



Canadian Food  
Inspection Agency

Agence canadienne  
d'inspection des aliments

Fish Inspection Program

# **FISH PRODUCTS INSPECTION MANUAL**

**Canada**

**TO:** All Holders of the Fish Products Inspection Manual

**SUBJECT:** USE OF THE "CANADA INSPECTED" LOGO

The purpose of this bulletin is to inform manual holders of the changes to the requirements for the use of the "Canada Inspected" logo on labels of fish products. The changes are as a result of the new approach to the Quality Management Program (QMP) and Regulatory Verification.

As of the date of this bulletin, the requirements of section 28 of the Fish Inspection Regulations shall be applied as follows:

- ◆ Establishments registered under the Fish Inspection Regulations are entitled to use the "Canada Inspected" logo on fish product(s) prepared under an acceptable QMP;
- ◆ No application for use of the logo is required;
- ◆ There is no requirement for the labels bearing the logo to be evaluated and accepted by fish inspection authorities;
- ◆ An establishment is recognized to have an acceptable QMP following the issuance of a valid certificate of registration;
- ◆ Only fish products that are considered "Product of Canada" are eligible for use of the logo;
- ◆ The emblem of the logo shall present a maple leaf and its form and design shall be chosen from the examples of the logos shown below;
- ◆ There are no restrictions as to the size and the colour of the logo, however, it must be separate and distinct, and it cannot interfere with any mandatory labelling information;

- ◆ Controls for use of the logo must be addressed in the QMP Plan. The policies and procedures pertaining to system verification and compliance verification of the QMP Plan apply for the purpose of assessing QMP controls related to the CI logo.
- ◆ Entitlement to use the CI logo is nullified if the QMP is found to be unacceptable, as described in the Facilities Inspection Manual, and/or when the registration certificate is inactivated, suspended, voided, or revoked.

Under no circumstances can a processor that is not federally registered use the logo on their fish products.

Richard Zurbrigg  
A/Director  
Fish, Seafood and Production Division

EXAMPLES OF "CANADA INSPECTED" LOGO

With Registration Number



Without Registration Number



**TO:** All Holders of the Fish Products Inspection Manual

**SUBJECT:** DETERMINATION OF PERCENT FISH IN BREADED AND BATTERED FISH

**N.B. This Bulletin supersedes and replaces Bulletin no. 38**

The purpose of this bulletin is to inform manual holders of the procedures to be used in the determination of percent fish flesh in breaded and battered fish.

Effective immediately, the attached method, no. 996.15 - Fish Flesh Content (FFC) in Frozen Coated Fish Products, from the "Official Methods of Analysis" of the Association of Official Analytical Chemists (AOAC), will be the accepted method for the Canadian Food Inspection Agency for determining fish flesh in breaded or battered fish.

To account for the inherent variability of the method the following adjustment factors will be applied:

- 2% for raw breaded product and batter-dipped product;
- 4% for pre-cooked products.

A sample unit is defined as one of a number of individual containers, or a portion of a fish or a primary container examined or evaluated as a single unit.

Note: The attached methodology and associated tolerances will be applied when final product sampling for determination of percent fish is utilised.

Cameron Prince  
Director  
Fish, Seafood and Production Division

### 35.1.03

**AOAC Official Method 996.15  
Fish Flesh Content (FFC)  
In Frozen Coated Fish Products  
First Action 1996**

(Applicable to the determination of the FFC in frozen coated fish products.)

(*Caution:* Use protective gloves when immersing and holding test sample in water bath set at >43°C.)

#### **A. Principle**

Method uses (1) combination of heat and H<sub>2</sub>O to breakdown adhesive properties of coating (batter and/or breading) and (2) hands to assist in determining when coating's ability to adhere to flesh's frozen surfaces is diminished and can be easily removed.

#### **B. Apparatus**

- (a) *Waterbaths*.--- Primary (17- 49°C) and secondary(17-30°C).
- (b) *Thermometers*.--- Two; immersion type, capable of accurately measuring to ± 1°C.
- (c) *Thermometer holders*. --- Two; with clips.
- (d) *Balance*. --- Capable of accurately weighing to 0.1 g.
- (e) *Stop watch*. --- Capable of reading seconds.
- (f) *Paper towel*.
- (g) *Spatula* --- 4 in. (ca 10 cm) blade with rounded tip.
- (h) *Nut pick*.

#### **C. Preparation of Test Sample**

Maintain integrity of frozen test sample by storing in freezer until ready to remove batter and/or breading. Take into account all applied coating when weighing coated test samples.

#### **D. Determination**

Set primary H<sub>2</sub>O bath temperature between 17- 49°C. Set secondary H<sub>2</sub>O bath temperature between 17- 30°C.

Weigh and record weight of each test sample while it is hard frozen. Using hands, immerse and hold test sample in primary H<sub>2</sub>O bath until batter and/or breading becomes soft and can be removed easily from still-frozen flesh.

Remove test sample from H<sub>2</sub>O bath and blot lightly with enough paper towel to absorb excess H<sub>2</sub>O. Complete blotting in ≤ 7 s. Scrape and remove batter and/or breading from flesh with spatula. If batter and/or breading is difficult to remove, using hands, redip and hold partially debattered or debreaded test sample in secondary H<sub>2</sub>O bath until batter and/or breading becomes soft and can be removed easily from still-frozen flesh.

Remove test sample from H<sub>2</sub>O bath and blot lightly with enough paper towel to absorb excess H<sub>2</sub>O. Complete blotting in ≤ 7 s. Scrape and remove batter and/or breading from flesh with spatula. When necessary, repeat redipping procedure and use nut pick to remove batter and/or breading from any voids (holes, spaces, or depressions) until all batter and/or breading has been removed from still-frozen flesh. Reweigh and record weight of debattered and/or debreaded test sample.

(*Note:* Several preliminary trials may be necessary to determine optimum H<sub>2</sub>O bath temperatures, dip times, and number of dips required for debattering and/or debreading test samples. The correct dip time is the minimum time of immersion in H<sub>2</sub>O baths required before batter and/or breading on test sample can be

scraped off easily, provided that debattered or debreaded test sample is still solidly frozen.)

As a guide, no more than 1 initial dip (17- 49°C) and 2 redips (17-30°C) for a maximum of 2.5, 0.5, and 0.5 min, respectively, should be necessary.

***E. Calculations***

Calculate content of fish flesh, %, in test sample as follows:

$$\% \text{ Flesh} = (W_d / W_b) \times 100$$

where  $W_d$  = weight of debattered and/or debreaded test sample;  $W_b$  = weight of battered and/or breaded test sample.

Reference: J. AOAC *Int.* **80**, 1235(1997).

*Revised: March 1998*



## BULLETIN

**TO:** All Holders of the Fish Products Inspection Manual and  
All Holders of the Metal Can Defects Manual

**SUBJECT:** CONTAINER INTEGRITY EVALUATION SAMPLING AND TOLERANCE  
PLAN FOR CANNED FISH AND CANNED FISH PRODUCTS

**NOTE:** **This bulletin supersedes and replaces Bulletin no. 15  
of the Fish Products Inspection Manual. Please remove  
this bulletin from your Manual.**

The purpose of this bulletin is to inform manual holders that inspectors of the Canadian Food Inspection Agency will follow the sampling and tolerance plan outlined below for container integrity evaluation of all canned fish and fish products. The procedures to be followed reflect the requirements of the Government of Canada Visual Inspection Protocol, and are used to assess lot compliance according to Canadian requirements. The Visual Inspection Protocol may be accessed at the following URL:

<http://www.inspection.gc.ca/english/fssa/fispoi/product/visue.shtml>

Four aspects of the following sampling and tolerance plan are not reflected in the Government of Canada, Visual Inspection Protocol and will be retained by the Fish, Seafood and Production Division, CFIA:

- i) suspended inspections will continue to be offered (Fish Products Inspection Manual, Chapter 2, Subject 1);
- ii) re-inspections will not be limited to lots that have been culled as outlined in the Government of Canada Visual Inspection Protocol (Fish Inspection Regulations, Section 10);
- iii) a minimum sample consisting of 6 units will be selected for destructive examination (teardown and sectioning) from **all lots being inspected**. Destructive examination procedures as outlined in the Metal Can Defects Manual will be carried out on the canner's end for a two-piece can, and on the canner's



end and the manufacturer's end for a three-piece can; and

- iv) the definition of a lot (from the Fish Inspection Regulations): "lot" with respect to fish, other than fresh fish, means a shipment or part of a shipment of fish that is of the same species, is processed in the same manner by the same producer, is packaged in the same size of container and bears the same label.

**1. DESTRUCTIVE SAMPLING**

Any defects identified from the destructive examination are to be used to determine lot compliance.

**2. INITIAL AND SUSPENDED INSPECTIONS - COMPLIANCE SAMPLING**

**Initial Inspection:**

A sample consisting of 200 units shall be inspected with labels removed.

A maximum of 5 sample units may be withdrawn from any single case in the lot. This will require a minimum of 40 cases to be opened when conducting an initial or suspended inspection. If the number of cases in the lot is less than 40 then all of the cases will be opened and the sample units per case adjusted accordingly.

A sample for destructive examination (teardown and sectioning) is obtained from the 200 can sample.

If no serious defects are found, the lot passes initial inspection.

If one or more serious defect(s) is (are) found, a suspended inspection may be offered if the lot has the potential to be culled or reconditioned. If the option to suspend an initial inspection is not requested by the owner/agent, then the lot fails the initial inspection and a re-inspection may be offered.

**Suspended Inspection:**

If a suspended inspection is granted, the owner/agent must remove defective units from the lot according to a cull proposal that has been approved by the CFIA. The defective units will be disposed of in a manner acceptable to the CFIA.

Once the culling operation is completed the initial inspection resumes and a new sample consisting of 200 units shall be inspected with labels removed.

A maximum of 5 sample units may be withdrawn from any single case in the lot. This will require a minimum of 40 cases to be opened when conducting an initial or suspended inspection. If the number of cases in the lot is less than 40 then all of the cases will be opened and the sample units per case adjusted accordingly.

A sample for destructive examination (teardown and sectioning) is obtained from the 200 can sample.

If no serious defects are found, the lot passes initial inspection.

If one or more serious defect(s) is (are) found then the lot is rejected.

### **3. INITIAL INSPECTION - MECHANICAL SCREENING**

The Fish, Seafood & Production Division, CFIA, recognizes the Canned Screening Program utilized by the British Columbia Canned Salmon Industry.

The British Columbia canned salmon industry may assess lots under the Mechanical Screening Program, using check weighing equipment, double-dud detectors and a biased sample. This assessment is to ensure that the lot meets Canadian requirements regarding container integrity before being offered for sale.

During a Quality Management Program (QMP) audit the Canadian Food Inspection Agency will receive documented information from the can-screening line-audit program, which will indicate whether the equipment used to carry out the screening process was operating and operated correctly. This information, in conjunction with a review of the submitted Can Screening Report, will be used to determine whether approved mechanical screening procedures were followed.

If the lot contains equal to or less than **25** serious defective units per 100,000 units the lot passes initial inspection.

If the lot contains more than **25** serious defective units per 100,000 units, the lot fails initial inspection and may be submitted for reinspection.

A compliance sample will be obtained from a mechanical screening line during a QMP audit.

### **4. REINSPECTION**

When a re-inspection has been granted the owner/agent may

cull defective units from the lot according to a cull proposal that has been approved by the CFIA. Re-inspections will not be limited to lots that have been culled.

A sample consisting of 1250 units shall be inspected with labels removed.

A maximum of 5 sample units may be withdrawn from any single case in the lot. This will require a minimum of 250 cases to be opened when conducting a reinspection. If the number of cases in the lot is less than 250 then all of the cases will be opened and the sample units per case adjusted accordingly.

A sample for destructive examination (teardown and sectioning) is obtained from the 1250 can sample.

If no serious defects are found the lot passes reinspection.

If one or more defect(s) is (are) found, the lot fails reinspection.

## **5. GENERAL**

Only Inspectors who have successfully passed a recognized container integrity course are permitted to carry out container integrity evaluations.

### **NOTE**

In accordance with the Government of Canada Visual Inspection Protocol, if at any time during an inspection a leaker, flipper or swollen can is found, the inspection shall be discontinued until such time that the lot has been evaluated to determine if the defect is due to under-processing or post-process contamination. If the defect is due to under-processing or post-process contamination the lot fails, and no suspended inspection or reinspection of the lot shall be permitted.

Cameron Prince  
Director  
Fish, Seafood & Production Division

**TO:** All holders of the Fish Products Inspection Manual

**SUBJECT:** RESPONSIBILITY FOR LABELLING OF POUCHED AND CANNED FISH

The purpose of this bulletin is to inform manual holders of the policy concerning responsibilities for proper labelling of pouched/canned fish.

As per the Fish Inspection Regulations, proper labelling of pouched/canned fish is the responsibility of the processor.

Normally, labels are applied in the plant (or the warehouse) where the processing takes place. However, in some cases unlabelled cans/pouches are sold to the distributor and the distributor applies their own labels. In these situations, labelling is delegated from the processor to the distributor. This practice is acceptable but must be supported by a written agreement stating that the distributor accepts responsibility for label compliance. The processor remains responsible for providing the distributor with complete and truthful information regarding the product which is required for proper labelling.

Please note that the production code on each pouch/can must always be applied at the plant.

Cameron Prince  
Director  
Fish, Seafood and Production Division

**TO:** All holders of the Fish Products Inspection Manual

**SUBJECT:** USE OF THE TERM "DOLPHIN FRIENDLY" AND SIMILAR NON-MANDATORY STATEMENTS ON LABELS

The purpose of this bulletin is to inform manual holders of the guidelines to be followed when statements such as "Dolphin friendly", "Dolphin safe", etc., are placed on labels of canned tuna.

Section 27 of the Fish Inspection Regulations reads: "No person shall package any fish or mark or label any container of fish in a manner that is false, misleading or deceptive."

It is the responsibility of the importer to ensure that all information contained on labels of canned tuna is truthful. All importers of canned tuna who wish to place such statements on the labels must develop their own procedure to ensure that the tuna they distribute was harvested using methods not injurious to dolphins. Upon request, documentation providing proof of these methods must be available to an Inspector of the Canadian Food Inspection Agency. In instances where the importer cannot provide proof that the statements are accurate, the lot in question is to be rejected for false labelling.

Cameron Prince  
Director  
Fish, Seafood and Production Division

**TO:** All Holders of the Fish Products Inspection Manual

**SUBJECT:** CRITERIA FOR ASSIGNING NEW COMMON NAMES FOR FISH IN CANADA

The purpose of this bulletin is to inform manual holders of the guidelines to follow in order to assign a new common name for a species of fish.

1. Common names for fish in Canada will be determined in accordance with the Canadian values of fairness and honesty in the marketing of fish.
2. The scientific name of the fish will be provided to DFO by the person applying for a new acceptable common name.
3. Proposed common names for the marketing of fish which are provided by the applicants will be given full consideration by DFO.
4. DFO, Inspection Directorate is responsible to conduct the research regarding common names applied to a species. The Inspection Directorate will consult the various applicable reference sources and select the acceptable common name following the guidelines listed below:
  - the new common name has not previously been used for another species (as identified in "The Canadian Fish List");
  - the new common name is not similar to, and does not resemble the name of a fish having a higher market value than the fish being reviewed ;
  - whenever possible, the new common name is harmonized with the names assigned to this species by the *ministère de l'Agriculture, des Pêcheries et de l'Alimentation du Québec* - MAPAQ (*Pêches - Terminologie - Noms des espèces halieutiques à potentiel commercial au Québec*) and the United States Food & Drug Administration - USFDA (The Seafood List);

- it is recognized that MAPAQ guidance will be the primary reference in determination of acceptable common names in French;
- where the common name proposed by the applicant is not contrary to current policy, and is similar to the name for that species found in references, the proposed name will become the acceptable common name;
- the name of the geographic location where the fish have been harvested may be added to the common name of the fish (e.g., Southwest Atlantic hake);
- Canadian trade interests will be considered in determining acceptable common names.

This policy will be incorporated in Chapter 9 (Labelling/Coding Requirements) of this manual at a later date.

David Rideout  
Director General  
Inspection Directorate

**TO:** All Holders of the Fish Products Inspection Manual

**SUBJECT:** ARTIFICIALLY COLOURED COOKED SHRIMP - U.S.A.

The purpose of this bulletin is to inform manual holders of a recent change in the United States Food and Drug Administration (USFDA) policy concerning the use of artificial colours on cooked shrimp.

Earlier this year the Office of Seafood, USFDA, decided to permit the use of an artificial colour, FD&C Red No. 40 (Allura Red in the Canadian Food and Drug Regulations), on cooked shrimp if the principal display panel indicates the product as being artificially coloured cooked shrimp and the colouring agent used is declared in the list of ingredients.

In accordance with the Food and Drug Regulations, colouring agents are not permitted on cooked shrimp sold in Canada. Therefore if product is imported and labelled as "artificially coloured", the lot is to be rejected for non-permitted additives. Also, if imported shrimp are suspected to contain a colouring agent, specifically allura red, the lot should be detained, sampled and analysed for the presence of this agent.

David Rideout  
Director General  
Inspection Directorate



**TO:** All Holders of the Fish Products Inspection Manual

**SUBJECT:** FISH INSPECTION REGULATIONS - SECTION 6(2)(a) - IDENTITY OF THE ESTABLISHMENT PACKING FISH

The purpose of this bulletin is to clarify the interpretation of Section 6(2)(a) of the *Fish Inspection Regulations* (FIR).

Section 6(2)(a) of the FIR states that "No person shall import into Canada or attempt to import into Canada any fish unless:

(a) the identity of the establishment at which the fish is packed and the day, month and year of packing are legibly marked on one end of the carton or case in which the containers of fish are shipped."

The master carton may identify the packer of the fish by either the packer's name or by code. When a code is used to identify the packer and/or date of packing, the importer is responsible for providing Inspection Directorate with a key that identifies the name of the establishment and/or date of packing.

David Rideout  
Director General  
Inspection Directorate

**TO:** All Holders of the Fish Products Inspection Manual

**SUBJECT:** SAFETY PRECAUTIONS TO FOLLOWED IN THE SENSORY  
EVALUATION OF CANNED FISH AND FISH PRODUCTS

The purpose of this bulletin is to inform all personnel involved in the sensory evaluation of canned fish and fish products of the precautionary steps which must be followed prior to the sensory evaluation of such products. The term "canned" includes all fish and fish products which have been subjected to a heat process as defined under Section 34 of the Fish Inspection Regulations whether packed in metal or glass containers, pouches or any other hermetically sealed container.

- 1) Metal containers must have their labels removed and end seams and side seams must be checked for integrity;
- 2) Glass containers and their caps must be checked for acceptability;
- 3) Pouches must be checked for punctures, holes, acceptability of seals and any other defects which may adversely affect the integrity of the pouch;
- 4) Any containers which are unacceptable as defined in 1), 2) and 3) above or which show signs of swelling or gas production **SHALL NOT BE SUBJECTED TO SENSORY ANALYSIS**. Other containers from the same lot or code shall not be subjected to sensory evaluation until it has been proven beyond a doubt that the swelling or gas production is not due to under processing.

These criteria have been set for the safety of the evaluators and must be followed at all times.

B.J. Emberley  
Director General  
Inspection, Regulations and Enforcement

- 5) The United States Food and Drug Administration (FDA) in Washington, D.C., has also been consulted; they have received requests from some sectors of the U.S. aquaculture industry to use the name "Salmon Trout" and have not approved its use. The FDA is now enforcing this decision and does not foresee any change in this position. In the interest of harmonization of trade in fish products with the U.S., it would not be appropriate to allow the use of "Salmon Trout" as a common name for rainbow trout exported to the U.S.

B.J. Emberley  
Director General  
Inspection, Regulations and Enforcement

TO: All Holders of the Fish Products Inspection Manual

SUBJECT: Labelling and Weight Determination of Sliced Smoked Salmon

This bulletin is being issued to clarify previous correspondence on this subject dated October 20, 1989 and March 7, 1990 and will be incorporated into the Labelling Policy which will form Chapter 9 of this Manual.

- 1) Where the skin has been detached from the flesh of the product but is included in the package, the weight of the skin must be excluded from the net weight of the product.
- 2) Where the skin has been detached from the flesh of the product and is not included in the package, the net weight of the product shall be the total contents of the package.
- 3) Where the skin is still attached to the flesh of the product or is partially attached to maintain "kosher" requirements, the weight of the skin shall not be included in the net weight of the product unless the label indicates that the skin is included in the declared weight.

NOTE: The weight of the plastic dividers inserted between the smoked salmon slices shall be excluded from the declared weight of the product.

B.J. Emberley  
Director General  
Inspection Services Directorate



**Fish Products Inspection  
Manual**

15/04/2011

**TABLE OF CONTENTS**

**CHAPTER 1: INTRODUCTION**

**CHAPTER 2: PRODUCT INSPECTION - GENERAL**

- Subject 1: Initial Inspection
- Subject 2: Reinspection
- Subject 3: Detention and Release
- Subject 4: Seizure and Forfeiture
- Subject 5: Reserved for Future Use
- Subject 6: Cost Recovery for Domestic Product  
Inspection/Certification
- Subject 7: Permit Policy
- Subject 8: Classification of Products Containing Meat  
and Fish
- Subject 9: Novel Food Compliance Policy

**CHAPTER 3: INSPECTION OF IMPORTS**

- Subject 3: Cost Recovery for Import Inspections

**CHAPTER 4: INSPECTION OF CANNED FISH \***

**CHAPTER 5: INSPECTION OF FRESH AND FROZEN FISH**

- Subject 1: Inspection of Live Crab and Lobster

**CHAPTER 6: INSPECTION OF PICKLED, SPICED & MARINATED FISH \***

**CHAPTER 7: INSPECTION OF BLOATERS AND BLOATER FILLETS \***

**CHAPTER 8: INSPECTION OF SALTED FISH \***

**CHAPTER 9: LABELLING/CODING REQUIREMENTS \***

**CHAPTER 10: EXPORT CERTIFICATION**

**CHAPTER 11: Reserved for Future Use**

**TABLE OF CONTENTS**

**CHAPTER 12: SAMPLING**

Subject 1: Sampling for Container Integrity Evaluation for  
Visual and Internal Defects\*  
Subject 2: Package Integrity Evaluation

**CHAPTER 13: SENSORY INSPECTION COMPETENCY POLICY**

**CHAPTER 14: NET CONTENT DETERMINATION**

\* to be issued at a later date

**Fish Products  
Inspection Manual**

**DEFINITIONS**

*Agent:* Someone acting on behalf of another person. The agent of the owner of the fish can be the plant manager, the assistant plant manager, the quality control manager or another company official who has control over the fish.

The agent of the owner of buildings where the fish is stored can be the director of the warehouse/refrigerated warehouse or his/her assistant, or the operator of a transport company if the fish is in transit.

*Consumer:* The final user of a product, i.e., a person or an institution, such as a hospital, hotel, organization or restaurant which purchases a product for its own use.

*Consumer or Trade Complaint:* Any verbal or written communication initiated by a consumer or a representative of an organisation expressing dissatisfaction with a fish or fish product. A consumer or trade complaint can be classified as either a health and safety issue or an other issue.

*Container:* Any type of receptacle, package, wrapper or confining band used in packaging or marketing fish.

*Crown:* The Government of Canada, the Head of State for which is Her Majesty Queen Elizabeth as represented in Canada by the Governor General.

*Culling:* Removal of defective units from a lot of fish or fish products.

*Decomposed:* Fish that has an offensive or objectionable odour, flavour, colour, texture or substance associated with spoilage.

*Defective Unit:* Any sample unit which does not comply with the requirements of the *Fish Inspection Regulations* (FIR).

*End-of-Line Inspection:* Inspection of a product which is packed into its final product form for that processing facility and which is not subject to any further processing other than freezing.

*Fish:* Any fish, including shellfish and crustaceans, and marine animals (marine being defined as "of, found in, produced by the sea"), and any parts, products or by-products thereof.

*Import:* a shipment of fish imported into Canada is to be treated as an import if the product is so defined by the Canada Border Services Agency.

**Fish Products  
Inspection Manual**

For further details concerning the definition of an import, see Chapter 3, Subject 1 of this manual.

*Import Alert List (IAL)* - a listing of processors and products for which there has been a rejection as a result of product inspection, for which CFIA has received product alerts from other countries, or for which problems have been found during an investigation.

*Importer of Record*: the organisation or person that the Canadian Food Inspection Agency can hold responsible to meet the requirements of the *Fish Inspection Regulations* with respect to the importation of fish and fish products.

*Inspector*: A person designated as an Inspector pursuant to Section 17 of the *Fish Inspection Act*.

*Legal Proceedings*: Begins with the laying of an information and continues until all appeal routes have been exhausted.

*Limitation Period*: The period of time during which a charge may be laid; after the limitation period for a particular offence has expired, the person or company can no longer be charged with that offence.

The Limitation Period for summary conviction offences in Canada, under the Criminal Code, is six months (Section 721 (2) of Criminal Code). All *Fish Inspection Act* violations are summary conviction offences. Seizure of fish and containers and consequent legal action must take place within six months of the date of the alleged offence.

*Lot*: A collection of readily identifiable units of product which are processed and/or handled under uniform conditions.

*Lot Size*: The number of units of product in a lot.

*Minister*: Minister of Agriculture and Agri-Food.

*On-Line Inspections*: Inspections which occur at critical points during the in-plant process (e.g., immediately after candling).

*Poisonous or harmful substances*: Includes bacteria of public health significance, Paralytic Shellfish Toxin, regulated pesticides, PCBs, mercury, or other contaminants which exceed established tolerances or guidelines.

*Processor*: Any person or company which processes fish (as defined in the *Fish Inspection Act*) for import or export.





**Fish Products  
Inspection Manual**

*Product Inspection:* The process of measuring, examining, testing or otherwise comparing a sample unit with the applicable requirements. An "inspection" must result in a decision on the acceptability of the lot. In order for an inspection to be completed, the following steps must be executed:

- i) the identity of the lot must be confirmed;
- ii) the lot must be sampled;
- iii) the sample units must be examined;
- iv) a decision must be made on the status of the lot; and
- v) the decision must be communicated to the owner of the lot.

