

**Voluntary Report** – Voluntary - Public Distribution

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**Report Name:** Safe Food for Canadians Regulations Update Lot Codes for Prepackaged Fruits and Vegetables

**Country:** Canada

**Post:** Ottawa

**Report Category:** Fresh Deciduous Fruit, Strawberries, Fresh Fruit, Vegetables

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**Report Highlights:**

The requirement to include a lot code on prepackaged fresh fruits and vegetables is among several Safe Food for Canadians Regulations (SFCR) requirements that will enter into force on January 15, 2020. However, Canada will allow industry to use existing packaging materials until January 15, 2021, providing a one year extension on enforcement.

Keywords: Canada, SFCR, Lot Code, Traceability

### **Content:**

The Canadian Food Inspection Agency (CFIA) has provided detailed [timelines](#) concerning the application of preventive control plans, preventive controls, and traceability requirements for fresh fruits and vegetables. The SFCR came into force on January 15, 2019, with different food commodities. SFCR provisions were phased in through a two-year [implementation period](#). General guidance on [importing fresh fruits and vegetables](#) is publicly available on the CFIA website.

On January 15, 2020, preventive control plans, preventive controls, and remaining traceability requirements under the [Safe Food for Canadians Regulations \(SFCR\)](#) will come into force for the majority of fresh fruits and vegetables sold in Canada. Most prepacked fresh fruit or vegetables are required to include a lot code or a unique identifier (lot code if it is a consumer prepackaged food not packaged at retail), the common name of the food, and the name and principal place of business of the company by or for whom the food was manufactured on the label, which must be applied, attached, or accompanying the food when it is provided to another person. While the coming into force date of January 15, 2020 will apply for lot code labeling of consumer prepackaged fresh fruit and vegetables, CFIA is providing industry with a [one year extension](#) on enforcement for lot code requirements on consumer prepackaged fresh fruit and vegetables to January 15, 2021. This flexibility will enable industry to use up existing packaging material and additional time to comply with new requirements.

The term "lot code" is not specifically defined in the SFCR nor in the [Safe Food for Canadians Act \(SFCA\)](#), but is included in the [SFCR: Glossary of key terms](#). CFIA has indicated that further guidance on use of growing region as a lot code will be forthcoming on their [website](#) in early 2020.

### **Preventive Control Plans and Preventive Controls**

Importers of fresh fruits and vegetables in Canada will be required to have a preventive control plan in place as a food hazard mitigation tool under SFCR. Importers with gross annual food sales below \$100,000 CAD are exempted from this requirement. Preventive control plans (PCP) are not formally defined in SFCR, but [CFIA guidance](#) informs businesses of the requirements and how comply.

CFIA also provides guidance documentation on [preventive controls](#), which are a systematic approach to identifying, controlling, and reducing food safety risks. Some examples of preventive control approaches to food safety include Good Agricultural Practices (GAP), Hazard Analysis Critical Control Point (HACCP) programs, and Good Manufacturing Practices (GMP).

Canadian government and industry sources state that Canadian importers of U.S. fresh fruits and vegetables will likely require U.S. exporters to share documentation and implement preventive controls and PCPs to ensure that the importer is fully compliant with SFCR. CFIA provides importers [PCP guidance](#) as well as a [PCP template](#).

## Traceability

In addition to requirements for preventive control plans and preventive controls, the traceability provisions of SFCR will come into force for businesses that grow or harvest fresh fruits and vegetables on January 15, 2020.<sup>1</sup> For businesses performing other activities, these requirements came into force on January 15, 2019.<sup>2</sup> [Traceability](#) requirements are designed to encompass a trace forward (to whom was the food provided) and trace back (from whom the food was acquired) to facilitate any necessary recall activity. SFCR requirements stipulate documents must be kept for a two-year period and must be in a format that is accessible in Canada (this includes the ability to provide CFIA with the documents within 24 hours or less if requested in either English or French).

Table 1 (at the end of this Report) identifies specific traceability labeling requirements for fresh fruits and vegetables. The following elements and their definitions pertain to traceability:

***Lot Code:*** the term "lot code" is not specifically defined in the *Safe Food for Canadians Act* nor in the *Safe Food for Canadians Regulations* (SFCR). In general terms, "lot code" when used in *Part 5 - Traceability* of the SFCR refers to a code that can be used to identify a lot that was [manufactured](#), [prepared](#), produced, stored, [graded](#), [packaged](#) or [labelled](#), under the same conditions. A lot code can be numeric, alphabetic or alphanumeric. Examples of lot code include, production date, best before date, establishment number, or Safe Food for Canadians license number. In addition, for fresh fruits or vegetables (FFV), the lot code may also be the harvest date, grower

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<sup>1</sup> Lot code labeling requirements on consumer prepackaged fresh fruits and vegetables will have a one-year extension to January 15, 2021 to use existing packaging and comply with new requirements.

