

**CHAPTER 2, SUBJECT 3
REGISTERED ESTABLISHMENTS - COST RECOVERY**

1. SCOPE

This subject outlines the policies and procedures governing the payment of registration fees and fees for the inspection of fish processing establishments.

2. AUTHORITIES

Fish Inspection Act, R.S. 1985, c. F-12
Fish Inspection Regulations, C.R.C., c. 802
Canadian Food Inspection Agency Fees Notice

3. POLICY

3.1 General

- 3.1.1 Registration fees apply to fish processing establishments registered under the authority of the Fish Inspection Regulations that process or store fish for interprovincial or international trade (see Chapter 2, Subject 1 of this manual for more details concerning the registration of establishments).

No fees are to be charged to a person that holds a fish export licence that allows them to export live aquaculture finfish or to operate a can screening warehouse for the export of canned fish at an unregistered establishment.

- 3.1.2 An establishment's certificate of registration includes all buildings that are found at a single location and that are used together as part of the operation(s) described in its Quality Management Program (QMP) Plan. Fees for the certificate of registration will depend on the total processing area of the building(s) and types of processes occurring at this location in accordance with these policies.

When a company processes fish at separate and distinct locations, these locations will be considered as separate establishments and will each be assigned their own certificate of registration.

- 3.1.3 The Canadian Food Inspection Agency (CFIA) shall charge and

collect all applicable fees for establishment registration identified in the Fish Inspection Regulations and the Canadian Food Inspection Agency Fees Notice. This includes those establishments that are registered with the CFIA for processing a commodity other than fish.

- 3.1.4 Fees for an establishment's certificate of registration, inspection services required to reinstate the certificate, or other inspection services concerning the establishment or its QMP, must be paid in full before the certificate will be issued or the other inspection services will be provided.
- 3.1.5 A certificate of registration will be issued, renewed, amended, inactivated, re-activated or re-instated only when the applicant has no unpaid fees owing to the CFIA (see section 4.5).
- 3.1.6 An establishment's certificate of registration is not assignable and expires one year after the date it was issued.

3.2 Application for a Certificate of Registration

- 3.2.1 Following the receipt of a completed application, a certificate of registration shall be issued in accordance with the policies and procedures outlined in Chapter 2, Subject 1 of this manual.

Full payment of all applicable registration fees must accompany the application for an establishment's certificate of registration.

- 3.2.2 Where the operator of the establishment has not paid fees owing to the CFIA for product certification, or for other cost-recoverable services for the inspection of fish, the certificate of registration will not be renewed until all fees owing to the Agency have been paid in full.

3.3 Establishment Size and Operations

- 3.3.1 The person submitting the "Application for Registration" form (see Appendix C), shall provide complete information and shall calculate the applicable fee in accordance with the size of the facility and the type of process operation.
- 3.3.2 In determining the size of the establishment's processing area for "registration" purposes, all areas within the perimeter of the building(s) identified under the

establishment's QMP Plan for processing or storing fish are to be included. This does not include other areas where fish is not processed such as:

- ▶ offices;
- ▶ lunch rooms;
- ▶ changing rooms;
- ▶ toilet facilities;
- ▶ laboratories;
- ▶ maintenance shops;

3.3.3 A description of process operation types is provided in Appendix B.

3.3.4 The application must include full payment of all fees relative to the size of the establishment's processing area and types of process operations.

3.4 Depuration Establishment

3.4.1 The initial fees for shellfish depuration establishments are dependent on the size of the establishment and are listed in Table 3 of Appendix A. These fees are one-time only and are applied when the establishment provides their initial application to conduct depuration operations. These fees are additional to all fees for the certificate of registration. The initial fees for depuration establishments include the costs associated with signing the Memorandum of Agreement as described in Chapter 10 of the Canadian Shellfish Sanitation Program Manual of Operations. After the initial year, the fees to renew the certificate of registration are the same as for any other establishment, as listed in Tables 1 and 2 of Appendix A.

Prior to the signing of the Memorandum of Agreement, the process of reviewing and approving the application may be halted at the request of the applicant and no additional start-up fees will be required when the process is reactivated. This is on the condition that the application is for the same depuration facility and is reactivated within a period of time that is acceptable to the Regional Director.