*Raw Material Inspections:* Inspections of fish or any additional ingredients to be added to, on, or with the fish.

*Reasonable Grounds:* Any set of circumstances that would permit an Inspector to believe that an offence under the *Fish Inspection Act* has been committed.

*Reconditioning:* A process which eliminates bacteria of public health significance by heat treatment.

*Regrouping by Code:* means to subdivide that product into groups which have the same processor and date of production. If there is any reason to subdivide further, it is to be done at the discretion of the inspector.

*Retail:* Any product for sale in a store or directly to a consumer.

*Reworking:* Removal of defects from units in a lot (e.g., candling, trimming).

*Sample:* A collection of one or more sample units drawn from a lot.

*Sample Size:* The number of sample units drawn from a lot.

*Sampling:* The process of drawing or selecting product units from a lot.

*Sampling Plan:* A specific instruction which indicates the number of sample units to be inspected from the lot and the acceptance numbers for determining the acceptability of the lot.

*Shipment:* For import purposes, is a specific quantity of fish or fish products imported by one importer on a single transport carrier or vessel at the time of border entry. Each shipment must be notified to a single inspection office and must be available for inspection at one location.

**Fish Products  
Inspection Manual**

*Subject to Inspection:* Any fish or fish products, whether imported or domestically produced, may be inspected for compliance with the *Fish Inspection Regulations*.

*Summary Conviction Proceedings:* Proceedings defined by the Criminal Code of Canada or any Federal Statute where a Provincial Court Judge, Magistrate, or Justice has sole jurisdiction over the matters brought before him/her.

*Suspect Codes:* Codes that may contain defective product.

*Suspension of the Initial Inspection:* The action taken by an inspector to suspend the decision of an inspection once the owner/agent decides to cull, recondition, or rework the lot.

*Tainted:* Fish that is rancid or has an abnormal odour or flavour.

*Trade:* Any person or company purchasing products at any location other than a retail location.

*Unit:* The unit of product is the individual item inspected in order to determine the acceptability of the lot. It may be an ingredient, a component of an end product, or the end product itself. The unit of product may or may not be the same as the unit of purchase, supply, production, or shipment.

*Unwholesome:* Fish that has in or upon it bacteria of public health significance or substances toxic or aesthetically offensive.

*Wholesaler:* Any intermediary between a processor and retailer.

## CHAPTER 1

### INTRODUCTION

#### 1. PURPOSE OF THE MANUAL

The purpose of the Fish Products Inspection Manual is to provide Inspectors with the policies and procedures to be employed when applying the *Fish Inspection Regulations* and other related regulations governing the inspection of fish and fish products. It will contribute to the uniformity of interpretation and consistency in the application of regulations. The manual provides more detail than is possible in regulations, but does not by itself have any legal standing.

This manual is not intended to be all inclusive. It is to be used in conjunction with other appropriate source material to provide the interpretation tools required by inspectors in the inspection of fish and fish products. It is meant to be a reference source and not a training manual.

This manual does not contain the official grade standards described for various fish products nor the policies or procedures governing facility inspections. These topics are addressed in the Standards and Methods Manual and the Facilities Inspection Manual respectively.

#### 2. ORGANIZATION OF THE MANUAL

The Fish Products Inspection Manual is divided into chapters of related inspection elements which are further sub-divided into subjects.

As a general rule, each subject contains a number of standard headings. When the nature of the subject does not lend itself to the standard format, other appropriate headings are used.

##### *Scope:*

Describes the subject to be covered and identifies any exclusions. It also makes reference to other subjects and chapters within the manual and other related manuals.

*Authorities:*

Identifies all sections under the *Fish Inspection Act* and Regulations and other relevant regulations, that must be enforced in order to achieve the objectives of the section.

*Policy:*

Provides direction regarding the application of the regulation pertinent to the section.

*Procedures:*

Provides the step-by-step process to be followed when applying the regulations pertinent to this subject.

*Forms/Documents:*

Provides a list of all forms and documents that are completed when following the procedures.

A Table of Contents is included in the Manual, listing the chapter and section titles. A cross-reference of regulations is also included.

## CHAPTER 2, SUBJECT 1

### INITIAL INSPECTION

#### 1. SCOPE

This document outlines the regulations, policy and procedures governing the initial inspection of all types of domestic and imported fish and fish products. There are, however, procedures unique to the inspection of imported fish products which are covered in Chapter 3.

#### 2. AUTHORITIES

*Fish Inspection Act.* R.S.C., 1970, c.F-12; Sections 3(c) and 3(i)

*Fish Inspection Regulations.* C.R.C., 1978, c.802; (FIR) Part I, General

*Section 4 (FIR):*

All fish are subject to inspection and an inspector may take samples of fish free of charge for the purpose of inspection.

*Section 5 (FIR):*

The owner of fish or a person acting on his behalf shall make readily accessible to an inspector any fish or containers for which inspection or reinspection is required under these Regulations.

*Section 6 (FIR):*

(1) No person shall import, export or process for export or attempt to import, export or process for export:

(a) any fish that is tainted, decomposed or unwholesome or otherwise fails to meet the requirements of these Regulations.

#### 3. POLICY

3.1 An inspection may be performed on any lot of imported or domestic fish and fish product, including containers and

ingredients, from the time of initial harvesting to the final marketing of the product.

- 3.2 An inspection at the retail level is not within the jurisdiction of the *Fish Inspection Regulations* and potential problems should be referred to the regional office for direction.
- 3.3 When an inspection is to be performed, the lot must be identified and the owner/agent of the goods must make the entire lot available for sampling and/or inspection to the satisfaction of the inspector.
- 3.4 The completion of an initial inspection will result in either the failure or acceptance of a lot of fish. In most cases where a lot fails the initial inspection, a reinspection is granted provided the conditions outlined in Chapter 2, Section 2 are met.
- 3.5 Under certain circumstances, (see Procedures, 5.9), an Inspector may delay rendering a decision on the inspection when the results show that the lot inspected does not comply with the *Fish Inspection Regulations*. If the owner/agent agrees, the decision on the inspection results is suspended, thus providing the owner/agent of the lot the opportunity to correct the defects in the lot.

NOTE: An offer to suspend the decision on the results of an initial inspection may only be offered once.

#### **4. PROCEDURES**

- 4.1 The type of analysis the inspection will entail must be established prior to commencing the inspection, i.e. - bacteriological, organoleptic, composition, species identification, chemical, weight evaluation, label evaluation, seam evaluation, or a combination of the above.
- 4.2 The identity of the lot of fish to be inspected must be confirmed. This requires determining as much of the following information on the lot as possible: the location, the common name of the species in the lot, the size of the lot, the identification marks (lot number, codes), the grade, and the moisture content and the size of product if applicable.
- 4.3 Once the lot has been identified, the inspector has the option to detain the lot until the inspection is completed

and the disposition of the lot decided. All import products on the Import Alert List (IAL) (or products suspected of being in non-compliance with the regulatory requirements) must be detained.

- 4.4 The inspector must select the appropriate sampling plan and inspection level depending on the type of product to be examined and the analysis required.
- 4.5 The inspector must determine the sample unit, calculate the lot size and sample size, and withdraw the sample from the lot.
- 4.6 The inspector must prepare the sample for inspection and ensure that it is assessed against all applicable requirements of the *Fish Inspection Regulations*.
- 4.7 The lot of fish passes or fails based on the results of the initial inspection. If the lot passes and is under detention, the lot is released. If the lot fails and is not already under detention, the lot is detained immediately (Chapter 2, Section 3, Detention and Release).
- 4.8 When inspection of the sample shows that the lot does not comply with the requirements of the *Fish Inspection Regulations*, i.e. - the acceptance number is exceeded, an inspector shall suspend the decision on the initial inspection provided the following conditions exist:
- a) The fish or containers thereof do not have in or upon them any poisonous or harmful substances. In special cases reconditioning may be permitted if the CFIA determines that bacteria of public health significance would be removed. Any decision regarding reconditioning must be made with full consultation with the Regional Headquarters; and
  - b) The inspector determines that the owner/agent is able to correct the defect(s) of the lot through culling or reworking.

A suspended inspection would not be offered under the following circumstances:

Where a lot of canned product consisting of *only* one code does not comply with the *Fish Inspection Regulations* due to decomposition, a suspended inspection cannot be offered, as it is impossible to determine which cans contain decomposed product.

New 31/01/89

- 4.9 The "Offer to Suspend Initial Inspection" (Appendix B) is to be given or sent immediately to the owner/agent indicating why the lot failed to comply with the regulations and detailing the conditions under which the decision on the results of the initial inspection will be suspended.
- 4.10 A suspension of the initial inspection will only be granted provided the following conditions are met:
- a) The identity of the fish, or containers thereof, has been maintained;
  - b) The CFIA receives within 30 days of the owner/agent receiving the notification of the opportunity to suspend the initial inspection a written request to do so;
  - c) the request to suspend the initial inspection outlines the intended process for culling, reconditioning or reworking the lot and the process is acceptable to the CFIA; and
  - d) the owner/agent agrees to dispose of all defective product resulting from the action in c) above, in a manner acceptable to the CFIA.

If any of the above conditions are not met, the initial inspection procedure re-commences and the owner/agent is notified of the failure of the lot by the Fish Inspection Report, or equivalent (Appendix A), and his/her right to a reinspection by the "Notification of Right to Reinspection" (Appendix C).

- 4.11 Upon receipt of the owner/agent's written request to suspend the initial inspection, the inspector must evaluate the proposed process for culling or reworking the product to determine if the process is valid. It is recommended that the inspector confer with his/her supervisor during the evaluation. Proposals for reconditioning must be referred to Regional Headquarters.

When evaluating the intended process for culling, the inspector should note that the process must:

- a) remove defective units from the lot; or
- b) segregate suspect codes from the lot.

In the first instance, all culled product is considered defective with the exception of mislabelled product, (under weights, mis-labelling), and is not eligible for further



inspection or reinspection. The rejected product must be disposed of in a manner acceptable to the CFIA. In the second instance, the culled lot is divided into two lots, one lot which contains all suspect codes. Both lots are subject to inspection/reinspection procedures.

NOTE: The inspector must be satisfied that the proposed culling process describes a realistic means of segregating suspect codes from the original lot as well as a realistic means of culling defective product from those suspect codes. If the inspector is satisfied that the above can be met, the removal of suspect code(s) from the original lot will be permitted provided the suspect codes are combined into one new lot.

- 4.12 Upon accepting the process for culling, reconditioning or reworking submitted by the owner/agent, the inspector must confirm the conditions, time and place via the letter entitled "Approval of Culling, Reconditioning or Reworking Process" (Appendix D).
- 4.13 All culling, reconditioning and/or reworking must be done under the supervision of an inspector.
- 4.14 The inspector must ensure that all defective units removed during a culling or reworking process are disposed of in a manner acceptable to the CFIA.
- 4.15 Upon completion of the approved culling, reconditioning and/or reworking process, the inspector must sample the lot(s) in accordance with the original sampling plan on a code by code or a lot basis. Only the results from this sample will be used to determine the compliance of the lot(s).
- 4.16 The owner/agent is notified of the results of the initial inspection by the Fish Inspection Report or equivalent (Appendix A).

If the lot passes inspection, it is released. If the lot fails, the owner/agent is also notified of the right to a reinspection by the "Notification of Right to Reinspection".

## 5. FORMS/DOCUMENTS

Fish Inspection Report - Appendix A

Sample Letter: "Offer to Suspend Initial Inspection" -  
Appendix B

Sample Letter: "Notification of Right to Reinspection" -  
Appendix C

Sample Letter: "Approval of Culling, Reconditioning or  
Reworking Process" - Appendix D

Flow Chart: "The Initial Inspection and Reinspection  
Process" - Appendix E.

2 1 A-1

New

31/03/89

**OFFER TO SUSPEND INITIAL INSPECTION**

Dear Sir/Madam:

On (give dates), an inspection was conducted on a lot of fish (or containers of fish) consisting of (identity of the lot) and the results indicate that the said lot of fish does not comply with Section 6(1)(a) of the *Fish Inspection Regulations* in that the samples examined were (reasons). This being the case, the CFIA's policy allows the decision on the results of the inspection to be suspended to permit your firm the opportunity to cull, rework, or recondition the lot under the supervision of an Inspector, provided all four of the following conditions are met:

- 1) The CFIA receives a written request from you, within 30 days of the date of receipt of this letter, to permit the culling, reworking or reconditioning of the lot;
- 2) The process for culling, reconditioning or reworking is acceptable to the CFIA and is capable of being monitored by an inspector;
- 3) The identity of the fish or containers of fish has been maintained; and
- 4) Your firm agrees to dispose of all defective product culled from the lot, in a manner acceptable to the CFIA.

The terms "culling, reworking, and reconditioning" are defined as:

- 1) "culling" - the removal of defective units from the lot;
- 2) "reworking" - the removal of defects from the units in the lot (eg. trim or candle);
- 3) "reconditioning" - the elimination of bacteria of public health significance by heat treatment.

When you have fully complied with all the conditions identified above and when the approved culling, reworking or reconditioning process has been completed, samples will be withdrawn by an Inspector to assess the acceptability of the lot and to complete the initial inspection. Failure to meet all the requirements identified above will mean that the results of the inspection prior to suspension will determine the acceptability of the lot.

---

Inspector

**NOTIFICATION OF RIGHT TO REINSPECTION**

Dear Sir/Madam:

On (give dates), an inspection was completed on a lot of fish (or containers of fish) consisting of (describe the lot). The results indicate that this lot of fish does not comply with section 6(1) (a) of the *Fish Inspection Regulations*.

You are hereby notified that you have the right to appeal this decision, as provided in section 10(1) of the *Fish Inspection Regulations*. Should you decide to appeal the decision on this lot of fish, a written request should be made to this office within 30 days of receiving this letter. As well, you are hereby advised that you may:

- 1) Cull or rework the fish or containers of fish;
- 2) Request that a duplicate set of samples be withdrawn for private analysis;
- 3) Request that the lot be reinspected on a code by code basis or on a lot basis;
- 4) Have yourself and/or your agent (maximum of two persons) attend the sampling and/or reinspection;
- 5) Request that the reinspection take place in a fisheries administrative center different from that in which the initial inspection occurred, provided that all of the following conditions are met:
  - a) the request is made in writing;
  - b) you indicate in the written request that you are willing to bear all costs associated with the transportation of the samples; and
  - c) product integrity can be maintained during the transport of the samples.

Your intention to do any of the above must be indicated in the letter in which you request the reinspection.

A summary of the results will be provided to you upon completion of the reinspection.

Cull is defined as:

- to remove defective units from the lot.

Rework is defined as:

- to remove defects from the units in the lot, (eg. candle or trim) or to reprocess the product such that the nature of the product is significantly changed.

---

Inspector

**APPROVAL OF CULLING, RECONDITIONING OR REWORKING PROCESS**

Dear Sir/Madam:

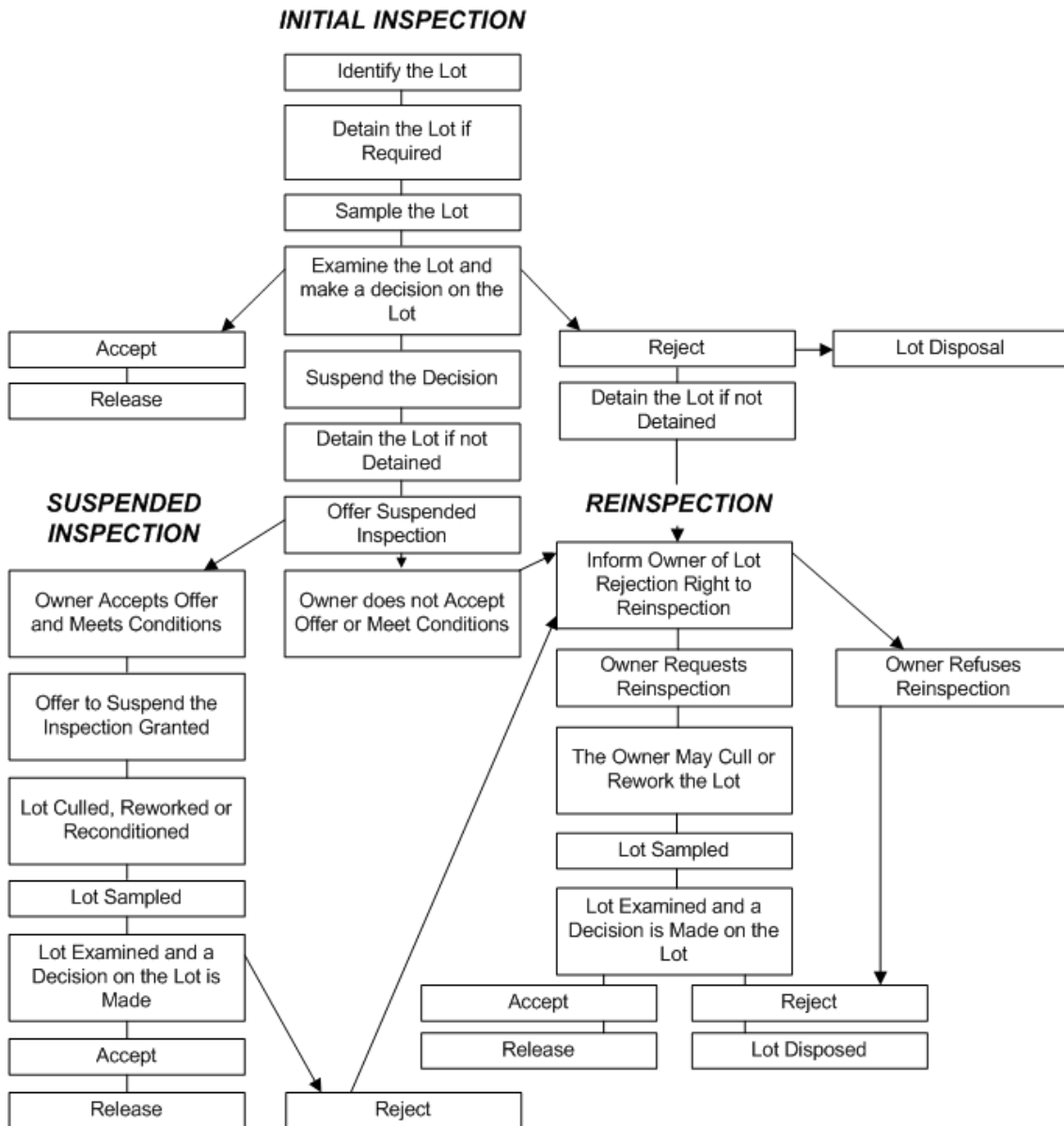
The purpose of this letter is to confirm the date, location and conditions of the (culling, reconditioning or reworking) process to be conducted on (description of lot of fish):

- 1) the operation will take place on (give date) at (give address);
- 2) the operation will be performed under the supervision of (name of inspector) Fish Inspector;
- 3) (description of lot) will be (culled, reconditioned, or reworked) under the following conditions: (give conditions).

---

Inspector

**THE INITIAL INSPECTION AND REINSPECTION PROCESS**



**CHAPTER 2, SUBJECT 2****REINSPECTION****1. SCOPE**

This document outlines the regulations, policy and procedures governing the reinspection of fish and fish products.

**2. AUTHORITIES**

*Fish Inspection Act*. R.S.C., 1970, c. F-12: Part I, Sections 3 and 5.

*Fish Inspection Regulations* (FIR), C.R.C., 1978, c. 802; Part I, General.

*Section 10* (FIR)

- (1) Where a person interested in a decision of an inspector in respect of any inspection, grading, marking or other matter under PART I of the Act or these Regulations is not satisfied with a decision of an inspector, he may, by notice in writing, appeal the decision to the Minister who shall, subject to section 11, order a reinspection.
- (2) Where a reinspection is made pursuant to subsection (1) and the Minister makes a decision as a result thereof, that decision shall be final.

*Section 11* (FIR)

A reinspection shall not be ordered pursuant to section 10 where:

- (a) the identity of the fish or containers of fish in dispute has not been preserved;
- (b) the request for reinspection was not made within 30 days after the disputed inspection;
- (c) the fish or containers of fish have in or upon them any poisonous or harmful substance; or
- (d) the fish or containers of fish have been previously reinspected.



### 3. POLICY

- 3.1 A reinspection of a lot will only be granted after:
- a) an initial inspection has been completed and official written notification of the results has been given to the owner of the goods or his/her agent; and
  - b) a written request for a reinspection has been received from the owner or agent. Telexes are acceptable.
- 3.2 In most instances written appeals should be directed to the Inspection Manager or equivalent for decision. However, there may be circumstances (e.g., export at Canada-U.S. border), where a reinspection must be performed immediately; in such cases all Inspectors may act on behalf of the Minister and grant a reinspection.
- 3.3 The reinspection may be conducted in a fisheries administrative center other than that in which the initial inspection occurred, provided the owner meets the conditions detailed in the procedures.
- 3.4 The reinspection will normally be conducted by three Inspectors trained in the examination of the goods in question. The Inspectors must not have been involved in the initial inspection. The owner may waive, in writing, these requirements if he/she wishes to expedite the reinspection; however, the final decision regarding the number of Inspectors will be made by the Regional Director and will depend upon the resources available. The owner or agent shall be advised in writing of the decision.

### 4. PROCEDURES

- 4.1 Where an initial inspection results in the failure of a lot of fish, the lot must be detained, if not already (Detention and Release, Chapter 2, subject 3).
- 4.2 The owner/agent is notified of the results by the Fish Inspection Report (Appendix A or equivalent), indicating the reasons for rejection. At the same time the owner/agent is notified of his/her right to a reinspection by the Notification of Right to Reinspection (Appendix B).
- 4.3 The request for reinspection must be received from the owner/agent within 30 days. The 30 day period will commence the day the Inspector hand delivers the Fish Inspection Report or the date of receipt of the report when sent by

New 31/01/1989

registered mail.

4.4 Prior to reinspection, the owner/agent may do any or all of the following, provided the details of the intended work are outlined in the request for reinspection, approved by an inspector, and the work is monitored by an inspector:

- a) cull or rework the goods;
- b) remove suspect codes from the lot(s);
- c) request that a duplicate set of samples be withdrawn for private analysis;
- d) request that the lot be reinspected on a code by code or a lot basis.

**NOTE:** If the owner/agent wishes to have a duplicate set of samples withdrawn for private analysis this request must be made in writing. It must be explained to the owner that the samples are for analysis purposes only and are not to be sold or distributed. Results of any private analysis is for the owner's use only and will not have a bearing on the final decision of reinspection.

4.5 If the product has been rejected during export at the border, the operator of the transport carrier is to sign the Notice of Detention and be given a copy of the Fish Inspection Report or equivalent. If the owner/agent can be reached and is able to provide a written request to the inspector for reinspection at the border, one will be performed. In such cases many of the options available to the owner must be waived. If the owner of the fish cannot be reached or cannot provide a written request for reinspection, the product will be returned to the shipping source.

4.6 If the owner/agent requests the reinspection be conducted in a different inspection district, area, or region, he/she must meet the following conditions:

- a) provide a written request to change the location;
- b) agree in writing to bear all costs associated with the transportation of the samples; and
- c) ensure that product integrity can be maintained during transportation.

New 31/01/1989

- 4.7 The owner and/or his/her agent (to a maximum of two persons) may attend the sampling and/or reinspection. During the reinspection they shall act strictly as observers and shall not hinder the Inspectors in any way. (They must refrain from discussing the samples or examination results until the reinspection has been completed).
- 4.8 The reinspection will be conducted by three Inspectors trained in the examination of the goods in question, as follows:
- a) One of the three Inspectors is appointed as team leader and spokesperson and is solely responsible for presenting the results of the reinspection to the owner/agent.
  - b) Before the reinspection begins, the team leader shall brief the owner/agent, if present, on how the reinspection will be conducted.
  - c) The team leader shall prepare the samples for reinspection, ensuring that each sample is clearly identified so that no confusion occurs when summarizing the individual reinspection reports.
  - d) Prior to the commencement of the reinspection, the team leader shall review the procedures and methods to be followed by the reinspection team:
    - Each Inspector shall independently examine each sample and record the results on an individual reinspection report.
    - The Inspectors shall not discuss the reinspection during the actual examination; they may request clarification on specific points of procedure from the team leader.
    - The individual inspection reports of each team member shall not be given to the owner.
    - While preparing the summary report, the team leader may consult each Inspector on his/her individual reports.
    - The team leader shall communicate the results of the reinspection to the owner/agent and provide the completed Fish Inspection Report or equivalent.
    - All of the Inspectors will be present when the team

leader presents the results.

- If the owner/agent is not present at the reinspection, he/she may be informed by telephone of the results. The telephone call will be followed by the Fish Inspection Report, which is sent by registered mail or hand delivered to the owner or agent.
- e) The team leader will prepare a final report of the reinspection results, including all documents, for his/her supervisor.

**NOTE:** The inspection for defects such as parasite infestation, number of bones, and/or foreign material, may be performed by one member of the team.

## 5. FORMS/DOCUMENTS

Fish Inspection Report - Appendix 'A'

Notification of Right to Reinspection - Appendix 'B'

Flow Chart: "The Initial Inspection and Reinspection Process" - Appendix C.

2 2 A-1

New 31/01/1989

New 31/01/1989

**NOTIFICATION OF RIGHT TO REINSPECTION**

Dear Sir/Madam:

On (give dates), an inspection was completed on a lot of fish (or containers of fish) consisting of (describe the lot). The results indicate that this lot of fish does not comply with section 6 (1) (a) of the *Fish Inspection Regulations*.

You are hereby notified that you have the right to appeal this decision, as provided in section 10 (1) of the *Fish Inspection Regulations*. Should you decide to appeal the decision on this lot of fish, a written request should be made to this office within 30 days of the date of receipt of this letter. As well, you are hereby advised that you may:

- 1) Cull or rework the fish or containers of fish;
- 2) Request that a duplicate set of samples be withdrawn for private analysis;
- 3) Request that the lot be reinspected on a code by code basis or on a lot basis;
- 4) Have yourself and/or your agent (maximum of two persons) attend the sampling and/or reinspection;
- 5) Request that the reinspection take place in a fisheries administrative center other than that in which the initial inspection occurred, provided that all of the following conditions are met:
  - a) the request is made in writing;
  - b) you indicate in the written request that you are willing to bear all costs associated with the transportation of the samples; and
  - c) product integrity can be maintained during the transport of the samples.

