



April 2017

The proposed *Safe Food for Canadians Regulations*

Not so 'safe' for the Canadian organic industry

The *Safe Food for Canadians Regulations* (SFCR) are now open for public consultation. The Canadian Food Inspection Agency has invited the public to consult on the *Safe Food for Canadians Regulations* (SFCR) in order to modernize and bring consistency to the requirements; the regulations apply to all food imported, exported and traded between provinces.

The [consultation](#) is open until April 21, 2017.

The proposed SFCR consolidate 14 sets of existing regulations into one, including the Organic Products Regulations (OPR) that became Part 14 *Organic Products* of the SFCR.

The Organic Federation of Canada has taken a long and close look at Part 14 because this revised OPR is quite different from the original one. In the current draft of the SFCR, Part 14 imposes certification of transportation and storage of organic products, packaged and unpackaged, and mandatory certification of slaughterhouses. It also requires that the labels of multi-ingredient foods specify the percentage of organic ingredients.

The Canadian organic sector has to comment on the SFCR. The proposed revision of the regulation, if adopted, would have an enormous impact on the sector. Organic operators would be placed in a disadvantage compared to US and EU organic operators. The certification of transportation and storage of organic products would become more costly. These are just two of the potential impacts.

The OFC prepared an initial list of 11 recommendations to inform the sector about the content of the "revised OPR" in the form of Part 14 *Organic Products* of the SFCR.

Our goal is to encourage and urge all stakeholders to participate to the consultation: we need a regulation that supports the growth of the sector instead of adding costs and bureaucratic requirements.

**We also invite the sector to comment on the recommendations
that are presented and add other recommendations.**

Please submit your comments at info@organicfederation.ca

The list presented below is a summary: the OFC will present soon its comprehensive list of recommendations.

[RECOMMENDATION 1 – Traceability](#)

[RECOMMENDATION 2 – Preventive Control Plan](#)

[RECOMMENDATION 3 – Definitions](#)

[RECOMMENDATION 4 – Certification of “various activities”](#)

[RECOMMENDATION 5 – Slaughtering](#)

[RECOMMENDATION 6 – Time of initial application](#)

[RECOMMENDATION 7 – Validity of the certificate](#)

[RECOMMENDATION 8 – Percentage of organic ingredients on labels](#)

[RECOMMENDATION 9 – Appeal process](#)

[RECOMMENDATION 10 – Certification of small-scale operations](#)

[RECOMMENDATION 11 – Merging the OPR and the SFCR](#)

Note: Link to the text of the SFCR - <http://www.gazette.gc.ca/rp-pr/p1/2017/2017-01-21/html/reg1-eng.php>

Text in *italics* reproduces clauses of the SFCR. Text in **bold brown** describes recommendations of the OFC.

RECOMMENDATION 1 – Traceability

In the regulatory scenario, persons importing, exporting and interprovincially trading food, as well as other persons holding a licence issued under the SFCA, would be required to maintain traceability records.

The Canadian Organic Standards impose traceability through strict record keeping (clause 5.1.5 b) and 8.4.2 of CAN/CGSB-32.310-2015).

The Canadian government should reinforce traceability of organic foods by creating and maintaining a list of certified operators under the Canada Organic Regime.

RECOMMENDATION 2 – Preventive Control Plan

84 (1) *A licence holder must prepare, keep and maintain a written preventive control plan that meets the requirements of section 87 for any activity that they conduct in respect of a food or food animal that is identified in their licence.*

The OFC suggests the certification process include the preventive control plan (PCP) for certified organic operators who need to implement a PCP (for interprovincial trade or import/export); the PCP would be incorporated in their organic plan. This will reduce the cost and level of bureaucracy.

RECOMMENDATION 3 – Definitions

PART 14 *Definitions*

338 The following definitions apply in this Part.

various activities means manufacturing, processing, treating, handling, slaughtering, producing, storing, packaging, labelling and conveying. (diverses activités)

The definitions of the specific “various activities” should be added to the regulations.

The definitions in the regulations should match the definitions of the COS.

