



Intergovernmental Affairs – Internal Trade
Privy Council Office
85 Sparks Street, Room 1000
Ottawa, Ontario K1A 0A3
Via Email: internaltrade-commerceinterieur@pco-bcp.gc.ca

August 22, 2025

Re: *Canada Gazette, Part I, Volume 159, Number 31: Notice of intent – Free Trade and Labour Mobility in Canada Act regulations*

To Whom It May Concern,

On behalf of Canada's fresh fruit and vegetable industry, the Canadian Produce Marketing Association is pleased to offer comments to the federal government regarding the development of regulations under the *Free Trade and Labour Mobility in Canada Act*.

About CPMA

Based in Ottawa, the Canadian Produce Marketing Association (CPMA) is a not-for-profit organization representing companies active in the marketing of fresh fruit and vegetables in Canada, from the farm gate to the dinner plate, spanning the entire produce industry. The Association's members include major growers, shippers, packers, and marketers; importers and exporters; transportation and logistics firms; brokers, distributors, and wholesalers, retailers, and foodservice distributors; and fresh cut operators and processors. Founded in 1925, CPMA is proud to represent more than 900 domestic and international members who are responsible for 90% of fresh fruit and vegetable sales in Canada, making significant contributions not only to our economy, but to the health and well-being of Canadians.

General Comments

The fresh produce supply chain is one of the most globally integrated in the world. To ensure the ongoing viability of Canada's food system, we need a strong domestic and global strategy. Free and fair internal and international trade in fresh produce offers huge economic growth opportunities for Canadian businesses and provides Canadians with access to safe and healthy fresh food options year-round. It is therefore critical that regulations created to operationalize the *Free Trade and Labour Mobility in Canada Act* maintain a strong federal regulatory framework in support of both internal and international fresh produce trade.

While CPMA is strongly supportive of the government's efforts to reduce red tape and remove barriers to internal trade, we have significant concerns that the proposed regulations under the *Free Trade and Labour Mobility Act* could inadvertently create barriers to fresh produce trade by deferring to a patchwork of provincial and territorial regulations in areas such as food safety, plant protection, and organic

standards. Of particular importance, Canada's adoption of the *Safe Food for Canadians Act and Regulations* (SFCA and SFCR) has already established a strong federal regulatory foundation which is recognized as world class by our international trading partners.

Exceptions to the Act

CPMA has long advocated that every effort should be made to remove unnecessary trade barriers and supports the ongoing competitiveness of Canadian producers. While we applaud the government's efforts to facilitate internal trade, it is also critical that the government's approach is balanced with considerations to ensure that Canada maintains high standards for food safety and quality, both domestically and for international trade.

CPMA is therefore strongly supportive of the following statement in the Notice of Intent:

"For requirements that fall within the scope of the Act, the Government of Canada may consider excluding them from its application if they

- *Present a significant risk to the health, safety, or security of Canadians or the environment; or*
- *Impede the Government of Canada's ability to advance other key priorities, such as ensuring access to international markets."*

The *Safe Food for Canadians Act and Regulations* meet both criteria in relation to fresh produce. This regulatory regime has secured Canada's reputation as a source for safe food, and it is critically important to recognize that provincial regulatory frameworks in this area vary widely across jurisdictions. The current differentiation between federal and provincial food safety regulations has been an ongoing cause for concern. Canada should be moving towards a single food safety system, the SFCA, to ensure all food producers are being held to the same standard. The reality is that provincial regulations are generally less stringent and lack the same oversight than those applied at a federal level. CPMA must emphasize that the application of the *Free Trade and Labour Mobility in Canada Act* to the SFCA and SFCR risks damaging our world class reputation for safety and quality at a time when market expansion is critical to the success of Canada's food producers.

