

# Canada and US Regulation Update

what you need to know

## Quality & Food Safety



We've had a number of inquiries from local growers about the new FSMA requirements and Canada's Safe Food for Canadians regulations and how it will affect them.

Of particular concern is the FSMA Produce Rule which came into effect January 26, 2018 for the larger produce growers in the US. If you export to the US you must meet these FSMA requirements. The good news is if you are currently following Good Agricultural Practices (GAP) you already meet a lot of these new requirements such as biological soil amendments (i.e. manure, compost); sprouts, domestic and wild animals; worker training, health and hygiene; and equipment, tools and buildings. Upon the advice of industry, agricultural water requirement compliance has been pushed off to a future date.

The US customers importing your product, depending on their size and a few other exemptions, fall under the Foreign Supplier Verification Program (FSVP). Canada is a country that has an officially recognized and comparable food safety system in place. As a result there are modified FSVP requirements for the food we export. You still need to be in compliance with the US regulations, and your importer will probably request proof of that; most likely in a form of a recognized third-party audit certificate such as CanadaGAP and or proof of CFIA compliance.

For details on these requirements please see the FDA Guidance on the [Final Rule on Produce Safety](#),

### *Final Rule on Foreign Supplier Verification Programs and Am I Subject to FSVP?*

As you are aware Canada's food safety regulations are currently undergoing changes to improve and consolidate the following:

- Canada Agricultural Products Act (CAPA),
- Fish Inspection Act (FIA),
- Meat Inspection Act (MIA), and the
- Consumer Packaging and Labelling Act (CPLA) as it pertains to food.

The Safe Food for Canadians Act (SFCA) became law in 2012 and multiple industry consultations were conducted with proposed regulations being posted in the Canada Gazette Part 1 in January 2017. Public comment closed in April 2017 and CFIA is currently reviewing that feedback. No date has been set for compliance. However you can read the [Safe Food for Canadians Act](#) online.

There is a section on useful information with several interactive tools, the act itself, videos and other resources that you can use to educate yourself on possible requirements going forward.

Preventative Control Plans (PCPs) are common requirements between the FDA and CFIA updates. Preventative Control Plans are written documents that detail the hazards and risks to your product and how they are controlled. CFIA has a great section on their website pertaining to [PCPs](#), with interactive tools, video, guide and other resources.

Both the FDA and CFIA have great resources online that we have provided links to above. Be sure to read and educate yourself on these regulations so that you can prepare for upcoming changes.

If you have any questions or need clarification please contact Perennia's Quality and Food Safety Team. We are here to help.

The following table details the regulatory expectations for export and interprovincial movement as it pertains to fresh fruit and vegetables and the upcoming Safe Food for Canadians regulations.

Produce Type (covered under existing Fresh Fruit & Vegetable Regulations)	Safe Food for Canadians Regulations			Safe Food for Canadians Regulations		
	<b>Interprovincial Shipment License Requirement</b>	<b>Interprovincial Shipment PCP Requirement</b>	<b>Interprovincial Shipment Traceability Requirement</b>	<b>Export License Requirement</b>	<b>Export PCP Requirement</b>	<b>Export Traceability Requirement</b>
	Not unless packed for con- sumer sales	Need PCP un- less sales < \$30,000	Yes one step back and one step forward	Not unless packed for consumer sales	Need PCP only if want export cer- tificate from CFIA	Yes one step back and one step forward
Apples Apricots Blueberries Cantaloupes Cherries Peaches Pears Plums and Prunes Strawberries Asparagus Brussel Sprouts Cabbage Carrots Cauliflower Celery Cucumbers Lettuce Onions Parsnips Potatoes Rutabagas Field tomatoes Greenhouse toma- toes	Same as above for all commodities.  Shippers who grow own produce or buy from other growers do not need to be licensed, however receiver in other province must be licensed with CFIA.  All products which have grades must meet one of the grade when shipped inter-provincially. Strawberries and blueberries for processing are exempt, <b>unless a grade is declared</b> .  The following commodities require an <b>inspection</b> by the CFIA and the inspection certificate must travel with the shipment:  <ul style="list-style-type: none"> <li>Apples grown in and shipped from NS, NB, QC, ON or BC;</li> <li>Potatoes grown in and shipped from NS, NB, PE, QC or ON;</li> <li>Blueberries grown and shipped in containers of 6 L or less from NS, NB or PE.</li> </ul> <a href="#">Fruit and veg CFIA grading manuals</a>			The Fresh Fruit and Vegetable Regulations and the Licensing and Arbitration Regulations <b>do not apply to exporters</b> or shipments for export.  For fresh products falling under the Fresh Fruit and Vegetable Regulations there are <b>no grade requirements to export</b> .  The USDA requires <b>onions, potatoes and field tomatoes</b> destined for the USA or Puerto Rico to be inspected and certified to meet their import requirements. A CFIA inspection certificate is honoured by the USDA.  Food Safety Modernization Act USA: may have other requirements.  <a href="#">Food specific export requirements</a>  <a href="#">Export certification types and expectations</a>		
Other Produce	No grades required					

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