



Canadian Food  
Inspection Agency

Agence canadienne  
d'inspection des aliments

## Canadian Food Inspection Agency



### **Our vision:**

To excel as a science-based regulator, trusted and respected by Canadians and the international community.

### **Our mission:**

Dedicated to safeguarding food, animals and plants, which enhances the health and well-being of Canada's people, environment and economy.

## *The Strengthened Fish Import Program*

## *Importer Information Session*

Canada



## Purpose of this Session.....

- To explain the *Strengthened* Canadian Fish Import Program (IP).
- Help you understand your responsibilities as a fish import licence holder.
- Clarify the requirements which must be met by fish import licence holders.
- Identify the tools available to assist you in meeting these requirements.



# Outline

- Background
- Documents
- Policy
- Regulatory Responsibilities
- Regulatory Verification
- The Inspection of Imported Fish
- Implementation of the Strengthened Import Program

# Background

- In 2006, CFIA conducted a review of the Fish Import Program (IP) and noted the following:
  - The regulations for importing fish into Canada are sound.
  - Imports of fish product have shifted to farmed, ready-to-eat and specialty products.
  - Importer responsibilities were not clearly defined and understood.
  - Policy manuals were not clear and needed updating.

## Background (cont'd)

**From this review, the CFIA determined that :**

- The IP needed to be strengthened.
- The IP could be strengthened without regulatory changes.

**The first step in the process was to re-write documents:**

- To clarify importer responsibilities and CFIA's role.
- Outline IP requirements based on the intent of the current regulations.
- To include tools for assisting importers in meeting the requirements.



## Documents - Regulations

- A. Fish Inspection Act & Regulations
- B. Food and Drug Act & Regulations
- C. Consumer Packaging and Labelling Act & Regulations
- D. Canadian Food Inspection Agency Act & Fee Notice

# Documents

- The IP is now described through a series of **new documents** that are:
  - Tailored to specific audiences such as: basic importers, QMPI importers, CFIA inspectors or all interested parties.
    - Regulatory directives
    - Process documents
    - Guidance documents
    - Procedural documents
    - Standards
  - Web-based so they can be easily updated and linked to other useful information.

## Documents (cont'd)

1. Canadian Regulatory Requirements for Fish Import Licence Holders (Basic Importers)
2. Canadian Regulatory Requirements for Quality Management Program Import (QMPI) Licence Holders
3. QMPI Reference Standard
4. Process Control Document Requirements





## Documents (cont'd)

5. Fish Import Program Policy
6. The Fish Import Program Regulatory Verification Process
7. Product Inspection of Imported Fish (process)
8. Food Program Enforcement Strategy: Fish and Seafood

# Policy

## Policy Statement :

The objective of the Fish Inspection Act and Regulations is to provide reasonable assurances that fish and seafood products imported into Canada for human consumption and commercial purposes are safe and meet regulatory requirements.