Note: For existing depuration facilities, the system can be modified at no charge, if verification of the modifications are undertaken by the establishment and subsequently approved by CFIA.

3.4.2 If the applicant includes other operation types (e.g., salt

fish at a separate building situated at the same location), additional fees payable shall be as identified in Tables 1 and 2 of Appendix A, as applicable.

3.5 Amendment of a Certificate of Registration

- 3.5.1 A person requesting an amendment of a certificate of registration will notify the CFIA of the request by completing a "registration application form".
- 3.5.2 When the amendment involves the addition of a process operation, an additional fee is:
- a) not applicable if the process area of the establishment is 300 m² or less; or
 - b) applicable if the process area of the establishment is over 300 m² (with the amount corresponding to the fee for that operation type payable at the time of the request).
- 3.5.3 When the size of the processing area of an establishment is changed after a certificate of registration is issued and during the period for which that certificate is valid, no fees shall be:
- a) refunded if the size is decreased from greater than 300 m² to 300 m² or less; or
 - b) charged if the size is increased from 300 m² or less to greater than 300 m², provided that no additional process operations are added to the existing certificates of registration.

Fees may be amended based on these modifications, as applicable, when a certificate of registration is renewed.

When the size of processing area of an establishment is increased from 300 m² or less, to greater than 300 m², and a request for any additional process operation(s) (including payment of fees), is made during the period for which a certificate of registration is valid, the certificate may be amended in accordance with the policies and procedures described in Chapter 2, Subject 1 of this manual.

3.6 Inactivation of a Certificate of Registration

- 3.6.1 A person may request the inactivation of the certificate of registration of their establishment provided that the

establishment has no unpaid fees. Policies and procedures describing the inactivation of a certificate of registration are described in Chapter 2, Subject 1 of this manual.

- 3.6.2 An establishment that renews its certificate of registration that has been assigned an inactivated status must pay all applicable fees depending on the size of the establishment, and the processing operations that will be conducted when the certificate is reactivated. All applicable fees must be paid even if the establishment applies to maintain its certificate of registration in an inactivated status.

3.7 Reinstatement of a Certificate of Registration/Fish Export Licence

- 3.7.1 When a certificate of registration, or a fish export licence has been suspended or revoked, an inspection fee of \$1000 (plus applicable sales tax) must be paid to evaluate the corrective actions before the certificate can be reinstated. In the case where a certificate of registration or a fish export licence was suspended or revoked because of unpaid fees, the reinstatement fee will not be charged provided the only action required to reinstate the certificate of registration was the payment of the unpaid fees.

3.8 Requested Establishment Inspections

- 3.8.1 A person may request an inspection to either verify compliance of an establishment with the requirements of Schedule I of the FIR or to verify compliance of the establishment's QMP Plan with the requirements of the FIR.

This type of inspection does not apply to an inspection request made for the purpose of reinstating a certificate of registration, as described in Section 3.7 above.

The cost of a requested inspection of an establishment is \$500 (plus applicable sales tax).

- 3.8.2 A report prepared as a result of the requested on-site inspection or the QMP Plan review represents the findings at the time of assessment.

- 3.8.3 A "requested establishment inspection" is complete when the inspector delivers a completed inspection report or completed verification report to the owner or operator of

the establishment.

3.9 Revenue Administration

CFIA Cost Recovery Policies and Procedures will be followed to address issues such as refunds and the collection of unpaid fees.

4. PROCEDURES

4.1 General

4.1.1 The process to issue certificates of registration is described in Chapter 2, Subject 1 of this manual, and should include steps to verify that:

- a) "application forms" received are complete and accurately describe the name of the company and applicant;
- b) full payment is received; and
- c) the establishment and its QMP meet the requirements of the Fish Inspection Regulations.

4.1.2 The procedure to issue, renew, amend, reactivate or reinstate a certificate of registration or a fish export licence should include a review of information available from the CFIA Accounts Receivable Service Centre regarding any unpaid fees owed to the Agency. See section 4.5, Revenue Administration, for more details.

