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Updates to the following sections were made in July 2007: Canada's New Organic Regulations, Canada's Enhanced Feed Ban and GOC Policy on Trans Fats. All website links were refreshed.

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This report was prepared by the Office of Agricultural Affairs of the USDA/Foreign Agricultural Service in Ottawa, Canada for U.S. exporters of food and agricultural products. While every possible care was taken in the preparation of this report, information provided may be incomplete either because policies have changed since its preparation, or because clear and consistent information about these policies was not available. It is highly recommended that U.S. exporters verify the full set of import requirements with their foreign customers, who are normally best equipped to research such matters with local authorities, before any goods are shipped. FINAL IMPORT APPROVAL OF ANY PRODUCT IS SUBJECT TO THE IMPORTING COUNTRY'S RULES AND REGULATIONS AS INTERPRETED BY BORDER OFFICIALS AT THE TIME OF PRODUCT ENTRY.

Section I. Food Laws

The Canadian Food Inspection Agency

Since April 1997, all federally mandated food inspection and quarantine services for domestic and imported foods were consolidated into a single agency called the Canadian Food Inspection Agency (CFIA). As a result, food inspection and quarantine services previously provided by Agriculture and Agri-Food Canada, Health Canada, Industry Canada and the Department of Fisheries and Oceans Canada are integrated under the CFIA. The responsibility of food safety policy and risk assessment remains with Health Canada. The following are brief descriptions of Canadian legislation that applies to imports. Readers should note that while the official Acts are the enabling legislation, it is the associated regulations that contain detailed requirements pertaining to imports. Full texts of Canada's Laws are available at www.justice.gc.ca

Canada Agricultural Products Act (CAP Act) and Associated Regulations

The Canada Agricultural Products Act (CAP Act) and associated regulations are designed to set national standards and grades for agricultural products and to regulate the marketing of agricultural products in import, export, and interprovincial trade. They provide for the licensing of dealers in agricultural products; the inspection, grading, labeling, and packaging (including standardized sizes) of regulated products. The following regulations fall under the CAP Act:

- Dairy Products Regulations
- Egg Regulations
- Fresh Fruit and Vegetable Regulations
- Honey Regulations
- Licensing and Arbitration Regulations
- Maple Products Regulations
- Processed Egg Regulations
- Processed Products Regulations
- Livestock & Poultry Carcass Grading Regulations
- Organic Product Regulations

Consumer Packaging and Labeling Act

The Consumer Packaging and Labeling Act provides for the uniform labeling of consumer packaged goods for sale at the retail level. The Regulations prescribe requirements for bilingual labeling, metric net quantity declarations and for the size and location of mandatory labeling information. Currently these Regulations also prescribe standardized sizes for some consumer products for the following foods: glucose syrup and refined sugar syrup, peanut

butter, and wine, but there is an interest among Canadian regulators to bring these products under the CAP Act.

Customs Act

The Customs Act provides the legislative authority for Customs inspectors to detain goods that may be in contravention of the Customs Act or any other act or regulation that prohibits, controls or regulates the importation or exportation of goods.

Export and Import Permits Act

The authority to control the importation and exportation of commodities and technologies is derived from this Act.

The Export and Import Permits Act provides for the establishment of a series of lists known as the Import Control List (ICL), the Export Control List (ECL) and the Area Control List (ACL). For each one of these lists, the Act sets out criteria that govern the inclusion of goods or countries on the respective lists. By issuing import and export permits, government controls the flow of goods named on these lists, and export/import to specific destinations.

The Export and Import Permits Act provides the Minister of Foreign Affairs with the authority to allocate quotas to Canadian firms. Once quotas are allocated, import permits will be issued to quota holders up to their quota level as long as the terms and conditions of the permit are met. Canada's tariff rate quotas on certain agricultural products are administered by the Department of Foreign Affairs and International Trade and Revenue Canada. See also, Section VI, Tariff Rate Quotas.

Fish Inspection Act

The Fish Inspection Act and Regulations establish composition, quality, labeling and packaging requirements for fish and fish products traded internationally and interprovincially.

Fisheries Act

The Fish Health Regulations under the Fisheries Act are designed to prevent the spread of infectious fish diseases, both by inspecting production sources of fish stocks, and by controlling the movements of infected fish stocks. They apply to live and dead cultured fish and eggs (including any fertilized or unfertilized sex products) of cultured and wild fish. These regulations apply to certain types of fish from the family Salmonidae.

Food and Drugs Act

The Food and Drugs Act is a consumer protection statute dealing with food, drugs, cosmetics and medical devices. It establishes minimum health and safety requirements, as well as provisions preventing fraud and deception for all food sold in Canada. The Regulations contain food labeling requirements and standards of identity, composition, strength, potency, purity, quality or other properties for several classes of foods.

Health of Animals Act

The purpose of the Health of Animals Act and Regulations is to prevent the introduction of animal diseases into Canada.

The Health of Animals Act and Regulations regulate international trade in live animals, animal products and by products, animal feeds, veterinary biologics and biotechnology products. They provide for the approval and registration of private quarantine premises and establishments involved in the importation of animals, animal products and veterinary biologics. They also set standards of construction, operation and maintenance for these facilities and establishments.

Meat Inspection Act

The Meat Inspection Act and Regulations regulate international and interprovincial trade in meat and meat products. They provide for the registration of establishments involved in the slaughter, processing or packaging of products traded internationally or interprovincially. Regulations also set standards of construction, operation and maintenance for registered establishments.

North Pacific Fisheries Convention Act

Under the authority of the North Pacific Fisheries Convention Act and Regulations, Fisheries and Oceans Canada regulates imports of wild salmon and wild salmon products from the North Pacific Ocean, caught by countries other than Canada, United States, Japan and Russia.

Plant Protection Act

The Plant Protection Act and Regulations provide the legislative authority to prevent the importation, exportation and spread of pests injurious to plants. The purpose of the Act is to protect plant life and the agricultural and forestry sectors. Plants and plant products, including certain fresh fruits and vegetables, are subject to plant protection import requirements. The requirements vary according to the degree of risk the product poses. Some goods are prohibited entry into Canada; others require an import permit issued by the Canadian Food Inspection Agency and/or a Phytosanitary Certificate issued by exporting country.

Weights and Measures Act

The Weights and Measures Act establishes net quantity requirements for products sold on the basis of measure and sets out the criteria to be used for determining commodity compliance to those requirements. The Weights and Measures Act does not apply to products subject to net quantity requirements set out in other federal legislation, and therefore does not apply to food packaged for direct sale to the consumer which are covered under the Consumer Packaging and Labeling Act. The Weights and Measures Act, however, does apply to foods in shipping containers destined for commercial or industrial enterprises or institutions, products shipped in bulk, and clerk served foods at retail.

Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act

The Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act is the implementing legislation for the Convention on International Trade in Endangered Species in Wild Fauna and Flora (CITES) in Canada. It regulates the international movement of CITES listed species and their derivatives through a permit system. It allows the prosecution in Canada of importers who violate wildlife conservation legislation in foreign countries, and permits Canada to restrict the importation of wildlife designated as harmful to Canadian ecosystems.

Agriculture and Agri-Food Administrative Monetary Penalties Act

The Agriculture and Agri-Food Administrative Monetary Penalties Act establishes a system of administrative monetary penalties for the enforcement of the following acts: the Canada Agricultural Products Act, the Feeds Act, the Fertilizers Act, the Health of Animals Act, the Meat Inspection Act, the Plant Protection Act, and the Seeds Act. The Monetary Penalties Act authorizes monetary penalties on violators of Canadian regulations.