Your intention to do any of the above must be indicated in the letter in which you request the reinspection.

A summary of the results will be provided to you upon completion of the reinspection.

Cull is defined as:

- to remove defective units from the lot.

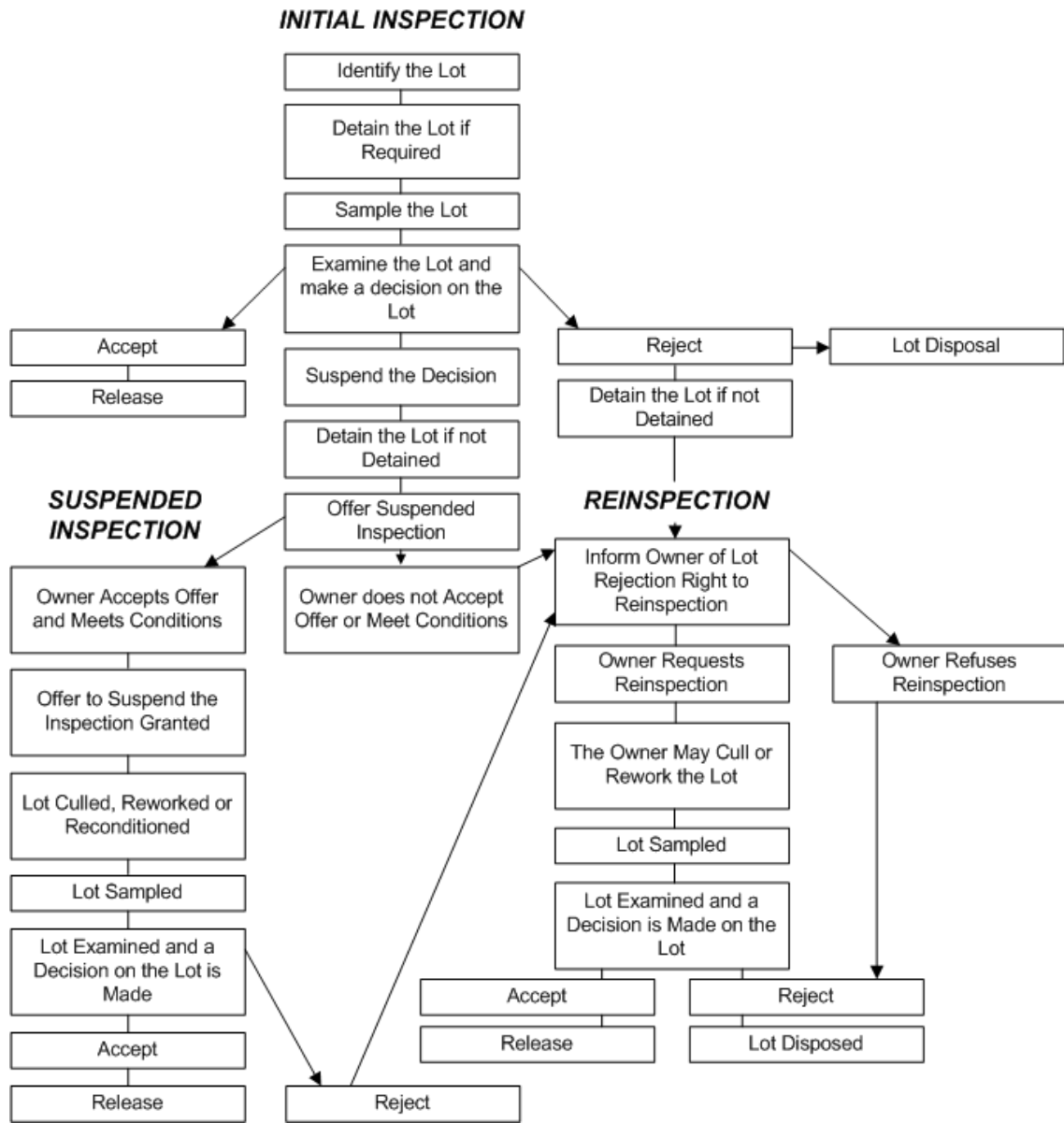
Rework is defined as:

- to remove defects from the units in the lot, (e.g., candle or trim) or to reprocess the product such that the nature of the product is significantly changed.

---

Inspector

**THE INITIAL INSPECTION AND REINSPECTION PROCESS**



**CHAPTER 2, SUBJECT 3****DETENTION/RELEASE****1. SCOPE**

This document outlines the policy, procedures and regulations governing the detention and release of fish and fish products.

NOTE: This does not address seizure of product under Section 7 of the *Fish Inspection Act* (see Chapter 2, Subject 4).

**2. AUTHORITIES**

*Fish Inspection Act*, R.S.C., 1970, c. F-12; Part I, Fish and Fish Containers.

*Fish Inspection Regulations* (FIR), C.R.C., 1978, c. 802; Part I, General.

*Section 8* (FIR)

(1) For the purpose of preserving the identity of any fish, an inspector may detain the fish by attaching to any of the fish or any container thereof a numbered tag upon which shall be clearly written

- (a) the word "held";
- (b) an identification number;
- (c) a brief description of the lot detained;
- (d) the date; and
- (e) the signature of the inspector.

(2) Where any fish is detained pursuant to subsection (1), the inspector shall deliver or mail to the owner or his agent a duly completed notice of detention.



New 31/01/1989

(3) Where any fish is detained pursuant to subsection (1) on premises owned by a person who is not the owner of the fish, a copy of the notice of detention shall be delivered or mailed to that person.

(4) No person shall alter, deface or remove a tag attached to any fish or container thereof pursuant to subsection (1) or move, sell or dispose of any such fish or container thereof unless he has obtained a release from an inspector.

(4.1) Notwithstanding subsection (4), where it is necessary for any fish or container thereof referred to in that subsection to be moved from one warehouse to another, or the owner of the fish or container or his agent has made a reasonable request for the fish or container to be moved under detention, an inspector may permit such fish or container thereof to be moved accordingly.

(5) Where an inspector is satisfied that any fish detained pursuant to subsection (1) meets the requirements of these Regulations, he shall prepare a notice of release and deliver or mail one copy thereof to the owner of the fish or his agent and one copy to the person, if any, on whose premises the fish was found.

### **3. POLICY**

- 3.1 The *Fish Inspection Regulations* gives an inspector the authority to detain fish in order to preserve the identity of that fish.
- 3.2 Fish or fish products must be detained when a suspended inspection is offered, when the fish or fish product fails an initial inspection or when the fish product is on the Import Alert List (IAL). The inspector also has the option of detaining any lot of fish until an inspection is completed and the disposition of the lot decided.
- 3.3 Fish under detention remains under the control of the owner, although he/she cannot move the fish unless approval is given by the inspector.
- 3.4 A request for authorization to move fish under detention must be made in writing by completing the "Request for Movement of Fish Under Detention" (Appendix D).
- 3.5 Fish will remain under detention until all deficiencies have been corrected and the fish complies with the regulatory requirements, or the fish has been disposed of in a manner

New 31/01/1989

acceptable to the CFIA or, in the case of imports, the fish product is removed from Canada.

- 3.6 When fish under detention has been dealt with so that it meets the regulatory requirements, it will be released.
- 3.7 There are no specified time limits for detention in the *Fish Inspection Regulations*, meaning that fish can be detained indefinitely. However, the initial inspection and reinspection processes must be implemented as soon as possible once the fish has been detained. Fish and fish products which do not comply with the regulations and have failed both initial inspection and reinspection, will be disposed of in a manner acceptable to the CFIA or, in the case of imports, removed from Canada (lots not in compliance with the labelling regulations will be detained until the labels have been corrected). The owner/agent shall have a maximum of 45 days following notification that the product has been rejected to take action. If the owner/agent fails to take action within the 45 days, the detained fish shall be seized (Seizure and Forfeiture, Chapter 2, Subject 4) and legal proceedings initiated.
- 3.8 In certain instances, long term detention of fish can occur (e.g., detention for minor can defects which will be re-canned at a later date). In such cases the location and disposition of the detained lot must be verified every 4 weeks.

NOTE: Inspectors are reminded that all *Fish Inspection Act* violations are summary conviction offences for which the limitation period is 6 months. Therefore, legal action must be initiated within 6 months of the date of the alleged offence.

#### **4. PROCEDURES**

- 4.1 The fish to be detained must be identified as to species, size of lot, type of pack, markings and codings, if applicable, and location.
- 4.2 Fish should be detained on a lot basis. More than one lot of fish can be detained on the same Notice of Detention (Appendix B, with instructions) provided the lots contain the same species, the same type of pack and the same brand. A single detention notice should not be used to detain a mixture of product consisting of various brands, pack sizes and species.

New 31/01/1989

4.3 A Held Tag (Appendix A, with instructions) must be secured to any fish or containers thereof in a conspicuous place that will be clearly visible to any person examining the lot. It is preferable that one held tag be used. In cases where the lot is very large and is spread over a large area, more than one held tag may be used to ensure that the identity of the lot is maintained. In such cases, the held tags should bear the same number. The location of the held tag should be recorded in the inspector's note book and pointed out to the company official signing the Notice of Detention.

If a lot is broken into two or more portions and stored in several areas of a warehouse or cold storage, the inspector should try to have the entire lot stored in one area prior to detaining.

4.4 The Notice of Detention must be signed by a person with the proper authority (see Definitions). If the owner of the fish or the owner of the premises where the fish is stored is not available, the notice is to be signed by the person responsible for the storage of the product. If the company official refuses to sign, it must be noted on the Notice of Detention. If the company official refuses to accept the Notice of Detention, it is to be mailed to the owner/agent via registered mail.

4.5 The distribution of the Notice of Detention is as follows:

- (a) Original - to the owner of the fish
- (b) Copy 1 - to the owner of the premises where the fish is stored
- (c) Copy 2 - to the district file
- (d) Copy 3 - to the inspector's file.

4.6 Where the owner finds it necessary to move fish under detention, he/she shall request authorization by completing the "Request for Permission to Move Fish Under Detention" (Appendix D).

Authorization is granted by the inspector by completing the bottom portion of the form and forwarding a copy to the requesting company.

4.7 When detained product is moved between districts or regions, copies of the Notice of Detention, inspection reports supporting the detention, the Request for Permission to Move Fish Under Detention, the anticipated time of arrival and any other relevant information must be forwarded to the receiving district or regional office.

- 4.8 When fish under detention has had all deficiencies corrected, has been disposed of, or has been returned to the country of origin, the inspector will prepare a Notice of Release (Appendix C, with instructions).
- 4.9 When a portion of a lot of fish under detention complies with the regulations, that portion of the lot shall be released as above. The remainder of the lot not complying with the regulations will remain detained under the same Detention Notice.
- 4.10 The distribution of the copies of the Notice of Release is the same as for the Notice of Detention.

## 5. **FORMS/DOCUMENTS**

- Held Tag - Appendix A
- Notice of Detention - Appendix B
- Notice of Release - Appendix C
- Request for Permission to Move Fish Under Detention - Appendix D

2 3 A-1

New 31/01/1989

### HELD TAG

#### INSTRUCTIONS FOR COMPLETING THE HELD TAG

1. Product Description: species and product form (additional information to be written on the back of tag).
2. Lot Size: weight, number of cartons, number of cans, etc.
3. Marks: markings on cartons/shipping cartons which will identify the lot, such as codes, port marks, brand name, distribution/packer name, registration number.
4. Date-Place: date of detention, place of detention.

2 3 B-1

New 31/01/1989

**INSTRUCTIONS FOR COMPLETING  
THE NOTICE OF DETENTION**

1. The office of the inspector issuing the notice.
2. Date of detention.
3. The owner of the product.
4. Address of the owner of the product.
5. Location of the detained lot.
6. In the case of imported product specify the country of origin and if possible, the foreign producer.  
  
In the case of fresh water fish products specify the lake or plant.  
  
In the case of shellfish specify the area of harvest. For all other domestic fish products specify the processor.
7. "for the purpose of preserving the identity"
8. Held tag number.
9. Detailed description of the lot. If samples are taken, the number and weight should be indicated here.
10. Signature of owner or agent.
11. Signature of inspector.

2 3 C-1

New 31/01/1989



**INSTRUCTIONS FOR COMPLETING  
THE NOTICE OF RELEASE**

1. The office of the inspector issuing the notice.
2. Date of release.
3. The owner of the product.
4. Address of the owner of the product.
5. Entire detained shipment (indicated by weight or number).
6. Species and form of detained product.
7. Date of Detention.
8. A detailed description of the fish being released. Should include species, form, weight, number of cartons, codes, port marks, etc. If only a portion of the lot is released, this must be stated indicating how much remains under detention. If any product is destroyed it must be indicated in this section.
9. Held tag number.
10. Signature of inspector.

**REQUEST FOR PERMISSION TO MOVE FISH UNDER DETENTION**

Date: \_\_\_\_\_

Request made by: \_\_\_\_\_

Description of lot of Fish: \_\_\_\_\_

Date Detained: \_\_\_\_\_

Held Tag Number: \_\_\_\_\_

Detaining Inspector: \_\_\_\_\_

Location of the Fish: \_\_\_\_\_

I request permission to move the fish noted above: \_\_\_\_\_

Reason: \_\_\_\_\_

\_\_\_\_\_

Location Change: \_\_\_\_\_

Date of Move: \_\_\_\_\_

Method of Movement: \_\_\_\_\_

Signature: \_\_\_\_\_

TO: \_\_\_\_\_

\_\_\_\_\_

Request Granted: \_\_\_\_\_ Request Denied: \_\_\_\_\_

Fish under Held Tag Number \_\_\_\_\_ will be moved on \_\_\_\_\_

from \_\_\_\_\_ to \_\_\_\_\_ subject to the

following conditions:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Inspector

**CHAPTER 2, SUBJECT 4****SEIZURE AND FORFEITURE OF FISH PRODUCTS****1. SCOPE**

This document outlines the policy and procedures governing the seizure and forfeiture of fish, fish products and containers.

**NOTE:** This document does not cover the detention of product which is covered under Section 8 of the *Fish Inspection Regulations*, and outlined in Chapter 2, Subject 3 of this manual.

**2. AUTHORITIES**

*Fish Inspection Act*, R.S.C., 1970, C. F-12: Section 7

Section 7

(1) An inspector may seize all fish, containers and other things by means of or in relation to which the inspector believes on reasonable grounds that an offence against this Part or any regulation made under it has been committed.

(2) A thing seized under this Act, or the proceeds realized from its disposition, shall not be detained after

(a) an inspector determines that this Act and the regulations have been complied with in relation to the thing, or

(b) the expiration of one hundred and eighty days after the day of its seizure, or such longer period as may be prescribed,

unless before that time proceedings are instituted in relation to the thing seized, in which case it may be detained until the proceedings are finally concluded.

(3) Where a person is convicted of an offence against this Part or any regulation made thereunder, in addition to any punishment imposed, the fish and containers by means of or in relation to which the offence was committed are, on the conviction, forfeited to Her Majesty and may be disposed of as the Minister may direct.

### 3. POLICY

- 3.1 a) Seizure is employed where an Inspector, on reasonable grounds, believes that an offence has been committed against Part I of the Act or any regulation thereunder. The fish and containers involved in the offence are seized to prevent their shipment, movement, or disposal.
- b) Seizure is only employed as a last resort in those circumstances where an inspector believes that a detention could be, or has been, violated.
- 3.2 Following seizure action, every effort must be made to remove all seized fish, fish products, and containers to a secure storage location as soon as possible. All costs for removal and storage are to be borne by the CFIA. The Crown can request that removal and storage costs be considered by the Court when any fine is levied.
- 3.3 Although the *Fish Inspection Act* does not provide the authority to sell seized goods and to retain the proceeds of the sale, pending the outcome of the legal proceedings, nothing precludes an understanding between Crown Counsel and Defence Counsel as to the disposal of the seized goods at an agreed upon price. The monies generated from such sales could be placed in escrow.

Inspectors are reminded that a person charged with any offence is considered innocent until proven guilty. Therefore, any product seized must be maintained in the best possible conditions in order to mitigate any losses in product quality. All costs incurred from the point of seizure are borne by the CFIA.

Seized product determined to be tainted, decomposed or unwholesome by the initial inspection and reinspection procedures will not be further processed and is to be disposed of by the CFIA. Seized product that can be stored, will be, until the completion of the trial.

- 3.4 Section 7(3) of the *Fish Inspection Act* demands the automatic forfeiture of all seized goods where the accused is found guilty. Inspectors must ensure that the Crown Counsel is aware of the forfeiture requirements.
- 3.5 Only the Minister can decide the eventual disposition of all seized and forfeited fish and containers, as per Section 7(3) of the Act. In cases where decisions on the disposition of forfeited fish, fish products and containers are required, Regional Directors are to prepare a Memorandum to the Minister via the Executive Director.

#### 4. PROCEDURES

- 4.1 Pursuant to Section 7 of the *Fish Inspection Act*, an inspector shall seize fish, fish products and containers by completing the "CFIA Fish Inspection Seized Goods Receipt" (Appendix A) and advising the owner of the goods or the agent controlling the goods that the inspector has grounds to believe that an offence (specify the offence) has been committed.

A receipt must be issued at the time of seizure for all goods seized.

- 4.2 If an owner wishes to regain control of the goods following seizure, this may be done through a court hearing. In permitting such an action, the court will require a bond be posted for the value of the goods pending a court decision. Where such an action would not be in the public's interest (i.e., health and safety concerns), Crown Counsel can put forth arguments to this effect and request the action be refused.

- 4.3 Section 7(2) of the Act allows for a two month period of seizure commencing the day following the seizure action during which time legal proceedings must be initiated. If legal proceedings are not initiated within this two month time frame, the seizure becomes null and void and the fish and containers must then be returned to the owner or agent originally having control over the fish and containers.

Once legal proceedings have commenced, the seizure remains in effect until a court decision is reached. If it is determined that legal proceedings will not be undertaken, the seized goods must be released immediately; an inspector must not wait for the two months to lapse.

Legal proceedings begin when the inspector lays an information before the Justice of the Peace outlining the offence that has been committed and for which the fish is seized. This action is completed in conjunction with Crown Counsel and the Department of Justice.

- 4.4 If the owner or agent having control over the fish being seized obstructs, impedes, or refuses to admit an inspector seizing fish, fish products and containers pursuant to Part I of the *Fish Inspection Act* and any regulation made thereunder, this person is liable to prosecution for obstruction pursuant to section 4(2) of the *Fish Inspection Act*.

Procedures for the secure storage and transportation for seized fish products is the responsibility of the Regional Director.

- 4.5 To ensure compliance with section 7(3) of the *Fish Inspection Act*, the inspector must remind Crown Counsel of the forfeiture requirements of the section. During the court proceedings evidence must be produced as to the description, quantity and record of seizure of the seized goods in order for the Court to order forfeiture.
- 4.6 Upon conviction of the accused and Court ordered forfeiture of the fish and containers, inspectors shall instruct their prosecuting attorneys to complete an Order of Forfeiture Form (Appendix B) for the Provincial Court Judge's signature. In this way, the Agency has legal proof that it is now the true owner of all seized and forfeited fish and containers.
- 4.7 Once the seized goods are forfeited to the Crown, only the Minister or a person designated by the Minister may decide the disposition of the goods.

Upon receipt of the completed "Prosecutor's Information and Return Form" at the Regional Office, the Regional Director is to prepare, for review by the Executive Director, a Memorandum to the Minister or person designated to handle such matters outlining the following:

- the charge(s) laid;
- history of offence;
- penalties levied;
- quantities of fish forfeited and their value; and- recommendations to the Minister regarding disposition of the forfeited lots of fish.

## 5. **FORMS/DOCUMENTS**

"Seized Goods Receipt" - Appendix A

"Order of Forfeiture" - Appendix B

The following Seized Goods Receipt can be reproduced locally on Agency letterhead, and is to be given to owners and agents of seized fish at the time of seizure.

CFIA FISH INSPECTION SEIZED GOODS RECEIPT

Date of Seizure: \_\_\_\_\_

Place of Seizure: \_\_\_\_\_

Seized from: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Lot Description: Complete description of lot seized

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

The goods described above have been seized in relation to the following offence: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
SIGNATURE OF INSPECTOR MAKING SEIZURE

2 4 B-1

New 31/01/1989



**CHAPTER 2, SUBJECT 6****COST RECOVERY FOR DOMESTIC PRODUCT INSPECTION/CERTIFICATION****1. SCOPE**

This document outlines the regulations, policy and procedures governing cost recovery for the certification of domestic fish and fish products and other related inspection services.

**2. AUTHORITIES**

*Fish Inspection Act*, R.S.C. 1985, c. G-12;  
*Fish Inspection Regulations (FIR)* C.R.C., 1978, C.802;  
Section 6.5, Section 9, Section 10 (FIR)  
*Canadian Food Inspection Agency Fees Notice*

**3. POLICY**

3.1 The provisions of the domestic cost-recovery system apply to fish and fish products destined for human consumption that are processed in a federally registered establishment.

3.1.1 There shall be no fees levied for all or part of any facility or product inspection performed under the audit function of the Quality Management Program.

**3.2 Product Certification**

3.2.1 A fee is to be levied for all certificates issued by the CFIA for products processed by a federally registered establishment. The amount of the fee depends upon:

a) whether a "physical" inspection of the product is conducted; and/or

b) whether a certificate is provided on the basis of an evaluation of the establishment's QMP and a record check of the product.

3.2.2 If a person requests an inspection certificate and an inspection is conducted, the fee will be levied even if the applicant later requests that a certificate not be issued.

- 3.2.3 All decisions regarding whether an inspection is to be performed shall be in accordance with the Quality Management Program Policy and Procedures, Chapter 3, Subjects 1 and 2 of the Facilities Inspection Manual.
- 3.2.4 The inspection service fees for certificates are found in the *CFIA Fees Notice*.
- 3.2.5 The maximum amount of inspection service fees for certificates paid by any one person in a calendar year shall not exceed \$10,000.
- 3.2.6 If an inspector needs to issue a new certificate in order to amend or correct a previously issued certificate, as a result of omissions or oversights by the CFIA, there shall not be any additional charges to the applicant.
- 3.2.7 A Broker/Wholesaler who requests certification of product prior to the product being exported shall be assessed fees in the following manner:

- a) when requesting a certificate for one or more lots of fish which have been previously certified (sometimes referred to as a "Master Certificate"), a fee of \$25 will be levied provided the original certificate(s) is valid. This is irrespective of which region issued the original certificate(s).

In accordance with paragraphs 3.1 and 3.6 of Chapter 10 of this manual, an inspector shall inspect the products to be certified if there is reason to believe that the fish/fish products have deteriorated or do not meet the conditions of the original certificate. In this case the products shall be inspected before the master certificate is issued and a fee of \$100.00 will be charged;

- b) when requesting a certificate for one or more lots of fish which have not previously been certified from one federally registered establishment located in the same region as the broker, the fee will be in accordance with section 3.2.1 (i.e., on the basis of the QMP rating);
- c) when requesting a certificate for one or more lots of fish which have not been previously certified from more than one federally registered establishment, a fee of \$100 will be levied as an inspection of the product will be mandatory.

- 3.2.8 Fees shall be assessed in the following manner for non-registered exporters of live fish operating under approved protocols who request certification of product prior to the product being exported:
- a) when a "record" check only is necessary, a fee of \$25 will be levied;
  - b) when an inspection of the product is conducted, a fee of \$100 will be levied, provided the exporter is in compliance with a signed certification protocol; or
  - c) when a live fish exporter is not operating under a protocol for certification purposes, the fee levied will be \$100 for each certificate.
- 3.2.9 When one lot of fish requires more than one type of certificate, the fees associated with that lot of fish shall be levied in the following manner:
- a) if the particular lot of fish requires an inspection, the fee for the first certificate will be \$100 and the subsequent additional certificates will be at a rate of \$25 per certificate; or
  - b) if a particular lot of fish does not require an inspection, the fee for each certificate will be \$25.
- 3.2.10 For all product originating from a non-registered establishment not operating under a live fish protocol, an inspection shall be performed prior to issuing a certificate with the appropriate fee levied (\$100).
- 3.2.11 When chemical and/or microbiological evaluations must be performed on fish to meet the importing country's requirements (as listed in Chapter 10 of this manual), no additional fees will be charged for these inspections.
- In cases where the foreign country requirements have changed and the information in Chapter 10 is out-of-date or when the requirements are not found in this manual, the fees for chemical and/or microbiological evaluations will be waived. Exporters should obtain documents from authorities in the importing country that outline these requirements. NHQ should be advised immediately of these changes.
- 3.2.12 When chemical and/or microbiological evaluations are performed at the request of the exporter for any reasons other than those listed in 3.2.11 above, they will be

considered to be a requested product inspection and will be fully cost recoverable as described in 4.2.

#### **4. PROCEDURES**

##### **4.1 Product Certification**

- 4.1.1 Upon written request, industry members may be supplied with adequate product certificates for their use. If corresponding certificate numbers are assigned to the certificates, a system for inventory and verification must be in place to ensure proper use and control of certificates. Whenever a subsequent request for additional certificates is received, a record check is performed to review outstanding certificates under the control of the applicant.
- 4.1.2 When a written request for product certification is received, all procedures as outlined in Chapter 10 of this manual are to be followed.
- 4.1.3 When the QMP and record check indicate that no inspection is required, or when the required inspection is completed, the certificate is signed, sealed and issued to the consignor.
- 4.1.4 All pertinent information including "the results of an inspection", when an inspection has been performed, shall be entered into the appropriate national database.
- 4.1.5 Certificates issued for live fish under an approved protocol will be signed and sealed prior to issuance as per the protocol.
- 4.1.6 When the inspection of the product is complete (if needed) and the certificate issued, a "Record of Transaction" (Appendix A) must be produced.
- 4.1.7 All processors/exporters who have invoices outstanding for 60 days will be identified by the Accounts Receivable Centre. All processors/exporters so identified shall be given a written "warning" indicating that fees are outstanding and that if payment in full is not submitted within 30 days, Section 17(1)(e) of the FIR will be invoked (i.e., registration suspended). The Accounts Receivable Centre should be consulted for details.

