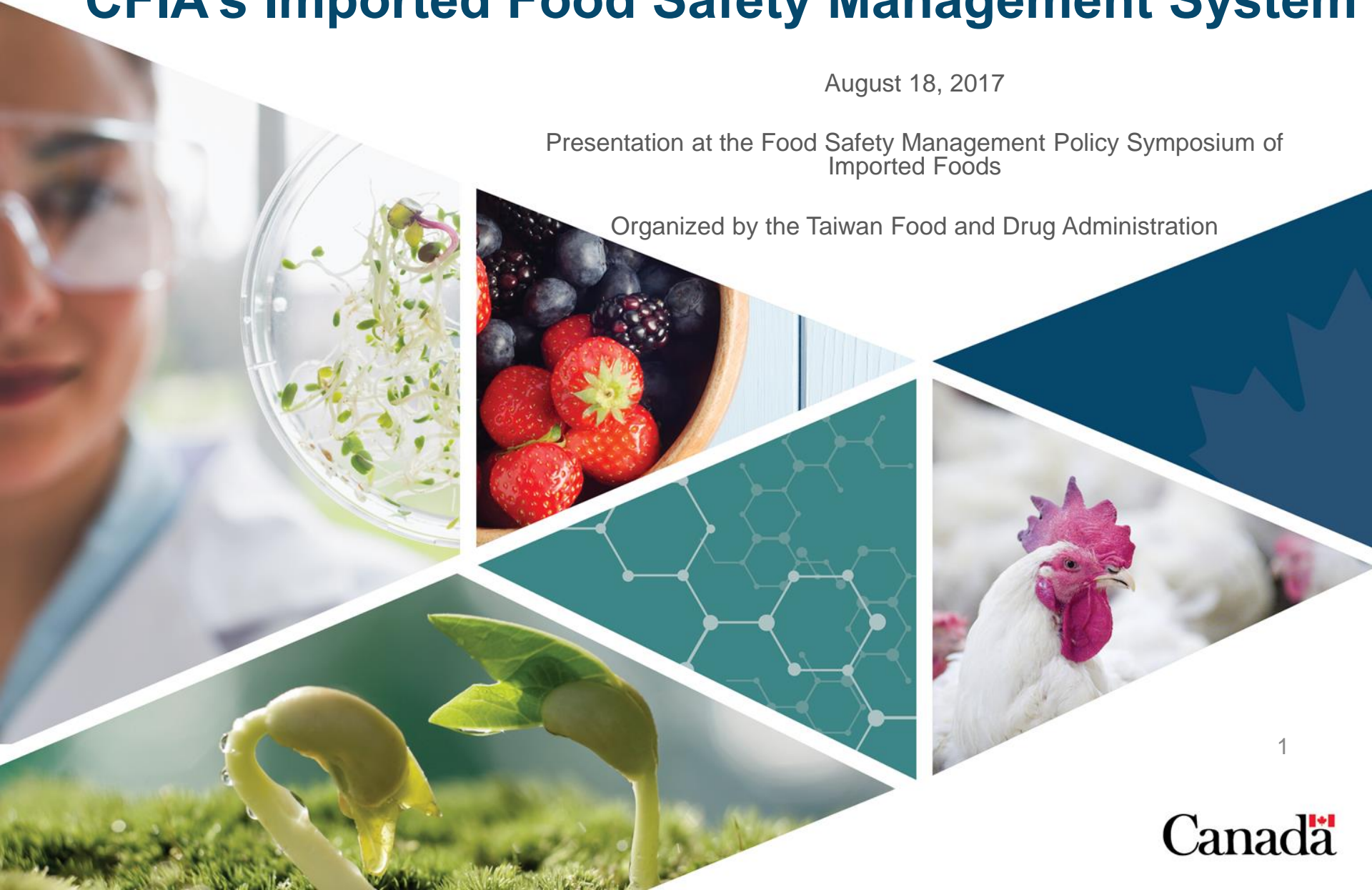Canadian Food Inspection Agency
Agence canadienne d'inspection des aliments

CFIA's Imported Food Safety Management System

August 18, 2017

Presentation at the Food Safety Management Policy Symposium of Imported Foods

Organized by the Taiwan Food and Drug Administration

Canada

Presentation Outline

- CFIA oversight in food
- CFIA compliance and enforcement system
- CFIA import control system
  - CFIA import information systems
- *Safe Food for Canadians Regulations*