Other Acts:

- Feeds Act
- Fertilizers Act
- Plant Breeders' Rights Act
- Seeds Act

Websites:

Canadian Food Inspection Agency
<http://www.inspection.gc.ca/>

Health Canada Food and Drugs Act
<http://www.hc-sc.gc.ca>

Section II. Labeling Requirements

A. General Requirements

The basic packaging and labeling requirements necessary for U.S. agricultural exports to Canada are:

- labels in English and French,
- net quantities in metric,
- list of ingredients,
- durable life date (if shelf life 90 days or less),
- common name of product,
- company name and address,
- minimum type size specifications,
- conformity to standardized package sizes stipulated in the regulations, and
- country of origin labeling.

Although the Universal Product Code (U.P.C.) or bar code is not required or administered by government, virtually all retailers require products to be labeled with a U.P.C.

Guide to Food Labeling and Advertising

The Canadian Food Inspection Agency has prepared a Guide to Food Labeling and Advertising, which details the regulatory requirements for selling packaged foods in Canada. The CFIA Guide includes information on:

Basic Labeling Requirements

Advertising Requirements

Claims as to the Composition, Quality, Quantity and Origin of Foods

Nutrition Labeling
Nutrient Content Claims
Health-Related Claims
Other Product Specific Requirements

The full guide is available on the CFIA website at:

<http://www.inspection.gc.ca/english/fssa/labeti/guide/toce.shtml>

Foods Requiring a Label

All prepackaged food products require a label with the following exceptions:

- One-bite confections, such as a candy or a stick of chewing gum, sold individually; and
- Fresh fruits or vegetables packaged in a wrapper or confining band of less than 1/2 inch (12.7 mm).

Note: Clerk-served foods, which are packaged at the time of sale, are not considered to be prepackaged foods and are therefore exempt from having a label.

Bilingual Requirements

All mandatory information on food labels must be shown in both official languages, i.e., French and English, with one exception:

- The identity and principal place of business of the person by or for whom the prepackaged product was manufactured, processed, produced or packaged for resale, may be in either English or French.

The province of Quebec has additional requirements concerning the use of the French language on all products marketed within its jurisdiction. Information on these requirements can be obtained from:

Ministère de l'Agriculture, des Pêcheries et de l'Alimentation du Québec
200-A Chemin Sainte-Foy
Québec, Québec G1R 4X6
Tel. (418) 643-2500
Fax (418) 644-3049

Quebec French language labeling information can also be found at the Website of l'Office de la langue française: <http://www.olf.gouv.qc.ca/>

Shipping Containers

Labels of shipping containers for prepackaged retail food products, such as those for commercial, industrial or institutional use, are exempt from bilingual labeling requirements. The definition of shipping container includes both the outer case and inner package provided they are not offered for sale to consumers. Shipping containers may show the mandatory information in either official language (English or French). While it is recommended that the labeling information be provided in the language of the client, this is not required by law. Shipping containers require the common name of the product, the company name and place of business, country of origin, list of ingredients and a net quantity declaration under the *Weights and Measures Act* in either metric or Imperial measure.

Enforcement

The CFIA has the authority to refuse entry, detain, return, or remove from retail shelves any imported processed food product that does not meet the federal food labeling requirements.

B. Label Review

The Canadian Food Inspection Agency consolidates federal food label review under its "Single Access Food Labeling Service". This label service, designed particularly for new entrants in the marketplace who are not familiar with the Canadian regulatory system, is provided at specified regional locations across Canada (see listing in Section IX). These offices coordinate the requirements of the aforementioned federal departments to simplify product approval and label compliance. It is recommended that U.S. exporters submit their labels to the regional office closest to the targeted marketing area. A complete list of the labeling service offices is found in the Appendices.

The CFIA will provide advice on the labeling requirements of all the acts that the agency administers. If U.S. exporters provide sufficient information with their submissions, a complete label assessment can be accomplished in about two weeks.

C. Nutrition Labeling

On January 1, 2003, Canada published new regulations making nutrition labeling mandatory on most food labels; new requirements for nutrient content claims; and permitting, for the first time in Canada, diet-related health claims for foods. U.S. food products exported to Canada must meet the same labeling requirements as foods produced in Canada. U.S. food manufacturers will have the same transition time (see below), depending on company size, to comply with the new nutrition labeling requirements.

Compliance and Enforcement Strategy – New Nutrition Labeling Regulations

The Canadian Food Inspection Agency (CFIA) is responsible for the enforcement of the *Food and Drugs Act* and the *Food and Drug Regulations* as they relate to food, including the recent amendments to the Regulations concerning nutrition labeling, nutrient content claims and diet-related health claims. A transition period was provided for in the amending regulations which allows most companies to bring their products into compliance with the new mandatory nutrition labeling regulations by December 12, 2005, while smaller companies, with annual revenues of less than one million dollars from the sale of food in Canada for the period of December 12, 2001- December 11, 2002, have until December 12, 2007 to bring their products into compliance.

Certain foods and beverages are exempted from the new labeling requirements, for example, fresh fruit and vegetables and raw single ingredient meat and poultry that are not ground. Health Canada claims that while some manufacturers may choose to start placing a Nutrition Facts table on labels almost immediately, companies have up to three years to comply with the new regulations. Small businesses have five years.

Further information and a downloadable copy of the Nutrition Labeling Regulations are available on the following Health Canada and CFIA webpages:

http://www.hc-sc.gc.ca/hpfb-dgpsa/onpp-bppn/labelling-etiquetage/index_e.html

<http://www.inspection.gc.ca/english/fssa/labeti/nutrition-pagee.shtml>

Amendments, clarifications and information letters to Industry concerning Canada's Nutrition Labeling regulations are catalogued on the CFIA webpage listed below. Some important changes since last year's FAIRS report include an information letter on "no sugar added" claims and on the nutrient content claims of food sold in restaurants and foodservice establishments.

<http://www.inspection.gc.ca/english/fssa/labeti/nutrition/arcarce.shtml>

D. Diet-Related Health Claims

Amendments to Canada's Food and Drug Regulations in 2002 allow diet-related health claims on foods for the first time. The Regulations now provide for claims, which deal with the following relationships:

- a diet low in sodium and high in potassium, and the reduction of risk of hypertension;
- a diet adequate in calcium and vitamin D, and the reduction of risk of osteoporosis;
- a diet low in saturated fat and *trans* fat, and the reduction of risk of heart disease;
- a diet rich in vegetables and fruits, and the reduction of risk of some types of cancer; and
- minimal fermentable carbohydrates in gum, hard candy or breath-freshening products, and the reduction of risk of dental caries.

The Regulations prescribe the exact wording for the permitted diet-related health claims. For full information and example tables, see the CFIA's 2003 Guide to Food Labeling, Section 8, at the link below:

<http://www.inspection.gc.ca/english/fssa/labeti/guide/ch8e.shtml#8.4>

Section III. Packaging and Container Regulations

Canadian regulations governing package sizes for fruits and vegetables, processed horticultural products and processed meats stipulate standardized package sizes, which can differ from U.S. sizes. For detailed information see Section VI.

