic can be found at:

- Part 13 Organic Products
 - Division 2 Packaging and Labelling
 - Division 5 Labelling and Advertising
 - Division 6 Interprovincial Trade and Import
 - Division 7 Product Legend

353 Expressions

354 Additional information

355 Official languages

References for Labelling and grades can be found [here](#).

Food Safety Information for Industry: **SFCR – Dispute Resolution Corporation (DRC)**

ABOUT THE DRC ⁴

Canada's Fruit and Vegetable Dispute Resolution Corporation (DRC) was established in February 2000 pursuant to Article 707 of NAFTA, which provided for the creation of a private commercial dispute resolution body for trade in agricultural commodities. Today, the DRC has members from Canada, the United States, Mexico as well as numerous other countries. Although much of the detail contained in the published SFCR concerns food safety and traceability, there are important trade and commerce requirements which pertain specifically to buyers and sellers of fresh fruits and vegetables.

Membership in the DRC is required to trade fresh fruits and vegetables (i.e.: buy, sell, import, export) unless otherwise exempted as per the published SFCR. The published SFCR will result in the requirement for a mandatory membership in the DRC for some buyers and sellers of fresh fruits and vegetables who were not previously subject to the requirements of the *CFIA Licensing and Arbitration Regulations*.

For more information on the DRC and the specific requirements within SFCR, please see [here](#) or contact DRC at [DRC Home Page](#) or 1- 613-234-0982

⁴ Information provided in this document was courtesy of the DRC – Safe Food for Canadians Regulations Division 2 – Trade of Fresh Fruits and Vegetables information sheets.

PLEASE NOTE:

CPMA makes every effort to ensure that accurate information is provided but cannot accept any responsibility for any errors or omissions no matter how caused, including but not limited to whether as a result of an error by CPMA or in change in policy by the Canadian Food Inspection Agency. It is important that members consult the pertinent acts and regulations prior to developing their programs, procedures and materials (e.g. labelling , advertising, etc.) for the Canadian marketplace.

All information is provided “as is”, without warranty or guarantee of any kind as to its accuracy, completeness, operability, fitness for particular purpose, or any other warranty, express or implied. CPMA shall not be liable for any damages, loss, expense or claim of loss arising from the use, or reliance on the information.

REMARQUE :

L'ACDFL déploie tous les efforts possibles afin de vous offrir des renseignements justes, mais elle n'assume aucune responsabilité quant aux erreurs et omissions possibles, quelle qu'en soit la cause, y compris les erreurs faites par l'ACDFL et les changements de politique de l'Agence canadienne d'inspection des aliments. Les membres doivent consulter les lois et règlements pertinents avant de mettre en place leurs programmes, procédures et matériaux (ex. étiquetage, avertissement, etc.) pour le marché canadien.

Tous les renseignements sont fournis tels quels, sans garantie de quelque sorte que ce soit quant à la justesse, l'exhaustivité, l'exploitabilité et l'adaptation à un usage particulier, ni d'autre garantie explicite ou implicite. L'ACDFL ne peut être tenue responsable des dommages, pertes, dépenses ou demandes découlant de l'utilisation de ces renseignements.

Resources

SFCR General

- [Safe Food for Canadians Act](#)
- [Safe Food for Canadians Regulations Home Page](#)
- [Fresh Fruit & Vegetable Timeline](#)
- [General food requirements and guidance](#)
- [Fresh Fruit & Vegetable Requirements & Guidance](#)
- [Toolkit for Business](#)
- [SFCR Video's](#)
- [CFIA Chronicle - SFCR Edition \(2018\)](#)
- [SFCR Glossary of Terms](#)

Licensing and My CFIA

Licensing can be found in Part 3, Division 1 of the SFCR.

- [Safe Food for Canadians - Licensing](#)
- [Interactive Tool - Licensing](#)
- [My CFIA Link](#)

Preventive Control Plans

Preventive Controls can be found in Part 4, Division 1 of the SFCR.