<sup>2</sup> Except for the requirement that a lot code is applied, attached or accompanies consumer prepackaged fresh fruits or vegetables, which comes into force on January 15, 2020 for all businesses performing all types of activities.

identification number, GPS coordinates, growing region\* or any other code that may be used for traceability purposes.

\*Canadian government officials have stated that the growing region cannot be a country of origin and must be sub-national. However, the growing region may be a province/state or sub-provincial/state area within a country. (source: [CFIA](#))

**Unique Identifier:** a code that can be used to identify a defined quantity of food. This may include a [lot code](#), purchase order number, or a bill of lading number. (source: [CFIA](#))

**Common Name:**

- (a) the name of the food that is printed in boldface type, but not in italics, in the [Standards of Identity Document](#) or in the document entitled [Common Names for Prepackaged Fish](#), prepared by the Agency and published on its website, as amended from time to time;
- (b) the name of the food that is printed in boldface type, but not in italics, in a provision of the [Food and Drug Regulations](#); or
- (c) in any other case, the name by which the food is generally known or that identifies its function. (source: [CFIA](#))

**Name and Principal place of business:** 'by' or 'for whom' the food was manufactured, prepared, produced, stored, packaged or labelled.

'By whom' refers to the person who manufactured, prepared, produced, stored, packaged or labelled. For example, food business ABC prepares food. Therefore, the name and the principal place of business is that of ABC. 'For whom' refers to a person who manufactured, prepared, produced, stored, packaged or labelled the food **for someone else**. For example, food business ABC prepares food for DEF. Therefore, the name and principal place of business is that of DEF. (source: [CFIA](#))

Labeling exemptions for *lot code* or *unique identifier*, and *name and principle place of business* for fresh fruits and vegetables at the time of sale to consumers at retail include the following (source: [CFIA](#)):

- not consumer prepackaged (ex- bulk display foods)
- packaged in a wrapper or confining band less than 13 millimeters in width
- packaged in a protective clear and transparent wrapper or bag which shows no additional information beyond price, bar code, number code, environmental statement, or product treatment symbol

Labeling exemptions for *common name* for fresh fruits and vegetables at time of sale to consumers at retail include the following (source: [CFIA](#)):

- prepackaged fresh fruit or vegetables that are visible and identifiable in their packaging
- consumer prepackaged fresh apples packaged such that the variety name is visible on the label (not applicable if the label is on the bottom of the container)
- not consumer prepackaged (ex- bulk display foods)
- packaged in a wrapper or confining band less than 13 millimeters in width
- packaged in a protective clear and transparent wrapper or bag which shows no additional information beyond price, bar code, number code, environmental statement, or product treatment symbol

Labeling exemptions for *name and principle place of business* for consumer prepackaged fresh fruits and vegetables at time of sale to consumers at retail (source: [CFIA](#)):

- consumer prepackaged fruits or vegetables packaged at retail and which are visibly identifiable in their packaging are not required to be labeled with name and principle place of business

Based on requirements for consumer packaged product lot codes and the labeling exemptions outlined by CFIA, it is expected that field pack operations, especially those utilizing clam shell-style consumer packaging, would be most impacted by these new provisions. In 2018, Canada imported \$1.5 billion USD of U.S. fresh fruits (\$492 million USD of fresh berries) and \$1.7 billion USD of U.S. fresh vegetables.

**Additional Information:**

For additional details and information regarding general SFCR questions or specific requirements related to fresh fruits and vegetables, please refer to [CFIA's website dedicated to food](#).

In addition, CFIA has developed [detailed and updated guidance](#) to assist businesses in complying with various SFCR provisions.

For any additional questions, businesses may contact CFIA at the following number:  
1-800-442-2342.

**Table 1: Traceability-specific labelling requirements for fresh fruits or vegetables**

Traceability-specific labelling requirements	Must have <a href="#">lot code</a>	Must choose between: <a href="#">Lot code</a> or <a href="#">unique identifier</a>	<a href="#">Name and principal place of business</a>	<a href="#">Common name</a>
<b>Grow or harvest (<a href="#">interprovincial trade</a>)</b>				
<a href="#">Consumer prepackaged</a>	✓ [92(2)]	X [92(2)]	✓ [92(1)]	✓ [92(1)]
<a href="#">Prepackaged</a> other than consumer prepackaged (for example, shipping container)	X [92(1)]	✓ [92(1)]	✓ [92(1)]	✓ [92(1)]
<b>License holders who <a href="#">manufacture, process, treat, preserve, grade, store, package</a> or <a href="#">label</a></b>				
Consumer prepackaged	✓ [92(2)]	X [92(2)]	✓ [92(1)]	✓ [92(1)]
Prepackaged other than consumer prepackaged (for example, shipping container)	X [92(1)]	✓ [92(1)]	✓ [92(1)]	✓ [92(1)]
<b>Interprovincial trade (sole activity)</b>				
Consumer prepackaged FFV	✓ [92(2)]	X [92(2)]	✓ [92(1)]	✓ [92(1)]
Prepackaged other than consumer prepackaged (for example, shipping	X [92(1)]	✓ [92(1)]	✓ [92(1)]	✓ [92(1)]