Section IV. Food Additive Regulations

The use of food additives is strictly controlled by Canada's Food and Drugs Act and Regulations. Most foods approved for sale in the U.S. would comply with Canadian additive regulations, but differences can occur in the permissible levels and uses of food colorings and food preservatives. The food additive tables in Division 16 of the Regulations prescribe which additives may be used in foods sold in Canada, to which foods they may be added, for what purposes, and at what levels. Products containing non-permitted food additives may be refused entry into Canada. Canada's Food and Drugs Regulations are available on the Internet at:

http://www.hc-sc.gc.ca/food-aliment/friia-raaii/food_drugs-aliments_droques/act-loi/e_index.html

Canadian regulations on food flavoring are not comprehensive. Health Canada officials approve flavorings on a case by case basis only. Health Canada requires manufacturers to submit a formal request describing the intended use and levels of flavorings not specified in the regulations. This must be supplied together with information relating to the estimated intake of the flavoring by the consumer under normal consumption patterns. Specific questions relating to ingredients, food additives, and chemical residue limits may be directed to:

Bureau of Chemical Safety
Health Protection Branch
Health Canada
Frederick G. Banting Building
Tunney's Pasture
Ottawa, Ontario Canada K1A 0L2
Telephone: (613) 957-1700

Section V. Pesticide and Other Contaminants

Some agricultural chemicals approved for use in the United States are not registered in Canada. As a result, these pesticides are deemed to have a zero tolerance in Canada and imported foods which contain unregistered pesticide residues above 0.1 parts per million are deemed to be adulterated under Section B.15.002(1) of Canada's Food and Drug Regulations. The goods are subject to detention, destruction, or return.

Health Canada's Health Protection Branch sets maximum residue limits (MRL) for pesticides. A full listing of Canadian MRLs is available on the Pest Management Regulatory Agency's (PMRA) website at:

<http://www.pmra-arla.gc.ca/english/legis/maxres-e.html>

Canadian Proposal To Revoke 0.1 ppm General Maximum Residue Limit

On June 23, 2006 Health Canada issued a discussion document, with a 90 day public comment period, on proposed changes to its default maximum residue level (MRL) for pesticides of 0.1 ppm. The proposed changes would revoke Canada's "general MRL limit" of 0.1 parts per million (ppm) for products for which no MRL has been established. In replacing the general limit of 0.1 ppm, Canada will make use of specific U.S. MRLs below 0.1 ppm, and will also consider Codex Alimentarius Commission standards. Canada noted that this proposal will lead to further harmonization between Canada and the United States. Health Canada expects to publish a formal proposal for regulatory change during 2007. An electronic copy of the discussion document is available at:

<http://www.pmra-arla.gc.ca/english/pdf/dis/dis2006-01-e.pdf>

The PMRA is also responsible for pesticide registration. The address is:

Pest Management Regulatory Agency
Health Canada
2250 Riverside Drive
Ottawa, Ontario K1A 0K9
Telephone: (613) 736-3401

Section VI. Other Regulations and Requirements

Inspection and Registration Fees

As part of a Canadian government initiative to partially recover costs associated with providing inspection services, most federal departments charge fees to industry for inspection and product registrations, where required. Canada claims its fee structure is consistent with WTO provisions for national treatment, in that the fees apply equally to Canadian and import sales.

Beef and Bison Export Verification

Following the identification of a BSE-infected animal in Washington State, on December 23, 2003, the Canadian government introduced certain import restrictions on U.S. beef and live cattle. On several occasions beginning January 22, 2004, again on April 23, 2004, and in June 2006, the restrictions were partially eased but some special entry requirements remain in effect. An Agricultural Marketing Service (AMS) Export Verification (EV) program is no longer required for export of beef and beef products to Canada, but it is required for bison or buffalo meat. Since U.S. BSE regulations do not apply to bison or buffalo, meat and meat products derived from these species must be produced under an approved AMS EV program. The red meat export requirements for shipments to Canada are detailed in the Food Safety Inspection Service (FSIS), see [FSIS Library of Export Requirements](http://www.fsis.usda.gov/ExportRequirements). For more information on the Export Verification Program for Bison or Buffalo to Canada, go to: <http://www.ams.usda.gov/lsg/arc/bev.htm>.

All federally inspected U.S. meat and poultry plants are recognized initially as eligible to export to Canada. U.S. exporters should be aware that establishments not listed in the current FSIS Meat and Poultry Inspection Directory may experience delays in getting their certificates pre-verified. Contact the FSIS Technical Service Center, Omaha, NE, phone (402) 221-7400 for assistance.

Container Sizes: Processed Meats

Canada's Meat & Poultry Inspection Regulations stipulate the standard package size requirements for processed meat poultry products such as bacon, sausages, sliced meats and wieners. Common U.S. package sizes for these products are different from Canadian standardized sizes. For example, sliced bacon cannot be sold in a 1 lb. package in Canada. It is mostly sold in 500 g packages, one of the standardized sizes in the regulations. Schedule II of the Meat and Poultry Inspection Regulations lists all the acceptable package sizes for processed meats. It can be viewed on the Department of Justice website at:

<http://laws.justice.gc.ca/en/M-3.2/index.html>

Requirements for Fresh Fruits and Vegetables

All fruits and vegetables imported into Canada must meet specific standards and packaging regulations laid out in the Canada Agricultural Products Act's Fresh Fruit and Vegetable Regulations and Processed Product Regulations. The regulations are available on the Internet at:

<http://laws.justice.gc.ca/en/C-0.4/index.html>

U.S. fresh fruits and vegetable exporters must:

- comply with Canadian grade standards and packaging regulations

- obtain Canadian Confirmation of Sale form. Consignment selling is prohibited
- obtain special waiver of standard container regulations for bulk products
- file a Canada Customs invoice

Beginning in 1995, Canada dropped the mandatory requirement (except for apples, onions, and potatoes) that U.S. exports of fresh produce be accompanied by USDA Agricultural Marketing Service (AMS) certification that the produce meets Canadian import requirements. Some U.S. exporters still choose to obtain AMS certification as evidence that the produce left the shipping point in grade and condition.

Canada requires all foreign shippers of fresh produce to place a grade on consumer size packages for which Canadian grades are established. The law also requires a country of origin declaration with the grade and weight (in metric) printed in a letter size directly proportional to the size of the package display surface.

Consignment selling of fruits and vegetables into Canada is prohibited by law and a confirmation of sale form is required for entry. Only produce that is pre-sold will be released at the border by Canada Customs.

Where grades and standard container sizes are established in Canadian regulation, bulk imports require a special exemption from the Canadian Food Inspection Agency. This exemption is not granted unless there is a shortage of domestic supply.

Further information on fruit and vegetable regulations is available from:

Dairy, Fruit, and Vegetable Division
Canadian Food Inspection Agency
59 Camelot Drive
Nepean, Ontario, Canada K1A 0Y9
Telephone: (613) 225-2342

Processed Horticultural Products

Imported processed horticultural products are subject to the requirements of Canada's Processed Products Regulations. These regulations stipulate the standards and grades for processed fruits and vegetables. The maximum container size permitted for importation is 20 kg or 20 liters. Beyond these sizes, Canadian rules require a ministerial exemption, or bulk waiver of standardized package. The Processed Product Regulations are available for viewing at the following Justice Department website:

<http://laws.justice.gc.ca/en/C-0.4/index.html>

Since 2003, Canada has been considering changes to its Processed Products Regulations which if promulgated could change certain grade standards, deregulate or introduce certain package sizes, and stipulate certain special metric increment label declaration requirements on imports of processed fruits and vegetables for foodservice. The United States has made representation to Canada over concerns that some of the changes being considered could result in a barrier to trade for certain U.S. processed horticultural exports. Canada's Processed Products Regulations are administered by the Canadian Food Inspection Agency which expects to introduce a formal regulatory proposal sometime during 2007. For more information concerning the proposed changes go to:

<http://www.inspection.gc.ca/english/reg/consultation/reginite.shtml>

Tariff Rate Quotas (TRQs)

In 1995, under the World Trade Organization (WTO) agreement, Canada replaced import quotas on certain agricultural products with Tariff Rate Quotas (TRQs). Under the TRQ system, imports which are within quotas are subject to low or free rates of duty, until the quota limit has been reached. Once quota limits have been reached, over-quota imports are subject to significantly higher Most-Favored-Nation (MFN) rates of duty. The Canadian importer must be in possession of an import permit to import TRQ commodities.