- [SFCR Preventive Control Plans](#)
- [Preventive Plans for Fresh Fruit & Vegetables](#)
- [Preventive Controls - Sprouted Seeds](#)
- [Chlorinated Wash Water](#)
- [Codex Code of Practice - Packaging & Transportation of Fresh Fruit & Vegetables](#)
- [Codex Code of Practice - Fresh Fruits & Vegetables](#)
- [CFIA - PCP Interactive Tool](#)
- [Requirements and Guidance for Fresh Fruit & Vegetables](#)
- [CanadaGAP](#)
- [My GFSI](#)

Traceability

Traceability can be found in Part 5 of the SFCR.

- [Traceability Resources](#)
- [Interactive Tool - Traceability](#)
- [Produce Traceability Initiative](#)

Importing

- [SFCR Importing Fact Sheet](#)
- [SFCR Importing Step-by-Step Guide](#)
- [FAQ's - Importing](#)

Exporting

- [SFCR Exporting Information](#)
- [SFCR Handbook for Business](#)
- [Exporting Food Step-by-Step Guide](#)

Labelling, Standards of Identity, Grades and Organic

- [Canadian Grade Compendium Volume 2](#)
- [Canadian Grade Compendium Volume 9](#)
- [Test Marketing List](#)
- [Organic production systems : general principles and management standards](#)
- [Organic production systems : permitted substances lists](#)

Dispute Resolution Corporation

- [The Fresh Fruit and Vegetable Dispute Resolution Corporation \(DRC\)](#)
- [CFIA - Overview, Imported and Interprovincial Trade of FF&V](#)
- [USDA - Farm Service Agency \(FSA\)](#)

Food Safety Modernization Act

- [FDA - Food Safety Modernization Act](#)
- [FSMA Full Text](#)
- [FSMA Home Page](#)
- [The Produce Rule](#)
- [Food for Human Consumption Rule](#)
- [Foreign Supplier Verification Program \(FSVP\)](#)

FSVP and System Recognition

- [CFIA - Food Safety Recognition Arrangement](#)
- [FDA - Food Safety Recognition Arrangement](#)
- [FSVP - Industry Guidance](#)
- [FSVP - Industry Guidance Acceptable Unique Facility Identifier \(UFI\) for the FSVP](#)
- [FSVP Requirements under an "Arrangement"](#)

Appendix 1

Food Safety Information for Industry: The United States of America Food Safety Modernization Act (FSMA).

FSMA Background:

The following was reproduced from the FDA webpage: [Background on the Food Safety Modernization Act \(FSMA\)](#)

About 48 million people (1 in 6 Americans) get sick, 128,000 are hospitalized, and 3,000 die each year from foodborne diseases, according to recent data from the Centers for Disease Control and Prevention. This is a significant public health burden that is largely preventable.

The FDA Food Safety Modernization Act (FSMA), signed into law by President Obama on Jan. 4, enables FDA to better protect public health by strengthening the food safety system. It enables FDA to focus more on preventing food safety problems rather than relying primarily on reacting to problems after they occur. The law also provides FDA with new enforcement authorities designed to achieve higher rates of compliance with prevention- and risk-based food safety standards and to better respond to and contain problems when they do occur. The law also gives FDA important new tools to hold imported foods to the same standards as domestic foods and directs FDA to build an integrated national food safety system in partnership with state and local authorities.

Building a new food safety system based on prevention will take time, and FDA is creating a process for getting this work done. Congress has established specific implementation dates in the legislation. Some authorities will go into effect quickly, such as FDA's new authority to order companies to recall food, and others require FDA to prepare and issue regulations and guidance documents. The funding the Agency gets each year, which affects staffing and vital operations, will also affect how quickly FDA can put this legislation into effect. FDA is committed to implementing the requirements through an open process with opportunity for input from all stakeholders.