4.2 Fees for Certificate of Registration

4.2.1 The process implemented by Regional Directors to issue certificates of registration should include steps to verify that the contents of completed registration application forms are accurate, and that fee payment calculations are correct. An inspector may inspect an establishment to determine the size of the processing area, FIR compliance and/or to verify the information submitted.

4.2.2 The diagram of the establishment that is included for a new certificate of registration should include the dimensions of the processing area to assist with the calculation of the appropriate fee. A new diagram must be provided by the applicant at the time of renewal when any changes are made to the processing area of the establishment.

- 4.2.3 Full payment of the fees for the certificate of registration should accompany the completed application form and should be sent directly to the designated CFIA fish registration office specified in the renewal letter.

Payment can be made via cheque, money order or credit card. Cheques and money orders should be in Canadian funds and payable to "The Receiver General For Canada". The person applying must ensure company names and/or registration numbers are noted on cheques or money orders. Payment of registration fees by installments (e.g., post-dated cheques) is not acceptable.

Visa, Mastercard and American Express credit cards are accepted. Essential information to be included **by the person applying** on the application forms include;

1. Name of card holder
2. Card number
3. Expiry Date
4. Signature of card holder

4.3 Certificate of Registration Renewal

- 4.3.1 The CFIA will contact the holder of a certificate of registration at least 60 days prior to the expiry date of the existing certificate. Procedures for the renewal of an establishment's certificate of registration are found in Chapter 2, Subject 1, Section 4.3 of this manual.
- 4.3.2 As indicated in Chapter 2, Subject 1 of this manual, the CFIA will not refuse to issue a certificate of registration to an establishment as long as the establishment demonstrates that it is willing and able to comply with the requirements of the regulations. If an establishment's certificate of registration expires during the renewal process because of administrative activities (i.e., waiting for confirmation of payment) the Regional Director should be consulted. The circumstances should be evaluated to verify that the establishment is willing and able to comply with the regulations and that the reasons for the delay are purely administrative. If this is the case, the Regional Director may renew the establishment's certificate of registration when it expires, even though all steps in the process to renew the certificate have not been completed.

In the event that a certificate of registration expires, and the establishment has not paid all fees or has shown that it is not willing or able to comply with the FIR in

any other way (e.g., enforcement actions have been taken), then the certificate should not be renewed until the outstanding issues have been addressed. This will be treated as an enforcement action and appropriate policies and procedures for enforcement (Compliance Management Process) and suspension and revocation of the certificate of registration (Chapter 2, Subject 1 of this manual) should be followed.

- 4.3.3 An establishment with an expired certificate of registration may remain on export lists upon written request. See Chapter 2, Subject 1 for further details concerning the removal of an establishment from export lists.

4.4 Fees for Inspection of Establishments

- 4.4.1 When an inspection is necessary to reinstate a fish export licence or an establishment's certificate of registration after it has been suspended or revoked, a fee of \$1000 (plus applicable sales tax) must accompany the form "Request for an Inspection of a Fish Processing Facility" (Appendix E), where the item "Suspended/Revoked Registration Facility Inspection" is selected. The inspection will not be performed until payment is confirmed.

This fee is applicable to the inspection of the corrective action plan and any other inspection activities that were necessary to verify that the establishment is in compliance with the regulations. This fee includes the evaluation of any amendments necessary for the development of an acceptable corrective action plan related to the reasons for the suspension or revocation of the certificate of registration.

- 4.4.2 A person may request an inspection of an establishment or a QMP Plan by completing the form "Request For an Inspection of a Fish Processing Facility" (Appendix E), and including a payment of \$500 (plus applicable sales tax). The inspection will not be performed until payment is confirmed. This service is optional and does not form any part of the process that is followed to verify regulatory compliance for newly registered establishments or those that are currently registered.

This fee is not refundable and is not included in any of the fees necessary to issue a certificate of registration.

Note: There is no provision for blueprint review, either as a service or for regulatory approval. While the FIR requires an applicant to provide a detailed diagram of the establishment (e.g., blueprints), this is used by the inspector to view the layout of the establishment during the systems verification. Blueprints may be used to illustrate the "process flow diagram" and the "detailed diagram of the establishment" referred to in paragraphs 15.(1) (e) and (f) of the Regulations. No regulatory actions will be taken based solely on the nature or contents of blueprints. Therefore, the CFIA will not inspect or approve blueprints of an establishment.