Food Safety is a Shared Responsibility

International Partners	Provincial/ Territorial/ municipal agencies	Federal partners	CFIA	Industry	Consumers
Set import requirements, provide export requirements. Comparability and acceptance of food systems Global food supply – market and trade requirements	Enforce food safety laws within their jurisdiction, inspection, public health and food safety surveillance	The **Public Health Agency of Canada** 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	Delivers federal food inspection programs. Investigates foods linked to illness outbreaks. Initiates food recalls.	Responsible for the production of safe food in compliance with government standards.	Responsible for safe food handling and preparation

Where We Operate

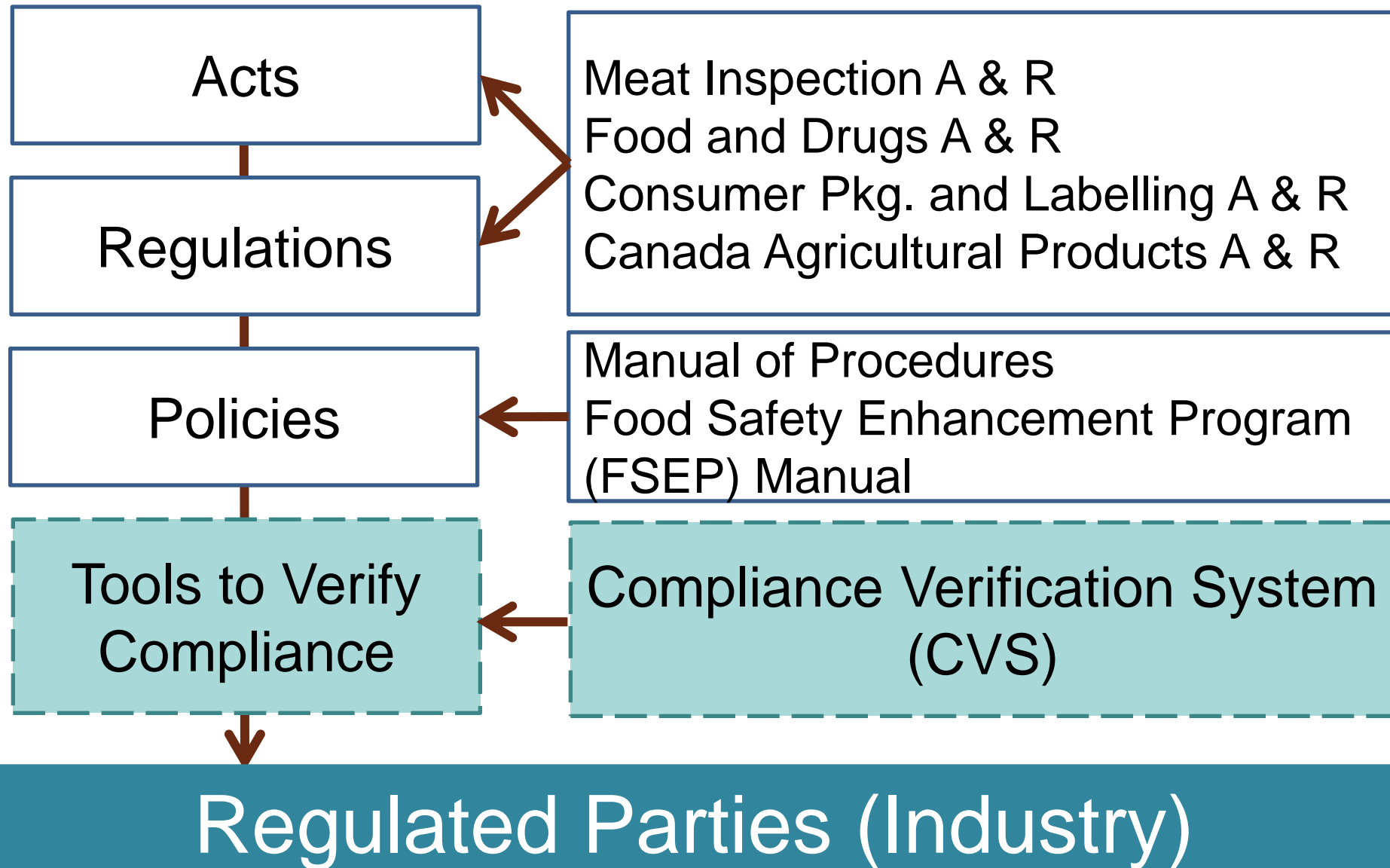| Production	Processing	Distribution	Consumption
• Animal diseases and plant pests • Agricultural inputs • Zoonotic diseases (BSE, Avian Influenza) • Humane Transportation	• Slaughter of animals • Food processing • Packaging and labelling • Storage and transportation	• Product handling and storage • Packaging and labelling (i.e., retail) • Storage and transportation	• Safe food handling and consumer awareness • Post-incident investigation and corrective action (recall) • Recall effectiveness