The following are among FDA's key new authorities and mandates. Specific implementation dates specified in the law are noted in parentheses:

Prevention

For the first time, FDA will have a legislative mandate to require comprehensive, science-based preventive controls across the food supply. This mandate includes:

- **Mandatory preventive controls for food facilities:** Food facilities are required to implement a written preventive controls plan. This involves: (1) evaluating the hazards that could affect food safety, (2) specifying what preventive steps, or controls, will be put in place to significantly minimize or prevent the hazards, (3)

specifying how the facility will monitor these controls to ensure they are working, (4) maintaining routine records of the monitoring, and (5) specifying what actions the facility will take to correct problems that arise. (Final rule due 18 months following enactment)

- **Mandatory produce safety standards:** *FDA must establish science-based, minimum standards for the safe production and harvesting of fruits and vegetables. Those standards must consider naturally occurring hazards, as well as those that may be introduced either unintentionally or intentionally, and must address soil amendments (materials added to the soil such as compost), hygiene, packaging, temperature controls, animals in the growing area and water. (Final regulation due about 2 years following enactment)*
- **Authority to prevent intentional contamination:** *FDA must issue regulations to protect against the intentional adulteration of food, including the establishment of science-based mitigation strategies to prepare and protect the food supply chain at specific vulnerable points. (Final rule due 18 months following enactment)*

Inspection and Compliance

The FSMA recognizes that preventive control standards improve food safety only to the extent that producers and processors comply with them. Therefore, it will be necessary for FDA to provide oversight, ensure compliance with requirements and respond effectively when problems emerge. FSMA provides FDA with important new tools for inspection and compliance, including:

- **Mandated inspection frequency:** *The FSMA establishes a mandated inspection frequency, based on risk, for food facilities and requires the frequency of inspection to increase immediately. All high-risk domestic facilities must be inspected within five years of enactment and no less than every three years thereafter. Within one year of enactment, the law directs FDA to inspect at least 600 foreign facilities and double those inspections every year for the next five years.*
- **Records access:** *FDA will have access to records, including industry food safety plans and the records firms will be required to keep documenting implementation of their plans.*
- **Testing by accredited laboratories:** *The FSMA requires certain food testing to be carried out by accredited laboratories and directs FDA to establish a program for laboratory accreditation to ensure that U.S. food testing laboratories meet high-quality standards. (Establishment of accreditation program due 2 years after enactment)*

Response

The FSMA recognizes that FDA must have the tools to respond effectively when problems emerge despite preventive controls. New authorities include:

- **Mandatory recall:** *The FSMA provides FDA with authority to issue a mandatory recall when a company fails to voluntarily recall unsafe food after being asked to by FDA.*

- **Expanded administrative detention:** The FSMA provides FDA with a more flexible standard for administratively detaining products that are potentially in violation of the law (administrative detention is the procedure FDA uses to keep suspect food from being moved).
- **Suspension of registration:** FDA can suspend registration of a facility if it determines that the food poses a reasonable probability of serious adverse health consequences or death. A facility that is under suspension is prohibited from distributing food. (Effective 6 months after enactment)
- **Enhanced product tracing abilities:** FDA is directed to establish a system that will enhance its ability to track and trace both domestic and imported foods. In addition, FDA is directed to establish pilot projects to explore and evaluate methods to rapidly and effectively identify recipients of food to prevent or control a foodborne illness outbreak. (Implementation of pilots due 9 months after enactment)
- **Additional Recordkeeping for High Risk Foods:** FDA is directed to issue proposed rulemaking to establish recordkeeping requirements for facilities that manufacture, process, pack, or hold foods that the Secretary designates as high-risk foods. (Implementation due 2 years after enactment).

Imports

The FSMA gives FDA unprecedented authority to better ensure that imported products meet U.S. standards and are safe for U.S. consumers. New authorities include:

- **Importer accountability:** For the first time, importers have an explicit responsibility to verify that their foreign suppliers have adequate preventive controls in place to ensure that the food they produce is safe. (Final regulation and guidance due 1 year following enactment)
- **Third Party Certification:** The FSMA establishes a program through which qualified third parties can certify that foreign food facilities comply with U.S. food safety standards. This certification may be used to facilitate the entry of imports. (Establishment of a system for FDA to recognize accreditation bodies is due 2 years after enactment)
- **Certification for high risk foods:** FDA has the authority to require that high-risk imported foods be accompanied by a credible third party certification or other assurance of compliance as a condition of entry into the U.S.
- **Voluntary qualified importer program:** FDA must establish a voluntary program for importers that provides for expedited review and entry of foods from participating importers. Eligibility is limited to, among other things, importers offering food from certified facilities. (Implementation due 18 months after enactment)
- **Authority to deny entry:** FDA can refuse entry into the U.S. of food from a foreign facility if FDA is denied access by the facility or the country in which the facility is located.