# Policy

## Key Principles :

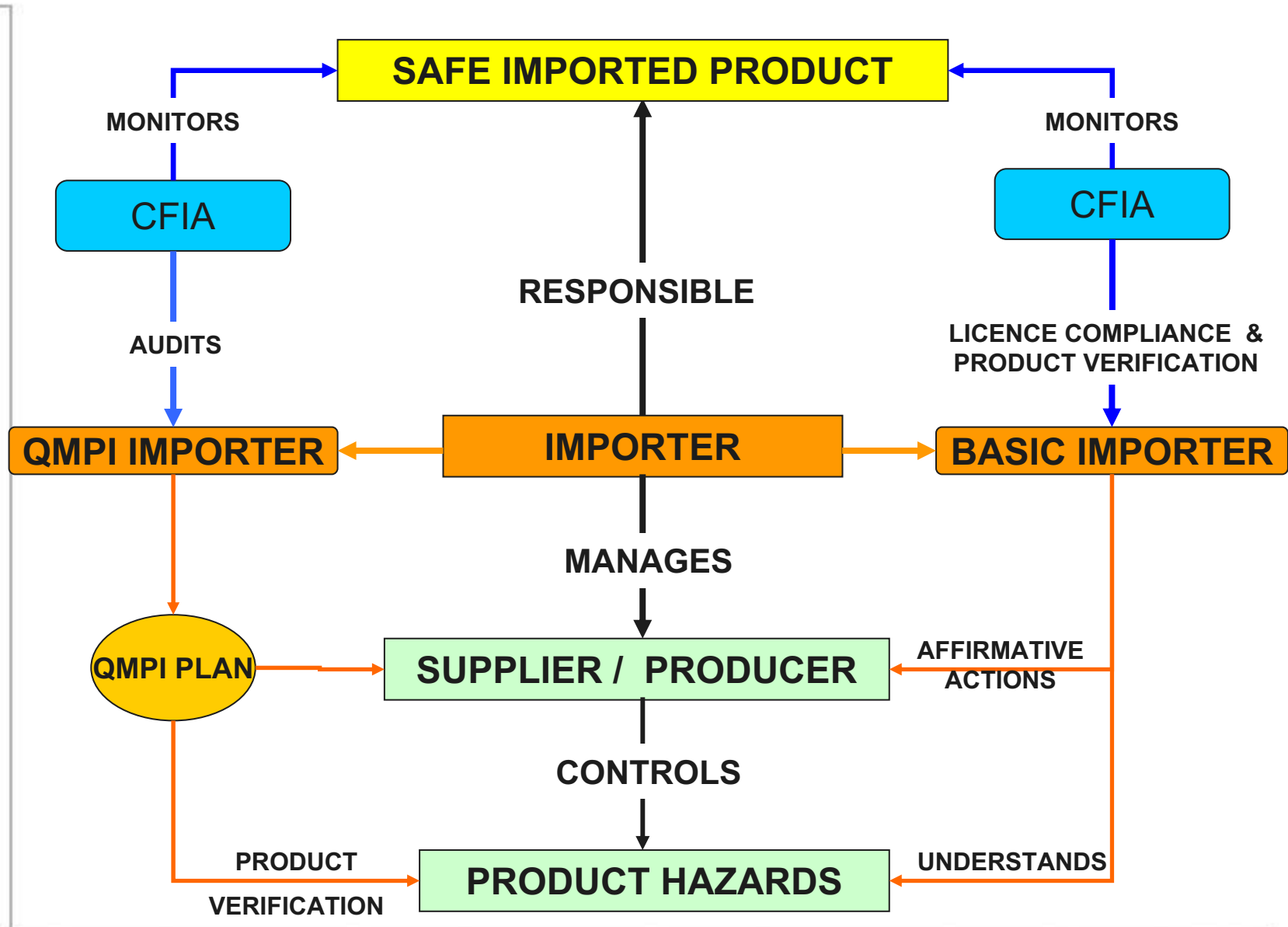
- Licensed importers are responsible to ensure that they import fish and seafood products that meet all applicable regulatory requirements.
- CFIA verifies compliance and works with Canada's major trading partners to provide reasonable assurances of product safety and compliance.

# Policy

## Key Principles cont'd :

- The Canadian Fish Import Program incorporates a risk based approach and provides importers with flexibility to demonstrate product compliance.

# Regulatory Responsibility Structure





## Regulatory Responsibility Importer Responsibilities

**Import Licence holders are required to know and comply with the import licence requirements.**

For **Basic Importers** these requirements are outlined in:

- The Canadian Regulatory Directive for Fish Import Licence Holders (Basic Importers)

For **QMPI Importers** these requirements are outlined in:

- Canadian Regulatory Requirements for Quality Management Program Import Licence Holders (QMPI)
- The QMPI Reference Standard



## Regulatory Responsibility Importer Responsibilities (cont'd)

### Licensing

- Importers must request and receive a **licence** from CFIA to import fish into Canada
  - Importers **must comply** with all requirements.
  - Importers **are responsible** to import product that is safe and compliant.
  - Importers **must understand** the product risks.
- Licences are **valid for one year** and may not be assigned to another person or company.

# Importer Responsibilities - Application for a Fish Import Licence

## APPLICATION FOR A FISH IMPORT LICENCE

NEW (attach [Credit Application CFIA/ACIA 0015](#))     
  RENEWAL (Licence # \_\_\_\_\_)

<b>APPLICANT'S CURRENT INFORMATION</b> (as registered with Canada Border Services Agency (CBSA))			
Company Name:			
Address:		City:	
Province/State:	Postal/Zip Code:	Country:	
Telephone:	Fax:	E-mail:	
Canada Revenue Agency Business Number: <a href="http://cbsa-asfc.gc.ca/import/rb-ee-eng.html">http://cbsa-asfc.gc.ca/import/rb-ee-eng.html</a>			
All records will be maintained at the following Canadian address for a period of at least 3 years (if different from above)			
Company/Contact Person:			Country: CANADA
Address (street, city, province):			
Telephone:	Fax:	Language of Correspondence:	<input type="checkbox"/> English <input type="checkbox"/> French
<b>AGREEMENT - CORPORATE OFFICER OR OWNER</b>			
I certify that I have read and understand the importer's responsibilities and fish import licence requirements as outlined in the Fish Inspection Act and Regulations. I understand that failure to comply with the requirements of the Fish Inspection Act or Regulations, can lead to enforcement actions including prosecution. I understand the information in this application may be shared with other government departments.			
I hereby apply for a <input type="checkbox"/> Fish Import Licence (Basic) <input type="checkbox"/> Quality Management Program Import (QMPI) Fish Import Licence and agree to comply with all the requirements of the Fish Inspection Regulations.			
Name of Authorized Officer* (print)		Title	
Signature of Authorized Officer		Date	
* The authorized officer is responsible for ensuring the regulatory requirements of the fish import licence are followed.			