Canadian Food Legislation

- *Food and Drugs Act and Regulations* apply to all food sold in Canada (imported/domestic)

- *Canada Agricultural Products Act* and associated Regulations

- *Consumer Packaging and Labelling Act*

- *Export and Import Permits Act*

- *Fish Inspection Act*

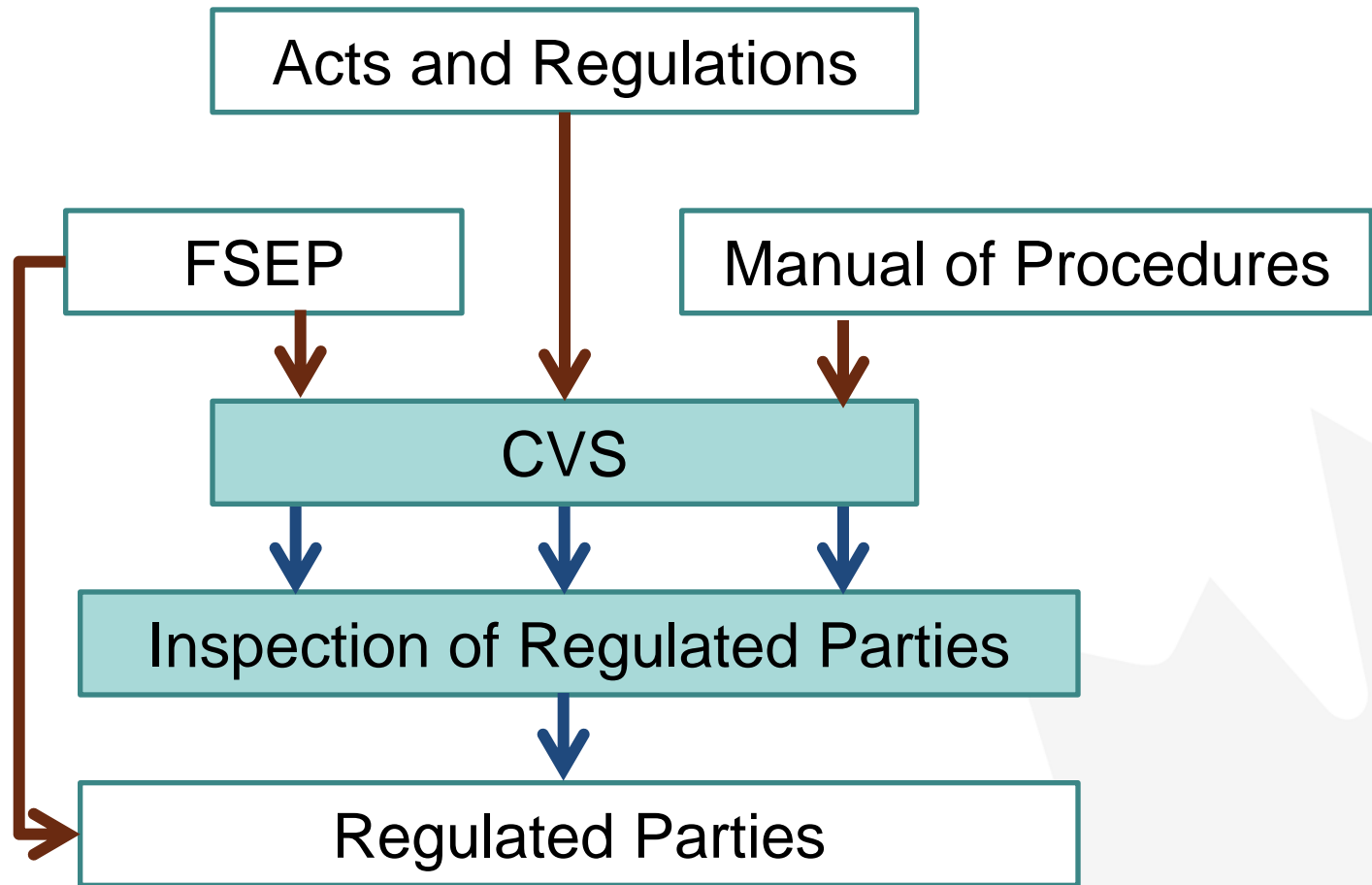- *Meat Inspection Act*

- *Weights and Measures Act*

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Canadian Meat Inspection System – An Example

Overview of the Meat Inspection Program

Acts

Regulations

Meat Inspection A & R
Food and Drugs A & R
Consumer Pkg. and Labelling A & R
Canada Agricultural Products A & R

Policies

Manual of Procedures
Food Safety Enhancement Program (FSEP) Manual

Tools to Verify Compliance

Compliance Verification System (CVS)