Traceability-specific labelling requirements	Must have <a href="#">lot code</a>	Must choose between: <a href="#">Lot code</a> or <a href="#">unique identifier</a>	<a href="#">Name and principal place of business</a>	<a href="#">Common name</a>
container)				
<a href="#">Import</a> (sole activity)				
Consumer prepackaged FFV	✓ [92(2)]	X [92(2)]	✓ [92(1)]	✓ [92(1)]
Prepackaged other than consumer prepackaged (for example, shipping container)	X [92(1)]	✓ [92(1)]	✓ [92(1)]	✓ [92(1)]
<a href="#">Retail</a> (at place of sale to the consumer)				
Consumer prepackaged, <b>not packaged at retail</b> (*exception)	✓ [92(2)]	X [92(2)]	✓ [92(1)]	✓ [92(1)]
*Consumer prepackaged FFVs that are packaged in such a manner that they are visible and identifiable in the container (includes whole and fresh cut) ( <b>not packaged at retail</b> ) (for example, tomatoes packaged in a styrofoam tray that has been over-wrapped with clear plastic wrap do not have to be labelled with the common name "tomatoes")	✓ [92(2)]	X [92(2)]	✓ [92(1)]	X [219(1)(a); 92(4)]
*Consumer prepackaged fresh apples that are packaged such that the variety name is shown on any part of the label, except if that name is applied to the bottom of the container ( <b>not packaged at retail</b> ) (for	✓ [92(2)]	X [92(2)]	✓ [92(1)]	✓ [219(1)(b); 92(4)]

Traceability-specific labelling requirements	Must have <a href="#">lot code</a>	Must choose between: <a href="#">Lot code</a> or <a href="#">unique identifier</a>	<a href="#">Name and principal place of business</a>	<a href="#">Common name</a>
example, apples in opaque bags, boxes, etc. that would not ordinarily be visible and identifiable in the package)				
Consumer prepackaged, <b>packaged at retail</b> (**exception)	X [92(1)]	✓ [92(1)]	✓ [92(1)]	✓ [92(1)]
**Consumer prepackaged FFVs that are packaged in such a manner that they are visible and identifiable in the container (includes whole and fresh cut) ( <b>packaged at retail</b> ) (for example, tomatoes packaged in a styrofoam tray that has been over-wrapped with clear plastic wrap do not have to be labelled with the common name "tomatoes")	X [92(1)]	✓ [92(1)]	X [220; 92(5)]	X [219(1)(a); 92(4)]
**Consumer prepackaged fresh apples that are packaged such that the variety name is shown on any part of the label, except if that name is applied to the bottom of the container ( <b>packaged at retail</b> ) (for example, apples in opaque bags, boxes, etc. that would not ordinarily be visible and identifiable in the package)	X [92(1)]	✓ [92(1)]	✓ [92(1)]	X [219(1)(b); 92(4)]
FFV packaged in a wrapper, or confining band, less than 13 mm in width	X [213(b); 92(3)(c)]	X [213(b); 92(3)(c)]	X [213(b); 92(3)(c)]	X [213(b); 92(3)(c)]
FFV packaged in a protective wrapper, or a protective bag, that is transparent and on which no information is shown other than a price, bar code, number code, environmental statement or product treatment	X [213(c); 92(3)(c)]	X [213(c); 92(3)(c)]	X [213(c); 92(3)(c)]	X [213(c); 92(3)(c)]



Traceability-specific labelling requirements	Must have <a href="#">lot code</a>	Must choose between: <a href="#">Lot code</a> or <a href="#">unique identifier</a>	<a href="#">Name and principal place of business</a>	<a href="#">Common name</a>
symbol (for example, FFV that are typically found in such protective wrappers or bags include an English cucumber, a head of lettuce or cauliflower, a bunch of grapes, etc.)				
FFV that are not consumer prepackaged, for example food that is presented in bulk display	X [92(3)(b)]	X [92(3)(b)]	X [92(3)(b)]	X [92(3)(b)]

Source: [CFIA](#)

✓ denotes applicable/required.

X denotes not applicable/not required.

[SFCR reference] provides applicable regulatory reference.

**Attachments:**

No Attachments.