



Forced Labour / International Security and Political Affairs Branch
Global Affairs Canada
125, Sussex Drive
Ottawa, Ontario, K1A 0G2
Submitted via email to: forcedlabour-travailforce@international.gc.ca

Re: Consultation on the regulatory approach under Bill C-35, *An Act respecting the prohibition of the importation of goods produced by forced labour*

August 21, 2026

To Whom It May Concern,

On behalf of Canada's fresh fruit and vegetable industry, I am pleased to share comments regarding the government's proposed regulatory approach under Bill C-35, *An Act respecting the prohibition of the importation of goods produced by forced labour*, introduced in Parliament in June.

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.

The fresh fruit and vegetable supply chain is a significant contributor to Canada's economy and food security, generating \$18 billion in GDP and supporting more than 188,000 jobs in rural and urban communities from coast to coast to coast¹. In addition to our sector's economic contributions, we also provide Canadian families with safe and nutritious food that is crucial to supporting their health and well-being.

CPMA is actively engaged in Canada Border Service Agency (CBSA) stakeholder committees and working groups, including within CBSA's new Commercial and Trade Industry Forum (CTIF), formerly the Border Commercial Consultative Committees (BCCC). We are keen to partner with the government to ensure that the Government's efforts to eradicate forced labour achieve their core objectives in a way that meets the needs of both the Government of Canada and industry stakeholders – and to support the development of resources to enable industry compliance.

¹ Signal49 Research (formerly Conference Board of Canada), 2025

Comments

CPMA and our members across the fresh produce supply chain are committed to working towards the eradication of forced labour and are supportive of the objectives of Bill C-35.

The fresh fruit and vegetable supply chain is one of the most globally integrated in the world, involving a complex network of growers, packers, shippers, wholesalers, retailers, transportation companies and logistics providers. Due to Canada's climate and shorter growing season, approximately \$4 out of every \$5 spent on fresh produce is spent on imported product. In fact, Canadians import fresh produce from more than 150 countries worldwide, and our increasingly diverse population has also spurred a more diverse offering of fruit and vegetable products.

This complex system allows Canadians to have access to a variety of safe, nutritious products year-round, but it also can make supply chain visibility a complicated task. In addition, forced labour looks different in different circumstances and may be more difficult to identify in certain places and circumstances than in others. For example, state-sponsored forced labour may be relatively more straightforward for the government to identify and for industry to avoid, compared to forced labour imposed by cartels or in other less publicly visible cases.

As the government prepares for Parliament's review of the proposed legislation, CPMA offers the following initial comments for consideration:

Listing of goods at-risk of forced labour production

CPMA is broadly supportive of the proposed approach to the listing of goods at-risk of forced labour production, as contemplated under Section 6 of Bill C-35, which aligns with a previous recommendation made by CPMA with regard to potential due diligence requirements.

CPMA reiterates that the wide variety of commodities and the globally integrated nature of the fresh produce supply chain can make identifying and ensuring eradication of forced labour along that supply chain complex, and that the federal government should support industry efforts by providing clear and up-to-date guidance and advisories to help industry identify bad actors. The list proposed at Section 6 could serve as one such tool.

For the purposes of Bill C-35, CPMA strongly recommends that goods be listed as specifically as possible, to provide clarity for both industry and for border officials. A high level of specificity is also required to avoid unnecessary product deterioration and food waste resulting from the detention of too broad a category of highly perishable goods.

As noted above, the fresh produce supply chain trades in high volumes of a diverse range of highly perishable commodities, sourced from jurisdictions around the world. This means that the circumstances of forced labour, the mechanisms available to mitigate it, and the documentation available to demonstrate compliance with Canada's import ban might vary depending on the commodity/region/situation. CPMA therefore strongly recommends that the government take a sector-specific approach and consult early and often with industry, both prior to adding an item to the list and to support a regular cadence for review.

We also agree with the recommendation shared by other stakeholders that the government take a risk-based approach and seek to build the list gradually, rather than listing a large number of goods at once, in order to allow time for both industry and implicated government departments to obtain the necessary resources and put processes in place for effective implementation.

Documentation and guidance to industry

In addition to the need for the clear and specific identification of the goods themselves, as noted above, CPMA emphasizes that the list must clearly articulate the documentation required for importers to demonstrate compliance with the import ban on products produced wholly or in part by forced labour.