Regulated Parties (Industry)

Compliance Verification System (CVS)

Acts and Regulations

FSEP

Manual of Procedures

CVS

Inspection of Regulated Parties

Regulated Parties

Compliance and Enforcement

Enforcement Continuum

Generating Compliance	Monitoring and Assessing Compliance	Responding to Non-compliance
• CFIA Communication (information material, Q&A sheets, town hall meetings, consultations, etc.) • Establish and implement mandatory and voluntary quality management systems	• Inspections • Audits • Verifications • Monitoring • Grading • Analyses • Sampling • Feedback • Other related duties	• Letter of non-compliance • Seize and detain • Quarantine • Order removal from Canada • Restrict or prohibit movement • Mandatory recall • Dispose or destroy • Refuse to certify • License and registration related actions • Notice of Violation (with warning/penalty) • Prosecution

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Responding to Non-compliance

Harm
- Seriousness of harm or potential harm of non-compliance
- Impact on human health or animal/plant resource base

History
- Compliance history of regulated party
- Seriousness of past non-compliance

Intent
- Intent of regulated party to commit a contravention or cause harm

Goal is to achieve consistency and predictability in responses to non-compliance.

Enforcement Actions

- Notice/ publication of non-compliance
- Corrective action request
- Seizure and detention
- Hold
- Forfeiture
- Condemnation
- Confiscation
- Quarantine
- Refuse entry
- Order removal from Canada
- Restrict or prohibit movement

- Meeting with regulated party
- Recall
- Dispose or destroy
- Refuse to issue inspection certificate
- Action against licenses, registrations and permits
- Administrative Monetary Penalties (AMPs)
- Recommendation to prosecute

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Recourse Mechanisms

- Re-inspection
- Board of arbitration
- Opportunity to be heard
- Ministerial review
- Review tribunal
- Judicial review

CFIA's Import Control System

Canada Imports food from over **190** countries

Canadian agri-food trade over **43** Billion (CDN)

Agriculture and Agri-Food Canada Statistics 2015

Government Agencies Responsible for Imported Food

- Canadian Food Inspection Agency (CFIA)
- Canada Border Service Agency (CBSA, Customs)
- Global Affairs Canada
- Environment and Climate Change Canada
- Fisheries and Oceans Canada
- Health Canada (HC)
- Measurement Canada
- Provincial and Territorial Governments

CFIA's Generic Import Process

1. • Requirements
2. • Permission
3. • Clearance
4. • At-border
5. • Inspection (Destination)
6. • Reporting
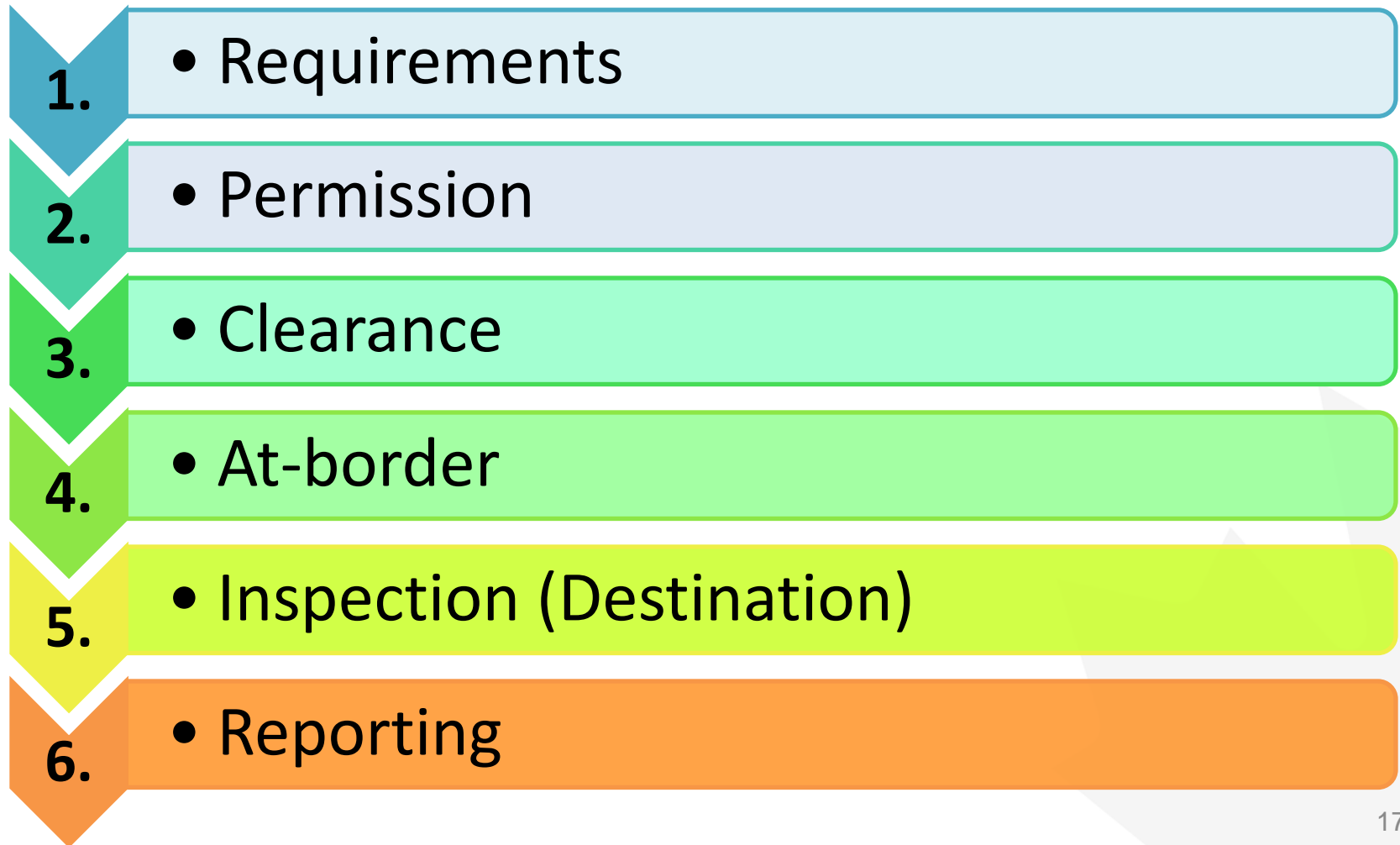
- CFIA develops import requirements based on applicable acts, regulations and policies and makes them accessible