First-Come, First-Served (FCFS) TRQs

FCFS TRQs apply to wheat, barley and their products, cut roses from Israel, dry onions and fresh strawberries from Chile, as well as to certain agricultural products from Mexico (such as roses, carnations, chrysanthemums, tomatoes, onions or shallots, cucumbers and gherkins, broccoli and cauliflower, strawberries for processing, other strawberries, and preserved tomatoes).

These TRQ goods are not subject to prior quota allocations, or to specific import permits. In the cases of wheat, barley and their products, as well as cut roses from Israel, quota control is based on a general import permit (GIP). In some cases, such as the importation of onions and strawberries originating in Chile and certain agricultural products originating in Mexico, no GIP exists, but the FCFS quota system works in the same manner.

For more information on FCFS TRQs, see the Canadian Border Service Agency:

<http://www.cbsa-asfc.gc.ca/E/pub/cm/d10-18-6/d10-18-6-e.html>

Non First-come, First-Served TRQs

Non first-come, first-served TRQs apply to broiler hatching chicks and eggs, chicken, turkey, non-NAFTA beef and veal, cheese, butter, milk and cream, buttermilk, yogurt, dairy blends, ice goods and margarine. The Canadian importer must be in possession of a specific permit issued by the Department of Foreign Affairs and International Trade, which allocates the TRQ to traditional importers and other industry participants.

Allocating TRQs

The Department of Foreign Affairs and International Trade (Export and Import Controls Bureau) is responsible for administering and allocating quotas for the non FCFS TRQ goods and for issuing import permits. Revenue Canada (Customs and Trade Administration) is responsible for the administration of FCFS TRQ goods, which includes monitoring the levels of their importation. For more information go to:

<http://www.dfait-maeci.gc.ca/trade/eicb/agric/agric-en.asp>

Tighter Feed Controls; Canada's Enhanced Feed Ban

The scientific community generally believes that the primary spread of bovine spongiform encephalopathy (BSE) in cattle populations is caused by feeding protein products made from infected cattle. Canada introduced a feed ban in 1997 to limit the spread of BSE through domestic feed, but with the subsequent detection of BSE in Canadian-born cattle beginning in May 2003, Canada announced enhancements to its feed ban in June 2006 to further reduce the potential spread of BSE.

Canada's enhanced feed ban is scheduled to enter into force on July 12, 2007. A phase-in period of approximately one year is being provided to allow regulated parties to make adjustments to infrastructure and practices in order to comply with the new requirements. At the time of writing, the import documentation/certification requirements impacting U.S. pet food, livestock feed, and fertilizer exports to Canada are being developed. In the interim, it is suggested that current and potential U.S. exporters of these products to Canada contact the USDA's Animal and Plant Health Inspection Service, their national associations, the Canadian Food Inspection Agency, or the Office of Agricultural Affairs, U.S. Embassy, Ottawa for updates on the new import requirements.

Section VII. Other Specific Standards

Marine

Fish and fish products are subject to the Fish Inspection Act and Regulations, which contain requirements for wholesomeness, labeling, packaging, grading, and health and safety. The Canadian importers of fish and fish products must have an Import License issued by the Canadian Food Inspection Agency and must notify the closest Canadian Food Inspection Agency fish inspection office in writing each time they import fish. Restrictions apply to the importation of live or raw bivalve molluscan shellfish such as mussels, clams and oysters. Import permits may be required for certain types of cultured fish. Certain provinces may have additional requirements for the importation of live fish.

Canadian regulatory requirements for imported fish and fish products are administered by the Canadian Food Inspection Agency's Fish Inspection Directorate (FID). Canadian importers are required to obtain an Import License issued by the FID prior to importing fish products. An import license costs \$C500 per year and is valid for 12 months. Importers are required to notify the FID prior to importation of a product or within 48 hours following importation, stating the type and quantity, the name of the producer, the country of origin and the storage location for each product contained within a shipment. The following inspection service fees are charged for imported products: \$C50 per shipment of imported fresh fish; \$C30 per shipment for any fish imported for further processing; or \$C50 per lot for any other type of imported fish to a maximum of \$C250 per shipment.

The following information provides a guideline to some of the important Canadian packaging and labeling requirements for fish and seafood:

- Shipping containers for fresh or frozen fish must be stamped or stenciled on one end with all code markings that identify the packer, and day, month, and year of packing.
- For canned product, each can must be embossed, or otherwise permanently marked, in a code that identifies the name of the establishment, the day, month, and year of processing, and where required in the regulations, the species of fish. FID requires the Canadian importer to provide a list indicating the establishment and the number of containers for each production code.
- General labeling requirements for fish and fish products in consumer packages include, but are not limited to: English and French for mandatory information, list of ingredients, including additives, the name and address of the packer or distributor, the common name of the product, and the weight in metric units (imperial weight units may appear in addition). Technical questions on packaging and labeling should be directed to:

Fish Inspection Directorate
Canadian Food Inspection Agency
59 Camelot Drive
Nepean, Ontario K1A 0Y9
Telephone: (613) 225-2342

More information regarding the requirements to import fish into Canada can be found on the CFIA web site in the document titled Guide to Canadian Regulatory Requirements and Examination Procedures for Imported Fish. For detailed information go to:
<http://www.inspection.gc.ca/english/anima/fispoi/fispoie.shtml>

Novel Foods (Genetically Modified Foods)

Health Canada defines novel foods as: products that have never been used as a food; foods which result from a process that has not previously been used for food; or, foods that have been modified by genetic manipulation. This last category of foods have been described as genetically modified foods.

Health Canada is responsible for ensuring that all foods, including those derived from biotechnology, are safe prior to their entering into the Canadian food system. The Novel Foods Regulation (under the Food and Drugs Act) requires that notification be made to Health Products and Food Branch (HPFB) by the company who wants to sell the product prior to the marketing or advertising of a novel food. Pre-market notification is designed to allow Health Canada to conduct a safety assessment of the biotechnology-derived food prior to permitting its sale in the Canadian marketplace.

For more information on the regulations governing genetically modified foods consult the Agricultural Biotechnology Report for Canada, report CA6036, on the FAS website under Attaché Reports.

The following is Health Canada's website for information concerning the sale of novel foods (genetically modified foods) in Canada.

http://www.hc-sc.gc.ca/fn-an/gmf-agm/index_e.html

Contact for Novel Food Pre-Market Notification/Submission

Novel Food Notification
Food Program
Food Directorate
Health Canada
4th Floor West
Sir Frederick G. Banting Research Center
Tunney's Pasture, PL 2204A1
Ottawa, Ontario
K1A 0L2

Highlighted Food Ingredients

Canada's Food Inspection Agency has published a discussion paper on the highlighted Ingredients and Flavors in Food and is proposing amendments to Canada's Food and Drug Regulations to clarify labeling and advertising rules related to the highlighting or emphasizing of ingredients or components, flavors, and sensory characteristics (such as texture and

taste) that use ingredient names as adjectives (such as creamy or juicy). The Agency is proposing that when ingredients are highlighted (whether high or low amount) a percentage of the ingredient must be declared either on the front panel or ingredients list; that when the highlighted ingredient is a flavor or an artificial flavor, it is proposing the word(s) "flavor" or "artificial flavor" must appear adjacent to the named flavor, for example: "strawberry flavor" or "artificial strawberry flavor"; that when an ingredient or component name is used to describe a sensory characteristic of a food, it is proposed that the specific characteristic must be stated adjacent to the description, for example: "creamy texture". Any forthcoming regulatory changes would also apply to imported foods. The full text of the discussion paper is available at: <http://www.inspection.gc.ca/english/fssa/labeti/inform/20030116dise.shtml>