## **4.2 Requested Product Inspections**

- 4.2.1 Where a request for a product inspection is received from a QMP Importer for a test listed in the *CFIA Fees Notice*, the testing should be conducted. Where a request for product inspection of fish and/or fish products is received from a non-QMPI owner/interested party, or for tests which are not listed in the *CFIA Fees Notice*, the testing will be conducted at the discretion of the laboratory.
- 4.2.2 The "Request for an Inspection of Fish or for a Fish Processing Facility" (Appendix A) shall be used by anyone requesting a product inspection. The form is to be forwarded to a CFIA office with the samples. The CFIA is not responsible for conducting the sampling for requested product inspection testing.
- 4.2.3 The minimum fee payable for any requested inspection shall be of the amount stated in the *CFIA Fees Notice*. This includes any fish and/or fish products offered for requested inspection containing a sample size less than the amount stated in the *CFIA Fees Notice*.
- 4.2.4 For requested inspections, laboratories assume the role of a third-party service provider and service standards do not apply. Regular inspection work should take priority over requested tests. For QMP or QMPI it is assumed that the company requesting the test is responsible for application of the associated standard, so the test results should be reported in a manner that does not render a Pass/Fail inspection decision. Laboratory inspections should be reported to QMP importers on a Laboratory Inspection Report and not on a Fish Inspection Report.
- 4.2.5 In circumstances where there is a health and safety concern identified based on the test results, the CFIA should discontinue the third party role and ensure that the products are not distributed or that any necessary recall actions are initiated.
- 4.2.6 Any requested product inspections shall be performed based upon the presentation of the product for inspection by the applicant. It shall be the applicant's decision on how the lot will be presented.
- 4.2.7 Once the product has been inspected, fees will be billed on a monthly basis.
- 4.2.8 Requested inspections will be billed using a "Record of Transaction" form (Appendix B) produced by Accounts

Receivable of CFIA.

**5. FORMS/DOCUMENTS**

Appendix A - Record of Transaction

Appendix B - Request for an Inspection of Fish or for a  
Fish Processing Facility

2

6

A-1

New

04/06/99

**APPENDIX A**

2

6

B-1

New

04/06/99

**APPENDIX B**



**CHAPTER 2, SUBJECT 7****PERMIT POLICY****1. SCOPE**

This document outlines the policy governing the issuance of permits for fish processing establishments and fish and fish products.

**2. AUTHORITIES**

*Fish Inspection Act*, R.S.C., 1985, c. F-12; Part I  
*Fish Inspection Regulations* (FIR) C.R.C., Chapter 802

Section 18.(1) (FIR)

Despite anything in these Regulations and subject to subsection (2), the President of the Agency may, on receiving an application, issue a permit to allow, during the period stated in the permit,

(a) the production or marketing of experimental or test products;

(b) the reworking, reconditioning, processing, culling or salvaging of fish at a registered establishment to enable the fish to meet the applicable requirements of the Act or these Regulations;

(c) the construction or utilization of processing and support areas that do not comply with the Act or these Regulations;

(d) equipment that is used in a vessel or an establishment constructed before the coming into force of this section that does not comply with the Act or these Regulations to continue to be used or to operate;

(e) the marketing, possession, use or disposal of tainted, decomposed or unwholesome fish not intended for human consumption;

(f) the re-use of containers or the use of labels that do not meet the applicable requirements of these Regulations;

(g) the labelling of products to accommodate particular cultural communities in Canada;

(h) the importing, exporting or marketing of fish for charitable purposes, international events or national festivities, if the lot size is less than 1 000 kg;

- (i) the production and supply of food in a national emergency or for international aid; or
- (j) the exporting to another country of fish or containers that do not meet the applicable requirements of the Act or these Regulations.

Section 18.(2) (FIR)

The President of the Agency may on reasonable grounds refuse to issue a permit if, in the President's opinion, the issuance of the permit

- (a) would result in a risk to public health or safety or otherwise diminish consumer protection;
- (b) may result in the marketing to consumers of fish that does not comply with subsection 6.(1) or section 27 or the requirements of other countries; or
- (c) may damage the reputation of Canada's fish processing industry.

Section 18.(3) (FIR)

The President of the Agency may revoke or refuse to issue a permit if

- (a) the President has reasonable grounds to believe that the holder of the permit or the applicant has provided false information to the President for the purpose of obtaining the permit; or
- (b) the holder of the permit or the applicant has contravened a condition of the permit or a provision of the Act or these Regulations.

Section 18.1 (FIR)

The President of the Agency may, from time to time, attach any conditions to a registration certificate, licence or permit issued under these Regulations if the President is satisfied that those conditions are necessary to ensure that the import or export of fish complies with these Regulations.

3. **DEFINITIONS**

**"experimental product"** - a fish product that is subject to scientific or technological experiments, is imported or exported for experimental purposes only, and is not distributed in any form to the public. (Note: if a processor or importer decides to distribute the final

product to the public, the product loses its "experimental product" status and becomes a "test market" product, provided the test market criteria are met.)

**"fish for scientific purposes"** - fish that is used by research centres, universities, etc., in their experiments and studies, and which is not intended for human consumption.

**"permit"** - a permit issued under Section 18.(1) of the *Fish Inspection Regulations*. (See Section 4.1 for those instances when permits are not required.)

**"product for personal use"** - a product that is not sold or traded for items or services of value, and that is not distributed in any form (e.g., samples) to the public (which includes exemptions for demonstration purposes).

**"speciality food"** - a food for special religious ceremonies, or an imported food that is not widely used by the population as a whole in Canada, and for which there is no substitute food processed in Canada (e.g., ethnic food).

**"test product"** - a fish product that is new to the Canadian market with respect to its composition, function, state or packaging form and is processed, imported, or exported for evaluation of market access.

#### 4. GUIDELINES FOR ISSUANCE

##### 4.1 Instances for which permits are not required:

- ▶ For fish products for "personal use", "experimental products" and "fish for scientific purposes" as defined in Section 3 of this document, as these products are not subject to the *Fish Inspection Regulations*.
- ▶ For production of test products at non-federally registered facilities and sold within the province where they were processed as these products are not subject to the *Fish Inspection Regulations* (permits may still be required by Section B.01.012 of the *Food and Drug Regulations* or by provincial regulations).
- ▶ For the use of labels that do not fully comply with Canadian requirements due to minor non-compliance(s) (e.g., spelling errors, letters smaller than

required, minor errors in translation, etc.). The conditions and corrective actions required to bring the label into compliance as outlined in a Label Evaluation Report will serve in lieu of a permit.

- ▶ To conduct reworking, reconditioning, processing, culling or salvage of fish in a federally registered establishment in conjunction with QMP activities so long as the fish have not been rejected by an Inspector. A corrective action process must be applied as outlined in the plant's Quality Management Program (QMP).
- ▶ For the disposal of rejected fish, provided the disposal is carried out in accordance with procedures outlined in a QMP or QMP for Importers (QMPI) plan. In the case of fish import "basic" licence holders, the procedures outlined in Chapter 3, Subject 1 of the Fish Products Inspection Manual must be followed.
- ▶ For the sale of rejected fish for use other than for human consumption. The Detention and Release procedures for rejected fish are outlined in Chapter 2, Subject 3 of the Fish Products Inspection Manual.
- ▶ For labelling of fish products for cultural/ethnic communities in Canada. These products are defined as "speciality foods" (see Definitions), and the requirements for their labelling are specified in Section B.01.012 of the *Food and Drug Regulations*.

#### **4.2 Instances for which permits may be issued:**

- ▶ For the production of experimental and test products in a non-registered facility, where the products are exported.
- ▶ To conduct reworking, reconditioning, processing, culling or salvage of fish that has been inspected and rejected by an inspector.
- ▶ For the construction or utilisation in facilities of processing and support areas that do not comply with the Fish Inspection Act or Regulations.
- ▶ For equipment that is used on a vessel or in an establishment that does not comply with the Fish Inspection Act or Regulations, but that was constructed before the coming into force of section 18.(1) of the FIR in 1999.

- ▶ For the marketing of test products with unilingual labels (English or French).
- ▶ For the re-use of containers that are normally intended for one-time use.
- ▶ For the use of labels that do not comply with the labelling requirements of the Fish Inspection Regulations, and that are intended for use on fish products exported outside Canada.
- ▶ For the import, export or marketing of fish for charitable purposes, international events or national festivities.
- ▶ For the production and supply of food in a national emergency or for international aid.

## **5. POLICY/PROCEDURES**

### **5.1 General Principals**

5.1.1 Any person may apply for a permit provided that they are:

- a) a holder of a fish export or import licence;
- b) an operator of a registered establishment as defined under the *Fish Inspection Regulations*; or
- c) an operator of a non-registered establishment, provided that information is available to prove that foods are processed under sanitary conditions and that final products are safe and wholesome.

5.1.2 Permits may be issued by the President of the CFIA, or the authority may be delegated to the Regional Directors. For all permits related to processing and marketing of test products, and the production and supply of food in a national emergency or for international aid, the National Manager, Product Inspection must approve the issuing of the permit, as per Section 5.3.2 of this policy. The Director, Fish, Seafood and Production Division is to be advised of all permits issued in these instances.

5.1.3 Activities and items that require permits are specified in Section 4.2 of this document. If required, conditions will be attached to the permit and will be the minimum requirements to be met in order to maintain the permit in good standing.

- 5.1.4 A permit will specify the period of time for which it is valid. This period may vary, and will be decided by the inspection office issuing the permit.
- 5.1.5 No permit will be issued when it is determined that issuing the permit would:
- a) result in a risk to public health or safety or otherwise diminish consumer protection; or
  - b) result in the marketing of fish that does not comply with the *Fish Inspection Regulations*, Sections 6.(1), or 27;
- 5.1.6 Where conditions required by a permit are addressed by a QMP or QMPI Plan, a blanket permit may be issued, so that it would not be necessary to obtain an individual permit for each instance a permit is required (e.g., labels). The permit will become invalid if the processor's registration is revoked or suspended, or if the importer loses their QMPI importer status.
- 5.1.7 The permit must consist of a document with a unique permit number, reference to the appropriate Sub-section under Section 18 of the *Fish Inspection Regulations* and the signature of the issuer. It should also list any of the conditions identified in Sections 5.3.1 to 5.3.6 that are appropriate. A permit format that must be used is in Section 6.
- 5.2 Revocation of Permits**
- 5.2.1 A permit may be revoked if:
- a) there are reasonable grounds to believe that the holder of the permit has given false or misleading information to the CFIA; or
  - b) the permit holder is not in compliance with the conditions of the permit.
- 5.2.2 Inspectors shall detain products not in compliance with the conditions of the permit and shall initiate processes that will result in corrective actions or initiate a process to revoke the permit.

### **5.3 Issuance of permits**

#### **5.3.1 Production of test products in non-registered facilities**

A permit for production of a test product in a non-registered facility may be issued by a Regional Director subject to the following conditions.

- 5.3.1.1 If the facility is primarily dedicated to research or product development (e.g., Universities, Technology Development Centres, Research Facilities, etc.).
- 5.3.1.2 The processing takes place under sanitary conditions and the final product is safe and wholesome.
- 5.3.1.3 Normally permits issued for test products are a one-time occurrence. However, where more than one experimental facility are developing products using similar processing method(s) and/or resulting in a product showing similar characteristics, a permit may be issued to more than one non-registered facility for the production of these similar products provided that the interval of time between the request from the first establishment and any subsequent requests from other establishments does not exceed 6 months.

#### **5.3.2 Marketing of Test Products**

The applicant must submit to the National Manager, Product Inspection, the following information:

- a description of the product form;
- the quantities of product to be marketed;
- a product formulation;
- the area(s) and a list of the stores or other locations where marketing will take place;
- the approximate date when the marketing will commence;
- any other relevant information, as requested by the CFIA.

A permit for marketing a test product provides an exemption only from bilingual labelling and standard container size requirements. It may be issued subject to the following conditions:

- 5.3.2.1 The requirements of Section B.01.012 of the Food and Drug Regulations are met.

5.3.2.2 The information submitted shows that the product is new to the Canadian market in regards to its composition, function, state or packaging form. (This information will be reviewed by NHQ; the Regional Director will be advised of the decision.)

**5.3.3 Permits for non-compliant construction, non-compliant equipment and re-use of containers**

To receive a permit for non-compliant construction, non-compliant equipment and re-use of containers, the processor must submit an application to the Regional Director and satisfy the conditions outlined below:

5.3.3.1 To obtain a permit for the use of non-compliant construction, the processor has in place a satisfactory mechanism or system that deals with the intent of the regulations and is documented in an accepted QMP plan. If the requirements of the regulations are not met, and no other satisfactory system is in place, the facility cannot obtain a permit or process for export.

5.3.3.2 To obtain a permit for the use of non-compliant equipment in an establishment, the processor must demonstrate that appropriate measures are in place which will ensure acceptable sanitation and the production of wholesome and safe products. The measures must be documented in an accepted QMP plan.

5.3.3.3 To obtain a permit for the re-use of containers, there is a system to ensure adequate cleaning, disinfection and sanitation and the system is documented in an accepted QMP plan.

**5.3.4 Issuance of Permits for the Import, Export or Marketing of Fish for Charitable Purposes, International Events or National Festivities**

The organisation applying for the permit must provide the Regional Director with a letter signed by a representative of the organisation containing all required information related to the event (where, when, approximate number of participants, and any other information requested by CFIA). The permit will be for the exemption of import licensing, import record keeping, product labelling and/or payment of fees pursuant to the *CFIA Act* and *Fish Inspection Regulations*. Normally permits for products for charitable purposes will only be issued for lots of less than 1,000 kg, but permits may be issued for larger lots provided the following conditions



are met.

5.3.4.1 Where products are not appropriately labelled, all the mandatory information is available upon request. If intended for cooking and subsequent distribution to consumers, products are accompanied by a manifest which lists all ingredients in an intelligible manner, and adequate information on the proper method of handling, storage and preparation of the product.

5.3.4.2 The importer must provide a written statement verifying that the fish will not be used for personal and/or individual profit, and that any fish remaining from the event will be disposed of in an acceptable manner.

**5.3.5 Issuance of Permits for the Production and Supply of Food in a National Emergency or for International Aid**

An international emergency relief organisation may apply to the Regional Director for a permit to process, distribute, or export a product in emergency situations.

5.3.5.1 A permit for processing or importing food in a national emergency may be issued with the approval of the President.

**5.3.6 Issuance of Permits for Export of Fish and Containers that do not comply with the Requirements of the Fish Inspection Act or Regulations**

A permit for the purpose of exporting to another country, fish and containers that do not comply with Canadian requirements but that comply with the requirements of the importing country, may be issued by the Regional Director. These permits apply mostly to labelling; however, they may include other issues, such as the presence of additives in an amount exceeding the maximum levels permitted in Canada, or the use of a type of container unapproved in Canada. If the procedures that are applied to control these instances are included in the establishment's QMP plan, a one-time permit may be issued and will remain valid for an unlimited time, unless a compliance verification finds a lack of control by the processor. In the case of labels, a single permit may be issued for **all** labels subject to the documented controls if the conditions in this section as described below, and further described in the Label Inspection Policy and Procedures for Fish and Fish Products, are met:

- 5.3.6.1 The label is not false, misleading or deceptive.
- 5.3.6.2 The manufacturer is able to substantiate any claims or statements included on the label.
- 5.3.6.3 Labels contain the normal mandatory information such as name, ingredients, net content, manufacturer, and any descriptive terms such as storage instructions and expiry date (when required).
- 5.3.6.4 The exporter:
- a) in cases related to health and safety (e.g., non-permitted additives), submits to the inspection office the appropriate documentation from the competent authorities of the importing country confirmation that the label/product that is the subject of the permit, meets the importing country regulations; and
  - b) in all other cases (e.g., quality designations, grades), has in their possession and available for audit, the related specification from the importing country authorities **or** from the buyer.
- Note: In cases where the inspection office is aware of the requirements of the importing country, the exporter need not acquire the noted documentation.
- 5.3.6.5 The permit number is identified on the carton with the term "For Export to (name of the importing country)".

## 6. **FORMAT FOR EXEMPTION PERMIT**

Permit #

In accordance with Section 18, sub-section \_\_\_ of the *Fish Inspection Regulations*, this Permit is granted to: (Name, Address and, if applicable, Registration or Import License Number of company which applied for the permit).

This permit is granted subject to the following conditions:

\_\_\_ Processing in a non-registered facility takes place under sanitary conditions and the product is not tainted, decomposed or unwholesome, in accordance with the *Fish Inspection Regulations*.

\_\_\_ A maximum (quantity) of (product) is marketed in (test market area).

\_\_\_ A control system approved by an Inspector is identified in the processor's QMP and is effectively implemented for processing with non-compliant construction, equipment or containers.

\_\_\_ Product remaining after a charitable event or festival is disposed of in an acceptable manner.

\_\_\_ Master cartons are labelled with the statement "For export to (name of importing country)".

\_\_\_ A control system approved by an Inspector is identified in the processor's QMP and is effectively implemented for the development and control of labels which meet the requirements of the *Fish Inspection Regulations* or are in compliance with conditions outlined on the permit.

\_\_\_ The local Inspection Office is notified in advance of any shipments under the permit.

\_\_\_ The permit number is shown on the label and on the documentation for the product shipped under the permit.

\_\_\_ The permit is valid until \_\_\_\_\_.

Other than the conditions identified on this permit, all other requirements of the *Fish Inspection Regulations* must be met.

Regional Director \_\_\_\_\_  
Name Signature

Inspector \_\_\_\_\_  
(who approved the request or prepared the permit)  
Name Signature

Date of Issue \_\_\_\_\_

## CHAPTER 2, SUBJECT 8

### CLASSIFICATION OF PRODUCTS CONTAINING MEAT AND FISH

#### 1. SCOPE

This document outlines the regulations, policies and procedures governing the inspection of foods containing both meat and fish ingredients.

#### 2. REGULATIONS

*Fish Inspection Regulations*, (C.R.C., c. 802)  
*Meat Inspection Regulations*, 1990 (SOR/90-288)

#### 3. POLICY

3.1 A person may send an application to the Canadian Food Inspection Agency (CFIA) requesting exemption from either the *Meat Inspection Regulations* or *Fish Inspection Regulations* for a food containing meat and fish ingredients.

3.2 The application will be evaluated by the Fish, Seafood and Production Division and the Food of Animal Origin Division to classify the food as either a fish product or a meat product.

3.3 Foods containing both meat and fish ingredients that are classified as a fish product will be exempt from the requirements of the *Meat Inspection Regulations*. Factors to classify the food as a fish product include, but are not limited to:

- the proportion of the fish and meat ingredients;
- description of the food;
- common name;
- level of processing applied to the components to manufacture the food; and
- historical (commercial and/or public) recognition of the food as a fish product.

3.4 Foods containing both meat and fish ingredients that are classified as a meat product will be exempt from the requirements of the *Fish Inspection Regulations*. Factors to classify the food as a meat product include, but are not limited to:

**Fish Products  
Inspection Manual**

Status                                      Date  
New    05/04/04

- the proportion of the fish and meat ingredients;
- description of the food;
- common name;
- level of processing applied to the components to manufacture the food; and
- historical (commercial and/or public) recognition of the food as a fish product.

3.5 When a fish processing establishment processes a food containing both meat and fish ingredients that is classified as a fish product, the processor will be required to use meat ingredients that are ready to be incorporated into the final product. Processing of the meat ingredients will be limited to trimming or cutting boneless meat products (e.g., sliced bacon, bacon slabs, cooked ham, roast beef, chicken meat, etc.) to allow the processor to incorporate the meat into the product and any actions needed to assemble the final product. Other processes, including actions such as deboning, cooking or curing meat products will not be permitted.

Processes including, but not limited to cooking or breading, may be performed on the food in its final assembled form. Details on accepted processes can be found in the list of exempted products, which is available in the Fish and Seafood section of the CFIA Internet site.

3.6 When a meat processing establishment processes a food containing both meat and fish ingredients that is classified as a meat product, the processor will be required to use fish ingredients that are ready to be incorporated into the final product. Processing of the fish ingredients will be limited to trimming or cutting the fish meat (e.g., fillets, smoked fish fillets, fish pastes, shellfish meats, lobster/crab meat, peeled shrimp, etc.) to allow the processor to incorporate the fish into the product and any actions needed to assemble the final product. Other processes, including actions such as heading and eviscerating, filleting, shucking shellfish or shucking crustaceans will not be permitted.

Processes including but not limited to cooking or breading may be performed on the food in its final assembled form. Details on accepted processes can be found in the list of exempted products.

3.7 A fish establishment can process food containing meat and fish ingredients only if:

- the food is commonly recognised as a fish product and is

**Fish Products  
Inspection Manual**

Status New      Date 05/04/04

- exempt from the *Meat Inspection Regulations*; and
- the meat ingredients originate from an establishment registered under the *Meat Inspection Regulations*, or a foreign establishment eligible to export meat products to Canada.

3.8 A meat establishment can process food containing meat and fish ingredients only if:

- the food is commonly recognised as a meat product and is exempt from the *Fish Inspection Regulations*; and
- the fish ingredients originate from an establishment registered under the *Fish Inspection Regulations*, or were imported into Canada in compliance with the *Fish Inspection Regulations*.

3.9 Foods containing meat and fish ingredients that cannot be classified as either a fish product or a meat product following the conditions described in sections 3.3 and 3.4 above, must be processed and/or imported in accordance with both the *Meat Inspection Regulations* and *Fish Inspection Regulations*.

**4. PROCEDURES**

4.1 Applications for exemption shall include a label of the product and, on the manufacturer's letterhead, the recipe indicating the percentage of every ingredient used as well as the method of preparation of the product. Detailed composition of any prepared meat or fish product ingredients must also be provided to assess the compatibility of the meat or fish product with the Canadian legislation related to the composition of the food. The request for exemption along with the relevant documents, shall be addressed to both the Director, Food of Animal Origin Division, Canadian Food Inspection Agency, and the Director, Fish Seafood and Production Division, Canadian Food Inspection Agency.

4.2 Each application will be reviewed by a designated officer of the Food of Animal Origin Division and the Fish, Seafood and Production Division to classify the food as either a meat product or a fish product.

4.3 A list of exempted products is available in the Fish and Seafood section of the CFIA Internet site.

4.4 The Regional Director will identify appropriate personnel to verify that a company that processes or imports an

**Fish Products  
Inspection Manual**

Status                      Date  
New                              05/04/04

exempted product listed on the CFIA Internet Site is composed of acceptable ingredients as described in sections 4.5 and 4.6 below.

When a company wishes to process or import a food containing meat and fish ingredients that is not listed on the CFIA Internet Site, the representative of the company will be advised of the procedures identified in section 4.1 above.

- 4.5 A food containing meat and fish that is classified as a fish product will be inspected in accordance with the requirements identified under the *Fish Inspection Regulations*, and must comply with all applicable Canadian regulations, including, but not limited to the *Food and Drug Regulations*.

The importer of a food containing meat and fish recognised as a fish product must hold either a valid Fish Importers Licence or a valid Quality Management Program for Importers Licence. The importer must provide written notification of each shipment to the appropriate CFIA inspection office and each shipment will be subject to inspection in accordance with the policies and procedures described in Chapter 3 of the Fish Products Inspection Manual.

The importer must be able to demonstrate that the meat component of a food containing meat and fish that is recognised as a fish product can be legally imported into Canada. This means that the meat component must comply with the *Meat Inspection Regulations* and other applicable Canadian regulations, including but not limited to, the *Health of Animals Regulations* and the *Food and Drug and Regulations*. For example, the use of a meat ingredient that contains non-approved additives or that originates from a region restricted for animal health diseases will not be permitted.

**In order to demonstrate that the meat ingredients comply with Canadian requirements, the importer must include the country and the establishment number where the animal was slaughtered, and the country and establishment number where the meat was processed with their written import notification form.**

- 4.6 A food containing meat and fish that is classified as a meat product will be inspected in accordance with the requirements identified under the *Meat Inspection Regulations*, and must comply with all applicable Canadian regulations, including, but not limited to the *Food and*

**Fish Products  
Inspection Manual**

<u>Status</u>	<u>Date</u>
Amend.no.21	31/08/06

*Drug Regulations.*

The label and recipe of a meat product must be registered with the Food of Animal Origin Division. For more information please consult Chapter 7 of the Meat Hygiene Manual of Procedures. The food will be subject to inspection in accordance with the policies and procedures described in Chapter 4 of the Meat Hygiene Manual of Procedures.

The importer of a food containing meat and fish recognized as a meat product must be able to demonstrate that the fish component can be legally imported into Canada. This means that the fish component must comply with the requirements described in applicable Canadian regulations, including but not limited to the *Fish Inspection Regulations* and the *Food and Drug Regulations*. For example, the use of a fish component such as raw shellfish (e.g., mussels, clams or oysters) that contains non-approved additives or that originates from non-approved sources will not be permitted. Imports will be subject to inspection in accordance with the policies and procedures described in Chapter 10 of the Manual of Procedures.





**Fish Products  
Inspection Manual**

Status  
New

Date  
22/07/08

**CHAPTER 2, SUBJECT 9**

**NOVEL FOOD COMPLIANCE POLICY**

**1. SCOPE**

This document outlines the approach governing Canadian Food Inspection Agency (CFIA) regulatory compliance activities applicable to persons that sell, or advertise for sale, novel fish products intended for human consumption in Canada.

This policy complements established policies applicable to fish.

**2. AUTHORITIES**

*Fish Inspection Act*, R.S., c. F-12  
*Fish Inspection Regulations*, C.R.C., c. 802

*Food and Drugs Act*, R.S., c. F-27  
*Food and Drug Regulations*, C.R.C., c. 870

**3. DEFINITIONS**

The following definitions are taken from the *Food and Drug Regulations*, Division 28 and apply to this document.

"*genetically modify*" means to change the heritable traits of a plant, animal or microorganism by means of intentional manipulation.