The fee for a Fish Import Licence (Basic) is \$500.00. The fee for a QMPI Fish Import Licence is \$5000. If paying by Cheque or Money Order, please indicate payable (Canadian funds) to: **THE RECEIVER GENERAL FOR CANADA**. If you wish to pay with **VISA** or **MASTERCARD** or **AMERICAN EXPRESS**, please provide the required information and sign to authorize payment.

<input type="checkbox"/>	VISA	Card No.:	Expiry Date:
<input type="checkbox"/>	MASTERCARD	Name:	Signature:
<input type="checkbox"/>	AMERICAN EXPRESS		

For wire transfers, please contact Accounts Receivable at 1-888-677-2342

<b>For Agency use only</b>						
CFIA Office	Licence No.	Amount Received	Date Received	Credit App'n	Date Approved	Approved by
Commodity Code	Date Received	Amount Received	Cheque No.	Processed by	Accounts Receivable Stamp	
2200						

*Français au verso*





# Regulatory Responsibility

## Importer Responsibilities (cont'd)

### Sourcing Products

- Importers must take **affirmative actions** to source products that meet Canadian requirements.
- Some **restrictions** may apply to certain species, molluscan shellfish, fish containing meat products, novel fish or endangered species.

# Regulatory Responsibility

## Importer Responsibilities (cont'd)

### What are Affirmative Actions?

Actions taken by importers to obtain confidence that products being imported meet Canadian requirements.

Examples....

- Verifying the Mandatory Inspection List (MIL) (formerly named the Import Alert List)
- Sourcing from HACCP facilities.
- Selecting processors regulated by a foreign country competent authority and eligible for exporting fish.
- Providing processors with a written description of all applicable Canadian standards.



## Regulatory Responsibility Importer Responsibilities (cont'd)

### Product notification, control, storage and identification

- Importers must **notify CFIA and CBSA** of all imports of fish.
- Importers must ensure product is held for CFIA inspection and is **properly stored, packaged and labelled**.

### Product Inspection Process

- Importers must **make product available** for inspection and **hold product** until released by CFIA.
- Importers may **appeal** a CFIA decision or **request re-inspection** of product.



## Regulatory Responsibility Importer Responsibilities (cont'd)

### Service Fees

- Importers must pay **service fees** based on the **type** and **quantity** of imported fish and the **licence type**.
- Failure to pay may result in **licence sanctions**.

### Health and Safety Investigation and Notification

- Importers must **investigate information** that questions the safety of an imported product and **report** confirmed health and safety issues to CFIA **within 24 hours**.



# Regulatory Responsibility

## Importer Responsibilities (cont'd)

### Records

- Importers must maintain records for product distribution, complaints, investigations and process control documents.
- The records must be in English or French and be maintained in Canada for at least 3 years.

### Fish Program Updates

- Importers are responsible for keeping up-to-date on requirements for importing fish.
- Updates are delivered electronically to those who sign-up at [www.inspection.gc.ca](http://www.inspection.gc.ca).



# Regulatory Responsibility Importer Responsibilities (cont'd)

## Requirements Specific to the QMPI

- QMPI importers must develop and implement a quality management program that meets the requirement of the **QMPI Reference Standard**.
- The QMPI program includes responsibilities for performing **product inspections** on imported products.



# Regulatory Responsibility

## CFIA'S Role

- The role of the CFIA is to **administer and enforce the regulations** pertaining to the importation of fish and fish products.
- Part of this role includes **assessing importer compliance** and **program effectiveness** as described in the *Fish Import Program Regulatory Verification Process Document*.



## Regulatory Responsibility Regulatory Verification Process

The **Regulatory Verification Process** consists of :

1) The verification of importer compliance through:

- **System Verification**
  - Verification activities include: review of documents, interviews.
- **Compliance Verification**
  - Verification activities include: audits, review of records, product inspections.





## Regulatory Responsibility Regulatory Verification Process (cont'd)

2) The Verification of the Fish Import Program through:

- **Program Verification and Program Integrity**
  - Verification activities include: monitoring and surveys, review of CFIA's level and consistency of the program delivery.

# Regulatory Verification Process

## Compliance Verification

### How will the CFIA enforce compliance?

- **Prior to issuing an initial basic import licence?**
  - By interviewing applicants to verify that they understand the licensing requirements and their responsibilities.
- **After initial licensing?**
  - By reviewing records, importer compliance history and inspecting products
  - This review occurs annually when licences are to be renewed or on an issue driven basis.