Vitamin and Mineral Fortification

Food fortification in Canada is currently under review. The proposed policy is outlined in the document, *Addition of Vitamins and Minerals to Food, 2005: Health Canada's Proposed Policy and Implementation Plans*. It would retain current fortification practices to prevent and correct nutritional problems, such as requiring the addition of Vitamin D to milk to combat the childhood disease of rickets and the addition of folic acid to flour to reduce birth defects. The policy of permitting food manufacturers to fortify foods to restore vitamins and minerals lost through processing would also continue. Canada responded that its revised policy on the addition of vitamins and mineral nutrients to foods (published in March 2005, http://hc-sc.gc.ca/fn-an/nutrition/vitamin/fortification_final_doc_1_e.html), partially based on the U.S. Institute of Medicine's (IOM) Guiding Principles for Nutrition Labeling and Fortification, retained the current fortification policies, with broader discretionary fortification. Under the Canadian proposed changes, there would be an expansion of discretionary fortification, but with restrictions on which vitamins and minerals as well as amounts that could be added. Health Canada expects to publish a formal regulatory proposal, complete with a public comment period, sometime during 2007. For more information on food fortification, visit www.healthcanada.gc.ca/fortification

Trans Fats

In June 2006, the Trans Fat Task Force, a multi-stakeholder group led by Health Canada in conjunction with the Heart and Stroke Foundation of Canada, submitted recommendations to the Minister of Health to reduce the levels of trans fats in the Canadian Food Inspection Agency supply. In July 2007, Health Canada announced that it is adopting the Trans Fat Task Force's recommendation on trans fats, but will ask industry to voluntarily limit the trans fat content of vegetable oils and soft, spreadable margarines to 2 percent of the total fat content, and to limit the trans fat content for all other foods to 5 percent, including ingredients sold to restaurants. Health Canada said that it would give industry two years to reduce trans fats to the lowest levels possible as recommended by the Trans Fat Task Force. If significant progress has not been made over the next two years, it will regulate industry to ensure the levels are met. Canada was the first country to require that the levels of trans fat in pre-packaged food be included on the mandatory nutrition label. While some critics charged that the Canadian government chose to delay the regulation of trans fat limits to appease North American food manufacturers, health activists and Canada's foodservice industry support the move. An electronic copy of the Task Force report is available at:

http://www.hc-sc.gc.ca/fn-an/nutrition/gras-trans-fats/tf-ge/tf-gt_rep-rap_e.html

Wine, Beer and Other Alcoholic Beverages

The federal Importation of Intoxicating Liquors Act gives the provinces and territories full control over the importation of intoxicating liquor into their jurisdictions. Provincial liquor

commissions control the sale of alcoholic beverages in Canada and the market structure can vary considerably from province to province. Alcoholic beverages can only be imported through the liquor commissions in the province where the product will be consumed. In general terms, U.S. exporters are required to have their products "listed" by the provincial liquor control agency. In many provinces, U.S. exporters must have a registered agent who provides the necessary marketing support within the province to obtain a provincial liquor board listing. As an initial step, U.S. exporters should contact the provincial liquor board in the target market for a listing of registered agents. Canadian packaging and labeling requirements for wine and beer are administered under Canada's Food and Drug Regulations and the Consumer Packaging and Labeling Regulations. In addition to the general packaging and labeling requirements for most foods, the regulations for alcoholic beverages cover common names and standardized container rules. For example, light beer in Canada is defined by regulation as beer with a percentage alcohol of 2.6 to 4.0, by volume. Container sizes for wine are standardized and metric. The most common containers for wine are 750 milliliters or 1, 1.5 and 2 liters. The province of Quebec has additional requirements to alcoholic beverage labeling.

U.S. exporters are advised to contact the Canadian Food Inspection Agency's Single Access Food Labeling Service offices for full label reviews of alcoholic beverages (Appendix E).

Food Allergen Labeling Proposal

Health Canada continues to study proposed regulatory amendments for new labeling requirements for certain food allergens, gluten sources and sulphites in prepackaged foods sold in Canada. For more information go to the following webpage:

http://www.hc-sc.gc.ca/fn-an/label-etiquet/allergen/index_e.html

The proposed regulatory amendments to the Food and Drug Regulations would include:

1) (a) the label declaration of the following foods, or any protein-containing derivatives of these, in the list of ingredients by their common name if added directly as an ingredient in prepackaged foods:

- peanuts;
- naming the tree nuts;
- sesame;
- milk;
- eggs;
- naming the fish; naming the crustaceans; naming the shellfish;
- soy; and
- wheat, including spelt and kamut, or oats, barley, rye or triticale, or any protein-containing part thereof and hybridized strains of these grains;

(b) if the name of the allergenic food is not already identified in the common name of the derivative, then the name of the allergenic food would have to appear in brackets following the ingredient;

2) (a) amendments to section B.01.009, which exempts certain ingredients or classes of ingredients from label declaration, to require the declaration of the foods mentioned above or any protein-containing derivative, when they are added as a component of an ingredient listed in the Table to subsection B.01.009(1);

(b) the declaration would be made in the list of ingredients by common name, as if they were an ingredient of that food, followed, in brackets, by the name of the specific allergenic

food specified above (e.g. casein (milk)), if it is not already identified in the common name of the derivative;

(c) if more than one component of an ingredient or of a class of ingredient contains the same priority allergen or gluten source, the name of the specific allergen or gluten source may be declared only once in the list of ingredients;

3) identification of the plant or animal source in the common name of all hydrolysed proteins;

4) identification of the specific source of the plant in the common name of all forms of starch (including maltodextrin) or modified starch;

5) identification of the source of lecithin in the common name of lecithin;

6) amendments to subsection B.01.009(1) to require the declaration of sulphites when they have been added to a component of an ingredient listed in the Table to this subsection and are present at a level of 10 ppm or more in the final food product;. the declaration would be a statement that the food contains sulphites or a sulphiting agent, or the word "sulphites", or the words "sulphiting agent", or the name of the sulphiting agent would be shown in the list of ingredients;

Note: The proposed amendments would not change the current requirement for the declaration of sulphites directly added to a food product at any level, as is the case for any food additive or ingredient not exempted from component declaration in the Table to subsection B.01.009(1). The only change would be in the manner of declaration as the proposed regulatory amendments would allow the optional use of a statement to indicate that the food contains sulphites in addition to the current options of declaring "sulphites", "sulphiting agents" or the name of the sulphiting agent in the list of ingredients;

7) a requirement for a statement on the principal display panel of standardized vinegars and alcoholic beverages that the product contains one or more priority allergens, protein-containing derivatives of these allergens and sulphites (if the sulphites are present at a level of 10 ppm or more) should they have been added directly or indirectly to the product;

8) consequential amendments to paragraph B.01.010(3)(b), which lists common names for groups of specific ingredients or components, to reflect the requirements for the declaration of priority allergens and gluten sources. Certain foods, including one-bite candy and foods sold in bulk will be exempt from the new regulations.

Organic Foods

The import and sale of organic food products in Canada are governed by the same rules and regulations that apply to non-organic food products. No distinction is made between organic and non-organic foods with regard to import requirements. Currently, all Canadian packaging and labeling, grade, and inspection regulations apply equally to organic and non-organic foods.