"*major change*" means, in respect of a food, a change in the food that, based on the manufacturer's experience or generally accepted nutritional or food science theory, places the modified food outside the accepted limits of natural variations for that food with regard to

- a) the composition, structure or nutritional quality of the food or its generally recognized physiological effects;
- b) the manner in which the food is metabolized in the body;  
or
- c) the microbiological safety, the chemical safety or the safe use of the food

"*novel food*" means

- a) a substance, including a microorganism, that does not have a history of safe use as a food;



**Fish Products  
Inspection Manual**

Status  
New

Date  
22/07/08

- b) a food that has been manufactured, prepared, preserved or packaged by a process that
- i) has not been previously applied to that food, and
  - ii) causes the food to undergo a major change;
- c) a food that is derived from a plant, animal or microorganism that has been genetically modified such that:
- i) the plant, animal or microorganism exhibits characteristics that were not previously observed in that plant, animal or microorganism,
  - ii) the plant, animal or microorganism no longer exhibits characteristics that were previously observed in that plant, animal or microorganism, or
  - iii) one or more characteristics of the plant, animal or microorganism no longer fall within the anticipated range for that plant, animal or microorganism.

#### **4. NOVEL FOOD COMPLIANCE POLICY**

The CFIA will verify product compliance of novel fish and fish products through ongoing activities such as compliance verification, product inspection, surveys, etc.

#### **5. RESPONSIBILITIES**

##### **5.1 Regulatory Responsibilities**

The regulatory responsibility for novel fish product safety is shared between Health Canada and the Canadian Food Inspection Agency (CFIA).

##### **Health Canada**

Health Canada is responsible for:

- ▶ establishing novel food regulatory requirements,
- ▶ reviewing novel food pre-market notifications,
- ▶ notifying the manufacturer or importer in writing of the notification review,
- ▶ conducting novel food safety assessments, and
- ▶ issuing a letter of no objection to the sale of the novel food, as required.

**Fish Products  
Inspection Manual**

Status New      Date 22/07/08

**Canadian Food Inspection Agency**

The CFIA is responsible for the monitoring of compliance with, and the enforcement of, legislative and regulatory requirements applicable to novel fish products at both the domestic and import levels.

**5.2 Industry**

Regulated parties are responsible for the safety of any product they manufacture, import or distribute.

**6. NOVEL FOOD REGULATORY REQUIREMENT**

Manufacturers and importers are responsible to seek regulatory approval from Health Canada prior to offering or advertising a novel fish product for domestic sale. A novel fish product has received regulatory approval for domestic sale when the manufacturer or importer has received a letter of no objection to the sale of the novel food from Health Canada, the product meets the requirements outlined in the letter of no objection, and the product meets the provisions of all other applicable regulation (i.e., *Fish Inspection Regulations*, etc.).

Novel fish products for which the importer or manufacturer has not received a letter of no objection or has not met the conditions identified in the letter of no objection set out by Health Canada will not be considered in compliance, and will not be permitted for sale in Canada.

Novel foods that are not approved for sale in Canada can be exported from Canada in accordance with paragraph 18(1)(j) of the *Fish Inspection Regulations* concerning exemption permits.

**7. APPENDICES**

Appendix A - Contact Information



**Fish Products  
Inspection Manual**

Status  
New

Date  
22/07/08

**APPENDIX A  
CONTACT INFORMATION - HEALTH CANADA**

Manufacturers or importers can contact or submit notifications to Health Canada at the following address:

Novel Food Notification  
Food Program  
Food Directorate  
Health Canada  
4th Floor West  
Sir Frederick G. Banting Research Center  
Tunney's Pasture, PL 2204A1  
Ottawa, Ontario  
K1A 0L2

Further information on safety assessment guidelines and novel food decisions is available on the Health Canada web site at [www.hc-sc.gc.ca](http://www.hc-sc.gc.ca).



**Fish Products  
Inspection Manual**

<u>Status</u>	<u>Date</u>
New	04/06/99

**CHAPTER 3, SUBJECT 3**

**COST RECOVERY FOR IMPORT INSPECTIONS**

**1. SCOPE**

This document outlines the regulations, policy and procedures governing the cost-recovery program for import inspection of fish and fish products.

**2. AUTHORITIES**

*Fish Inspection Act*, R.S.C. 1985, c. F-12.  
*Fish Inspection Regulations (FIR)*, C.R.C., 1978, c.802;  
Part I, General.  
*Canadian Food Inspection Agency Fees Notice*

**3. POLICY**

3.1 The provisions of the cost-recovery program for imported fish and fish products apply only to fish and fish products intended for human consumption. Imports that are declared as bait, pet food or that are intended for personal consumption are excluded from the provisions of this policy.

**3.2 Import Licence**

3.2.1 The importer of record must be the holder of a valid import licence issued by CFIA. The licence is valid for 12 months after the date of issue. The licence will not be renewed if the importer has outstanding fees payable to the CFIA.

The licence will be suspended if the importer has fees outstanding for a period greater than 90 days (see Outstanding Invoices, section 4.9).

3.2.2 A business operating under several company names must have an import licence for each company name, if each company acts as an importer. A broker may obtain a licence if that person/organisation wishes to be the "importer of record" of the goods from a foreign company and accepts all responsibilities and rights associated with the licence.

3.2.3 A company will require only one licence regardless of the number of ports through which product is imported. Companies should be advised that they are to provide their



**Fish Products  
Inspection Manual**

branch offices with a copy of the licence if imports are to be made through more than one port of entry.

- 3.2.4 An offshore company may obtain a licence as a non-resident importer in Canada and will have all the responsibilities and rights associated with the licence, including the requirement to keep records for recall, complaints and process controls at an address in Canada.

**3.3 Inspection service fee**

- 3.3.1 Importers must provide written notification to the CFIA of all shipments of imported fish and fish products intended for sale for human consumption.
- 3.3.2 An inspection service fee is to be levied for all imported shipments based on: the declared weight as provided in the import notification form; the category of product; the risks; and the type of licence. The net weight/content is to be the same as declared to Canada Border Services Agency.
- 3.3.3 An inspection service fee will normally be levied for cancelled shipments when the information concerning this shipment has been entered in CFIA's import database.

**3.4 Inspection/Analysis fees**

- 3.4.1 If the inspector decides to divide up the lot, the inspection service fee charged will be the same as if the inspection was done on the undivided lot.
- 3.4.2 Analyses performed as a result of an importer request or a request for reinspection will be charged in accordance with the fees for requested analysis as found in the CFIA Fees Notice or for reinspection in accordance with the fees as found in the *CFIA Fees Notice*.

**3.5 Relabelling**

If a product fails for net content or label evaluation and the importer re-labels with the required corrections, only the required inspection service fees are to be charged. Where on-site evaluation is not required, no charges are to be levied. However, the product will be placed or remain on the IAL as an unacceptable shipment. If the importer challenges the rejection and requests a reinspection, then the required reinspection fee is to be charged. If the product fails reinspection, the importer may re-label but no additional label evaluation fee is to be charged.



**Fish Products  
Inspection Manual**

<u>Status</u>	<u>Date</u>
New	04/06/99

### **3.6 Appeal process**

When a QMPI licence holder requests a review of the assigned QMPI rating and the regional director initiates such a review, fees will be charged in accordance with the CFIA Fees Notice.

## **4. PROCEDURES**

### **4.1 Import Licence**

4.1.1 Applicants will be issued a licence to import fish products upon receipt at the regional office of a completed "Application for a Licence to Import Fish" and the C\$ 500 fee payable by cheque or money order to the Receiver General for Canada. All sections other than "for Departmental use only" must be completed by the applicant. It is important that the legal company name be given. Currently, the customs number is optional. The "For Departmental use only" section is to be completed by the issuing office. The coding is to be completed using the regional collator and cost code.

A shared or enhanced QMPI licence will be issued to importers when their written submission has been accepted and they have submitted the C\$ 5,000 fee payable by cheque or money order to the Receiver General for Canada. The shared or enhanced licence fee includes the Fish Importer's Licence fee.

The inspector will update the importer's status in the CFIA's import database from "Fish import licence holders" to either Shared or Enhanced as indicated in their written submission. The effective date will be the date when the submission is accepted and the fee received.

4.1.2 The "Import Licence" will be issued yearly following receipt of the application and fee. The expiration date will be 12 months after the date of issue. NHQ will send importers a licence renewal reminder at least one month before the expiration date for their licence. Regional offices will continue to issue the new licences.

A block of licence numbers have been assigned to each area (where X corresponds to year):

Area

**Fish Products  
Inspection Manual**

<u>Status</u>	<u>Date</u>
New	04/06/99

Atlantic	X0,000 to X0,999
Quebec	X1,000 to X2,999
Ontario	X3,000 to X5,999
Western	X6,000 to X7,999

4.1.3 When an importer renews the import licence in the same area where it was previously issued, the new licence number should be the same as the previous year's licence with only the first digit of the number being changed. However, if the importer sends the licence renewal form to a different area, then the new licence number which is issued should reflect the numbers which have been assigned for that region.

4.1.4 An up-to-date list of importers is available from the national import database.

**4.2 Inspection service fee**

Charges are to be levied for all imported shipments in accordance with the following table:

	<b>FISH IMPORT LICENCE HOLDERS</b>	<b>SHARED</b>	<b>ENHANCED</b>	<b>FURTHER PROCESSING</b> All Products All Importers*
Type of product	\$/kg	\$/kg	\$/kg	\$30/ shipment
<b>READY-TO-EAT</b>	0.15	0.05	0.002	
<b>CANNED</b>	0.02	0.005	0.002	
<b>FRESH</b>	0.01	0.005	0.002	
<b>RAW MOLLUSCAN SHELLFISH</b>	0.01	0.005	0.002	
<b>OTHER PRODUCT (GENERAL)</b>	0.01	0.005	0.002	

\* Imported product destined for significant transformation in a federally registered establishment.



**Fish Products  
Inspection Manual**

<u>Status</u>	<u>Date</u>
Amend.no.21	31/08/06

### **4.3 Suspended Inspection**

When an inspection of a product selected for inspection has commenced, and the results indicate the lot would be rejected, the owner may have the inspection suspended. (For details on the procedure to be followed, see Chapter 2, Subject 1 of this manual - "Initial Inspection".)

### **4.4 Reinspection**

A charge is to be levied for all reinspections carried out on imported products in accordance with section 10.1 of the FIR. (For procedures and policies governing Reinspections, see Chapter 2, Subject 2 of this manual.)

### **4.5 Special Inspections**

All requested inspections of samples are cost recoverable, as per the CFIA Fees Notice. Importers should be asked to clearly indicate in writing which inspections they wish carried out. A national form for this purpose is available (see Appendix D). The inspection fees listed in the CFIA Fees Notice will be charged for each completed inspection.

The inspector should verify that no other Special Inspection is being performed or has been performed on the same production code of the product that has been submitted for inspection.

### **4.6 Cost Recovery With Respect to Special Case Imports**

For the applicability of some special case imports, see Chapter 3, Subject 1, of this manual - Imports.

### **4.7 Appeal process**

A fee of \$1,000 is to be levied for a review conducted under the appeal process.

### **4.8 Invoicing**

- 4.8.1 Shipments will be invoiced based on the location where the products were available for inspection. Occasions will arise wherein a shipment will clear customs in one Region but will be destined for another Region. If the importer provides notification to the local CFIA office at the time the goods clear customs, the importer has fulfilled the requirements of Section 6(2.1) of the FIR. The local CFIA office must then notify the CFIA office in the receiving region of the

**Fish Products  
Inspection Manual**

<u>Status</u>	<u>Date</u>
Amend.no.21	31/08/06

particulars of the shipment. The CFIA office in the receiving region is responsible for: determining whether the product requires inspection; sampling; conducting the inspection; and preparations for cost recovery of the appropriate inspection service fee, as well as charging for any cost-recoverable inspections that are carried out.

- 4.8.2 Similarly, where a reinspection is carried out in a region other than that of the original inspection, invoicing is to be completed by the region where the initial inspection took place.
- 4.8.3 The CFIA's financial office will generate and send the importers the invoices for all fees related to shipments of imported fish.

**4.9 Outstanding Invoices**

All importers who have invoices outstanding for 60 days will be "listed" by the CFIA's financial office. The importer should be advised in writing and by registered mail that their licence will be suspended in 30 days if their invoices are still outstanding at that time. Subsequent imports from importers on this list will be detained until Finance has indicated that all outstanding fees have been paid. The CFIA financial office is to be consulted for details.

When importers have invoices outstanding for 90 days or more, the licence will be suspended and they will not have their import licences renewed. (Please refer to the Fish Inspection Program Compliance Management Process.)

**5. FORMS/DOCUMENTS**

- Appendix A - Fish Inspection Report
- Appendix B - Application for a Licence to Import Fish
- Appendix C - Import Licence
- Appendix D - Request for an Inspection of Fish or for a Fish Processing Facility
- Appendix E - Sampling Plans
- Appendix F - Import Licence Renewal Letter
- Appendix G - Outstanding Invoice Warning Letter
- Appendix H - Import Licence Suspension Letter



<u>Chapter</u>	<u>Subject</u>	<u>Page</u>
3	3	A-1

**Fish Products  
Inspection Manual**

<u>Status</u>	<u>Date</u>
New	04/06/99

**APPENDIX A  
FISH INSPECTION REPORT**



**Fish Products  
Inspection Manual**

<u>Chapter</u>	<u>Subject</u>	<u>Page</u>
3	3	B-1
<u>Status</u>	<u>Date</u>	
New	04/06/99	

**APPENDIX B**



**Fish Products  
Inspection Manual**

<u>Chapter</u>	<u>Subject</u>	<u>Page</u>
3	3	C-1
<u>Status</u>	<u>Date</u>	
New	04/06/99	

**APPENDIX C**



**Fish Products  
Inspection Manual**

<u>Chapter</u>	<u>Subject</u>	<u>Page</u>
3	3	D-1
<u>Status</u>	<u>Date</u>	
New	04/06/99	

**APPENDIX D**



**Fish Products  
Inspection Manual**

**APPENDIX E**

**SAMPLING PLANS**

**SAMPLING PLAN 1  
(Inspection Level I, AQL = 6.5)**

Net weight is equal to or less than 1 kg (2.2 lb)

Lot Size (N)	Sample Size (n)	Acceptance Number	
		No.	(c) *
4,800 or less	6	1	(0)
4,801 - 24,000	13	2	(1)
24,001 - 48,000	21	3	(2)
48,001 - 84,000	29	4	(3)
84,001 - 144,000	48	6	(4)
144,001 - 240,000	84	9	(6)
more than 240,000	126	13	(9)

Net weight is greater than 1 kg (2.2 lb) but not more than 4.5 kg (10 lb)

Lot Size (N)	Sample Size (n)	Acceptance Number	
		No.	(c) *
2,400 or less	6	1	(0)
2,401 - 15,000	13	2	(1)
15,001 - 24,000	21	3	(2)
24,001 - 42,000	29	4	(3)
42,001 - 72,000	48	6	(4)
72,001 - 120,000	84	9	(6)
more than 120,000	126	13	(9)

Net weight is greater than 4.5 kg (10 lb)

Lot Size (N)	Sample Size (n)	Acceptance Number	
		No.	(c) *
600 or less	6	1	(0)
601 - 2,000	13	2	(1)
2,001 - 7,200	21	3	(2)
7,201 - 15,000	29	4	(3)
15,001 - 24,000	48	6	(4)
24,001 - 42,000	84	9	(6)
more than 42,000	126	13	(9)

\* The figure in brackets under the Acceptance Number (c) indicates the Acceptance Number for decomposition.



**Fish Products  
Inspection Manual**

**SAMPLING PLAN 2  
(Inspection Level II, AQL = 6.5)**

Net weight is equal to or less than 1 kg (2.2 lb)

Lot Size (N)	Sample Size (n)	Acceptance Number	
		No.	(c) *
4,800 or less	13	2	(1)
4,801 - 24,000	21	3	(2)
24,001 - 48,000	29	4	(3)
48,001 - 84,000	48	6	(4)
84,001 - 144,000	84	9	(6)
144,001 - 240,000	126	13	(9)
more than 240,000	200	19	(13)

Net weight is greater than 1 kg (2.2 lb) but not more than 4.5 kg (10 lb)

Lot Size (N)	Sample Size (n)	Acceptance Number	
		No.	(c) *
2,400 or less	13	2	(1)
2,401 - 15,000	21	3	(2)
15,001 - 24,000	29	4	(3)
24,001 - 42,000	48	6	(4)
42,001 - 72,000	84	9	(6)
72,001 - 120,000	126	13	(9)
more than 120,000	200	19	(13)

Net weight is greater than 4.5 kg (10 lb)

Lot Size (N)	Sample Size (n)	Acceptance Number	
		No.	(c) *
600 or less	13	2	(1)
601 - 2,000	21	3	(2)
2,001 - 7,200	29	4	(3)
7,201 - 15,000	48	6	(4)
15,001 - 24,000	84	9	(6)
24,001 - 42,000	126	13	(9)
more than 42,000	200	19	(13)

\* The figure in brackets under the Acceptance Number (c) indicates the Acceptance Number for decomposition.





**Fish Products  
Inspection Manual**

**APPENDIX F**

**IMPORT LICENCE RENEWAL LETTER**



Ref.: Import Licence Renewal Denied

Licence Number:

Your request to renew your licence to import fish into Canada is denied.

A review of your records shows that the following invoices :

- XXXXX
- XXXXX
- XXXXX

have not been paid.

Section 6.2. of the *Fish Inspection Regulations* allows the Minister to refuse to renew an import licence when the holder of that licence has outstanding fees payable to the CFIA.

Please contact this office to advise me of your plans to pay your outstanding invoices. This will allow the CFIA to renew your import licence.

Sincerely,

Individual Responsible

c.c.: Supervisor



**Fish Products  
Inspection Manual**

<u>Status</u>	<u>Date</u>
New	04/06/99

**APPENDIX G**

**OUTSTANDING INVOICE WARNING LETTER**



Ref.: Outstanding Invoices

Licence Number:

A review of your account shows that the following invoices :

-XXXXXX  
-XXXXXX  
-XXXXXX

have not been paid and are past due for 60 days. Please contact this office to advise me of your plans to pay your outstanding invoices. Future shipments may be detained pending the payment of these outstanding invoices.

Section 6.2. of the *Fish Inspection Regulations* allows the Minister to suspend an import licence when the holder of that licence has outstanding fees payable to the CFIA. Your licence will be suspended if these invoices have not been paid in the next 30 days.

Once your licence has been suspended you will no longer be eligible to import fish into Canada under licence number (#####). The licence will remain suspended until your outstanding invoices have been paid.

Sincerely,

Individual Responsible

c.c.: Supervisor



**Fish Products  
Inspection Manual**

<u>Status</u>	<u>Date</u>
New	04/06/99

**APPENDIX H**

**IMPORT LICENCE SUSPENSION LETTER**



Ref.: Import Licence Suspension  
Licence Number:

Section 6.2. of the *Fish Inspection Regulations* allows the Minister to suspend an import licence when the holder of that licence has outstanding fees payable to CFIA.

A review of your account shows that the following invoices:  
- xxxxxx

have not been paid and are past due for 90 days. You were advised on (date) that these invoices were past due for 60 days and that your licence would be suspended if the accounts were not settled in the next 30 days.

Since CFIA has not received payment for these invoices, your import licence will be suspended on \_\_\_\_\_ (*dated 2 weeks from date on letter*). Please contact the closest CFIA office found on the attached list to advise them of your plans to pay your outstanding invoices.

Once your licence has been suspended, you will no longer be eligible to import fish into Canada under licence number (#####) until your outstanding invoices have been paid. Should your licence expire before payment of your outstanding invoices, you will also not be able to renew your import licence until the outstanding fees have been paid.

Sincerely,

(signed at Director level)

Attach.

**CHAPTER 5, SUBJECT 1****INSPECTION OF LIVE CRAB AND LOBSTER****1. SCOPE**

This document outlines the regulation, policy and procedures governing the inspection of live crab and lobster before butchering and/or cooking.

**2. AUTHORITIES**

Fish Inspection Act, R.S.C., 1970, c.F-12; Section 3  
Fish Inspection Regulations, C.R.C., 1978, c.802; (FIR) Part I, General

Section 23 (FIR):

No person shall:

- a) process crabs, lobsters, clams, oysters, mussels or whelks that are not alive.

**3. POLICY**

- 3.1 Crab or lobsters which are defective (see section 4 - Definitions) must not be further processed.
- 3.2 Processors will be in violation of this policy if the percentage of defective crab or lobster entering into butchering and/or cooking lines exceeds 10%.
- 3.3 Lots of raw product which meet the 10% or less criterion may be processed; however, defective crab or lobster is to be culled from the line during processing.
- 3.4 Lots of raw product which contain greater than 10% defective crab or lobster must be culled before butchering and/or cooking.

**4. DEFINITIONS**

Defective - for the purposes of this document, crab or lobsters will be considered defective if:

- there is an odour of decomposition or there is black discolouration; or
- there is no response to stimulation by a Crab Life Detector; or
- there is no noticeable heart action when the carapace is removed; or
- there is any other indication that the sample unit is tainted, decomposed or unwholesome.

## 5. PROCEDURES

- 5.1 During the QMP inspection of the critical control point "incoming fish", in plants which butcher and/or cook raw lobster or crab, the inspector will verify that the plant's QMP is determining the condition of each incoming lot and that appropriate action is being taken to cull any lot found to contain 10% or more of defective crab or lobster.
- 5.2 The inspector will assess the QMP verification and/or culling procedure by inspecting any lot held for butchering and/or cooking after the lot has been inspected by the plant's QMP personnel. The inspector will determine sample size by using Sampling Plan 1 in the Fish Products Standards and Methods Manual. Sample size is based on the number of sample units in the lot. Minimum sample size shall be 13 crab or lobster.
- 5.3 The inspector shall calculate the percentage of defective crab or lobster in the lot.
- 5.4 If the lot held for butchering and/or cooking fails to meet the 10% tolerance before processing, in addition to a QMP deficiency, enforcement action will be initiated in accordance with the National Fish Inspection Enforcement Policy and the QMP Enforcement Policy.
- 5.5 Lots of incoming raw crab or lobster that have been culled must be processed within 8 hours of culling. If more than 8 hours have passed since the previous culling, the lot must be inspected again to ensure that defective crab or lobster are removed from the lot.

**Fish Products  
Inspection Manual**

**CHAPTER 10**

**CERTIFICATION OF FISH AND FISH PRODUCTS**

**1. SCOPE**

This document outlines the policies, procedures and regulations governing the certification of fish and fish products.

**2. AUTHORITY**

Fish Inspection Act, R.S.C., 1970, c.F-12; Sections 9(1) and (2), 14(1), (2) and (3)

Fish Inspection Regulations (FIR), C.R.C., 1978, c. 802; Part I, General.

Section 9 (FIR)

9.(1) Where a person requests an inspection certificate for fish, an inspector shall

(a) where the person operates the establishment in which the fish was processed, inspect the processing record of the establishment to determine whether an inspection of the fish is required and, if it is required, inspect the fish; and

(b) in any other case, inspect the fish.

(2) An inspector shall issue an inspection certificate for fish where

(a) the inspector determines that an inspection of the fish is not required; or

(b) the inspector determines, following an inspection of the fish, that the fish meets the requirements of the Act and these Regulations.

(3) A person who requests an inspection certificate for fish shall pay an inspection service fee of

(a) \$100, where an inspection of the fish is performed; and

**Fish Products**  
**Inspection Manual**

(b) \$25, where an inspection of the fish is not performed.

(4) The amount payable by a person under subsection (3) shall not exceed \$10,000 in a calendar year. SOR/96-364, s.4

Section 12 (FIR)

Where an inspector has reasonable grounds to believe that fish has deteriorated after the date on which it was inspected or that it otherwise fails to meet the requirements of these Regulations, he may again inspect such fish.

Section 13 (FIR)

(1) Where an inspection is made under Section 12 and the fish is found not to be of the grade marked on the container, any inspection marks and quality designations on the container shall be removed or obliterated and any inspection certificate that may have been issued for the fish is void.

(2) No person shall use an inspection certificate if he knows that the certificate is void.

**2.1**                  **DEFINITIONS**

**Certification** is the procedure by which official certification bodies or officially recognised certification bodies provide written or equivalent assurance that foods or food control systems conform to requirements. Certification of food may be, as appropriate, based on a range of inspection activities which may include continuous on-line inspection, auditing of quality assurance systems, or examination of finished products (Codex - Principles for Food Import and Export).

**Inspection** is the examination of food or systems for control of food, raw materials, processing, and distribution including in-process and finished product testing, in order to verify that they conform to requirements (Codex - Principles for Food Import and Export).

**Lot**, with respect to fish other than fresh fish, means a shipment or part of a shipment of fish that is of the same species, is processed in the same manner by the same producer, is packaged in the same size of container and bears the same label (FIR - Section 2).

**Fish Products  
Inspection Manual**

<u>Status</u>	<u>Date</u>
Amend.no.10	21/01/00

**Quality Management Program** means a fish inspection and control system, that includes procedures, inspections and records, for the purpose of verifying and documenting the processing of fish and the safety and quality of fish processed in, exported from, or imported into Canada (FIR - Section 2).

### 3. POLICY

3.1 When a registered establishment or an export licence holder requests a specific certificate for his/her product, one must be issued, except where:

- the fish or fish products or the fish processing establishment do not meet the requirements of the Fish Inspection Regulations;
- the conditions of the certificate are not met at the time of production; and
- products contain additives, chemical contaminants or bacteriological organisms at levels prohibited by the importing country, even if the levels are in compliance with Canadian requirements.

3.2 Although the CFIA will attempt to assist in providing information on the certification requirements of the destination country, if they are not known it is the primary responsibility of the exporter to identify foreign country requirements and obtain documents that can be verified with officials from the destination country. Known country requirements can be found in the Appendices to this Chapter.

3.3 Fish or fish products that exceed contaminant standards or guidelines established by Health Canada shall not be exported unless the product is in compliance with established standards, tolerances or guidelines of the receiving country, or the foreign regulatory agency has indicated in writing that the products are acceptable in their country. Where these fish are certified, the certificate cannot state that the fish meet the requirements of the Fish Inspection Regulations.

3.4 The details on each certificate or To Whom It May Concern Letter issued must be entered into the Export Certification System. The Product Inspection section at NHQ should be contacted to develop new or amended certificate templates as required.