- Importers obtain import requirements by accessing information provided by the CFIA (e.g., Automated Import Reference System- AIRS)

2. Permission

- Importer requests a permission to import
- May involve obtaining a license, permit, registration or other supporting documentation
- Inspection may be required
- Exporters may be required to be approved by foreign country authorities or the CFIA
- Requirement for permission depends on the commodity, country of origin, destination, end use, or global health conditions

3. Clearance

- Importer submits import information pre-arrival to obtain approval that all regulatory requirements have been met

- May include:
  - Verification of commodity
  - Verification that regulatory requirements are met in documentation submitted
  - Targeting activities (applying risk ranking criteria)
  - Notification of release recommendation to Canada Border Services Agency (CBSA-Customs)

4. At-border

- Shipment arrives at border and is processed according to standard procedures to determine release into Canada

- May include:
  - o CBSA verification of shipment details
  - o CBSA verification of CFIA release recommendation
  - o Visual inspection at border by CBSA and, if required, by CFIA
 - o Release decision and notification of inspection at destination if required

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5. Inspection (Destination)

- Shipment arrives at destination and is either held for further inspection or is readied for distribution into the economy of Canada

- May include:
  - o CFIA inspection
  - o CFIA final decision on shipment

6. Reporting

- Import reporting is conducted

- Reporting/trending happens throughout all stages and is used to inform risk based decisions and/or changes to import requirements or procedures
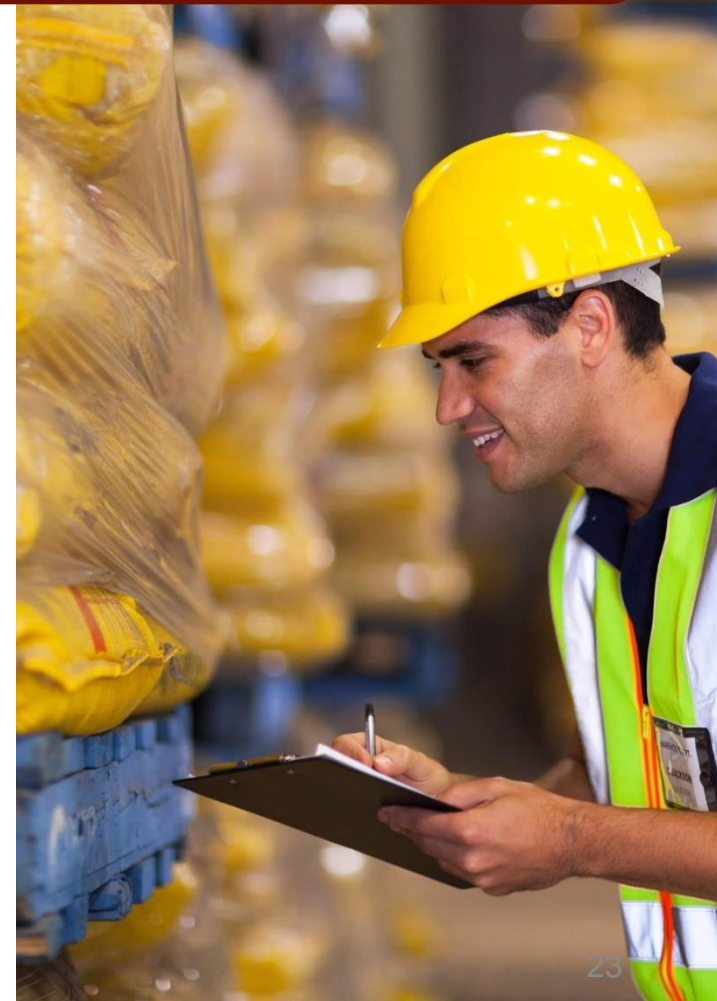
CFIA Import Systems