The National Standard for Organic Agriculture was ratified by the Standards Council of Canada (SCC) April 19, 1999 and was published at the end of June 1999. Food products which are labeled or otherwise identified as "organic" are expected, as a minimum, to comply with the production, processing, packaging, labeling, storing and distribution requirements of the National Standard for Organic Agriculture.

Canadian Organic Regulations became official after they were published in the Canada Gazette, Part II, on December 21, 2006. With the support of the Canadian organic industry, Canada's previously voluntary system for marketing organic food now falls under a federal regulatory framework. Canada is an important market for U.S. organic food. In fact, Canadian organic production has concentrated on exports, mostly of bulk grains and oilseeds. Canada's retail market for organic food is supplied mostly by imports from the United States. Currently, about 80% of the demand for organic produce and approximately 90% of the demand for organic grocery products in Canada is met by imports from the United States.

The implementation of Canadian organic regulations will occur over a two-year transition period. As a result, the status quo exists for U.S. organic food exports to Canada. Over the next two years, U.S. organic food exporters are advised to become familiar with Canada's organic regulations to determine, for example, any marketing opportunities associated with using the Canadian organic logo, and the rules for doing so.

Canadian Organic Regulations

Canadian Organic Regulations became official after they were published in the Canada Gazette, Part II, on December 21, 2006. The Canadian Food Inspection Agency (CFIA) will enforce the regulations and regulate the use of the "Canada Organic" legend (i.e., logo). As far as regulatory framework, Canada's Organic Regime (COR) will build on the existing system of domestic accreditation and certification bodies and will incorporate the existing organic regulations already in place in British Columbia and Quebec.

The *Canada Agricultural Products Act* (CAPA) is the enabling legislation under which the regulations were developed. Organic products must continue to meet the requirements set out in Canada's *Consumer Packaging and Labeling Act*, the *Food and Drugs Act*, and all other applicable legislation. The Organic Production Systems General Principles and Management Standards (Standard) and Organic Production Systems Permitted Substances Lists (PSL) developed by the Canadian General Standards Board (CGSB) form the basis of the Regime. The COR is designed such that the Government of Canada will provide oversight of the Regime with the CFIA acting as the competent authority, and will integrate existing accreditation and certification bodies into the system.

Organic Production Standards

The definitions of Canada's production methods for organic agriculture and the substances used (i.e., permitted substances list) are laid out in the Canadian General Standards Board's

(CGSB) publications entitled the *Organic Production Systems General Principles and Management Standards* and the *Organic Production Systems Permitted Substances List*. These documents are available on the following CGSB webpage:

http://www.pwgsc.gc.ca/cgsb/on_the_net/organic/index-e.html

Given the size of the trading relationship, Canada and the United States may seek equivalency discussions with one another during the two-year transition period. Normally, whenever a country seeks U.S. determination of its organic standards, the U.S. follows with a similar request of the USDA National Organic program (NOP) by the foreign government in order to facilitate U.S. organic exports. To evaluate equivalency, the NOP conducts a side-by-side comparison of the two systems to identify similarities and differences. In the end, equivalence may exist for some products but not for others.

For additional information on organic food and organic agriculture in Canada, consult the following Canadian government website:

<http://www.inspection.gc.ca/english/fssa/orgbio/otfgtspbe.shtml>

Kosher Foods

Kosher food products must adhere to the same packaging and labeling regulations as all other packaged food products sold at retail in Canada. The use of the word kosher, or any letter of the Hebrew alphabet, or any other word, expression, depiction, sign, symbol, mark, device or other representation that indicates or that is likely to create an impression that the food is kosher, if the food does not meet the requirements of the Kashruth applicable to it. Kosher style foods are defined in Canada's Guide to Food Labeling and Advertising, available electronically at: <http://www.inspection.gc.ca/english/fssa/labeti/guide/toce.shtml>

For more information on Kosher Food Marketing in Canada, see FAS Ottawa's report CA5061 available from the FAS homepage at: www.fas.usda.gov

Irradiated Foods Which May be Sold in Canada

<u>Food</u>	<u>Purpose of Treatment</u>
Potatoes	To inhibit sprouting during storage
Onions	To inhibit sprouting during storage
Wheat, flour, whole wheat flour	To control insect infest. in stored food
Whole or ground spices and dehydrated seasoning preparations	To reduce microbial load

Regulations for the labeling of irradiated foods are administered by the CFIA and apply equally to all domestic and imported foods in Canada. The labeling regulations as outlined in the *Food and Drug Regulations* [B.01.035] require the identification of wholly irradiated foods with both a written statement such as "irradiated" or "treated with radiation" or "treated by irradiation" and the international symbol. Ingredients that constitute more than 10 percent of the final food must be identified in the list of ingredients as "irradiated". Signs accompanying bulk, displays of irradiated foods are also required to carry the same identification as that shown on package labels. Advertisements for irradiated foods must clearly reveal that the food has been irradiated. Shipping containers also require the identification of wholly irradiated foods with a written statement such as "irradiated" or

"treated with radiation" or "treated by irradiation" but do not require the international symbol.

Temporary Marketing Authorization Letter

There is a distinction between a food which has received a Temporary Marketing Authorization and a Test Market Food (next section). A Temporary Marketing Authorization Letter (TMAL), issued by the Assistant Deputy Minister of the Health Products and Food Branch, Health Canada, authorizes the sale of a food that does not meet one or more of the compositional, packaging, labeling or advertising requirements under the *Food and Drugs Act and Regulations*. The authorization is granted for a specified period of time, within a designated area and in a specified quantity for a specific manufacturer or distributor. A TMAL does not exempt foods from the requirements under the *Consumer Packaging and Labeling Act and Regulations*. The purpose of a Temporary Marketing Authorization is to generate information in support of a proposed amendment to the *Food and Drug Regulations*.

For example, as a condition for obtaining a TMAL for the use of non-permitted labeling on a food, the companies involved agree:

- to use only those non-permitted labeling statements approved by the Health Products and Food Branch,
- to use these to carry out studies to determine consumer attitudes to the labeling and advertising material, and
- to submit the results of these studies to the Health Products and Food Branch.

Once the TMAL is issued, those manufacturers or producers of foods which are subject to mandatory label registration through the CFIA (such as registered meats and processed products), will be expected to follow normal procedures to register their labels).

Applications for a Temporary Marketing Authorization Letter should be addressed to:

Assistant Deputy Minister
Health Products and Food Branch
Health Canada
Ottawa, Ontario K1A 0L2

Questions regarding any procedural details in applying for the TMAL may be addressed to:

Chief, Nutrition Evaluation Division
Bureau of Nutritional Sciences, Food Directorate
Health Products and Food Branch
Health Canada
Ottawa, Ontario K1A 0L2
Tel. (613) 957-0352
Fax (613) 941-6636

Test Marketing: Processed Food Products

Canada's Processed Product Regulations allow, in special instances only, the test marketing of domestically manufactured or imported processed food products which may not meet packaging, labeling, or compositional requirements of the regulations. However, the provision is designed to facilitate the marketing of new products of a type which are new, unique and unavailable in Canada. U.S. companies should note that it does not apply to U.S. brand introductions into Canada for processed foods of a type already available on retail shelves. In the case of imported foods, applications for test marketing must be submitted to the Canadian Food Inspection Agency by the Canadian importer who may be granted authorization to test market a food product for a period of up to 2 years. Further information on eligibility requirements is available from:

Director, Processed Products
Dairy, Fruit & Vegetable Division
Canadian Food Inspection Agency
59 Camelot Drive
Nepean, Ontario
Canada K1A 0Y9
Telephone: (613) 225-2342
Facsimile: (613) 228-6632

Special Dietary Foods

The composition and labeling of foods for special dietary use are regulated under Division 24 of the Food and Drug Regulations and include: formulated liquid diets, meal replacements, carbohydrate-reduced foods, sodium reduced foods, low calorie foods, etc.