**Fish Products  
Inspection Manual**

Status  
Amend.no.19

Date  
18/11/05

- 3.5 Certificates may be issued for imported lots which are "processed" and subject to QMP controls in a registered establishment if the fish meets the requirements of the foreign country stated on the certificate, even if the product does not undergo substantial transformation according to domestic shift rules. (These products cannot be certified as product of Canada.)
- 3.6 For registered establishments with a QMP system in compliance with the FIR, it is required that 10% of lots intended for certification be inspected.
- 3.7 Subject to Section 3.8, for export license holders requesting certification of fish that were not processed in a registered plant (e.g., fisher-packers) it is required that 100% of the lots be inspected prior to certification.
- 3.8 Certificates may be granted without inspection to exporters who have a voluntary protocol between the establishment and the CFIA (e.g., Live Lobster Protocol). The voluntary protocol shall outline the required procedures and resulting privileges for the exporter, and must be signed by both the exporter and the CFIA in order to be in effect. Exporters operating with a voluntary protocol must meet all the requirements of the FIR and the protocol in order to receive an export certificate.
- 3.9 An inspector may sign a certificate based on an official inspection by another inspector.
- 3.10 In instances where inspectors are asked to supply certificate(s) for a re-consignment or sub-lot, they must ensure that the product still meets the requirements of the original certificate(s) and that all pertinent product information on the original certificate(s) is incorporated on the certificate(s) for the re-consignment or sub-lot(s). Certificates for re-consigned lots or sub-lots shall not be issued without an inspection of the lot if the interval between the original certificate and the certificate request exceeds:
- 7 days for fresh product
  - 30 days for salted fish
  - 180 days for frozen products
  - 365 days for canned products
  - the best before date for any product.
- 3.11 Where an Inspector has reason to believe that the condition of the fish/fish products has deteriorated since the inspection, another inspection shall be conducted.

**Fish Products  
Inspection Manual**

Status Amend.no.19      Date 18/11/05

- 3.12 Only one original certificate per lot is to be issued for each type of certificate, but two or more different types of certificates can be issued on one lot. The inspector or exporter can make copies of the certificate. If certificates are issued to replace lost or damaged certificates, then a statement is required on the replacement certificate to cancel the first certificate.
- 3.13 Where lots are not accessible to an inspector for inspection, or the company's records of inspection pertaining to the lot(s) are not available for verification, then the inspection cannot be carried out and a certificate cannot be issued.
- 3.13.1 Exporters may request replacement certificates for fish products which have been exported from Canada and are therefore no longer available for inspection. Replacement certificates may be issued in legitimate cases if the integrity of the shipment has not been compromised. Such legitimate cases would include, but are not limited to:
- ▶ administrative errors;
  - ▶ lost or damaged certificates;
  - ▶ changes to the consignee; and/or
  - ▶ last minute changes to the quantity shipped.
- 3.13.2 Replacement certificates will not be issued for a shipment that has been imported into another country.
- 3.14 In instances where historical data is available for chemical contaminants, e.g., mercury in some species of fish, laboratory analysis is not required to issue a certificate. Inspectors who receive a request for a certificate concerning chemical content are to contact the appropriate CFIA personnel to reference the data base to ensure compliance before issuing the certificate.
- 3.15 The appropriate fees will be charged for all requests for certification and all inspections for certification, even where a certificate was refused after a review of records or a lot failed inspection.

**4. PROCEDURES**

- 4.1 A company requesting a certificate should complete the certificate in advance and provide it to a CFIA office for signature. The information on the certificate or the certification request should identify:
- a) certificate type(s)

**Fish Products  
Inspection Manual**

Status  
Amend.no.10

Date  
21/01/00

- b) lot location
- c) date available for inspection
- d) date certificate required
- e) lot size
- f) product description (size, grade, type)
- g) consignee
- h) consignor
- I) identification marks (production code)
- j) mode of transportation (if known).

4.2 In order to determine if the lot requires inspection, the inspector is required by regulation to review the processing record of the establishment, which would consist of the following actions where appropriate:

- ensure the establishment had a valid registration and met all certification requirements for the dates the product was processed;
- ensure that there are no confirmed complaints for the product or that the product was never recalled; and
- ensure that the product does not require 100% inspection prior to certification.

4.3 In order to issue a Certificate for a European Union (EU) country, the inspector must also be satisfied that in addition to meeting the requirements of the FIR:

- a) the processor is on the EU List; and
- b) that if the product was harvested by a foreign vessel, it had been inspected within the past 12 months and met the requirements of Schedule III or EU Directive EU/48/EEC. (In addition to Canada, the USA, and New Zealand also have Veterinarian agreements with the EU that include fish products. Processors of shipments originating from these countries are not required to provide proof the harvesting vessels met the requirements of EU/48/EEC.)

4.4 When a certification request is received from a processor with a voluntary protocol, the inspector should review the specific requirements of the protocol to determine if an inspection is required prior to making a decision to certify the product.

4.5 If an inspection of a lot is required prior to issuing a certificate, the lot will be inspected as specified in Chapter 2 of this manual. The samples should pass inspection for the requirements for sensory evaluation, labelling claims and ingredient declarations, net content evaluation if the product is pre-packaged, and visual

**Fish Products  
Inspection Manual**

Status  
Amend.no.19

Date  
18/11/05

container integrity for hermetically sealed metal containers.

- 4.6 If the product is found to be in compliance with the FIR, the requesting company is to complete the certificate and the inspector will review the certificate before signing. Any changes on the certificate must be initialled by the inspector. When a certificate is issued, any space remaining in the product description section is to be marked out by a Z.
- 4.7 Requests for replacement certificates for consignments that are no longer available for inspection in Canada should be accompanied by a letter from the exporter that sets out the reasons for the request, including an explanation of what happened, where it happened, and who was involved. This letter should be kept in CFIA's files.
- 4.8 When a replacement certificate is issued, or a certificate is voided or cancelled, the certificate and all copies of the certificate should be returned to the Agency before a new certificate can be issued. If the originals cannot be returned, then the exporter should provide a letter to the CFIA that describes the reasons why the original certificate was not returned.
- 4.9 A replacement certificate should have the following statement added just above the Inspector's seal: "This cancels and supersedes certificate no. \_\_\_\_ dated \_\_\_\_."
- 4.10 All stocks of obsolete export certificates or computerized templates of obsolete certificates must be destroyed.
- 4.11 A fee of \$25 per certificate where no inspection was performed or \$100 per certificate where an inspection was performed is to be charged unless the establishment has reached the \$10,000 cap for certification fees.
- 4.12 The Canadian Inspection Certificates are to be completed as follows:
- a) Product Description - A full and accurate description must be provided. In the case of graded product, the class, grade, size and/or moisture content is to be indicated if specified by regulations.
  - b) Lot Size - The number of boxes, cartons, packages, etc. in the lot, the number of individual containers in a box, etc., and the weight of the individual container. The weight of the individual container is not required if the product is to be weighed at time of sale.

**Fish Products  
Inspection Manual**

Status  
Amend.no.12

Date  
10/11/00

- c) Consignor - The name and address of the person or company that is marketing the merchandise.
- d) Consignee - The name and address of the person or company to whom the merchandise is being sold.
- e) Marks - The identification marks such as port marks, shipping marks, date codes, name of plant, registration number or any other marks that specifically identify the lot covered by the certificate.
- f) Via - The mode of transportation and the name of the transporting company. If the information is not known, complete this section as follows: "Not known at time of inspection".
- g) Place - The location where the certificate was issued.
- h) Date - The date when the certificate was issued.
- I) Inspector - The name of the inspector signing the certificate. Inspectors issuing certificates are to print their name above or below their signatures.

4.13 Instructions for completing foreign country certificates are provided in the specific appendices. For imported products that are processed in registered establishments but which do not undergo substantial transformation, the country of origin must be identified on the certificate.

4.14 All certificates should be signed and stamped using ink that is a different colour from the other text on the certificate. Inspectors should then crimp the certificate over their signature. If the certificate is formatted on more than one page, each page of the certificate should be signed and stamped in a different colour ink with a crimp over the inspector's signature. The stamp and crimp should be placed so that they do not obliterate the identity and title of the signing officer.

Any copies of the original certificate must be identified as a copy and should be readily distinguishable from the original document.

The seal and crimp used for the certificate must be in the following format:

**Fish Products  
Inspection Manual**

Status  
Amend.no.12

Date  
10/11/00



**5. FORMS/DOCUMENTS**

**NOTE:** Copies of all current forms and certificates may be found on the Agency Intranet site.

**Fish Products  
Inspection Manual**

Status  
Amend.no.12

Date  
10/11/00

**APPENDIX A**

**LIVE LOBSTER CERTIFICATION PROTOCOL (LLCP)**

**1. SCOPE**

This document outlines the policies and procedures governing the inspection and certification of live lobster for export carried out by personnel of the Canadian Food Inspection Agency (CFIA), in both registered and non-registered establishments, excluding fishing vessels.

These policies and procedures reflect the low level of risk to public health and safety associated with the handling and packaging of live lobsters.

**2. AUTHORITY**

Fish Inspection Act, R.S.C., 1970, C.F-12; Sections 6, 9(1) and (2)

Fish Inspection Regulations, C.R.C., 1978, c.802; (FIR) Part I, General: Sections 9, 12, 13 (1), 13 (2)

Section 9

(1) Where a person requests an inspection certificate for fish, an inspector shall

- a) where the person operates the establishment in which the fish was processed, inspect the processing record of the establishment to determine whether an inspection of the fish is required and, if it is required, inspect the fish; and

- b) in any other case, inspect the fish.

(2) An inspector shall issue an inspection certificate for fish where

- a) the inspector determines that an inspection of the fish is not required; or

- b) the inspector determines, following an inspection of the fish, that the fish meets the requirements of the Act and these Regulations.

(3) A person who requests an inspection certificate for fish shall pay an inspection service fee of

**Fish Products  
Inspection Manual**

Status  
Amend.no.12                          Date  
  10/11/00

- a) \$100, where an inspection of the fish is performed; and
- b) \$25, where an inspection of the fish is not performed.

(4) The amount payable by a person under subsection (3) shall not exceed \$10,000 in a calendar year. SOR/96-364, s.4

Section 12

Where an Inspector has reasonable grounds to believe that fish has deteriorated after the date on which it was inspected or that it otherwise fails to meet the requirements of these Regulations, he may again inspect such fish.

Section 13

(1) Where an Inspection is made under Section 12 and the fish is found not to be of the grade marked on the container, any inspection marks and quality designations on the container shall be removed or obliterated and any inspection certificate that may have been issued for the fish is void.

(2) No person shall use an inspection certificate if he knows that the certificate is void.

**3. POLICY**

Live lobster exported from Canada to any country in the world shall be certified when the live lobster has been processed in accordance with the requirements of the ***Fish Inspection Regulations***. Inspection and certification of the live lobsters shall be conducted in accordance with the requirements of this protocol and other relevant requirements contained in this manual.

Registered Establishments

The processing and exportation of live lobster shall be subject to all the requirements of the establishment's Quality Management Program. This includes conducting a hazard analysis on any live fish operations as per section 3.1 b) and c) below. Should a registered establishment choose to develop and implement a Live Lobster Certification Protocol (LLCP) to facilitate the certification of live lobster exports, the



**Fish Products**  
**Inspection Manual**

Status Amend.no.12      Date 10/11/00

audit/verification frequencies and the certificate control requirements of this document shall apply.

Non-registered Establishments

In order to facilitate the export of live lobster from Canada, non-registered live lobster exporters may develop and submit a LLCP submission to the CFIA for evaluation and approval. A Live Lobster Certification Protocol signed by both the exporter and the CFIA is required for non-registered exporters of live lobster who wish to ship to the European Union (EU), and exporters to other markets who require pre-signed certificates. Once the submission is evaluated, accepted and signed, the exporter is then assigned a LLCP number and the exporter name and number is added to the "Canadian List of Exporters Approved for the US" and the "Canadian List of Exporters Approved for the EU".

3.1 Each submission for a LLCP shall contain:

- a) appropriate background information (exporter name, mailing address), location of the establishment used for the processing and export of the lobster, including methods of handling and description of the packaging and labelling to be utilised;
- b) a hazard analysis which identifies every hazard that is likely to occur for the live lobster operation;
- c) where the hazard analysis has identified hazards, a HACCP plan in which all critical control points, critical limits, monitoring procedures used at critical control points, the frequencies of monitoring procedures and corrective action plans are specified;
- d) the names of personnel responsible for the development and implementation of the LLCP;
- e) a written sanitation program; and
- f) a description of the system used to trace lots of live lobster to their first shipping destination.

3.2.1 **Non-registered LLCP Exporters, Excluding Exporters of Crated Lobster Shipped Directly**

Non-registered lobster exporters, operating under a LLCP,

**Fish Products  
Inspection Manual**

including shippers who further package crated lobster into cardboard or polystyrene foam containers, shall have enclosed facilities. Facilities shall meet the following construction and equipment requirements:

- a) Floors - new construction shall be concrete or equivalent (i.e., nonporous). Existing wood will be tolerated provided it can be kept in good repair and clean. No earth or gravel floors permitted.
- b) Drains - shall be properly covered to prevent entrance of rodents. Where effluent drains, it must not create an unsanitary condition where flies and unacceptable odours are prevalent.
- c) Walls and Ceilings - open studding shall be tolerated provided it can be kept in good repair and reasonably clean. Facilities must have tight doors and windows and be constructed so as to prevent the entrance of rodents.
- d) Toilet facilities - must be available in the immediate area.
- e) Hand-washing facilities -
  - I) in existing establishments, hand-washing facilities with running water are required; pressurised water is recommended, but not required;
  - ii) in new construction, the facility must be located adjacent to the toilet facilities, and must be equipped with hot and cold running water, soap and single-service towels.
- f) Water - an adequate supply of water derived from:
  - I) an approved potable fresh water source; or
  - ii) a supply of clean sea water derived from a source which meets the overlay water standard, shall be available for employee hygiene and establishment clean-up.
- g) Tables - new construction must be of approved material. Wood is permitted for existing equipment.
- h) Offal Receptacles - must be marked "For Offal Only", and be constructed of approved material.

**Fish Products  
Inspection Manual**

Status  
Amend.no.12

Date  
10/11/00

I) Lighting - minimum lighting for live fish holding operations must be available in the processing areas.

**3.2.2 Non-registered LLCP Exporters of Crated Lobster Shipped Directly**

Non-registered shippers of crated lobster from tidal lobster pounds or cars, who hold lobster in crates in tidal lobster pounds, and place loaded crates on transport vehicles for shipment, are not subject to the facility requirements outlined in Section 3.2.1.

3.3 Live lobster exporters operating under LLCPS shall ensure they meet all requirements of the policy as outlined in their HACCP submission.

3.4 Inspectors shall conduct audits and verification of LLCP establishments to ensure compliance with the requirements of the LLCP.

3.5 Individual CFIA offices will outline requirements for notification of shipments to be exported, in order that audit/verification can be conducted.

3.6 Inspectors shall conduct audit/verification activities in accordance with the frequency guidelines provided below:

a) 1 per month for high volume facilities (>20 certification requests/month);

b) once every three operating months for low volume facilities (<20 certification requests/month).

3.7 Where live lobster shippers have implemented and meet the requirements of a LLCP they shall be included on the plant list to be exchanged with the United States for the purposes of meeting the US Seafood HACCP Regulations.

3.8 Since live fish exporters to the United States do not require product certification, the LLCP may be audited approximately every 3 months of operation.

3.9 The CFIA may make additional arrangements to facilitate the export of live lobster to foreign markets as required.

3.10 Inspectors may take samples for any reason, including therapeutant and biotoxin analysis, and make results available to the industry, where appropriate.

3.11 The LLCP may be suspended or revoked by the CFIA if the requirements of the protocol are not met.

**Fish Products  
Inspection Manual**

Status Amend.no.12      Date 10/11/00

3.12 Live lobster shippers operating non-registered facilities without a LLCPC may still have product certified provided the lobsters were processed in accordance with the Fish Inspection Regulations. Each lot must be inspected prior to certification.

Live lobster shippers operating non-registered facilities without a LLCPC will not have shipments certified for export to the EU as they are required to be included on the list of establishments approved to export fish to the EU, which cannot be done without a LLCPC.

**4. PROCEDURES**

4.1 LLCPC submissions, containing the information in 3.1, shall be submitted to the nearest CFIA office for review and approval.

4.2 Where CFIA inspectors determine that shipments of live lobster require the issuance of pre-signed certificates (i.e., European Union), the LLCPC exporter shall be granted the privilege of these certificates provided the following measures are implemented:

- a) CFIA shall maintain detailed controls of all certificates issued including copies of the certificates issued, names of exporters receiving certificates and serial numbers;
- b) designated CFIA inspectors, knowledgeable in the requirements of the Fish Inspection Act and Regulations, shall sign, crimp and stamp, with the CFIA logo, previously prepared certificates that have written or typed on the certificate "Live Lobster (*homarus americanus*)", the name and address of the consignor, and the certificate serial number;
- c) CFIA shall only issue inventories of certificates once they account for all previously issued certificates (including certificates voided by the exporter);
- d) CFIA shall only issue certificates to exporters who have not previously received pre-signed certificates on a case-by-case basis, until such time as an acceptable compliance history has been established;
- e) exporters shall maintain all stocks of pre-signed certificates under strictly controlled conditions. All pre-signed certificates are legal documents and must be handled as such;

**Fish Products  
Inspection Manual**

Status  
Amend.no.27

Date  
25/11/09

- f) exporters shall provide to the CFIA inspector responsible for inspecting their operations - within a reasonable period of time prior to export - a record of their inspection of the product lot to be certified. This record shall include the name of the consignor and consignee, number of containers and weight, the results of inspection, the shipping date, the plant name if different from consignor, the signature of company official and the serial number of the certificate to be used. These records shall be maintained by the exporter and shall be made available to the CFIA inspector upon request;
- g) exporters are to complete the remaining sections of the pre-signed certificate to accurately reflect the information provided for each "record" referred to in f). They are to advise CFIA immediately of any changes to information on records previously provided to CFIA;
- h) each exporter shall maintain a ledger of the certificates received from the CFIA including a copy of all certificates issued. This ledger shall include certificate type, serial numbers, date received from CFIA and date issued;
- I) exporters shall provide CFIA with adequate lead time for replenishing standing inventories of certificates;
- j) exporters shall provide the CFIA with copies of all issued certificates within two days following shipment of the certified lots.

4.3 Under LLCPS the following documents may be issued:

a) For registered facilities:

- All Canadian certificates
- EU/Canada certificates, where the processor is on the EU Approved List
- Foreign country certificates

b) For non-registered facilities:

- Statement of Inspection
- Certificate of Inspection \_\_\_\_\_ Content CFIA/ACIA 5006 formally (FP-1408),
- EU/Canada certificates, where the processor is on the EU Approved List
- Export Certificate for Mexico
- Certificate of Origin and Hygiene CFIA/ACIA 5003

**Fish Products  
Inspection Manual**

Status  
Amend.no.27

Date  
25/11/09

- (FP-1404) operating with a Live Lobster Certification Protocol
- Russian certificate, where the processor is on the Russian Federation Approved List

- 4.4 Should a non-registered exporter require a statement that the product is Canadian, it is permissible to change the Statement of Inspection to become a "Statement of Origin and Inspection" and to reword the text to read "This is to certify that the fish described below is a Product of Canada and has been found.....".
- 4.5 Inspectors conducting audit/verification activities shall complete an audit report as per Chapter 3, Subject 3 of the Facilities Inspection Manual - Compliance Verification Policies and Procedures for Registered Establishments.
- 4.6 CFIA offices shall enter audit/verification and certificate information into the appropriate national database.

**CHAPTER 12, SUBJECT 2**  
**PACKAGE INTEGRITY EVALUATION**

**1. SCOPE**

This document outlines a new evaluation category, "package integrity evaluation" which will be used to represent those products which are evaluated against Section 7 of the FIR but which are not packaged in a hermetically sealed container and subjected to a heat treatment for sterilization or pasteurization.

Products which are represented by the above criteria include, but are not limited to:

- fish sauces in glass or plastic bottles; and
- semi-preserved products in metal containers (fried dace, anchovies).

**2. AUTHORITIES**

Fish Inspection Regulations (FIR), C.R.C., 1978, c.802, Part I, General.

Section 7

Unless otherwise permitted by the Minister, fish shall be packed in new, clean, sound containers.

**3. POLICY/PROCEDURES**

- 3.1 Products which are evaluated for package integrity may be destructively sampled and the sample size used will follow the Codex Sampling Plan #1, Inspection Level I, AQL 6.5 for initial inspection and the Codex Sampling Plan #2, Inspection Level II, AQL 6.5 for reinspection.
- 3.2 A sample unit will be rejected if the container is damaged sufficiently to cause leaking or if the product is exposed to the environment. The lot will be considered reject if the number of sample units rejected is greater than the higher acceptance level for tainted or unwholesome. Please note, if glass chips are found in one sample unit, then the lot is automatically rejected for critical foreign material.

12            2            2

New                    24/05/96

- 3.3      Cost-recovery fees will not be applied until the fee schedule has been amended to include this evaluation.
  
- 3.4      The INIM database and the Mandatory Inspection List (MIL) will be amended accordingly and package integrity evaluation will be treated on the MIL in the same manner as the container integrity evaluation.





**Fish Products  
Inspection Manual**

Status  
New

Date  
24/04/2009

**CHAPTER 13  
SENSORY INSPECTION COMPETENCY POLICY**

**1. PURPOSE**

The *Fish Inspection Regulations* prohibit the import or export of fish that is tainted, decomposed, unwholesome or otherwise fails to meet the requirements of the Regulations. In order to verify that imported and domestic fish and fish products are not tainted, decomposed or unwholesome, CFIA inspectors are required to perform sensory analysis. This document outlines the policies on mentoring, training and assessment of inspectors responsible for the delivery of Fish Inspection Program sensory activities.

**2. SCOPE**

This policy applies to all CFIA personnel who are responsible for conducting sensory inspections of fish and fish products.

**3. AUTHORITIES**

*Fish Inspection Act*, R.S.C., 1985, c. F-12, as amended by R.S.C., 1985, c. 31 (1st supp.)

*Fish Inspection Regulations* (FIR), C.R.C. 1978, c.802.

**4. POLICY STATEMENT**

All product evaluations for taint, decomposition and unwholesomeness must be conducted by inspectors competent in sensory inspection. The CFIA prepares inspectors to conduct sensory analysis through mentoring and training, and verifies inspector competency by means of assessment activities.

**5. DEFINITIONS**

**Analyst** - for the purposes of this policy, an analyst is an inspector who has been deemed competent in sensory inspection.

**Check samples** - samples of specific products or product groups, with known sensory, physical or chemical characteristics.

**Chemical Indicators** - chemical indicators, such as the

**Fish Products  
Inspection Manual**

Status  
New      Date  
            24/04/2009

nitrogen, ethanol, indole and histamine concentrations in a product, are indicators used to scientifically measure time / temperature abuse and/or chemical changes due to autolytic enzymatic processes.

**Competent** - an inspector is competent in sensory inspection when they have demonstrated the ability to determine a sample's compliance to the appropriate product standard, within an acceptable level of deviation. This is achieved through the completion of the mentorship program.

**Expert panel** - a group of three Analysts who are chosen to render sensory decisions on samples presented at the sensory workshops. Members of the expert panel must have successfully completed an assessment for the products presented, or demonstrated that they are able to consistently and accurately determine the quality of a product.

**Mentoring** - for the fish sensory inspection program, mentoring refers to the mandatory process of coaching and assessing Mentees prior to qualifying as an Analyst.

**Product Category** - product categories are used as a means to group related products for the purposes of training and assessment. For sensory training and assessment, product categories are consistent with the process operation types outlined in the Facilities Inspection Manual, i.e., canned; ready-to-eat; shellfish; pickled, spiced and marinated; salted and dried; fresh, frozen and semi-preserved; other.

**Product Standard** - a document which defines the minimum acceptable physical and sensory quality of a product with respect to taint, decomposition and unwholesomeness, and other applicable requirements.

**Sample** - a unit of product for which an individual result is expected. Such a sample could consist of a single piece of fish or fish product, several pieces of fish or fish product, an entire fish or more than one fish.

**Science Branch's National Sensory and Chemical Indicators Group (NSCIG)** - the NSCIG supplies the scientific support for existing and newly developed sensory attributes in the determination of taint, decomposition and unwholesomeness (TDU) of seafood products. The NSCIG also addresses the need for quality assurance and standardization of sensory evaluations within the Fish Inspection Program.

**Fish Products  
Inspection Manual**

Status  
New      Date  
            24/04/2009

**6. POLICY REQUIREMENTS**

- 6.1 All inspectors working in the Fish Inspection Program are required to complete course B009 Fish Spoilage.
- 6.2 Inspectors are deemed competent to make sensory inspection decisions on their own, when they have successfully completed the Sensory Mentorship Program.
- 6.3 The mentorship program is considered completed, and the level of Analyst achieved when the activities set out in the mentorship plan and all other training requirements have been successfully completed.
- 6.4 Inspectors must be mentored, trained and regularly assessed for each product category they normally inspect.
- 6.5 Sensory inspections will be conducted following the policies and procedures in the Product Inspection policy (to be developed).
- 6.6 National workshops will be administered once per year at rotating locations in the Areas.
- 6.7 Regional workshops will be conducted as required for the training or retraining of staff. The number of Regional workshops administered will be determined as part of the annual workplanning process.
- 6.8 Check samples will be distributed nationally to monitor the consistency of sensory evaluation activities as required.
- 6.9 All sensory training workshops, assessments and check sample sessions will be conducted at appropriate sensory inspection facilities.

**7. RESPONSIBILITIES**

- 7.1 The National Manager, Technical Standards (FSPD), is responsible for the overall administration of National workshops and check sample sessions.
- 7.2 The Science Branch's National Sensory Chemical Indicator Group (NSCIG) is responsible for coordination of National workshops and check sample sessions, as well as leading, and/or assisting the Regions, in the preparation for Regional workshops.
- 7.3 Professional and Technical Development (PTD) provides



**Fish Products  
Inspection Manual**

Status  
New

Date  
24/04/2009

administrative and technical support for both National and Regional Workshops.

