

Voluntary Report – Voluntary - Public Distribution

Date: February 16,2021

Report Number: CA2021-0007

Report Name: Canada Clarifies Timelines for Anticipated Labeling Changes

Country: Canada

Post: Ottawa

Report Category: Policy and Program Announcements

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Report Highlights:

Canadian nutrition labeling changes published in 2016 will officially enter into force on December 14, 2021. However, regulators will focus on education and promoting compliance through December 2022, and then exercise limited enforcement discretion through December 2023. Canada has proposed aligning with U.S. labeling compliance intervals, starting in 2026, to establish a more predictable cycle for future changes; comments on the proposal will be accepted until April 3, 2021. Additional food labeling changes are expected to be announced by the end of 2021.

Timelines Announced for the Implementation of Nutrition Labeling Changes

On February 2, 2021, Canada [updated](#) industry on implementation and enforcement timelines for nutrition labeling [regulations](#) first published in December 2016. The new requirements will enter into force on December 14, 2021, as scheduled, ending the 5-year transition period. However, Canadian food labeling regulators – Health Canada (HC) and the Canadian Food Inspection Agency (CFIA) – issued a [notice to industry](#) clarifying enforcement timelines, and CFIA published an [Implementation Plan](#) further explaining the transition to the new nutrition labeling requirements:

- For the period **December 14, 2021 – December 14, 2022**, “CFIA’s efforts will be directed towards education and promoting compliance with the new requirements.” During this period, “prepackaged foods manufactured or imported can be sold and can remain on store shelves even if they comply with the former labelling regulations.”
- During the period **December 14, 2022 – December 14, 2023**, “for products that do not meet the new requirements, the CFIA will apply enforcement discretion” only in cases where manufacturers or importers have a detailed plan that shows “the steps being taken to meet the new requirements at the earliest possible time, and no later than December 14, 2023,” as well as “any actions taken to prevent or minimize risk to human health.”

For detailed information on Canada’s food labeling requirements, including nutrition labeling, please consult CFIA’s [Industry Labelling Tool](#).

Consultations on Coordination of Future Food Labeling Changes

Responding to industry perceptions of labeling uncertainty over the last five years, Health Canada and CFIA developed a draft Joint Policy Statement (please see the attachment to this report), introducing government plans for future food labelling change coordination to “reduce the economic burden associated with multiple, sequential label changes.” A [consultation](#) on this policy draft is open until April 3, 2021, and interested stakeholders may submit their comments by email to hc.bpiia-bpaii.sc@canada.ca

Recognizing the orderly operation of U.S. Department of Agriculture (USDA) and Food and Drug Administration (FDA) coordination of compliance dates for U.S. food labeling changes, HC and CFIA propose establishing regular two-year compliance dates, beginning on January 1, 2026. The inter-departmental Committee on Food Safety (CFS) – comprised of HC, CFIA, Agriculture and Agri-food Canada (AAFC), and Public Health Agency of Canada (PHAC) deputy heads – would convene semi-annually to coordinate on regulatory changes affecting food labels to minimize “unnecessary burden on industry.” However, regulatory labeling changes “that address serious consumer deception or acute risks to health and safety” could still be implemented, as needed, independent of the scheduled compliance intervals; the document points to 2014 labeling requirements for [mechanically tenderized beef](#), implemented with a 3-month transition period, as an example.

Additional Food Labeling Changes to be Announced by the End of 2021

In 2019, CFIA consulted on proposed regulatory changes as part of the agency’s Food Labeling Modernization Initiative (please see GAIN Report [CA19027](#)). The [CFIA Forward Regulatory Plan for 2020-2022](#) rebranded the initiative as Food Product Innovation and pushed elements of the original [Food](#)

[Labelling Modernization](#) initiative “that would result in mandatory label changes,” into future regulatory updates not yet announced. Due to the impact of COVID-19, CFIA will limit the scope of Food Product Innovation final regulations expected to be published in fall 2021, to elements that “facilitate industry innovation and remove duplicative requirements,” including:

- Repeal of some standard container sizes;
- Incorporation by reference of remaining standard container sizes;
- Incorporation by reference of class names;
- Updated definition of test market food;
- Harmonized and streamlined food commodity-specific labelling requirements.

While CFIA is currently analyzing the impact of the proposed changes, it does not expect the amendments will have “significant impacts on international trade or investment.”

Front-of-Package Labeling

Although consultations on proposed [front-of-package \(FOP\) labeling designs](#) and proposed [regulatory text](#) closed on April 26, 2018, final regulations have still not been published (for additional information please see GAIN Reports [CA18045](#) and [CA18013](#)). According to [the HC Forward Regulatory Plan 2020-2022](#), the publication of final regulations is expected in fall 2021. Based on previous information, a phase-in period of up to four years is expected.

Attachments:

[HC - CFIA - Draft Joint Policy Statement.pdf](#)