It is important to note that the only food products that may be promoted for use in a weight reduction diet are meal replacements, foods for very low calorie diets, prepackaged meals that meet the requirements of Division 24 of the Regulations and foods sold in weight loss clinics to clients for use in their programs. No other foods may be promoted for weight loss.

Sample Products

Food samples for research, evaluation, or display at trade shows and food exhibitions are permitted entry, but may not be offered for commercial sale. If the samples contain animal products such as meat or cheese, a declaration of importation must be provided at the port of entry. Entry at the border will be facilitated if U.S. exporters show proof of their food exhibition participation and that the products are of U.S. origin. Up to 10 samples are permitted entry, but the weight of each may not exceed 100 kilograms (about 220 pounds). Entries for personal consumption are generally restricted to 20 kg.

Section VIII. Copyright and/or Trademark Laws

The federal agency responsible for registering trade-marks in Canada is the Trademarks Office, part of a larger agency called the Intellectual Property Office, which is part of Industry Canada.

Registered trademarks are entered on the Trademark Register and can provide U.S. companies direct evidence of ownership. Trademark registrations are valid for 15 years in Canada.

To register a trade-mark, an application (with fee) must be sent to the Trade-marks Office. In most instances, a trade-mark must be used in Canada before it can be registered. The Trade-marks Office advises that companies hire a registered trade-mark agent to search existing trade names and trade-marks. It will provide a list of registered agents upon request. For further information on making an application for a trade-mark in Canada, contact:

The Trade-Marks Branch
Canadian Intellectual Property Office
Industry Canada
50 Victoria Street
Place du Portage, Phase 1
Hull, Quebec K1A 0C9
Telephone: (613) 997-1936

For more information about trademarks see Industry Canada's trade mark home page at: http://strategis.ic.gc.ca/sc_mrksv/cipo/tm/tm_main-e.html?icservices=e_tra

Section IX. Import Procedures

Canada imports more than \$30 million worth of U.S. food and agricultural products every day. While Canada Customs is the first line regulatory agency at border points ensuring that all imports have appropriate documentation, the Canadian Food Inspection Agency is the lead agency for ensuring that imports comply with the acts and regulations pertaining to food and agricultural products. The Canadian Food Inspection Agency has the power to detain, destroy or return product that violates Canadian food regulations. Re-inspection and storage costs associated with appeals on rejections are generally borne by either the exporter or the importer. The majority of U.S. food product exports to Canada are cleared at the border without delay.

The Commercial Import Process

Canada Customs and Revenue Agency Requirements

In order to obtain the release of a commercial shipment at the Customs office, the following documents are required:

- two copies of the cargo control document. This document may be a manifest, waybill or some other approved document obtained from the carrier or freight forwarder.
- two copies of an invoice to support the value of the goods. This invoice provides information concerning the shipment including: details regarding the importer and exporter, a description of the goods, the value of the goods, the country of origin and destination of the goods, and the currency of settlement. A Canada Customs' invoice or a commercial invoice containing all the required information is necessary for goods with a value of \$1,600 or greater. An additional copy of the invoice is required in cases where the importer or broker intends to transmit the final accounting data through CADEX (Customs Automated Data Exchange).
- two copies of a fully completed B3 form, for all shipments for commercial use in Canada, regardless of value. The B3 document is used for duty and tax purposes. A third copy of this form is required by Statistics Canada for shipments valued over \$1,600.
- all permits, certificates, licenses or other documentation required by Canada Customs and Revenue Agency or other government departments for the release of food shipments. Generally, original documents are necessary.

Special programs exist to speed the transit time through Customs. The Pre-Arrival Review System (PARS) allows Customs to process release information before the goods arrive, thus accelerating release or referral of goods when they do arrive. The Frequent Import Release System (FIRST) processes repetitive importations of low risk shipments with a significant savings in time.

For additional information contact a CFIA Import Service Center:

CFIA's Import Service Centers (ISC) process import request documentation/data sent electronically or by fax by the importing community across Canada. Staff review the information and return the decision either electronically to Canada Customs and Revenue Agency, which then relays it to the client, or by fax directly to the broker/importer, who then submits the release package to CCRA. In addition, ISC staff handle telephone inquiries regarding import requirements for all commodities regulated by the CFIA and, when necessary, coordinate inspections for import shipments. See Appendix II for a list of the CFIA Import Service Centers.

Single Access Food Labeling Service Offices

The following Single Access Food Labeling Service offices will provide labeling information for all foods other than fish. Information regarding the labeling of fish may be obtained from the Fish, Seafood and Product Division of the Canadian Food Inspection Agency.

Newfoundland

Tel. (709) 772-5519

Fax (709) 772-5100

Prince Edward Island

Tel. (902) 566-7290

Fax (902) 566-7334

New Brunswick

Tel. (506) 851-6637

Fax: (506) 851-2524

Nova Scotia

Tel. (902) 426-2563

Fax: (902) 426-5147

Quebec

Trois-Rivières

Tel. (819) 371-5161

Fax (819) 371-5268

Ontario

Tel. (800) 667-2657

Downsview*

Tel. (416) 954-0623

Fax (416) 954-0608

*In the province of Ontario, all label reviews should be sent to this office.

Guelph

Tel. (519) 837-9400

Fax: (519) 837-9772

Manitoba

Tel. (204) 983-2220

Fax (204) 983-6008

Saskatchewan

Tel. (306) 975-8904

Fax (306) 975-4339

Alberta

Calgary

Tel. (403) 292-4650

Fax (403) 292-5692

Edmonton

Tel. (780) 495-3333

Fax (780) 495-3359

British Columbia

New Westminster

Tel. (604) 666-6513

Fax (604) 666-1261

Kelowna

Tel. (250) 470-4884

Fax (250) 470-4899

Victoria

Tel. (250) 363-3455

Fax (250) 363-0336

Fish, Seafood and Production Division

For information regarding the labeling of fish products, contact:

Tel. (613) 225-2342

Fax (613) 228-6654

National Import Operations Division

Tel. (613) 225-2342 extension 2363

Fax (613) 228-6653

Customs Brokers

Canada Customs and Revenue Agency licenses customs brokers to carry out customs-related responsibilities on behalf of their clients. A broker's services include:

- obtaining release of the imported goods;
- paying any duties that apply;
- obtaining, preparing, and presenting or transmitting the necessary documents or data;
- maintaining records;
- responding to any Canada Customs and Revenue Agency concerns after payment.

Clients have to pay a fee for these services, which the brokerage firm establishes. For an on-line list of Customs Brokers, go to:

<http://www.dfait-maeci.gc.ca/trade/eicb/general/brokers-en.asp>

Non-Resident Importers

Non-Resident Importers are companies that import goods into Canada but which have addresses outside of Canada. These companies are required to have a Business Number (BN) and an import/export account registered with the Canada Customs and Revenue Agency. For information on registering as a non-resident importer, go to the following website: <http://www.cbsa-asfc.gc.ca/import/registerintro-e.html>

Forms

Canada Customs requires an invoice form for all shipments. A copy should accompany the bill of lading. Canada Customs invoices are available at commercial printing establishments throughout the United States. For information about the nearest commercial printer, who may be selling the forms, contact a district USFCS office of the Department of Commerce. To ensure eligibility of products for free duty status for U.S. produce under the FTA/NAFTA, U.S. exporters should provide a copy of the Exporter's Certificate of Origin to their Canadian contact and maintain documentation to support certification to be eligible for the free rate. Certain exports require additional accompanying documentation such as a Food Safety and Inspection Service export certificate for meat products or an Animal and Plant Health Inspection Service phytosanitary certificate for plant and plant material. First time U.S. exporters to Canada may choose to hire customs broker services to assist in facilitating their exports to Canada.