- 7.4 Operations is responsible for identifying the training needs of inspectors, managing the mentoring process, coordinating and delivering Regional workshops and ensuring that Analysts are assessed regularly.

**8. DIRECTIVES**

- 8.1 Appendices A through D contain the following directives:

Appendix A - Mentorship Program  
Appendix B - Sensory Training Workshops  
Appendix C - Assessments  
Appendix D - Check Sample Sessions



**Fish Products  
Inspection Manual**

Status  
New

Date  
24/04/2009

**APPENDIX A  
MENTORSHIP PROGRAM**

**1. GUIDING PRINCIPLES**

- 1.1 Mentorship is a supportive learning relationship of peers between an Analyst (mentor) who shares his/her knowledge, experience and insights with an inspector (mentee) who is ready and willing to benefit from this exchange. Both parties are responsible for conducting themselves in an open and transparent manner
- 1.2 The mentee is responsible for active participation in the mentoring process. By actively engaging in mentorship activities, the mentee helps shape their overall learning experience.

**2. ROLES AND RESPONSIBILITIES**

- 2.1 Programs, Science Branch and PTD (Professional Technical Development) support the mentoring process by providing mentors with coaching and training development, sensory inspection guidance and communication, and by assessing the consistency of sensory evaluations.
- 2.2 Programs Branch provides mentorship oversight via the Area Program staff and the Program staff in Ottawa. The Area Program staff provide technical support for the delivery of the sensory inspection program including mentoring. The Program staff in Ottawa provide national program support and training development.
- 2.3 Operations Branch manages the mentoring process including the identification and training of mentors, the determination of training needs for mentees, the delivery of sensory mentoring, and the determination of Analyst status. More specifically, the supervisor will:
- ▶ establish access to mentors and, when appropriate, nominate new mentors,
  - ▶ arrange for training of potential mentors, where required,
  - ▶ determine training requirements for inspectors, and facilitate training, as needed, prior to mentoring,
  - ▶ initiate mentoring,
  - ▶ review individual mentoring plans,
  - ▶ facilitate of the accomplishment of the mentoring plan,
  - ▶ make the final assessment of achievement for Analyst



**Fish Products  
Inspection Manual**

Status  
New

Date  
24/04/2009

- status based on recommendations from the mentor,
- ▶ hold and/or convey confidential records of mentoring, and
- ▶ communicate the names of mentors and personnel qualified as Analysts to Area personnel (e.g. Area Training Officer, Planning and Resource Officer or Regional Operations Coordinator) responsible for maintaining such records.

2.4 It is the role of the mentor to coach the mentee by sharing knowledge and experience and help the mentee to develop their own expertise. This is achieved by:

- ▶ developing the mentoring plan in consultation with the mentee and supervisor,
- ▶ establishing goals for each mentoring session,
- ▶ providing advice and guidance to the mentee,
- ▶ making a record of the mentee's accomplishments,
- ▶ communicating the mentee's progress regularly with both the mentee and supervisor and identifying areas that require support,
- ▶ providing the supervisor with objective evidence for use in the assessment of the mentee's qualifications, and
- ▶ making recommendations to the supervisor, as to when the mentee is fully trained in sensory analysis.

2.5 It is the role of the mentee to actively participate in the design and completion of the Sensory Mentoring Program as developed in conjunction with their mentor.

### **3. IDENTIFICATION OF MENTORS**

3.1 Supervisors nominate operational personnel (e.g., inspectors, supervisors, specialists, and others) to become mentors by completing a Sensory Inspection Mentor Recommendation Report (Form A). The report describes the attributes required for a Sensory Mentor, and how the nominee demonstrates each attribute. The required attributes are:

- the nominee has achieved Analyst status by completion of the mentorship process, or equivalent, and demonstrates knowledge and skill in conducting sensory inspections,
- the nominee has, and demonstrates, the ability to:
  - share and communicate their knowledge and expertise in a way that supports and challenges others,
  - transfer information in a clear, non biased and constructive manner,
  - determine a colleague's accomplishments and



**Fish Products  
Inspection Manual**

Status  
New

Date  
24/04/2009

communicate with the colleague in a positive manner,

- the nominee is able to adapt to change (e.g. technology, new products and new programs)
- the nominee is recognized by their peers as possessing these qualities, and
- the nominee is willing to mentor others.

3.2 The Inspection Manager has the responsibility for accepting or declining the mentor nomination and advising the supervisor accordingly. The names of mentors should be communicated to the Area Training Officer and Program Manager.

3.3 It is recommended that mentors participate in coaching and mentorship courses.

**4. PAIRING A MENTEE WITH A MENTOR**

4.1 The supervisor identifies an inspector for mentoring and, by completing a Sensory Inspection Mentoring Entry Form (Form B), verifies that the inspector is designated under the appropriate legislation, and available to begin the sensory mentoring process.

4.2 The supervisor arranges for a mentor to be paired with the mentee and notifies both parties.

4.3 The mentor will contact the mentee to schedule an initial meeting with the objective to discuss the mentoring process and the mentoring plan. At the initial meeting, the mentor will explain the mentor-mentee-supervisor relationship, the mentoring process, the mentoring plan, and the final assessment by the supervisor.

**5. DEVELOPMENT OF THE MENTORING PLAN**

5.1 To aid in the development of an individual mentoring plan, the supervisor provides the mentor with the completed Sensory Inspection Mentoring Entry Form (Form B) which contains a summary of the mentee's training and experience. The mentor collaborates with the supervisor and the mentee to identify the individual needs to be addressed in the mentoring plan.

5.2 The Sensory Inspection Mentoring Plan (Form C) is a schedule of mentoring sessions, sensory-related inspection activities and training (if applicable), that will be conducted during the mentorship process.



**Fish Products  
Inspection Manual**

Status  
New

Date  
24/04/2009

5.3 The mentoring plan is designed to build on the experience of the mentee and provide any additional experience necessary to achieve Analyst status. The plan must be designed to ensure that the mentee experiences sensory inspections for all types of products that they will be responsible for inspecting.

5.4 The activities in the mentoring plan should increasingly challenge the mentee's developing sensory skills. In the beginning, the mentoring activities are usually carried out with close interaction between the mentor and mentee and gradually move toward independent actions as the mentee acquires and develops the required skill sets and abilities. It is important that training needs are met before sensory inspection activities requiring specialized knowledge are carried out.

**6. COMPLETION OF THE MENTORING PLAN**

6.1 The mentor oversees the completion of the mentoring plan but the mentor is not required to accompany the mentee at every exercise. Since the mentee is unable to make official sensory decisions, other Analysts may assist the mentee when the mentor is unavailable.

6.2 The mentor schedules meetings regularly or on an as-needed basis, with the mentee and supervisor. These meetings are an opportunity to discuss the progress of the mentee and to identify issues which may be hindering the mentoring process. The supervisor and/or the mentee may also request meetings as required.

6.3 The mentor uses the Sensory Inspection Mentoring Achievement Report for Analyst Status (Form D) to record the mentee's progress (the mentor provides objective evidence and constructive remarks only). Upon completion of the mentoring plan, the mentor will present the report with accomplishments indicated to the supervisor.

6.4 The supervisor uses the completed Mentoring Plan and Sensory Inspection Mentoring Achievement Report for Analyst Status, communication with the mentee and mentor, and other activities as required, to assess if the mentee has achieved Analyst status. The supervisor may also determine that additional mentoring and/or training is required; this decision could initiate another cycle of mentoring including a succeeding mentoring plan.





**Fish Products  
Inspection Manual**

Status  
New

Date  
24/04/2009

**7. RECORD KEEPING**

- 7.1 The supervisor uses the Mentee Assessment Report (Form E) to record and communicate the achievement of Analyst status to the mentee and the mentor. Copies should also be provided to the Area Training Officer and the Fish Program Manager through regular communication channels.
- 7.2 All records of mentoring are protected. When the mentoring plan is accomplished, the mentor transfers all reports of mentoring to the mentee's supervisor who takes responsibility for handling the file.

**8. FORMS**

- Form A - Sensory Inspection Mentor Recommendation Report
- Form B - Sensory Inspection Mentoring Entry Form
- Form C - Sensory Inspection Mentoring Plan
- Form D - Sensory Inspection Mentoring Achievement Report for Analyst Status
- Form E - Sensory Inspection Mentee Assessment Report

**Fish Products  
Inspection Manual**

Status  
New

Date  
24/04/2009

**APPENDIX B  
SENSORY TRAINING WORKSHOPS**

1. National and regional workshops are conducted to train inspectors in the interpretation and application of general and/or specific product standards and to evaluate the ability of Analysts to interpret and apply product standards.
2. National workshops play an important role in ensuring national interpretation of product standards. Regional workshops play an important role in developing and maintaining the sensory abilities of inspectors.
3. Sensory training workshops will be combined with an assessment.
4. For Regional workshops, priority to attend should be given to those who have not been previously assessed.
5. National workshops will be held in rotating locations in the Areas. The majority of participants will attend from the Region in which the workshop is held, along with at least one participant from each of the other Areas.
6. Operations will nominate the attendees for the National workshops and provide a list of the attendees to Programs. Priority should be given to those who will be responsible for mentorship and the delivery of training in the Regions. This will ensure that a national interpretation of product standards is being used to train new Analysts across the country.



**Fish Products  
Inspection Manual**

Status  
New

Date  
24/04/2009

**APPENDIX C  
ASSESSMENTS**

1. Assessments are conducted to assess the competency of inspectors in evaluating a set of samples against a calibrated Expert Panel and, where appropriate, correlated chemical indicators of spoilage.
2. Regions are responsible for ensuring that Analysts are assessed regularly. A guideline for regular assessment is once every three years for each product category.
3. When the results from an assessment indicate that an Analyst is unsuccessful at meeting the standard for a product from one or more product categories, they will no longer be considered an Analyst for that category. As such, they will not be permitted to render decisions on products from that category. The individual will be considered a mentee for that product category until they receive additional training and mentoring and have either been reassessed or signed off as an Analyst by their mentor and supervisor.
4. The Inspection Manager and/or Supervisor are responsible for any resultant action due to the loss of the Analyst status, and to arrange the follow-up training for the individual to regain Analysts status in that product category. Steps should be taken to determine the cause for the failure. In situations where there is a repeated loss of status in one or more product categories by an Analyst, consideration should be given to the need of this individual to maintain this status before follow-up training is initiated.
5. To regain Analyst status for a product category, the individual should receive follow-up training specific to that product category from other Analysts and/or mentors in their Area. The individual must successfully demonstrate their ability to assess that product category for compliance to the set standard through the mentorship program or through successful completion of a regional or national assessment.



**Fish Products  
Inspection Manual**

Status  
New

Date  
24/04/2009

**APPENDIX D  
CHECK SAMPLE SESSIONS**

1. Check sample sessions provide a means of monitoring the national consistency of sensory evaluation activities. The objectives of the check sample sessions are:
  - ▶ to evaluate if product standards are being consistently applied across the country,
  - ▶ to monitor Analyst performance and provide Analysts with feedback on their application of the standard from year to year,
  - ▶ to reduce drift in an Analyst's application of a product standard,
  - ▶ to provide Regional management and workshop coordinators with data to evaluate the overall consistency of sensory evaluation activities, and to determine if Analysts require further training.
2. The number of products and samples to be evaluated during check sample sessions will be determined each year as part of the annual workplanning process.
3. Samples for the check sample sessions are prepared by the NSCIG to ensure accuracy and national consistency.
4. Where the results of a check sample session indicate that an Analyst requires further training, it is the responsibility of the Inspection Manager and/or Supervisor to investigate the cause of the Analyst's performance and arrange for appropriate follow-up mentoring or training.



**Fish Products  
Inspection Manual**

Status  
New

Date  
02/06/00

**CHAPTER 14**

**NET CONTENT DETERMINATION**

**1. SCOPE**

This document outlines the regulations, policy and procedures governing the net content determination of domestic and imported fish and fish products.

**2. AUTHORITIES**

*Fish Inspection Act*. R.S.C., 1985, c.F-12; Sections 3(c).

*Fish Inspection Regulations* (FIR), C.R.C., 1978, c.802; Interpretation, Section 2.

*Fish Inspection Regulations* (FIR), C.R.C., 1978, c.802; Part II, Labeling

*Section 25* (FIR):

(1) In the case of canned fish, every can of fish or the wrapper or label thereon shall be correctly and legibly marked in English or French, in addition to any other language, to indicate:

(b) in the case of fish other than shellfish and crustaceans, the net weight of the contents;

(c) in the case of shellfish and crustaceans, the drained weight of the contents;

*Section 26* (FIR):

(1) In the case of fish, other than canned fish, every container or the label thereon shall be correctly and legibly marked in English or French, in addition to any other language, to indicate:

(b) the net weight of the fish unless,

(i) in the case of oyster and clam meats that are not frozen, the container or label is marked with a statement of net contents in terms of fluid measure or by count,



**Fish Products  
Inspection Manual**

(ii) in the case of oysters that are marketed in the shell, the container or label is marked with a statement of the contents in terms of bushels or pecks or by count, or

(iii) in any case not referred to in subparagraph (i) or (ii), the container or label states that the contents are to be weighed at time of retail sale.

*Section 27 (FIR):*

No person shall package any fish or mark or label any container of fish in a manner that is false, misleading or deceptive.

*Consumer Packaging and Labelling Act (CPLA)*

*Section 7 (CPLA):*

(3) Where a declaration of net quantity shows the purported net quantity of the prepackaged product to which it is applied, that declaration shall be deemed not to be a false or misleading representation if the net quantity of the prepackaged product is, subject to the prescribed tolerance, not less than the declared net quantity of the prepackaged product and the declaration otherwise meets the requirements of this Act and regulations.

*Consumer Packaging and Labelling Regulations (CPLR), chapter 417.* These regulations apply only to prepackaged consumer products.

*Section 3 (CPLR):*

(1) Prepackaged products that are produced or manufactured for commercial or industrial enterprises or institutions for use by such enterprises or institutions without being sold by them as prepackaged products to other consumers are exempt from all the provisions of the Act.

(2) Prepackaged products that are produced or manufactured only for export or for sale to a duty-free store, are exempt from all the provisions of the Act.

*Section 21 (CPLR):*

Subject to sections 22, 23 and 36 the declaration of net quantity of a prepackaged product shall show the quantity



**Fish Products  
Inspection Manual**

Status  
New

Date  
02/06/00

of the product

(a) by volume, when the product is a liquid or gas or is viscous, or

(b) by weight, when the product is solid

unless it is the established trade practice to show the net quantity of the product in some other manner, in which case the declaration shall be in accordance with the established trade practice.

*Section 22 (CPLR):*

(2) The declaration of net quantity of a prepackaged product listed in the table to this subsection shall show the net quantity of the product by weight of the edible contents in the container exclusive of the free liquid or glaze content.

<b>Item</b>	<b>Product</b>
1	Canned shellfish
2	Canned crustaceans
3	Meat* packaged in brine or vinegar solutions
4	Frozen glazed fish

\* Includes fish and fish products.

*Section 38 (CPLR):*

(1) For the purposes of Schedule I, "catch-weight product" means a prepackaged product that because of its nature cannot normally be portioned to a predetermined quantity and is, as a result, usually sold in varying quantities.

(2) The prescribed tolerance for the purposes of subsection 7(3) of the Act is that set out in column II of an item of the appropriate Part of Schedule I for the declared net quantity set out in column I of that item.

*Weights and Measures Act (WMA) and Weights and Measures Regulations (WMR)*

Note: These Regulations apply to commodities that are packed for industrial, commercial and institutional markets.

**Fish Products  
Inspection Manual**

*Section 49 (WMR):*

(1) Subject to subsection (2), the prescribed limits of error for the purposes of sections 9 and 33 of the Act are those set out in column II of an item of the appropriate Part of Schedule II for the stated quantity set out in column I of that item.

*Section 52 (WMR):*

(1) The inspection of any quantity of prepackaged commodities, hereinafter referred to as a lot, each unit of which purports to contain the same quantity of commodity, that an inspector undertakes to determine whether the lot meets the requirements of the Act and these Regulations respecting the statement of quantity, shall be made by selecting and inspecting a sample from the lot.

(4) The lot from which a sample was taken and inspected by an inspector does not meet the requirements of the Act and these Regulations respecting the statement of quantity where the inspector determines that:

(a) the weighted average quantity of the units in the sample, as determined by the formula set out in Part II of Schedule III, is less than the stated quantity;

(b) the number of units in the sample that contain less than the stated quantity by more than the prescribed limit of error set out in Schedule II for that quantity is equal to or greater than the number set out in column II of part IV of Schedule III for the sample size set out in column I thereof; or

(c) two or more units in the sample contain less than the stated quantity by more than twice the prescribed limit of error set out in Schedule II for that quantity.

*Food And Drugs Act. R.S.C., 1985, c.42 (FDA) Sections 5(1) and 30(b).*

*Section 5 (FDA):*

(1) No person shall label, package, treat, process, sell or advertise any food in a manner that is false, misleading or deceptive or is likely to create an erroneous impression regarding its character, value, quantity, composition, merit or safety.





**Fish Products  
Inspection Manual**

Status                      Date  
Amend.no.26              30/09/2008

(2) An article of food that is not labeled or packaged as required by, or is labeled or packaged contrary to, the regulations shall be deemed to be labeled or packaged contrary to subsection (1).

**3. DEFINITIONS**

**Bulk Pack:** means a container consisting of non-prepackaged fish or fish product (i.e., individual whole fish, glazed fish fillets, glazed shrimp) or prepackaged catch-weight product which do not have a declared net content on the label and are to be weighed at the time of sale.

**Catch-Weight Product:** means a prepackaged product that, because of its nature, cannot normally be proportioned to a predetermined quantity and is, as a result, usually sold in varying quantities.

**Container:** means any type of receptacle, package, wrapper or confining band used in packing or marketing fish. (FIA)

**Destructive Inspection:** means an inspection in which the container or product is destroyed, modified or rendered unusable. An example of this would be products requiring a "Drained Weight" declaration.

**Drained Weight:** means the weight of the edible contents of the container exclusive of free water, brine, pickling solution or glaze.

**Dry Pack:** a term applied to lobster or crustacean meat that has been vacuum packed, with no water or brine added to the final product. For the purpose of satisfying the *Fish Inspection Regulations*, it is recognised that there is no added liquid to be drained from the meat when lobster or crustacean meat is vacuum packed in this manner.

**Individually measured product:** means a commodity that is measured by any method other than by a packing device.  
(WMR)

**Limits of error:** The maximum net content deficiency (tolerance) permitted for an individual package (unit).  
(WMR)

**Net Weight:** with respect to unfrozen or frozen lobster meat (to which water or brine has been added to the final product), means the weight of the edible contents of a

**Fish Products  
Inspection Manual**

Status      Date  
Amend.no.26      30/09/2008

container after the liquid has been drained from the container by a method approved by the Minister and, with respect to any other fish (including dry pack lobster), means the total weight of the edible contents of a container.

**Non-destructive inspection:** means an inspection in which the container is not destroyed. An example of this would be products requiring a "Net Weight" declaration with the exception of unfrozen or frozen lobster meat.

**Packing Device:** means a device that, as part of a mechanical packing system, measures a predetermined quantity of commodity without recording the measurement of each quantity of commodity measured by the device or without being operated by a person who observes or records the measurement of each quantity of commodity measured by the device.

**Pre-packaged product:** any product that is packaged in a container, in such a manner that it is ordinarily sold to, used or purchased by a consumer or commercial enterprise without being repackaged. (CPLA)

**Screening inspection:** means an inspection to screen lots of imported or domestically produced fish and fish products from importers and processors who have had a good record of compliance with regard to net content and to avoid the necessity for the destructive examination of a large number of sample units.

**T<sub>1</sub>:** a calculation that is equal to the declared weight minus the tolerance, as determined from Appendix A or B.

**T<sub>2</sub>:** a calculation that is equal to the declared weight minus two times the tolerance, as determined from Appendix A or B.

**Weighted average:** Corresponds to the sum of the average content of a sample and a statistical adjustment value. This adjustment takes into consideration the sample size and standard deviation in order to ensure a confidence level of 99.5% (WMR) (see Appendix C).

**4. POLICY**

4.1 All fish and fish products intended for export or import must meet the requirements of the *Fish Inspection Act* and *Regulations*.

**Fish Products  
Inspection Manual**

Status New      Date 02/06/00

The authority to inspect and sample a lot of product for net content determination is derived from the *Fish Inspection Act* (FIA) and *Regulations* (FIR). The FIA and FIR provide the authority to choose the sampling plan to be used when a product lot is inspected for net content determination, and to define the plan in a policy statement.

- 4.2 When sampling a lot of product for net content determination, the sampling plan found in Annex A of the Sampling Policy and Procedures Chapter, Fish Products Standards and Methods Manual is to be followed. This sampling plan is used to obtain a sample from a lot undergoing destructive or non-destructive analysis and the sample obtained when using this plan is the official sample.
- 4.3 The only time when it would be mandatory for Inspectors to use the sampling plans associated with the *Consumer Packaging and Labelling Regulations* and the *Weights and Measures Regulations*, is when the Inspector is, in fact, enforcing those Regulations and acting under their authority.
- 4.4 Designating the sampling plan to be used by Inspectors acting under the *Fish Inspection Act* and *Fish Inspection Regulations* does not preclude the adoption of policy or information, as found in the *Weights and Measures Act* and *Regulations*, or the *Consumer Packaging and Labelling Acts* and *Regulations*, as procedural guidelines.
- 4.5 CFIA will not inspect the following fish or fish products for net content verification;
  - a) products from an importer or processor servicing a subsidiary or affiliated buyer in Canada, provided the subsidiary or affiliate is the end user;
  - b) products which are intended for further processing in an establishment registered with the CFIA.
- 4.6 An Inspector may, at the request of the purchaser, owner or agent, sample and inspect lots of imported or domestically produced fish and fish products as described in a) and b) above to ensure products comply with regard to net content. In such cases, an appropriate fee will be charged to the person requesting the inspection in accordance with the cost recovery sections of the *Fish Inspection Regulations*.



**Fish Products  
Inspection Manual**

Status  
New

Date  
02/06/00

4.7 Catch-weight products may be prepackaged product packaged in a master carton and therefore the net content of the master carton will be verified (e.g., sides of smoked salmon prepackaged in a master carton, where the weight for the individual prepackaged side of smoked salmon is determined at retail point of sale).

4.8 Screening Inspection

4.8.1 For the purpose of interpreting "false, misleading or deceptive" with respect to the net content of fish and containers subject to the *Fish Inspection Regulations*, a screening inspection may be conducted for bulk-packed products provided the following criterion has been satisfied:

- a) in the case of domestic product, no lot from the same processor has been rejected for net content during the previous four inspections carried out by the processor according to their QMP; or
- b) in the case of imported product, the processor is not recorded for the product type in question on the Import Alert List because of net content.

4.8.2 A screening inspection is permitted for bulk packed product only. The number of samples will consist of three units.

4.8.3 A screening inspection will not be permitted when:

- a) the product has been rejected as a result of net content determination;
- b) the product is listed on the Import Alert List (IAL) as a result of net content determination;
- c) the inspector, based on record checks, plant practise, confidence in the operation and compliance history, has reason to believe that a screening inspection should not be permitted.

**5. LOT COMPLIANCE**

5.1 Screening Inspection

If a lot fails a screening inspection, the owner or agent will be advised and the lot will be subject to an initial inspection using the sample size, tolerances and acceptance

**Fish Products  
Inspection Manual**

Status New      Date 02/06/00

criteria as specified in this Chapter.

If the lot fails an initial inspection, the owner or agent may be offered a suspended inspection or reinspection in which case they must follow the policy and procedures for these inspections set out in this Manual.

All lots for which a suspended inspection or a reinspection has been approved will be sampled and inspected in accordance with the sample sizes, tolerances and acceptance criteria as specified in this Chapter.

5.1.1 The tolerances and acceptance criteria for a screening inspection are the same as for the initial inspection with the exception that if the average net content of all the sample units examined fails to meet the declared net content, then the weighted lot average will not be calculated for evaluation of compliance.

5.2 Initial Inspection

5.2.1 Prepackaged Products

- a) A lot of other than catch-weight products examined for net content will fail the inspection when:
  - i) the number of units in a sample that have a net content less than the declared net content by more than the tolerance set out in Appendix A, Schedule I, Part III or IV, Column II, is greater than the acceptance number in brackets (c) found in the attribute sampling plan in the Fish Products Standards and Methods Sampling chapter; or
  - ii) two or more units in the sample contain less than the declared net content by more than twice the tolerance set out in Appendix A, Schedule I, Part III or IV, Column II; or
  - iii) the weighted average quantity of all sample units examined, as determined by the formula set out in Appendix C, Schedule II and III, Part II, is less than the declared net content.
- b) A lot of catch-weight products examined for net content will fail the inspection when:
  - i) the number of units in a sample, that have a net content less than the declared net content by more



**Fish Products  
Inspection Manual**

<u>Status</u>	<u>Date</u>
New	02/06/00

than the tolerance in Appendix A, Schedule I, Parts I and II, Column II, is greater than the acceptance number in brackets (c) found in the attribute sampling plan in the Fish Products Standards and Methods Sampling chapter; or

- ii) two or more units in the sample contain less than the declared net content by more than twice the tolerance set out in Appendix A, Schedule I, Parts I or II, Column II.
- iii) the weighted average quantity of all sample units examined, as determined by the formula set out in Appendix C, Schedule II and III, Part II, is less than the declared net content.

5.2.2 Products for Industrial, Commercial and Institutional Markets.

- a) A lot of other than individually measured products will fail the inspection when:
  - i) the number of units in a sample, that have a net content less than the declared net content by more than the tolerance set out in Appendix B, Schedule II, Parts V or VI, Column II, is greater than the acceptance number in brackets (c) found in the attribute sampling plan in the Fish Products Standards and Methods Sampling chapter; or
  - ii) two or more units in the sample contain less than the declared net content by more than twice the tolerance set out in Appendix B, Schedule II, Parts V or VI, Column II; or
  - iii) the weighted average quantity of all sample units examined, as determined by the formula set out in Appendix C, Schedule II and III, Part II, is less than the declared net content.
- b) A lot of individually measured products will fail the inspection when:
  - i) the number of units in a sample, that have a net content less than the declared net content by more than the tolerance set out in Appendix B, Schedule II, Parts V or VI, Column II, is greater than the acceptance number in brackets (c) found in the attribute sampling plan in the Fish Products



**Fish Products  
Inspection Manual**

Standards and Methods Sampling chapter; or

- ii) two or more units in the sample contain less than the declared net content by more than twice the tolerance set out in Appendix B, Schedule II, Parts V or VI, Column II; or
- iii) the weighted average quantity of all sample units examined, as determined by the formula set out in Appendix C, Schedule II and III, Part II, is less than the declared net content.