Given the highly perishable nature of fresh fruit and vegetable products, the detention period of up to 90-days proposed in Section 5 (3) of Bill C-35 has the potential to create unintended product spoilage/loss and food waste impacts should these products be detained. It is therefore imperative that the prescribed documentation is clearly delineated on the list and communicated to the importer at the time of product detention, and that CBSA has the necessary resources to be able to make a compliance determination in a timely manner following the receipt of documentation.

Beyond information regarding the documentation requirements noted above, educational materials to raise awareness, offer guidance and promote best practices for regulated entities on the mitigation of forced labour impacts more broadly would provide valuable resources to support and strengthen industry compliance. CPMA emphasizes that guidance and resources provided should align with international best practice, and efforts occurring in other jurisdictions as well as the International Labour Organization.

CPMA also emphasizes the need for federal government departments to collaborate closely in providing information and resources to regulated entities. We recognize that multiple federal departments, including ESDC, CBSA, Public Safety and Global Affairs are implicated in government efforts to eradicate forced labour from Canadian supply chains. To the greatest extent possible, the Government of Canada should create a “one-stop shop” for industry information, resources, and guidance, including the list and related notifications, to support industry efforts to increase awareness, implement processes and strengthen compliance.

Operational considerations and industry engagement

As noted above, CPMA emphasizes the importance of ensuring that government departments responsible for administering C-35 have the necessary resources to maintain the smooth flow of compliant goods at the border. The high perishability of fresh fruit and vegetable products means that delays at port of entry can lead to product spoilage, reduction in shelf life, and ultimately food waste. Therefore, it is essential that implicated departments work together to ensure that the required personnel are available to address questions and complete border processes in a timely manner.

It is also imperative that the enforcement approach, and resources available to support it, are consistent across all modes of transportation (marine, highway, air, etc.), and at all ports of entry across the country. In the cases of fresh fruits and vegetables and other perishable goods, sufficient cold chain infrastructure must be in place to house any detained goods pending a compliance determination. The presence or lack

of this infrastructure should be considered by government prior to listing a perishable good under Bill C-35 to avoid unintended product loss and food waste.

CPMA further reiterates that the implementation period for new additions to the list should begin following the publication of the clear identification of the good and clear guidance on compliance documentation required – and must provide sufficient time for the necessary compliance practices to be put in place and included in contracts between parties. Especially given the seasonal nature of contractual arrangements in the fresh produce sector, CPMA strongly encourages the government to consult with industry prior to the listing of a new good to inform a reasonable implementation period.

While outside the scope of Bill C-35 as written, CPMA also continues to recommend the development of a Trusted Trader program for fresh produce that would allow those with a demonstrable history of compliance with import requirements, (which could include reporting requirements under the *Supply Chains Act*), to expedite product clearance through the border, both improving Canadians' access to fresh produce and allowing CBSA and other government departments to focus enforcement resources on higher risk entities.

Finally, CPMA emphasizes that a collaborative approach to find workable solutions for industry and government is the backbone to success for regulatory and policy compliance. We share appreciation for the approach taken by Public Safety Canada in the implementation of the *Supply Chains Act*, which has consistently sought to leverage industry expertise through ongoing stakeholder engagement, to better understand the specific needs and challenges of particular sectors and supply chains, and to ensure the continual development of guidance and resources to address questions and better facilitate compliance. CPMA strongly encourages all government departments implicated in the development of regulations and the enforcement of requirements under Bill C-35 to take a similar approach and to prioritize ongoing engagement with stakeholders as this work progresses.

In closing, to effectively address the complexity of the task of eradicating forced labour from globally integrated supply chains, close collaboration between jurisdictions is required. CPMA strongly encourages the Government of Canada to work closely with our trading partners, particularly the United States, on efforts to strengthen the import ban, as well as to identify potential bad actors/items or regions of risk and to make that information available to support industry compliance activities. Wherever possible, CPMA recommends that the Government of Canada align its requirements with those in other jurisdictions and with global best practice to avoid creating undue burden for entities meeting requirements in multiple jurisdictions.

We thank you for taking the time to review the comments above and would be pleased to answer any questions you may have. CPMA is ready to serve as a resource and to work with all implicated government departments as Bill C-35 and other efforts to eradicate forced labour move forward.

Sincerely,

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

Ron Lemaire
President
Canadian Produce Marketing Association