# Regulatory Verification Process

## Compliance Verification (cont'd)

**What happens when an importer fails to meet regulations?**

- Importers will be required to take corrective measures.
- The CFIA may take enforcement actions such as:
  - Warning letters.
  - Suspension, revocation or refusal to issue a licence.
  - Prosecution.
  - Product action (eg; refused entry, removal, seizure).
- These measures are described in the ***Food Program Enforcement Strategy: Fish and Seafood Document***.

# The Inspection of Imported Fish

**All imported fish is subject to inspection.**

- The CFIA inspects imported fish to :
  - Verify that importers are importing compliant product.
  - Identify emerging product issues.
  - Verify the effectiveness of the Fish Import Program.
- The inspection of imported fish products is a **risk based** inspection regime and takes into consideration:
  - The risks associated with the product based on the species and processing method
  - The compliance history of the product and processor
  - The compliance history of the importer



## The Inspection of Imported Fish Species and Processing Risk Groups

- Under the product inspection regime, **species groups** and **processing groups** have been created based on commonly associated risks/hazards.
- These groupings are used to:
  - A. Determine testing requirements.
  - B. Determine required process control information.
  - C. Identify products on the MIL.

# The Inspection of Imported Fish

## Species Risk Groups

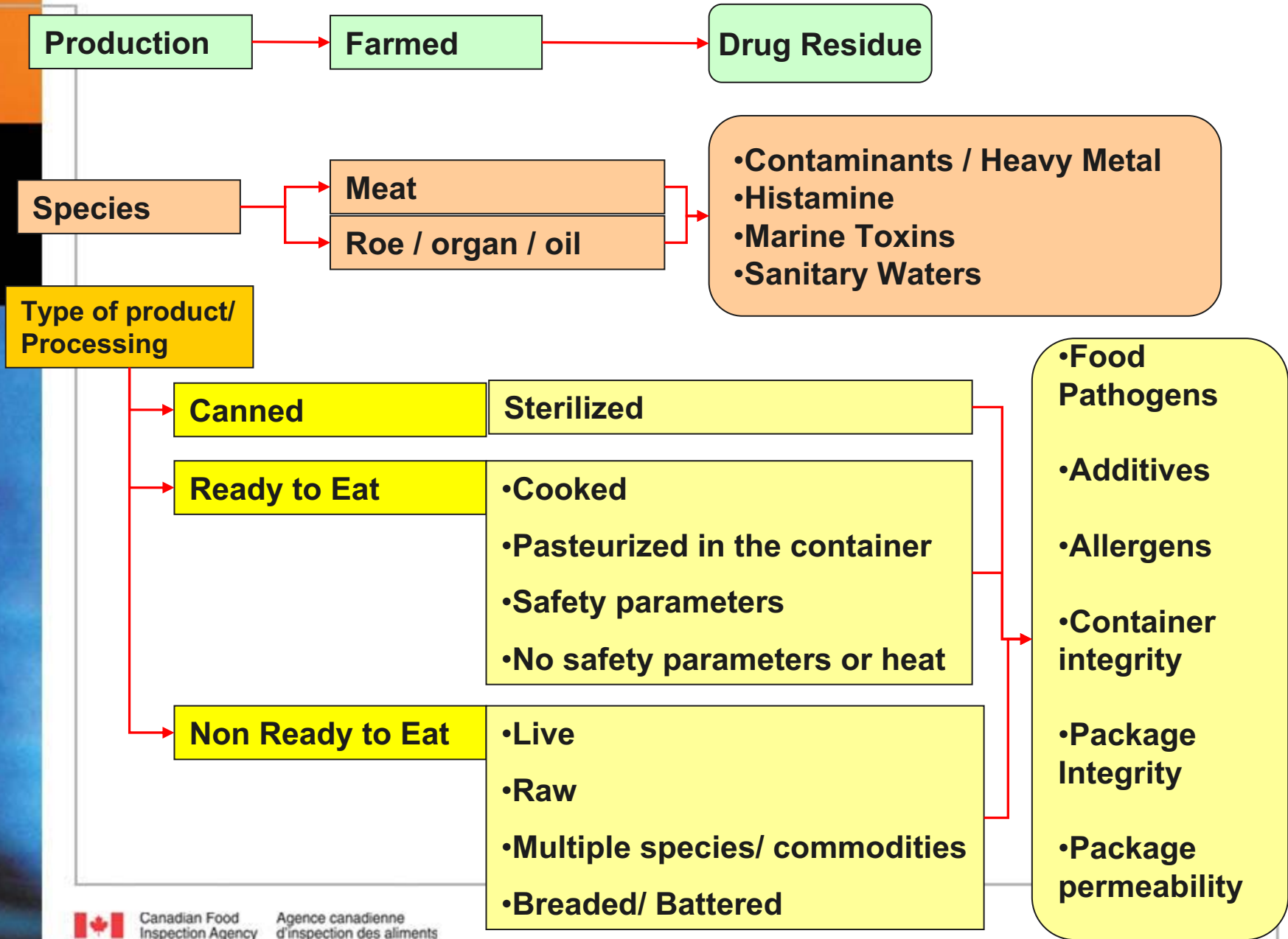
		Risks/Hazards based on Species Group and Production Method							
		Scombroids	Carnivores	Carnivores / Scombroids	Salmonids	Crustaceans	Molluscan shellfish	Tropical Reef Fish	Other Fish
Meat/ Organ, Oil, Roe	Contaminants / Heavy metal		X	X					
	Therapeutants (Farmed Production only)		X	X	X	X			X
Meat	Histamine	X		X					
	Marine toxins						X	X	
	Sanitary waters						X		