Several issues could potentially cause harm:

- The erosion of standards as food safety regulations are pushed towards the lowest common denominator with the attitude that if something is good enough for province X, then it is also good enough for domestic and international trade.
- Comingling of product is a common practice in the fresh produce industry, as sourcing often involves multiple small local producers and/or imported products. This creates a situation where domestic product produced under non-federal regulations will put entire production runs at risk.
- Confusion amongst our trading partners as they try to understand why Canada is operating multiple food safety regimes. This would put our systems recognition and reciprocal trade agreements at risk, as our foreign buyers will not have the confidence in a multilayer system.
- Firms involved at all stages of the produce supply chain may find they are subjected to more audits, testing, and physical inspections as buyers and foreign countries are forced to increase the level of oversight once built into the government-to-government agreements. This result would substantially increase costs for Canadian businesses and produce a scenario which is diametrically opposite to the government's stated objectives.
- A major question across the Canadian food continuum is how recalls would be managed if the SFCA and SFCR are subject to the *Free Trade and Labour Mobility in Canada Act and Regulations*. Would the

federal government still lead on trans-national and export/import recalls, or would the provinces be expected to become involved when their products are involved? CFIA and PHAC have the personnel, expertise and track record to manage recalls, which regularly span across multiple jurisdictions, but the provinces do not. CPMA would strongly caution that decentralizing recall management would add administrative burden and inefficiency to the system, potentially causing delays in the communication critical public health information.

CPMA must further emphasize that, beyond food safety, increasing market access and sustainability of the Canadian fresh fruit and vegetable industry requires mutual recognition and international harmonization of plant health and crop protection regulation, products, and residue limits, to remove costly duplication. Inconsistencies in labelling regulations across jurisdictions also pose trade irritants and impose costs on the food supply chain, which are ultimately passed on to consumers. Canada's federal regulatory framework under the SFCR and SFCR provides an important tool in addressing these issues and negotiating agreements with our trading partners.

Therefore, federal regulations should be followed in areas critical to fresh produce trade, including requirements related to food safety, crop protection products and residues, quality standards, and the Canadian Organic Standards, which also provide a necessary national foundation to support the negotiation of beneficial equivalency arrangements with our trading partners.

CPMA strongly recommends that the *Safe Food for Canadians Act and Regulations* should be excluded from the application of the *Free Trade and Labour Mobility in Canada Act and Regulations*, with the goal of moving towards a single, national system of regulations which protects Canadian consumers, supports international trade and reinforces Canada's position as a world leader with respect to the safety and quality of the horticultural commodities we produce.

Criteria for "comparable" requirements


The definition of "comparable" in the *Free Trade and Labour Mobility in Canada Act*, appears to imply that a provincial regulation related to food safety or other aspects of food regulation may be recognized, even if the specific provincial regulations are not as rigorous as the federal counterparts. This is particularly true with respect to the meat and dairy industries, but is also applicable to some of the grade and labeling requires for fresh produce. CPMA emphasizes that this definition of "comparable" may be a gateway term leading to the issues discussed above.

CPMA must also reiterate that mutual recognition of food safety systems and other standards between Canada and our trading partners is predicated upon an understanding of *equivalence*, not comparability, as it is defined in the *Act*. In developing the *Free Trade and Labour Mobility in Canada Act* regulations, the government must put serious consideration into the potential impacts of their application on Canada's ability to negotiate trade arrangements that provide significant benefits for Canadian producers and consumers.

We thank you for the opportunity to provide comments and for your consideration of this important matter. CPMA would like to reiterate our support for the government's efforts to remove barriers to internal trade, but also our strong recommendation that the *Safe Food for Canadians Act* and *Regulations* should be excluded from the application of the *Free Trade and Labour Mobility Act*.

We would be pleased to discuss this further to explore measures the government can take to support Canadian businesses in meeting our robust national standards and ensure that the *Free Trade and Labour Mobility Act* and *Regulations* can achieve their intended objectives to support a thriving and dynamic Canadian fresh produce sector and bolster Canada's brand as a producer of reliable, high-quality, and sustainably grown fresh fruits and vegetables.

Sincerely,

A handwritten signature in black ink, appearing to be 'R. Lemaire', followed by a horizontal line.

Ron Lemaire
President
Canadian Produce Marketing Association

CC:

Hon. Heath MacDonald, Minister of Agriculture and Agri-food, aaafc.minister-ministre.aac@agr.gc.ca
Paul MacKinnon, President, Canadian Food Inspection Agency, paul.mackinnon@inspection.gc.ca