Reference CAN/CGSB-32.310-2015 - Clause 3

RECOMMENDATION 4 – Certification of “various activities”

Conduct of activities

340 *The various activities may only be conducted in respect of an organic product by a person who holds a certification that is granted under section 342 or 345 in respect of the activities and must be conducted in accordance with*

- **(a)** *in the case of a food commodity other than a seaweed, aquatic plant or aquaculture animal, CAN/CGSB 32.310; and*
- **(b)** *in the case of a seaweed, aquatic plant or aquaculture animal, CAN/CGSB 32.312.*

Application

344 (1) *A person who wishes to conduct an activity, among the various activities, in respect of an organic product and who does not hold a certification that is granted under section 342 must apply to a certification body for certification of the activity.*

Storage and conveyance of packaged organic products should be removed from certification requirement in the SFCR as it would penalize the Canadian operators and create enormous financial and logistical burdens on the Canadian organic industry.

Storage and conveyance of unpackaged organic products should be conducted in compliance with the COS and integrated with the organic plan of the operator that holds the organic certificate, even if a third party (such as a truck or train company) stores or transports the unpackaged product. Integrity of the organic product is ensured by the procedures established in the organic plan of the holder of the certificate.

Reference CAN/CGSB-32.310-2015 – clauses 5.1.5 b), 6.5.2, 7.2.15, 8.2.1, 8.4.

RECOMMENDATION 5 – Slaughtering

Definitions

338 *The following definitions apply in this Part.*

various activities means manufacturing, processing, treating, handling, slaughtering, producing, storing, packaging, labelling and conveying. (diverses activités)

To maintain the clause 19 of the OPR that ensures that slaughtering shall be conducted in accordance with the requirements set out in CAN/CGSB-32.310-2015 in order to ensure the organic integrity of the livestock or product.

Reference CAN/CGSB-32.310-2015 – 6.2.4, 6.5.1, 6.5.3, 6.6.8.

RECOMMENDATION 6 – Time of initial application

341 (3) Time of initial application

(3) *In the case of an initial application for the organic certification of a food commodity, the application must be filed within 12 months before the day on which the food commodity is expected to be sold or, in the case of the following food commodities, at least 15 months before that day:*

- **(a)** *maple products;*
- **(b)** *field crops or crops that are grown in greenhouses with an in-ground permanent soil system;*
- **(c)** *uncultivated seaweeds and aquatic plants; and*
- **(d)** *aquaculture products with a production cycle of more than 12 months.*

The requirement of a 15-month pre-application or waiting period between initial applications and marketing products must be removed. It creates confusion and has a negative impact on the growth of the sector by impeding access to market.

RECOMMENDATION 7 – Period of validity of the certificate

342 Period of validity

(3) *The organic certification of a food commodity is valid for 12 months beginning on the day on which it is granted under subsection (1).*

The organic certificate, once issued, shall remain valid, unless suspended or revoked by the certification body. To remain valid, the holder of the certification must apply annually to the certification body. The certification body may suspend or revoke the certificate if the application is not submitted within the specified time frame.

RECOMMENDATION 8 – Percentage of organic ingredients on labels

“Organic ingredients” expression

350 (2) *Despite subsection (1), if a multi-ingredient food commodity is an organic product but less than 95% of its contents are organic products, it may be labelled with or advertised using the expression “organic ingredients” or “d’ingrédients biologiques” if that expression is*

- **(a)** *immediately preceded by the percentage of its contents that are organic products, rounded down to the nearest whole number; and*
- **(b)** *in characters of the same height and prominence as the words, numbers, signs or symbols that indicate the applicable percentage.*

The requirement to declare the exact percentage of organic content in multi-ingredient products on the label of organic products is inconsistent with current practices in Canada and with our current and potential trading partners. This requirement could place Canadian operators at a competitive disadvantage with our trading partners. Currently, products need to be categorized in one of the two categories outlined in the Canadian Organic Standards – organic (95% or more) or 70-95% organic content; the exact percentage does not need to be listed.

