



Comments on the *Draft Integrated Agency Inspection Model*

1.0 Canadian Federation of Agriculture

The CFA was formed in 1935 to answer the need for a unified voice to speak on behalf of Canadian farmers. It continues today as a farmer-funded, national umbrella organization representing provincial general farm organizations and national commodity groups. Through its members, it represents over 200,000 Canadian farm families from coast to coast.

Our Vision:

We will be the national voice of Canadian farmers; committed to enabling their success, which will benefit Canada.

Our mission:

The CFA's mission is to promote the interests of Canadian agriculture and agri- food producers, including farm families, through leadership at the national level and to ensure the continued development of a viable and vibrant agriculture and agri-food industry in Canada.

2.0 Introductory Comments

As a component of CFIA's broader food safety modernization, we support the increased application of risk- and outcome-based inspection in the *Draft Integrated Agency Inspection Model* (IAIM). We believe the shift towards less prescriptive regulations provides significant opportunities to promote industry compliance, provide much needed flexibility for businesses of all sizes and complexity to adopt appropriate risk management processes, and also, to focus limited inspection resources on areas that pose the greatest food safety risks.

3.0 Key Issues

3.1 Clarity around Licensing for Primary Producers

Throughout the current food safety consultation, we continue to see a lack of clarity around whether primary producers will require licensing and preventative control plans. Section 2.0 of the IAIM states the following:

"Primary producers, such as growers, fishers and livestock producers are not expected to be covered by the proposed licensing regime. In circumstances where primary producers choose to import or export or are subject to domestic animal and plant health requirements (i.e. those premises considered to be high risk), a licence would be required. Primary producers are expected to comply with applicable Acts and Regulations."

However, draft guidance documents, verbal responses from CFIA officials, and text from both the *Safe Food for Canadians Act* (SFCA) have suggested that producers shipping food interprovincially for direct consumption do, in fact, require licenses. In the SFCA, we note the definition of a 'food commodity' means

- (a) any food as defined in section 2 of the [Food and Drugs Act](#);
- (b) any animal or plant, or any of its parts, from which food referred to in paragraph (a) may be derived; or
- (c) anything prescribed to be a food commodity.

Section 10(2) of the SFCA states:

“It is prohibited for a person to send or convey from one province to another — or to import or export — a prescribed food commodity unless the person is authorized to do so by a registration made under paragraph 20(1)(a), by a licence issued under that paragraph or by both such a registration and licence, as provided for in the regulations.”

While the proposed regulatory text for Licenses, currently open for consultation states:

“For the purpose of the issuance of a licence under paragraph 20(1)(b) of the Act, the prescribed food commodity that is to be exported or to be sent or conveyed from one province to another is a food other than a food additive and a beverage that contains more than 0.5% absolute ethyl alcohol by volume *and the prescribed activities are manufacturing, processing, treating, preserving, grading, packaging, labelling and slaughtering of animals from which meat products may be derived.*” (italics added for emphasis)

This language leaves significant room for interpretation and conflicting information in terms of the licensing requirements of producers making interprovincial shipments of food for direct consumption and also in regards to the shipment of live animals for further processing.

We recognize an effort has been made in the IAIM to address the treatment of primary producers, but more explicit text as to the exact parameters under which primary producers require licensing is still needed. Furthermore, there would be considerable value in providing specific outreach to producer groups during the consultation process to clarify this situation as multiple understandings of this situation continue to persist.

3.2 Preventative Control Plans and On-Farm Food Safety Programs

If primary producers making interprovincial shipments do require licenses, we are supportive of commodity-specific licensing as a risk management tool, and support the outlined, risk-based approach to inspection that would see reduced frequency of inspection and account for participation in existing HACCP-based food safety programs. For any primary producers requiring a license, there should be explicit, advanced guidance information as to the treatment of what are well established, reviewed, and in some cases, government-recognized On-Farm Food Safety Programs.

From our preliminary review, these programs adequately address the 7 proposed elements of a preventative control plan, and in many instances, exceed the PCP requirements. Given the considerable industry and government investment into these programs, reducing any additional reporting burden in terms of formatting for the new regulatory regime should be an important focus. Working with industry to accommodate existing plans developed as part of a technically reviewed and recognized on-farm food

safety program will reduce CFIA outreach requirements and also provide producers with a familiar interface through which they must reach compliance. Clarity around how such systems, which are widespread across Canadian agriculture, are accounted for is an important component to any guidance information provided to primary producers.

3.3 Communication of New Risk-Based Oversight Model

In Section 4.1 of the draft IAIM, we support the consistent and structured approach to analysing risks, and believe the commitment to “making the risk information accessible and transparent” is essential to achieving stated compliance promotion outcomes. Providing clear rationale as to existing risk assessments is essential, and the benefits of risk-based oversight can be further capitalized upon if clear information is provided to operators on exactly what factors contribute to a high vs. low risk categorization.

If further efforts can be made to reduce the level of risk associated with an operation, we believe this information must be conveyed as part of the communication phase of the inspection process. Similarly, advance information on levels of risk associated with commodity/commodity types and consumer target groups would provide producers with considerable clarity as to the efforts they must make to adequately address these risk.

During the transition into the new regulatory regime we encourage the use of educational outreach efforts through primary producers groups at the commodity and provincial levels to ensure all parties are adequately informed of any new requirements. Even for producers that will not require a license, buyer’s preventative control plans may impose requirements on their suppliers. Providing primary producers with an understanding of what these requirements may be will be an important component to ensuring a smooth transition for the industry while also reducing accidental non-compliance.

3.4 Inspector Consistency

We support the efforts to provide consistent training to inspectors, given the new requirements they must meet. While providing this training to new inspectors is a necessity, we also believe that existing inspectors must receive the same level of training to ensure consistency in application across the industry. The shift to multiple levels of decision-making, based on the complexity of the issue and any enforcement activities should also contribute to this consistency.

3.5 Import Licensing and Foreign Systems Recognition

While further comments will be provided in the CFIA consultation Foreign Systems Recognition, we support the intent to ensure imported foods meet Canadian food safety requirements. Similar to Canadian products, imports adjudged to be high-risk should face more rigorous inspection before t. In regards to foreign systems evaluations, ensuring that the same “appropriate levels of protection” are applied with the same rigour will be an essential task to ensure imports face the same level of regulatory oversight as Canadian products. While Canadian industry is responsible for the safety of their products and processes, there must be adequate oversight to ensure similar responsibility in regards to imported products.