



USDA Foreign Agricultural Service

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## Canada

### Livestock and Products

## Canada Proposes Expanded Access for U.S. Cattle and Beef

**2005**

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**Report Highlights:**

The Canadian Food Inspection Agency (CFIA) is proposing to amend regulations to further expand access for U.S. cattle and beef products currently restricted under Canada's bovine spongiform encephalopathy (BSE) import control measures. A 30-day public comment period ends March 1, 2005.

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Includes PSD Changes: No  
Includes Trade Matrix: No  
Unscheduled Report  
Ottawa [CA1]  
[CA]

**Summary:**

On January 31, 2005 the Canadian Food Inspection Agency (CFIA) announced proposed regulations to further expand access for U.S. cattle and beef products currently restricted under Canada's bovine spongiform encephalopathy (BSE) import control measures. The regulatory proposal was published in the *Canada Gazette*, Part I. A public comment period will run until March 1, 2005.

**Background:**

Following the discovery of the Washington State BSE case on December 23, 2003, Canada placed import restrictions on certain U.S. live animals, beef and beef products under its Health of Animals Act, to prevent the disease being spread in Canada. This emergency measure was formalized via the *Animals of the Family Bovidae and their Products Importation Prohibition Regulations* on January 21, 2004. The CFIA eased the prohibition regulations somewhat on April 23, 2004 by expanding the list of U.S. live animals and products that were eligible for importation. The modified list was formalized in the *Animals of the Family Bovidae and their Products Importation Prohibition Regulations, No. 2*. Part of the reason for expanding the list of U.S. animals and products for import eligibility was in response to a relaxation by USDA on April 19, 2004 to permit imports from Canada of an expanded list of bovine meat products beyond the boneless beef from Canadian cattle under 30 months permitted in an August 8, 2003 USDA announcement. The April 19, 2004 announcement, together with an APHIS proposal on November 4, 2003 to amend its regulations to recognize a category of regions that present a minimal risk of introducing BSE into the United States via live ruminants and ruminant products (and to add Canada to this category) were the subject of the R-Calf United Stock Growers of America court complaint which resulted in an injunction being granted in May 2004 in the U.S. District Court in the District of Montana, Billing Division. As a result, the USDA announcement of April 19, 2004 was not implemented. On December 29, 2004 The USDA published a final rule to establish Minimal-Risk Regions for bovine spongiform encephalopathy and to recognize Canada as a Minimal-Risk Region. The rule, to become effective March 7, 2005 establishes conditions under which the United States will allow imports of live cattle under 30 months of age and certain other commodities from regions with effective bovine spongiform encephalopathy (BSE) prevention and detection measures.

**Canada's Current Prohibition Regulation**

Canada's current importation prohibition regulations represent a partial prohibition on the importation of animals and their products from the United States. Canada prohibits the importation of:

- live animals of the family *Bovidae*, which includes cattle, bison, water buffalo, sheep and goats;
- meat or meat products from the animals of the family *Bovidae* and things containing such meat or meat products;
- animal food containing ingredients derived from animals of the family *Bovidae*;
- fertilizer, excluding manure, containing ingredients from animals of the family *Bovidae*; and
- specified risk material.

## Exempted Animals and Products

### Live animals and genetic material

- Cattle imported for immediate slaughter.
- Feeder calves (bob calves).
- Animals of the family *Bovidae* for temporary stay (maximum of 30 days).
- In vivo derived embryos from the family *Bovidae*.
- Animals and things carrying an animal pathogen imported into Canada under an import permit.
- *Bovidae* and things derived from them imported for medical use, scientific research or zoological collections.

### Meat products for human consumption

- Meat products of animals of the sub-family *Bovinae* younger than 30 months of age from which the distal ileum has been removed.
- Meat products originating in Argentina, Australia, New Zealand, Chile, Uruguay, Canada or Brazil that are eligible for importation into Canada and that are processed in the US.
- Edible beef liver.
- Boneless goat and sheep meat from animals younger than 12 months of age.
- Meat products originating in Argentina, Australia, New Zealand, Chile, Uruguay, or Brazil that are in transit in the US and that are eligible for importation into Canada.
- Meat products that are kept on a ship as ships stores.
- Meat products intended to be used for personal consumption (less than five kilograms in total).
- Milk and milk derivatives.
- Meat products to be transported to a community in the United States where the only practical transportation route for the Meat products is either a land or water route through Canada as determined by the CFIA.
- Meat products to be transported non-stop in Canada and to be delivered to a cruise ship for use as ships' stores.
- Food containing meat products in insignificant quantity.

### Miscellaneous animal products and by-products

- products of a rendering plant imported into Canada under an import permit issued after December 25, 2003;
- hides, wool, skins and their derivatives;
- pet chews (not containing *Bovinae* specified risk materials or vertebral column);
- protein-free tallow;
- household garbage from the US containing animal protein;
- aircraft garbage and ships' refuse;
- commercially prepared pet food that does not contain ingredients derived from *Bovinae*;
- commercially prepared pet food that contains ingredients derived from *Bovinae* from which specified risk material has been removed or that originates from Argentina, Australia, Brazil, Canada, Chile, New Zealand or Uruguay
- things from bones and tissue (not specified risk material from animals of the sub-family *Bovinae*) subjected to rigorous processes of extraction and purification.

**Proposed New Prohibition Regulation**

The CFIA believes that its proposed regulation is consistent with standards of the World Organization for Animal Health. The proposed new prohibition regulations would alter the restrictions in several ways:

- With respect to live animals, the new prohibition would only apply to animals of the sub-family *Bovinae* born before January 1, 1998, which marks the first full year after the implementation of the U.S. feed ban. Imports of younger cattle and of live goats and sheep would no longer be prohibited. In addition, new exemptions from the import regulation would include bulls destined for animal semen production centers.
- As the removal of specified risk materials (SRM) from the food supply is now viewed as the single most effective measure to protect public health, the importation of meat from animals of all ages would be permitted, and only meat from animals of the sub-family *Bovinae* from which the SRM has not been removed is prohibited.
- With respect to ingredients in fertilizers and animal foods, the restriction would be broadened to prohibit the importation of these products if they contain ingredients derived from any ruminants. The CFIA claims this is in line with the recommendation from the World Organization for Animal Health, which states that ruminant-derived meat-and-bone meal or greaves, or any commodities containing such products, should not be imported.
- A number of additional exemptions for specific animals and animal products would be added and some would be carried over from the previous prohibition because they are regulated by other means such as the requirement for an import permit or a certification or because they are considered a low risk.

The CFIA believes that the situation has evolved to the point where the restrictions can be relaxed. Therefore, it is proposing to narrow the prohibition where it has been determined that the risk would be minimal.

Public Comments: Before March 1, 2005 addressed to: Ms. Linda Morrison, Animal Health and Production Division, Canadian Food Inspection Agency, 59 Camelot Drive, Nepean, Ontario K1A 0Y9 (tel.: (613) 225-2342 (4368); fax: (613) 228-6614; E-mail: [lmorrison@inspection.gc.ca](mailto:lmorrison@inspection.gc.ca)).