# The Inspection of Imported Fish

## Processing Risk Groups

Processing Risk Groups	
Product Type	Processing
CANNED	Sterilized
READY TO EAT	Cooked
	Pasteurized in the container
	Safety parameters
	Without safety parameters and without heat treatment
NON READY TO EAT	Live
	Raw
	With multiple Species or food commodities
	Breaded / Battered

# The Inspection of Imported Fish - Hazard / Risk Structure





# The Inspection of Imported Fish

## Inspection Components

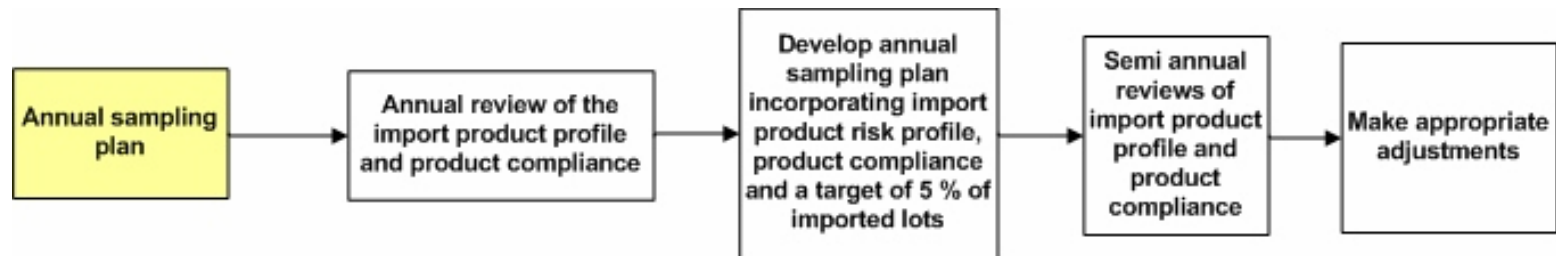
The product inspection regime consists of the following:

- 1. Risk based sampling of good order product.**
  - The Annual Sampling Plan
- 2. Mandatory inspection of previously rejected product.**
  - Mandatory Inspection List (MIL)
- 3. Mandatory proof of compliance for product that present a potential risk.**
  - Enhanced Inspection List (EIL)
- 4. Monitoring, surveys and special projects**

# The Inspection of Imported Fish Annual Sampling Plan

- Sets out the number and type of tests to be conducted annually on products (excluding MIL).
- Targets inspection of ~ 5% of lots imported annually.
  - **Higher risk products** are inspected more often based on:
    - Species and Product Risk.
    - The importer's product compliance history.
    - Product history (processor, country of origin etc).
- A 5% frequency is reasonable because importers are required to take affirmative actions.