Enhanced Partnerships

The FSMA builds a formal system of collaboration with other government agencies, both domestic and foreign. In doing so, the statute explicitly recognizes that all food safety agencies need to work together in an integrated way to achieve our public health goals. The following are examples of enhanced collaboration:

- **State and local capacity building:** *FDA must develop and implement strategies to leverage and enhance the food safety and defense capacities of State and local agencies. The FSMA provides FDA with a new multi-year grant mechanism to facilitate investment in State capacity to more efficiently achieve national food safety goals.*
- **Foreign capacity building:** *The law directs FDA to develop a comprehensive plan to expand the capacity of foreign governments and their industries. One component of the plan is to address training of foreign governments and food producers on U.S. food safety requirements.*
- **Reliance on inspections by other agencies:** *FDA is explicitly authorized to rely on inspections of other Federal, State and local agencies to meet its increased inspection mandate for domestic facilities. The FSMA also allows FDA to enter into interagency agreements to leverage resources with respect to the inspection of seafood facilities, both domestic and foreign, as well as seafood imports.*

Additional partnerships are required to develop and implement a national agriculture and food defense strategy, to establish an integrated consortium of laboratory networks, and to improve foodborne illness surveillance.

Appendix 2

Food Safety Information for Industry: **SFCR – FSMA Foreign Supplier Verification Program and the Food Safety Systems Recognition Arrangement**

Foreign Supplier Verification Program (FSVP):

The FSVP regulation was established in Title 21 of the Code of Federal Regulations, Part 1, subpart L, as part of the implementation of the FDA Food Safety Modernization Act. FDA issued the final rule on FSVPs for importers of food for humans and animals on November 27, 2015. The FSVP regulation, codified in 21 CFR 1.500 through 1.514, specifies the foods and importers to which the FSVP regulation applies and establishes various requirements. Among other requirements, section 1.509(a) of the FSVP regulation requires that, for each line entry of food product offered for importation into the United States, the importer provide its name, electronic mail address, and unique facility identifier (UFI) recognized as acceptable by FDA electronically when filing entry with U.S. Customs and Border Protection. On March 31, 2017, FDA issued guidance recognizing the DUNS number as an acceptable UFI for the FSVP rule.

Food Safety Systems Recognition Arrangement:

On May 4, 2016, the Food Safety Systems Recognition Arrangement (“Arrangement”) between Canada and the United States came into force. The “Arrangement” created the legislative device permitting many businesses subjected to the Safe Food for Canadians Act (SFCA) or the U.S. Food Safety Modernization Act (FSMA) to comply exclusively with the food safety laws and regulations of their respective countries. Based on the premise of “comparable public health outcomes” the “Arrangement” offers benefits for public health, consumer protection and trade, including the use of systems recognition as an important tool for enhancing the safety of imported food.

Trade of produce between the countries has been steadily increasing and the most recent numbers⁵ indicated Canadian companies exported in excess of \$2 billion (CDN) and imported in excess of \$4.5 billion (CDN) worth of fruits and vegetable from the U.S. The “Arrangement” allows all parties involved in the supply chain to focus on doing what’s right for their business without having to incur the added costs required to implement a second food safety system.

Canadian companies who are compliant with the SFCR can take advantage of the “Arrangement” which releases their US importer from having to ensure all aspects of the FSVP are in place. There are, however, three sections of FSVP which must be adhered to:

⁵ Statistics Canada. (CATSnet, February 2017) & (CATSnet, April 2017)

- [§ 1.513](#) Importing from a country with a recognized food safety program
- [§1.503](#) Who must develop my FSVP and perform FSVP activities?
- [§1.509](#) How must the importer be identified at entry?
- [§1.510](#) How must I maintain records of my FSVP?