Automated Import System (AIS)

- A suite of automated tools supporting delivery of electronic import business

- The AIS enables the Agency to clearly and efficiently:

  1. Articulate Canadian import requirements
  2. Accept and store electronic submission of import declarations and foreign government electronic certificates
  3. Apply automated business rules to minimize manual efforts
  4. Communicate with other Canadian government departments and clients
  5. Digitally store any relevant paperwork
  6. Track and retrieve details including final disposition of a product and/or shipment
  7. Ensures information is nationally available to Agency staff for further investigation or follow up

Automated Import System (AIS)

- The AIS is comprised of the following automated systems:
  - ➢ Automated Import Reference System (AIRS)
  - ➢ AIRS Verification Service (AVS)
  - ➢ Import Control and Tracking System (ICTS)
    - o Electronic Data Interchange (EDI)
    - o Inspection plans/triggering and results
  - ➢ Import Admissibility Application (IAA)
  - ➢ Digital Document Store (DDS)
  - ➢ Automated Shipment Inspection Status Search Tool (ASISST)
  - ➢ Import Retrieval System (IRS)
  - ➢ Various reporting solutions to extract and manipulate data (Cognos)
  - ➢ NID manages the coordination and tracking of **Border Lookouts** with the CBSA

Automated Import Reference System (AIRS)

- The primary reference tool available to CFIA employees and clients

- It is an on-line user-friendly, searchable database of CFIA import requirements

- Through a series of Q&A, system leads users through applicable regulations and policies to information on all CFIA import requirements for specific commodities

- The AIRS Query is used to generate coding for Electronic Data Interchange (EDI) release requests

http://inspection.gc.ca/airs/

CFIA / CBSA Border Lookout System

- A national interdepartmental system used to control products at border

- Includes a mechanism to inform the CFIA of arrival of these products in Canada

- Assists in controlling the movement of certain food, animal and plant products at Canadian ports of entry

Border lookout process identifies high-risk goods that are sampled and tested as a part of risk-based product testing system for imported foods!

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Inspection of Imported Food Product-An Example

Meat Product Import Inspection Program

- Initial shipments from eligible foreign establishments

- Reduced inspection mode

- Intensified inspection mode

- Inspection decisions are made available via ASISST after a shipment has cleared Canadian customs and notification from the CBSA has been received by CFIA

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A New Environment Requires
New Approaches to Food Safety Management

- The CFIA is a risk-based organization. The risks to food, plants and animals are changing. We need to change as well in response.