# The Inspection of Imported Fish Annual Sampling Plan Process



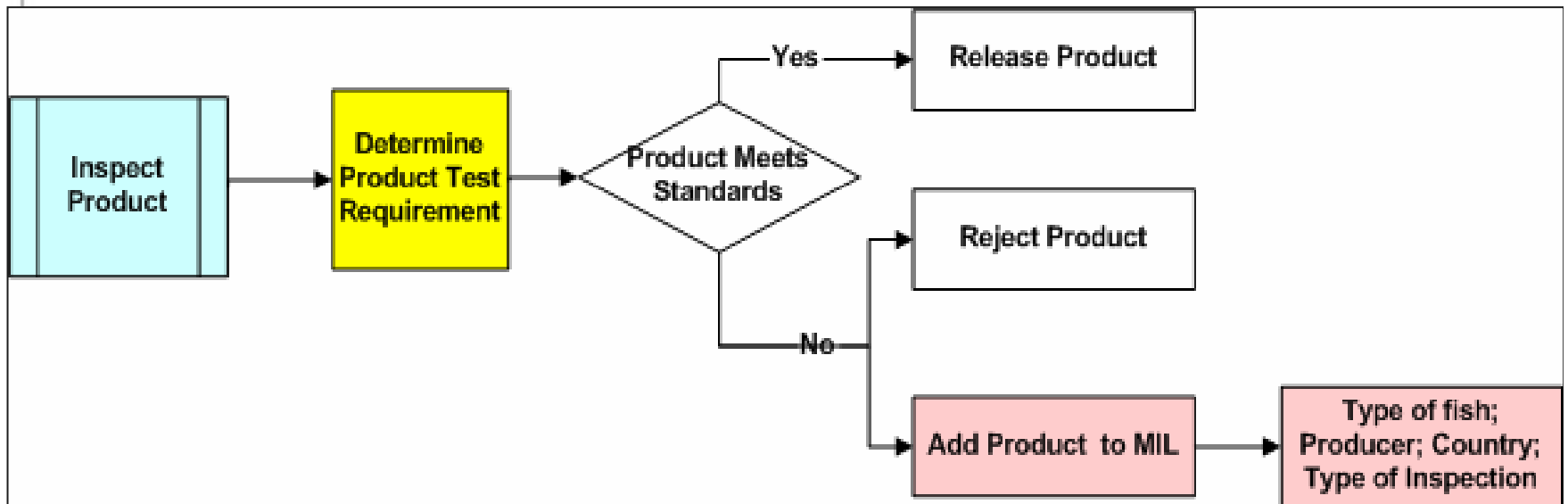
# The Inspection of Imported Fish

## Mandatory Inspection List (MIL)

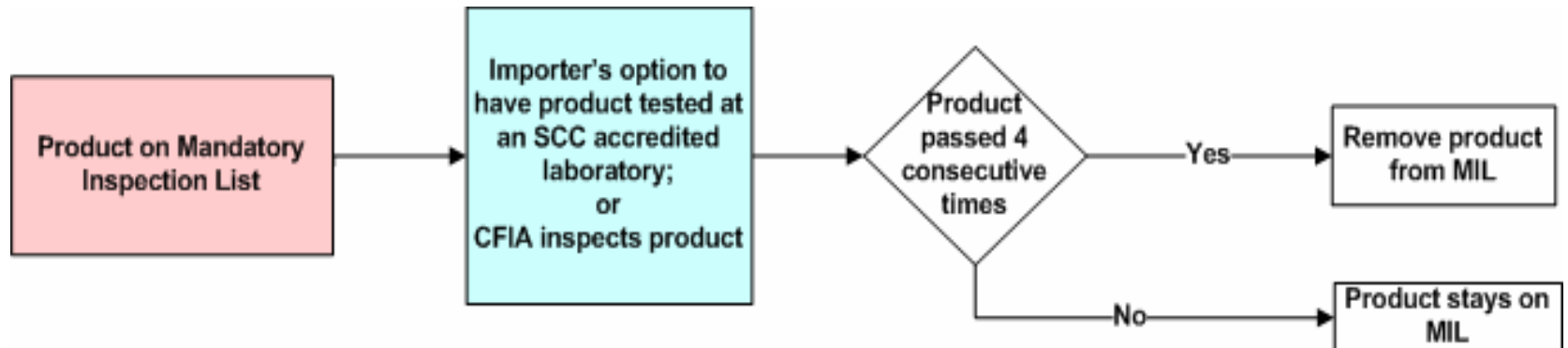
- The MIL lists imported fish products which were found to be non-compliant with Canadian requirements following an inspection.
- Subsequent imports are subject to mandatory inspection for the test(s) indicated on the MIL.
- Inclusion on MIL is linked to [Species Risk Group](#) or [Product/Processing Risk Group](#) and the [processor](#).
- Found on CFIA website at: [www.inspection.gc.ca](http://www.inspection.gc.ca)