Reference CAN/CGSB-32.310-2015 – section 9

RECOMMENDATION 9 – Appeal process

347 Necessary steps

(2) The certification body must not cancel a certification unless the holder of the certification was notified in writing of the grounds for the cancellation and was provided with an opportunity to be heard in respect of the cancellation

The COR should implement an appeal process that would involve a special committee composed of representatives from Certifying Bodies, Conformity Verification Bodies, Canadian Food Inspection Agency, operators and the Standards Interpretation Committee.

Fraudulent operators should be subject to fines, penalties and a ban on certification for five years (after the opportunity to appeal).

RECOMMENDATION 10 – Certification of small-scale operations

The OFC adopted the following motion February 28 2017:

“To attract new entrants into the organic system, the Canada Organic Regime should consider adapting the cost and the complexity of certification systems for small-scale operations using a risk-based assessment.

For future revisions of the COR, Peer-Review Certification could also be recognized and legitimized as a form of national certification. This could be particularly helpful for producers whose local markets may involve crossing provincial borders or serving direct-market mail-order customers in other provinces; currently, if organic labelling is used on non-certified products (seeds, for example), such practices are considered illegal.

RECOMMENDATION 11 – Merging the OPR with the SFCR

Moving organic production under the SFCR impedes the addition of “organic” cosmetics, pet food and natural health products to the mandatory organic certification program and does not protect the organic label.

Reminder -Public comment period

Below is the list of questions raised by organic stakeholders, regarding the National Standards for Organic Agriculture.

Public comment period –March 6 to April 6 2017

- Can stored livestock feed (6.4.4) be treated with PSL 4.3 and 5.2 listed substances?
- Clause 6.5 refers to the *Code of Practice for Care and Handling of Farm animals: Transportation*. It also references in a note the *Health of Animals Regulations* under the *Health of Animal Act* (CFIA). If these two sets of rules contradict one another, which one is to be referred to in evaluating compliance?
- Must young herbivores be given access to exercise yards outside of the pasture grazing season (6.11.1)?

... and many other questions.

The proposed responses are posted on [OFC website](#), and are subject to a 30 day comment period. All comments regarding these answers should be sent to OPR.RPB@inspection.gc.ca



Organic Science Cluster III

Call for Letters of Intent

The Organic Federation of Canada in collaboration with Dalhousie University's Organic Agriculture Centre of Canada are pleased to announce the Call for Letters of Intent for research in Organic Science Cluster III (2018-2023).

This Letter of Intent process is being conducted in anticipation that Agriculture and Agri-Food Canada's (AAFC) next Agricultural Policy Framework will include another Science Cluster Initiative. The organic sector has been consulting with AAFC regarding projected timelines and criteria for the next Science Cluster program. As such, the organic sector is working towards being prepared for the next call.

Please find in the links below:

1. [Letter of Intent Guidelines for Researchers](#). Please read this document carefully, as it provides details of the application process, priority research areas, and further guidance about what should be included in a Letter of Intent.
2. [Letter of Intent Submission Form](#). Please use this form for submitting a Letter of Intent, following the noted page limits and instructions.

For the latest updates and details related to Organic Science Cluster III, please see:
www.dal.ca/OACC

Should you have any questions about this Call for Letters of Intent, or other Organic Science Cluster III related questions, please do not hesitate to contact:

Margaret Graves - Program Manager, OACC: 902-896-3481, gravesm@dal.ca

Nicole Boudreau - Organic Federation of Canada: 514-488-6192, boudreau.nicole@videotron.ca

Andy Hammermeister - Director, OACC: 902-893-8037, andrew.hammermeister@dal.ca

The deadline for submission of Letters of Intent is April 10, 2017.

We invite you to share this Call for Letters of Intent with fellow researchers and colleagues.

OFC AGM

We thank the stakeholders who attended our Annual General Meeting, March 14 2017.



OFC Directors: Hermann Bruns (BC), Marc Schurman (PEI), Joanne Jackson Johnson (YK), Charles Newell (AB), Janine Gibson (MB), Shannon Jones (NS), Jérôme-Antoine Brunelle (QC), Tim Livingstone (NB), Jim Robbins (SK), Tom Manley (ON)

If did not get a chance to attend our meeting, you can read OFC Activity Report by [clicking here](#).

Enjoy the spring!