- Canada requires a system that is more:
  - ➢ preventive
  - ➢ robust
  - ➢ transparent
  - ➢ supported by modern
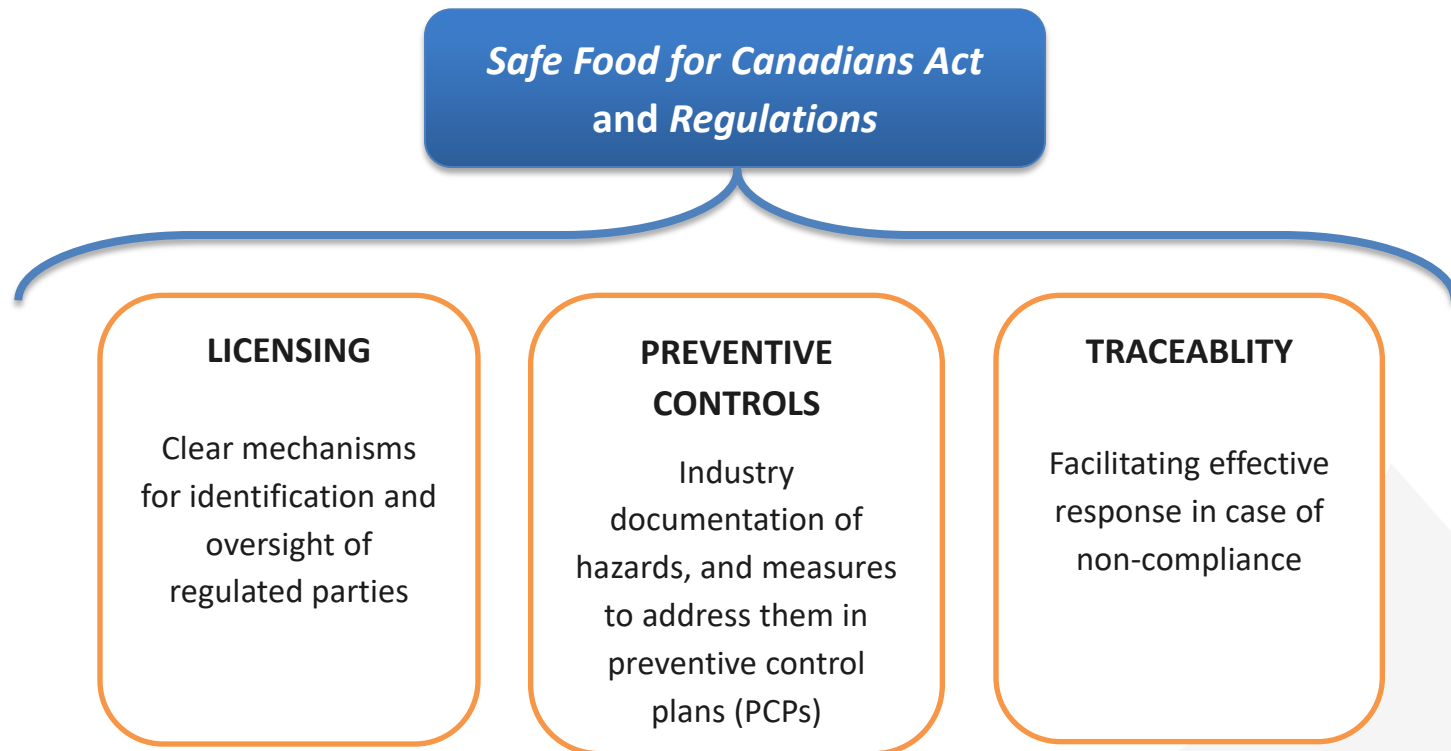 technology, tools
     and training

The CFIA is:
  - ➢ Introducing a more preventive system to manage risk and resources consistently
  - ➢ enhancing how we conduct inspections and deliver programs and services
  - ➢ Enhancing relationships with domestic and international partners.

Main Elements of the Proposed SFCR

Based on international standards that are applied equally to importers, exporters and domestic producers

Safe Food for Canadians Act and Regulations

LICENSING	PREVENTIVE CONTROLS	TRACEABLITY
Clear mechanisms for identification and oversight of regulated parties	Industry documentation of hazards, and measures to address them in preventive control plans (PCPs)	Facilitating effective response in case of non-compliance

Expected Result: Stronger, more consistent and outcomes-based rules

Proposed SFCR
Preventive Control Measures

Importer's Preventive Control Plan

List of hazards associated with the food to be imported

Documents showing the foreign supplier is implementing good manufacturing practices and preventive controls

Description of how importer is meeting applicable requirements
- Labelling
- Packaging
- Standard of Identity
- Grading

Description of importer's HACCP-based process
- Hazard analysis
- Control measures
- Monitoring
- Corrective actions
- Verification procedures

Documents demonstrating you are implementing your PCP effectively

Licensing - Proposed

If a person is doing any of the following activities, they would require a licence:

•Manufacturing, processing, treating, preserving, grading, packaging or labelling food, or slaughtering of food animals for inter-provincial trade or export

•Importing a food

•Exporting a food that requires an export certificate

Licensing would allow the CFIA to:

•Identify businesses preparing food for inter-provincial trade, export, or importing food into Canada

•Authorize a person to carry out specified activities

Resources available :

•Fact Sheet: Licensing

•Interactive Tool: "Would you need a licence?"

Preventive Control Measures - Proposed

Preventive control requirements:

•Outcome based, where possible to allow for flexibility and innovation

•Cover treatment processes, establishment conditions, sanitation, pest control, competency, etc.

Preventive control plan (PCP) requirements:

•Document that outlines potential hazards associated with the food and demonstrate how they will be controlled (consistent with HACCP).

•Not always be required, however the preventive control requirements must be met irrespective of whether or not the PCP is required.

Resources available:

•Fact Sheet: Preventive Food Safety Controls

•Interactive Tool: "Would you need an PCP?"