5.2.3 If the lot fails an official inspection, the owner or agent may be offered a suspended inspection or reinspection in which case they must follow the policy and procedures for these inspections set out in this Manual. All lots for which a suspended inspection or a reinspection has been approved will be sampled and inspected in accordance with the sampling plan specified in Annex A of the Sampling chapter of the Fish Products Standards and Methods Manual, and the tolerance and acceptance criteria as specified in the attribute sampling plan in the Fish Products Standards and Methods Sampling chapter.

5.3 Initial Inspections, Suspended Inspections and Reinspection

If the average net content of all sample units examined fails to meet the declared net content then the weighted lot average must be calculated and this value is used for evaluation of compliance.

5.4 A lot of product that has been rejected for net content may be re-labeled by the processor or importer. The determination of the new net content for the label will be the responsibility of the processor or importer.

The CFIA will verify the net content as re-labeled by performing a net content determination calculation.

- The new net content becomes the declared net weight for the product.
- Based on this declared net weight, a tolerance is obtained from Appendix A or B.
- The  $T_1$  and  $T_2$  values are calculated for the declared weight.
- These calculations and the original sample unit weights are used to determine compliance according to the policy.



**Fish Products  
Inspection Manual**

**6. PROCEDURE: TOTAL CONTENTS**

**6.1 Application**

This procedure is applicable to products where the entire package contents are considered to be edible.

Note: See Section 9 for the evaluation of products which specifically require a "washed drained weight" analysis for export certification purposes.

**6.2 Sample Preparation**

No preliminary product preparation is necessary.

**6.3 Weight Determination**

**6.3.1 Non-Destructive Inspection**

a) Determine and record actual individual tare weights, average tare weight and tare range in accordance with the following:

- i) collect a minimum of ten containers;
- ii) clean and dry the containers;
- iii) determine the weight of each of the containers;
- iv) calculate the average tare ( $\bar{t}$ ):

$$\bar{t} = \frac{\sum t}{n}$$

where  $\sum t$  = total weight of containers  
 $n$  = number of containers

v) determine the tare range (R), i.e., the difference between the heaviest and the lightest container.

$$R = t_H - t_L \text{ where } R = \text{tare range}$$

$t_H$  = weight of heaviest container  
 $t_L$  = weight of lightest container

- b) Determine and record the  $T1 \pm \frac{1}{2}R$  and the  $T2 \pm \frac{1}{2}R$  values.
- c) Determine the gross weight of each unopened sample unit.





**Fish Products  
Inspection Manual**

- d) Determine and record the net content of each sample unit using the following calculation:

net content = gross weight of unopened sample unit - average tare

- e) Identify any container that may be within the areas of the  $T1 \pm \frac{1}{2}R$  value and the  $T2 \pm \frac{1}{2}R$  value. Any container which lies within these areas is to be reweighed using the actual tare (destructive inspection) of the container unit.

6.3.2 Destructive Inspection

- a) Determine and record the gross weight of each unopened sample unit.
- b) Determine and record the individual tare weight of each sample unit.
- c) Determine and record the net content of each sample unit using the following calculation:

net content = gross weight of sample unit - tare weight of the sample unit

- d) Determine and record the number of defective containers both with greater than one tolerance or limit of error ( $>T1$ ) and greater than two tolerances or limits of error ( $>T2$ ). Note: Every unit found to be greater than  $T2$  is automatically beyond  $T1$ .

**7. PROCEDURE: DRAINED CONTENTS**

**7.1 Non-frozen Products Packed in Water, Brine or Vinegar (many canned and semi-preserved products fall into this category)**

7.1.1 Sample Preparation

There is no preliminary product preparation necessary.

7.1.2 Weight Determination

- a) Tare scale with sieve. After opening the container, transfer product in the sieve\*, distributing evenly over the surface of the mesh. Incline the sieve\* at an angle of 20 to 30 degrees from horizontal.
- b) Without shifting the product, drain for a period of 2 minutes.



**Fish Products  
Inspection Manual**

Status                      Date  
Amend.no.26              30/09/2008

- c) Transfer the sieve containing the drained product on the scale and weigh. The resultant figure is the net content for that sample unit.

**7.2      Glazed Frozen Products (including glazed shellfish, groundfish and crustacean products)**

This is a drained weight because the glaze is being removed from the product. The product remains frozen.

7.2.1      Sample Preparation

- a) Remove package from frozen storage, open and place product under gentle spray of cold water.
- b) Agitate carefully, spraying the product until all glaze which can be seen or felt is removed. The product should remain frozen and depending on the product size extra care may need to be taken during deglazing.

7.2.2      Weight Determination

- a) Tare scale with sieve. After deglazing, transfer product in the sieve\* as appropriate for the product size.
- b) Incline the sieve\* at an angle of 20 to 30 degrees from horizontal and drain for a period of 2 minutes. This will remove the spray water from the product. The product remains frozen during this step.
- c) Transfer the sieve containing the drained product on the scale and weigh. The resultant figure is the net content for that sample unit.

**7.3      Frozen Whole Crustacean Products Immersed in Water or Brine (e.g., popsicle pack lobster)**

7.3.1      Sample Preparation

Thaw the sample unit with packaging by submerging in cool running or circulating water until all visible ice has been removed from the product in the container. This is determined by loss of rigidity or by the possibility of manipulating the product apart. This may be accomplished by using a sink with running tap water or a circulating water bath.



**Fish Products  
Inspection Manual**

7.3.2 Weight Determination

- a) Tare scale with sieve. After the product has thawed enough to remove ice, as determined by a loss of rigidity, remove product from container, transfer the product in the sieve\*, as appropriate for the product size.
- b) Without shifting the product, incline the sieve\* at an angle of 20 to 30 degrees from horizontal and drain for a period of 2 minutes.
- c) Transfer the sieve containing the drained product on the scale and. The resultant figure is the net content for that sample unit.

**7.4 Frozen Crustacean Meat Products or Molluscan Shellfish Meats to which Water or Brine has been Added to the Final Product (e.g., frozen lobster meat in metal container)**

7.4.1 Sample Preparation

Thaw the sample unit by submerging the individual packages in cool running or circulating water until a core meat temperature of between 5 - 10 °C is reached. This may be accomplished by using a sink with running tap water or a circulating water bath. Take one sample out of water, take the temperature. If core temperature of 5 - 10 °C is not reached while container is in circulating water, it is to be left on the counter until desired temperature is attained. Continue monitoring for desired temperature of samples

7.4.2 Weight Determination

- a) Tare scale with sieve. After thawing, each container is opened and the core meat temperature is measured and recorded.
- b) Transfer product into the into the sieve\*, distributing evenly.
- c) Without shifting the product, incline the sieve\* at an angle of 20 to 30 degrees from horizontal and drain for a period of 2 minutes.
- c) Transfer the sieve containing the product on the scale and weigh. The resultant figure is the net content for that sample unit.



**Fish Products  
Inspection Manual**

Status  
New

Date  
02/06/00

**\* See Appendix E: Sieve Size Designations**

**8. PROCEDURE: FLUID MEASURE**

**8.1 Application**

Applicable to all products where the contents are expressed as volume.

**8.2 Sample Preparation**

Allow the sample unit to come to a temperature of between 20 and 25 °C.

Prepare clean and dry wide-neck cylinders equal to the number of containers to be examined. The cylinders must be accurate to 1 mL.

**8.3 Fluid Measure Determination**

8.3.1 Open the container and allow to drain into a separate cylinder for 2 minutes. For viscous products which do not drain completely, use an appropriately sized plastic spatula to thoroughly transfer the contents of each container to the appropriate cylinder.

8.3.2 Determine and record the volume of the product in each cylinder. The resultant figure shall be considered the net content for that sample unit.

**8.4 Fluid Measure Determination - Thick Soup and Chowder**

**8.4.1 Sample Preparation**

Allow the sample unit to come to a temperature of 20 °C.

Ensure that the pycnometer used during this procedure is properly calibrated and certified.

**8.4.2 Fluid Measure Determination**

a) Open container and empty contents into a clean and dry container. Using a blender, blend the product contents until homogenized into a smooth and uniform mixture. Remove the air bubbles which may have formed during this process by slowly mixing the contents with a spatula.



**Fish Products  
Inspection Manual**

- b) Tare the weight of the pycnometer on a balance, and then fill it to capacity with the product, put the lid in place and wipe off the excess product. The pycnometer (tare) with its contents is then weighed (M).
- c) Calculate the density of the product by using the formula  $D=M/V$  where V is the calibrated capacity of the pycnometer, and M is the weight of the contents in the pycnometer.
- d) Repeat the entire procedure two more times and calculate the mean density.
- e) Determine the volume (V) of the remaining samples by weighing each sample and using the formula  $V=M/D$  where M is the weight of each sample and D is the calculated mean density.

**9. PROCEDURE: WASHED DRAINED WEIGHT**

**9.1 Application**

Applicable only to products which are presented for certification for export to countries that specifically require the net content determination to be conducted as a "washed drained weight".

**9.2 Sample Preparation**

- a) Allow the sample unit to come to a temperature of 20 - 25 °C.
- b) Open the container, tilt, and using hot tap water (approx. 40 °C), wash the sauce from the product. Transfer the contents to a sieve\*, distributing the product evenly over the surface of the mesh.

**9.3 Weight Determination**

- a) Wash the contents of the sieve\* with hot water until the product is free of adhering sauce. Where necessary remove optional ingredients (spices, vegetables, fruits) with pincers.
- b) Without shifting the product, incline the sieve\* at an angle of 20 to 30 degrees from horizontal and drain for a period of 2 minutes.



**Fish Products  
Inspection Manual**

Status  
New

Date  
02/06/00

- c) Transfer the drained product to a tare pan and weigh. The resultant figure is the net content for the sample unit.

**\* See Appendix E: Sieve Size Designations**

**10. FORMS/DOCUMENTS**

Appendix A - Tolerances under the *Consumer Packaging and Labelling Regulations*

Schedule I

Part I: Tolerances of Net Quantities Declared in Metric Units of Mass for Catch-Weight Products.

Part II: Tolerances of Net Quantities Declared in Canadian Units of Mass or Weight for Catch-Weight Products.

Part III: Tolerances for Net Quantities Declared in Metric Units of Mass or Volume for Prepackaged Products other than Catch-Weight Products.

Part IV: Tolerances for Net Quantities Declared in Canadian Units of Mass or Weight for Prepackaged Products other than Catch-Weight Products.

Appendix B - Limits of Error under *Weights and Measures Regulations*

Schedule II

Part I: Limits of Error for Quantities Measured in Metric Units of Mass for Individually Measured Commodities.

Part II: Limits of Error for Quantities Measured in Canadian Units of Mass for Individually Measured Commodities.

Part V: Limits of Error for Quantities Measured in Metric Units of Mass or Volume for Commodities other than Individually



**Fish Products  
Inspection Manual**

Measured Commodities.

Part VI: Limits of Error for Quantities Measured in Canadian Units of Mass or Weight for Commodities other than Individually Measured Commodities.

Appendix C - Formula for Determining the Weighted Average Quantity of the Units in a Sample

Appendix D - Method of Rounding-Off Calculated Figures

Appendix E - Sieve Size Designations

Appendix F - Product Examination Worksheet - Net Content

Appendix G - Worksheets

1) Tolerance and T1/T2 Defective Determination; and

2) Calculation of Weighted Lot Average

(These are Excel worksheets that are downloadable from the Internet at <http://www.inspection.gc.ca/english/anima/fispoi/product/prod.shtml>)



**Fish Products  
Inspection Manual**

**APPENDIX A**

Tolerances for the declared net content under *Consumer Packaging and Labelling Regulations* - Section 38(2)

**SCHEDULE I  
PART I**

**Tolerances of Net Quantities Declared in Metric Units of  
Mass For Catch-Weight Products**

Item	Column I Declared Net Quantity	Column II Tolerance %	grams
<u>grams</u>			
1.	more than 0 to not more than 60	10	--
2.	more than 60 to not more than 600	--	6
3.	more than 600 to not more than 1 000	1	--
<u>kilograms</u>			
4.	more than 1 to not more than 1.5	--	10
5.	more than 1.5 to not more than 3	0.66	--
6.	more than 3 to not more than 4	--	20
7.	more than 4 to not more than 10	0.5	--
8.	more than 10 to not more than 15	--	50
9.	more than 15 to not more than 250	0.33	--
10.	more than 250 to not more than 500	--	750
11.	more than 500	0.15	--





**Fish Products  
Inspection Manual**

**SCHEDULE I  
PART II**

**Tolerances of Net Quantities Declared in Canadian Units of  
Mass or Weight for Catch-Weight Products**

Item	Column I Declared Net Quantity	Column II Tolerance %	ounces
	<u>ounces</u>		
1.	more than 0 to not more than 2	10	--
2.	more than 2 to not more than 20	--	0.2
	<u>pounds</u>		
3.	more than 1.25 to not more than 2.2	1	--
4.	more than 2.2 to not more than 3.3	--	0.35
5.	more than 3.3 to not more than 6.6	0.66	--
6.	more than 6.6 to not more than 8.8	--	0.71
7.	more than 8.8 to not more than 22	0.5	--
8.	more than 22 to not more than 33	--	1.76
9.	more than 33 to not more than 550	0.33	--
10.	more than 550 to not more than 1 100	--	26.4
11.	more than 1 100	0.15	--



**Fish Products  
Inspection Manual**

Status  
New

Date  
02/06/00

**SCHEDULE I  
PART III**

**Tolerances for Net Quantities Declared in Metric Units of  
Mass or Volume for Prepackaged Products other than  
Catch-Weight Products**

Item	Column I Declared Net Quantity	Column II Tolerance %	grams or millilitres
<u>grams or milliliters</u>			
1.	more than 0 to not more than 50	9	--
2.	more than 50 to not more than 100	--	4.5
3.	more than 100 to not more than 200	4.5	--
4.	more than 200 to not more than 300	--	9
5.	more than 300 to not more than 500	3	--
6.	more than 500 to not more than 1 kilogram or litre	--	15
<u>kilograms or litres</u>			
7.	more than 1 to not more than 10	1.5	--
8.	more than 10 to not more than 15	--	150
9.	more than 15	1	--



**Fish Products  
Inspection Manual**

Status  
New

Date  
02/06/00

**SCHEDULE I  
PART IV**

**Tolerances for Net Quantities Declared in Canadian Units of Mass  
or Weight for Prepackaged Products other than  
Catch-Weight Products**

Item	Column I Declared Net Quantity	Column II Tolerance	
		%	ounces
<u>ounces</u>			
1.	more than 0 to not more than 1.75	9	--
2.	more than 1.75 to not more than 3.5	--	0.16
3.	more than 3.5 to not more than 7	4.5	--
4.	more than 7 to not more than 10.6	--	0.32
5.	more than 10.6 to not more than 17.6	3	--
<u>pounds</u>			
6.	more than 1.1 to not more than 2.2	--	0.53
7.	more than 2.2 to not more than 22	1.5	--
8.	more than 22 to not more than 33	--	5.28
9.	more than 33	1	--

**Fish Products  
Inspection Manual**

**APPENDIX B**

Limits of error for the declared net content under *Weights and Measures Regulations* - Section 49(1)

**SCHEDULE II  
PART I**

**Limits of Error for Quantities Measured in Metric Units of  
Mass for Individually Measured Commodities**

Item	Column I Stated Quantity	Column II Limits of error %	grams
<u>grams</u>			
1.	more than 0 to not more than 60	10	--
2.	more than 60 to not more than 600	--	6
3.	more than 600 to not more than 1 000	1	--
<u>kilograms</u>			
4.	more than 1 to not more than 1.5	--	10
5.	more than 1.5 to not more than 3	0.66	--
6.	more than 3 to not more than 4	--	20
7.	more than 4 to not more than 10	0.5	--
8.	more than 10 to not more than 15	--	50
9.	more than 15 to not more than 250	0.33	--
10.	more than 250 to not more than 500	--	750
11.	more than 500	0.15	--



**Fish Products  
Inspection Manual**

**SCHEDULE II  
PART II**

**Limits of Error for Quantities Measured in Canadian Units or  
Mass for Individually Measured Commodities**

Item	Column I Stated Quantity	Column II Limits of error %	ounces
<u>ounces</u>			
1.	more than 0 to not more than 2	10	--
2.	more than 2 to not more than 20	--	0.2
<u>pounds</u>			
3.	more than 1.25 to not more than 2.2	1	--
4.	more than 2.2 to not more than 3.3	--	0.35
5.	more than 3.3 to not more than 6.6	0.66	--
6.	more than 6.6 to not more than 8.8	--	0.71
7.	more than 8.8 to not more than 22	0.5	--
8.	more than 22 to not more than 33	--	1.76
9.	more than 33 to not more than 550	0.33	--
10.	more than 550 to not more than 1 000	--	26.4
11.	more than 1 000	0.15	--



**Fish Products  
Inspection Manual**

**SCHEDULE II  
PART V**

**Limits of Error for Quantities Measured in Metric Units of Mass or Volume for Commodities other than Individually Measured Commodities**

---

Item	Column I Stated Quantity	Column II Limits of error %      grams or millilitres
	<u>grams or milliliters</u>	
1.	more than 0 to not more than 50	9      --
2.	more than 50 to not more than 100	--      4.5
3.	more than 100 to not more than 200	4.5    --
4.	more than 200 to not more than 300	--      9
5.	more than 300 to not more than 500	3      --
6.	more than 500 to not more than 1 000	--      15
7.	more than 1 000 to not more than 10 000	1.5    --
8.	more than 10 000 to not more than 15 000	--      150
9.	more than 15 000	1      --

---



**Fish Products  
Inspection Manual**

Status  
New

Date  
02/06/00

**SCHEDULE II  
PART VI**

**Limits of Error for Quantities Measured in Canadian Units of Mass  
or Weight for Commodities other than Individually Measured  
Commodities**

---

Item	Column I Stated Quantity	Column II Limits of Error	
		%	ounces
	<u>ounces</u>		
1.	more than 0 to not more than 1.75	9	--
2.	more than 1.75 to not more than 3.5	--	0.16
3.	more than 3.5 to not more than 7	4.5	--
4.	more than 7 to not more than 10.6	--	0.32
5.	more than 10.6 to not more than 17.6	3	--
	<u>pounds</u>		
6.	more than 1.1 to not more than 2.2	--	0.53
7.	more than 2.2 to not more than 22	1.5	--
8.	more than 22 to not more than 33	--	5.28
9.	more than 33	1	--

---

**APPENDIX C**

**FORMULA FOR DETERMINING THE WEIGHTED AVERAGE  
QUANTITY OF THE UNITS IN A SAMPLE**

**SCHEDULE II & III  
PART II**

For the purpose of Section 38 (4) (a) under the *Consumer Packaging and Labelling Regulations* and Section 52(4) (a) under the *Weights and Measures Regulations*, the formula for adjusting the sample mean to determine the weighted average quantity of the units in the sample is as follows:

$$\bar{X}_a = \bar{x} + s(t \div \sqrt{n}) *$$

In the formula above:

$\bar{X}_a$  is the weighted average quantity of the units in the sample

$\bar{x}$  is the sample mean calculated as follows:

$$\bar{x} = \Sigma x \div n$$

$\Sigma x$  is the sum of the net quantities of all units in the sample

t is the value determined in accordance with Part III for the selected sample size

n is the number of units in the sample

s is the standard deviation of the sample, calculated as follows:

$$s = \sqrt{\Sigma \frac{(\bar{x} - x)^2}{(n-1)}}$$

$\Sigma(\bar{x} - x)^2$  is the sum of the squared differences between the sample mean and the net quantity of each unit in the sample

These formulas provide a statistical method that prevents any bias introduced by the selection of the sample from adversely affecting the inspection result. The mean (average) of the





**Fish Products  
Inspection Manual**

sample is adjusted by a factor that is related to the demonstrated packaging accuracy (standard deviation). Relating the sample mean to the calculated lot average in this way provides a confidence level of 99.9% that good lots will not be failed in error.

\* The value of  $(t \div \sqrt{n})$  may, instead of being calculated in accordance with this Part, be determined using the applicable value set out in column III of the table to Part III.



Fish Products  
Inspection Manual

PART III

TABLE FOR VALUES OF t AND (t ÷ √n)

Column I Sample size	Column II t*	Column III (t ÷ √n) *	
2.346e+60	63.657	45.01	<p><i>Linear Interpolation of Values</i></p> <p>Where a sample size is selected that is not listed in column I of this table and lies between 32 and 125, the value of t will be determined by linear interpolation as follows:</p> $t = a - \frac{(c-e)}{(c-d)} (a-b)$ <p>where:</p> <p>a is the value of t for closest sample size below the selected sample size</p> <p>b is the value of t for the closest sample size above the selected sample size</p> <p>c is the result of 120 divided by the closest sample size below the selected sample size</p> <p>d is the result of 120 divided by the closest sample size above the selected sample size</p> <p>e is the result of 120 divided by the selected sample size</p>
	9.925	5.73	
	5.841	2.92	
	4.604	2.06	
	4.032	1.65	
	3.707	1.40	
	3.499	1.24	
	3.355	1.12	
	3.250	1.03	
	3.169	0.955	
	3.106	0.897	
	3.055	0.847	
	3.012	0.805	
	2.977	0.769	
	2.947	0.737	
	2.921	0.708	
	2.898	0.683	
	2.878	0.660	
	2.861	0.640	
	2.845	0.621	
	2.831	0.604	
	2.819	0.588	
	2.807	0.573	
	2.797	0.559	
	2.787	0.547	
	2.779	0.535	
	2.771	0.524	
	2.763	0.513	
	2.756	0.503	
	2.750	0.494	
	2.746	0.485	
	2.657	0.332	
	2.643	0.269	
	2.615	0.234	



**Fish Products  
Inspection Manual**

\* Where all units in a lot are selected to constitute a sample, zero shall be used as the value of  $t$  and  $(t \div \sqrt{n})$ .

Because the "t" values are used to calculate the weighted lot average from the *sample* mean, it is not required in those cases where every package in the lot is tested, and therefore, as the note above shows, it is equal to zero for those cases.

**APPENDIX D**

**METHOD OF ROUNDING OFF CALCULATED FIGURES**

Since calculations usually imply the rounding of results, it is important to know how and when figures can be rounded. The policy is always to round off in favor of the packer.

*Average Tare:*

Round-off to the next lower graduation of the scale.

Examples: Calculated average tare: 52.567 g  
               Scale graduations:        1 g  
               Average tare to be used: 52 g

              Calculated average tare: 52.567 g  
               Scale graduations:        0.1 g  
               Average tare to be used: 52.5 g

*Sample Mean:*

If for practical reasons the sample mean has to be rounded, round-up the fourth or fifth significant digit as indicated below.

Examples: Sample mean value	Number of significant digits
<u>not rounded off</u>	<u>that must be kept</u>
< 1 kg	4
1 kg and more	5

<u>Calculated Sample Mean</u>	<u>Rounded-Off Sample Mean</u>
498.4564 g	498.5 g
2363.3045 g	2363.4 g
9.67432 kg	9.6744 kg
29.86542 kg	29.866 kg
857.4256 mL	857.5 mL

**Fish Products  
Inspection Manual**

**APPENDIX E**

**SIEVE SIZE DESIGNATIONS**

The sieve numbers associated with the sieves used to determine the drained weight of product have been designated by the American Society for Testing and Materials (ASTM). These numbers, No. 8, 10, 20, 50, etc., relate to the standardised nominal aperture size of the wire mesh used to make the sieve (size of openings in the mesh). The aperture size is a measure of the distance between parallel wires of the mesh.

The table below contains the sieve numbers and the corresponding aperture size for the mesh used to make the sieve.

Sieve No.	Aperture Opening (mm)
No. 4	4.75
No. 5	4
No. 6	3.35
No. 7	2.8
No. 8	2.36
No. 10	2
No. 12	1.7
No. 14	1.4
No. 16	1.18
No. 18	1
No. 20	0.85
No. 30	0.6
No. 50	0.3
No. 80	0.18
No. 200	0.075

In order to build flexibility into the policy document, the sieve number to be used when determining the drained weight is not designated. However a No. 7 sieve (2.8 mm aperture opening) is recommended. It should be borne in mind that the appropriately



**Fish Products  
Inspection Manual**

sized sieve will be used as dictated by the particulate size of the product.

**References**

*Codex Alimentarius*

List of Official Codex Standards

- ▶ [http://www.codexalimentarius.net/web/standard\\_list.do](http://www.codexalimentarius.net/web/standard_list.do)

*Canadian General Standards Board (CGSB)*

- ▶ CGSB 8.1.88: Sieves, Testing, Woven Wire, Inch Series
- ▶ CGSB 8.2 M88: Sieves, Testing, Woven Wire, Metric, Canadian Metric Sieve Series

*American Society For Testing And Materials (ASTM)*

- ▶ E11-95 Standards Specification For Wire Cloth And Sieves For Testing Purposes

*International Organisation For Standardization (ISO)*

- ▶ ISO 565:1990 Test sieves - Metal wire cloth, perforated metal plate and electroformed sheet - Nominal sizes of openings
- ▶ ISO 2395:1990 Test sieves and test sieving - Vocabulary



**Fish Products  
Inspection Manual**

<u>Chapter</u>	<u>Subject</u>	<u>Page</u>
14		F - 1
<u>Status</u>		<u>Date</u>
New		02/06/00

**APPENDIX F**



**Fish Products  
Inspection Manual**

**APPENDIX G**

**DETERMINING THE WEIGHTED AVERAGE QUANTITY OF THE UNITS IN A SAMPLE  
TOLERANCE AND T1/T2 DEFECTIVE DETERMINATION**





**Fish Products  
Inspection Manual**

**CALCULATION OF WEIGHTED LOT AVERAGE**