# The Inspection of Imported Fish

## Adding a Product on the Mandatory Inspection List



# The Inspection of Imported Fish MIL Inspection Process



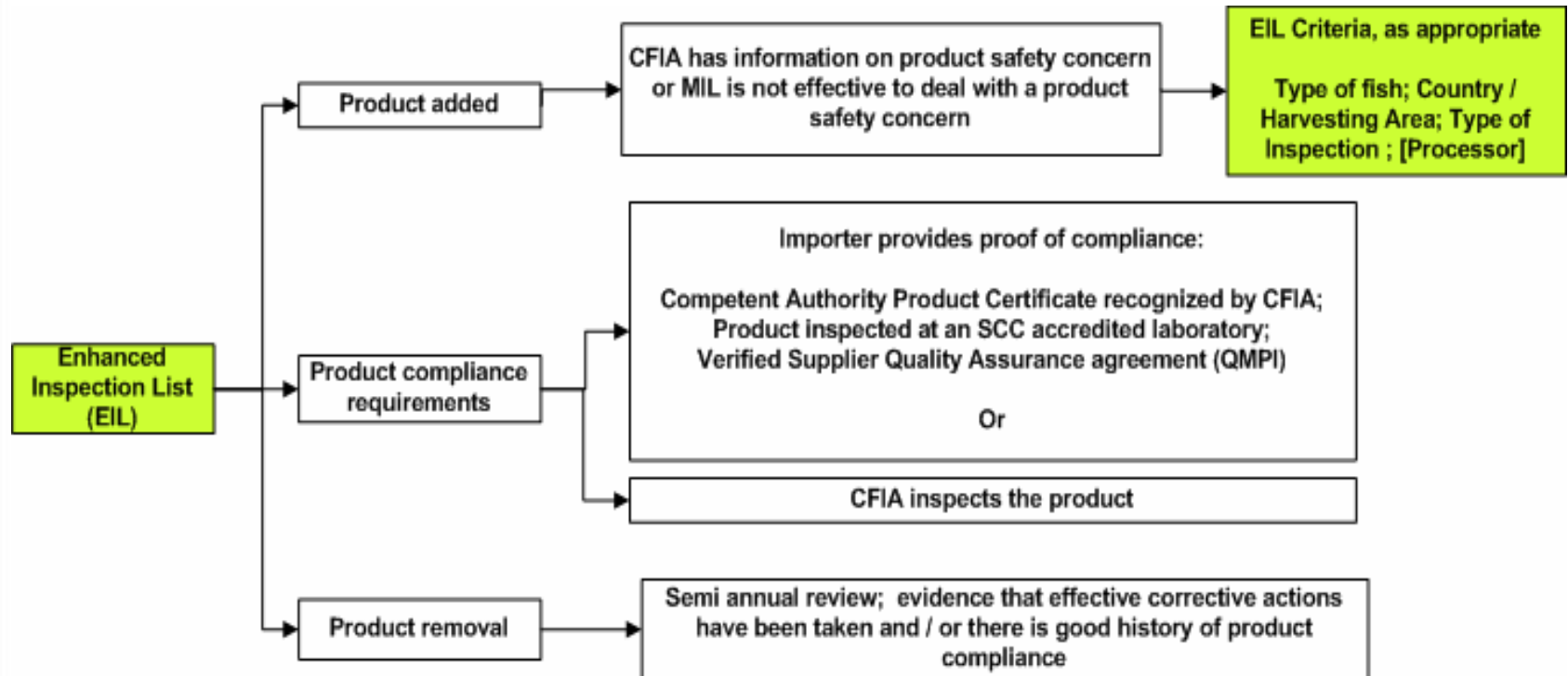


## The Inspection of Imported Fish Enhanced Inspection List (EIL)

- Lists imported fish products which may be unsafe or unwholesome based on information collected by the CFIA.
- Imports subject to the EIL require **mandatory proof of product compliance or to be tested by the CFIA or an SCC accredited lab** for the test(s) identified.
- The CFIA may still inspect a product for which proof of compliance has been provided.
- EIL will be posted on the CFIA website.