•Draft Step-by-Step Guide for Domestic Food Businesses and Exporters

•Draft Preventive Control Plan Templates: For Domestic Food Businesses and Exporters

•Draft Guide for Preparing a Preventive Control Plan – For Importers

Traceability - Proposed

- Anyone who prepares food for inter-provincial trade, or imports and exports food would be required to maintain records to identify the food and trace the food "one step forward, one step back".

- Traceability records would need to be:
  - ✓ clear
  - ✓ readable
  - ✓ kept for 2 years.
  - ✓ accessible in Canada and
  - ✓ provided upon request, but could be kept outside Canada.
  - ✓ If electronic, provided to the CFIA in a format which can be opened and used by standard commercial software.

- Retailers would be responsible for tracing food **one step back** to suppliers but not forward to the consumer.

- Traceability requirements would **not apply** to restaurants

Resources available at Canada Gazette I (CGI):
- Fact Sheet: Traceability
- Interactive Tool: "What would your traceability requirements be?"

Expected Benefits

- Confirms industry responsibility and accountability for preparing safe food

- Focuses on prevention and mitigation of emerging food safety risks

- Reflects internationally recognized standards and management-based requirements (HACCP, GMP)

- Enables innovation and flexibility by incorporating outcome-based requirements, where applicable

Promoting Trade

- **Consistency with Trade Agreements:**
  - ➢ With Canada's WTO obligations, with Codex standards and with food safety best practices
  - ➢ With existing and pending free trade agreements and will help exporters access opportunities that these agreements create.

- **Alignment with International Trading Partners**
  - ➢ Reflect internationally recognized good manufacturing and hazard analysis and control practices principles
  - ➢ Reflect Codex food safety standards
  - ➢ Similar systems-based approaches to prevent risks; recognition of role of industry in producing safe food and preventing risks, level playing field for importers and domestic producers

- **Expanding the ability to certify exports**
  - ➢ SFCR would allow export licence holders to request an export certificate to fulfil a foreign requirement
  - ➢ Exporters could satisfy foreign customer requirements that differ from some SFCR requirements
  - ➢ This would sustain access to existing markets and allow Canadian exporters to pursue new opportunities

Support to Businesses

- Previous consultations noted the need to reduce burden on small business and to help them adapt to new requirements. The proposed SFCR offers:

  - Phased implementation for coming into force of some provisions

  - An exemption for a written preventive control plan for micro businesses (gross sales below $30k/yr)

- CFIA will also offer additional assistance including:

  - Plain language tools and guidance documents to support compliance

  - Digital services through "My CFIA"

  - Access to technical advise and expertise through "Ask CFIA" service

Aligning with U.S. Requirements

Country	Scope	Licence or Registration	Preventive Controls	Traceability	Assistance for Small Business
Canada	Imported, exported or inter-provincially traded food	Licences for domestic businesses	HACCP-based	Codex-based, "one step forward, one back"	Phased-in compliance Plain language guidance, templates and model systems Written PCP not required for "micro" businesses (applied to less than 1% of food)
US	All FDA-regulated food, including feed	Registration for domestic and foreign businesses	HARPC-based	Codex-based, but more documentation is required for certain foods	Phased-in compliance Guidance documents, templates and tools "Very small" businesses not required to document certain food safety activities (applied to less than 1% of food)

Aligning with Other Trading Partners

Country	Scope	Licence or Registration	Preventive Controls	Traceability	Approach
Canada	Similar foods and activities covered with differences at the sub-national level	Yes	Yes	Yes	Outcome-based where possible
EU		Yes	Yes	Yes, but with broader scope (e.g., for GMOs)	More prescriptive than the SFCR
Australia & NZ		Yes	Yes	Yes	Outcome-based

Status Update and Next Steps

➢ **Public consultation (January to April 2017)**

- SFCR pre-published in *Canada Gazette* Part I on January 21, 2017 for a 90-day public comment period -
- CFIA engaged thousands of stakeholders through webinars, information sessions and other meetings

➢ **Next steps in the regulatory process**

- Review and analyze feedback - CFIA received over 1300 submissions
  - Comments divided between changes/clarification to **regulatory text**, need for additional **guidance** and **implementation** questions
- Finalize regulations, guidance and tools
- Final publication in Canada Gazette Part II is anticipated spring 2018

For more information, consult the following CFIA Websites

CFIA:

http://inspection.gc.ca

Food Imports:

http://inspection.gc.ca/food/imports/eng/1323714792490/1323715949260

Safe Food for Canadians Action Plan:

http://inspection.gc.ca/food/action-plan/eng/1366921334607/1366921368545

Questions?