NAFTA Certificate of Origin

This is a trilaterally agreed upon form used by Canada, Mexico, and the United States to certify that goods qualify for the preferential tariff treatment accorded by NAFTA. The Certificate of Origin must be completed by the exporter. A producer or manufacturer may also complete a certificate of origin in a NAFTA territory to be used as a basis for an Exporter's Certificate of Origin. To make a claim for NAFTA preference, the importer must possess a certificate of origin at the time the claim is made. NAFTA certificates of origin are available on line from at: <http://web.ita.doc.gov/ticwebsite/ticit.nsf/>

Appendices

Appendix I. Government Regulatory Agency Contacts

Canadian Food Inspection Agency
59 Camelot Drive
Nepean, Ontario
Canada K1A 0Y9
Telephone for all Divisions: (613) 225-2342

Fax Numbers for CFIA Divisions:

Dairy, Fruit & Vegetable Division (incl. Processed products); (613) 228-6632
Plant Protection Division; (613) 228-6602
Feed and Fertilizer Division; (613) 228-6614

Seed Division; (613) 228-6653
Meat and Poultry Products Division; (613) 228-6636
Animal Health Division; (613) 228-6630

Pest Management Regulatory Agency
Health Canada
2250 Riverside Drive
Ottawa, Ontario K1A 0K9
telephone: (613) 736-3401
(maximum residue limit inquiries)

Bureau of Chemical Safety, Health Protection Branch
Health Canada
Tunney's Pasture
Ottawa, Ontario K1A 0L2
telephone: (613) 957-1700; (food additive inquiries)

Appendix II. Other Import Specialist Contacts

Canadian Society of Customs Brokers
111 York Street
Ottawa, Ontario K1N 5T4
telephone: (613) 562-3543; fax: (613) 562-3548
http://www.cscb.ca/index_e.cfm

CFIA Import Service Center; Central (Ontario)
7:00 a.m. to 12:00 a.m.(local time)
Telephone and EDI: 1-800-835-4486 (Canada or U.S.A.)
1-416-661-3039 (local calls and all other countries)
Fax: 1-416-661-5767

CFIA Import Service Center Eastern (Quebec & Atlantic)
7:00 a.m. to 11:00 p.m.(local time)
Telephone and EDI: 1-877-493-0468 (Canada or U.S.A.)
1-514-493-0468 (local calls and all other countries)
Fax: 1-514-493-4103

CFIA Import Service Center Western (Manitoba, Alberta, Saskatchewan & British Columbia, North West Territories and Nunavut)
7:00 a.m. to 12:00 a.m.(B.C. local time)
Telephone and EDI: 1-888-732-6222 (Canada or U.S.A.)
1-604-666-9240 (B.C. local calls and all other countries)
Fax: 1-604-666-1577

Appendix III. The FAS Office in Canada

Office of Agricultural Affairs
U.S. Embassy,
P.O. 866, Station "B"
Ottawa, Ontario, Canada K1P 5T1
telephone: (613) 688-5267; fax: (613) 688-3124

Wayne Molstad, Agricultural Minister-Counselor

Lisa Anderson, Agricultural Attaché
Marilyn Bailey, Agricultural Marketing Specialist
George Myles, Senior Agricultural Specialist
Darlene Dessureault, Agricultural Specialist
Joyce Gagnon, Administrative Assistant

Appendix IV. Provincial Liquor Control Commissions

Newfoundland Liquor Corporation
P.O. Box 8750, Stn. "A"
90 Kenmount Road
St. John's, Newfoundland
Canada A1B 3V1
T: (709)724-1100F: (709)754-0321

Nova Scotia Liquor Commission
93 Chain Lake Drive
Halifax, Nova Scotia
Canada B3S 1A5
T: (902) 450-6752
F: (902)453-1153

Prince Edward Island Liquor Control Commission
3 Garfield Street
Charlottetown, P.E.I.
Canada C1A 7M4
T: (902)368-5720
F: (902)368-5735

New Brunswick Liquor Corporation
Old Wilsey Road, Industrial Park
P.O. Box 20787
Fredericton, New Brunswick
Canada E3B 5B8
T: (506)452-1551
F: (506)452-9890

Société des Alcools du Québec
905 av. De Lorimier
Montreal, Québec
Canada H2K 3V9
T: (514)873-5716
F: (514)873-3162

Liquor Control Board of Ontario
55 Lake Shore Blvd. East
Toronto, Ontario
Canada M5E 1A4
T: (416)365-5900
F: (416)365-5911

Manitoba Liquor Control Commission

1555 Buffalo Place
Winnipeg, Manitoba
Canada R3T 1L9
T: (204)284-2501
F: (204)475-7666
Saskatchewan Liquor and Gaming Authority
Head Office, Box 5054
Regina, Saskatchewan S4P 3M3
F: (306)787-4211
F: (306)787-8201

Alberta Gaming and Liquor Commission
50 Corriveau Avenue
St. Albert, Alberta
Canada T8N 3T5
T: (403)458-4311
F: (403)444-8906

B.C. Liquor Distribution Branch
2625 Rupert Street
Vancouver, British Columbia
Canada V5M 3T5
T: (604)252-3180
F: (604)252-3200

Northwest Territories Liquor Commission
Suite 201, 31 Capital Drive
Hay River, NWT
Canada X0E 1G2
T: (403)874-2100
F: (403)874-2180

Yukon Liquor Corporation
9031 Quartz Rd., Bldg. 278
Whitehorse, Yukon
Canada Y1A 4P9
T: (403)667-5245
F: (403)393-6306

Appendix V. Websites

The following is a listing of the major Canadian websites mentioned in the body of this report:

Canadian Border Services Agency: <http://www.cbsa-asfc.gc.ca/menu-e.html>

Canadian Food Inspection Agency: <http://www.inspection.gc.ca/>

Acts and Regulations: <http://www.inspection.gc.ca/english/reg/rege.shtml>

Guide to Food Labeling:

<http://www.inspection.gc.ca/english/fssa/labeti/guide/toce.shtml>

Meat & Poultry Inspection Regulations:

<http://www.inspection.gc.ca/english/anima/meavia/meaviae.shtml>

Fish Inspection Directorate: <http://www.inspection.gc.ca/english/anima/fispoi/fispoie.shtml>

Novel Foods: http://www.hc-sc.gc.ca/food-aliment/mh-dm/ofb-bba/nfi-ani/e_novel_foods_and_ingredient.html

Department of Foreign Affairs and International Trade

<http://www.dfait-maeci.gc.ca/trade/eicb/agric/agric-en.asp>

Health Canada: <http://www.hc-sc.gc.ca>

Food and Drugs Act: http://www.hc-sc.gc.ca/fn-an/legislation/acts-lois/fda-lad/index_e.html

Nutrition Labeling: http://www.hc-sc.gc.ca/hpfb-dgpsa/onpp-bppn/labelling-etiquetage/index_e.html

Food Additive Regulations; see Food & Drug Regulations: http://www.hc-sc.gc.ca/fn-an/legislation/acts-lois/fda-lad/index_e.html

Justice Department (for Canadian Food Laws): <http://www.justice.gc.ca>

Pest Management Regulatory Agency

Maximum Residue Levels: <http://www.pmr-arla.gc.ca/english/index-e.html>