# The Inspection of Imported Fish

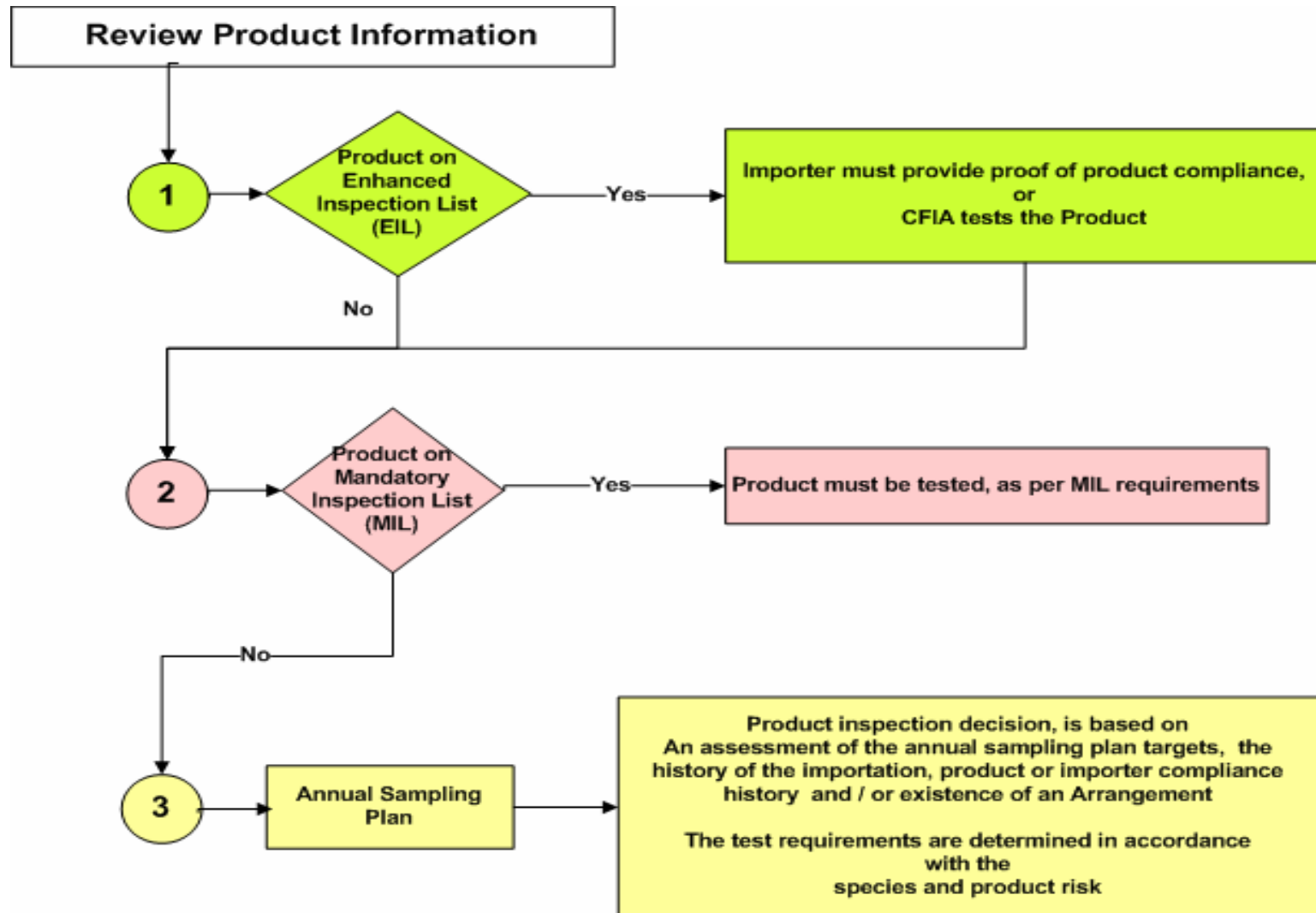
## EIL Inspection Process





# The Inspection of Imported Fish

## How the inspection components fit together...



## The Inspection of Imported Fish

### **Fish Import Notification (FIN)**

- Accurate information on the FIN form is mandatory and necessary in order to :
  - Determine whether the product is to be inspected and;
  - Determine the testing requirements
- Updates have been made to the FIN form to help ensure all required information is received from importers. Example:
  - Species and Product Risk Categories
  - Taxonomic Serial Number (TSN)
    - Will be available through the CFIA Fish List and can be found on the Canadian Biodiversity Information Facility website at: <http://www.cbif.gc.ca>

## The Inspection of Imported Fish CFIA Testing Priorities

<b>Reason for Inspection</b>	<b>Priority</b>
Annual Sampling Plan	Standard
Mandatory Inspection List	Low
Enhanced Inspection List – no proof of compliance	Low
Enhanced Inspection List – with proof of compliance (verification)	Standard

This does not include complaint samples or investigation samples which are always the highest priority.



## Implementation of the Strengthened Fish Import Program

- The transitional documents currently on the website will be finalized on April 1<sup>st</sup> 2009.
- As of April 1<sup>st</sup>, all importers must fully comply with the requirements as outlined in the new fish import program documents.
- Starting October 1<sup>st</sup>, 2009, importers must be able to demonstrate compliance to these requirements in order to renew their import licences.

# QUESTIONS ?



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# SUMMARY REVIEW

- No new regulations or regulatory amendments.
- Importers are:
  - Responsible for importing fish that meet all applicable regulatory requirements.
  - Required to take affirmative actions to source products that meet Canadian requirements.
  - Required to take corrective measures when they fail to meet a requirement.
  - Required to demonstrate their ability and willingness to comply with the requirements to be issued a licence.
- CFIA's role is to administer and enforce the regulations which includes assessing importer compliance and the effectiveness of the Fish Import Program.



# SUMMARY REVIEW

- The Product Inspection component of the Fish Import Program takes into consideration importer's affirmative actions in providing reasonable assurance of product compliance.
- The product inspection activities are:
  - risk-based
  - take into consideration product risks (production, species, processing), and
  - The compliance history of the importer, processor and product

# SUMMARY REVIEW

- The product inspection activities include:
  - monitoring product compliance (annual sampling plan targets)
  - Risk management of imports of non-compliant products (MIL) or products which may present a risk (EIL)
- New web-based Enhanced Inspection List (EIL) which lists products which may be unsafe or unwholesome based on information collected by the CFIA.
- Importers are given flexibility in demonstrating product compliance.



# SUMMARY REVIEW

- New web-based documents tailored to specific audiences <http://www.inspection.gc.ca/english/fssa/fispoi/import/importe.shtml>.
- Importers are responsible for staying **up-to-date** on requirements for importing fish.
- Updates are delivered **electronically** to those who sign-up at [www.inspection.gc.ca](http://www.inspection.gc.ca).



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