4.5 Revenue Administration

- 4.5.1 Revenue administration is the responsibility of the Office of the Vice-President, Corporate Services of the Canadian Food Inspection Agency. The National Centre for Accounts Receivable has the lead role in the collection of all fees payable.
- 4.5.2 The National Centre for Accounts Receivable should be consulted in matters concerning any reimbursement of fees to the client.
- 4.5.3 Proof of full payment of registration fees and of any other previously invoiced fees is a condition of registration. Prior to issuing a certificate of registration and/or conducting other inspections of the facilities which are subject to fees, confirmation is required from the National Centre for Accounts Receivable that the payment has been processed (i.e., the applicants's cheque has been cashed or the credit card transaction has been processed) and has been accepted. This principle applies in the case of a registration renewal, an amendment to a registration or for a new registration.
- 4.5.4 The National Centre for Accounts Receivable (Accounts Receivable) will provide reports to Regional personnel that identify establishments and licence holders with unpaid fees. These reports should be reviewed prior to issuing, renewing, amending, inactivating, reactivating or reinstating a certificate of registration or a fish export licence. Should the name of the establishment or licence holder appear on the list, Regional personnel should contact Accounts Receivable for further information before proceeding. If the client has not taken steps to resolve the issue of unpaid fees, no further steps should be taken to issue, renew, amend, reactivate or reinstate a

2 3 10
New 03/10/31

certificate of registration or a fish export licence until all fees have been paid.

5. FORMS/DOCUMENTS

- Appendix A - Fees for Registration of Establishments
- Appendix B - Categories of Process Operation Types
- Appendix C - Application for Registration of a Fish Processing Establishment
- Appendix D - Certificate of Registration
- Appendix E - Request For an Inspection of a Fish Processing Facility

**APPENDIX A
FEES FOR REGISTRATION OF ESTABLISHMENTS**

Table 1

Item	Total Size of Processing Areas in Establishment	Fee (\$)
1	300 m2 or less	1000
2	More than 300 m2	1500

Table 2

Fees for process operations for registered establishments with processing areas of a total size greater than 300 m2

Item	Process Operation	Fee (\$)
1	Canning fish	1000
2	Processing ready-to-eat fish	1000
3	Processing shellfish	1000
4	Pickling, spicing or marinating fish	500
5	Salting or drying fish	500
6	Processing fresh or frozen fish or semi-preserves	500
7	Any other type of process operation	1000

Table 3

Initial fees for shellfish process operations conducted by deputation

Item	Total Size of Processing Areas in Establishment	Fee (\$)
1	300 m2 or less	6000
2	More than 300 m2	7500

Table 4

Fees for Establishment Inspections

Item	FIR section	Fee (\$)
Inspection for registration reinstatement	17.(3)	1000
Facility or QMP inspection	17.1	500

Table 5

Facilities-related services identified in the FIR for which there are no fees

Item	FIR section	Fee (\$)
Issue a fish export licence	15.1(1)	0
Reinstatement of fish export licence	17.(3)	0
Issuance of temporary certificate of registration	16.4(3)	0

**APPENDIX B
CATEGORIES OF PROCESS OPERATION TYPES**

The impact of a process operation categorisation is limited to the cost recovery fees charged and has no bearing on the processor's QMP or the CFIA regulatory verification of the establishment's controls.

Note: Where a product is applicable to more than one category, the following rule of precedence is applied:

- ▶ Cannery before Shellfish before RTE before PSM or Salted before F/FR/SP
- ▶ For example, a canned clam operation is cost recovered as a cannery (cannery before shellfish); an imported frozen cooked shelled shrimp re-packing operation is cost recovered as a RTE operation (RTE before F/FR).

1. Canning Fish: Means processing where the fish product is sealed in a container and is sterilised.

Product Examples:

- Canned salmon
- Fish in retort pouches

2. Processing Ready-to-Eat Fish: Means processing where the fish (other than canned fish or live molluscan shellfish) product does not require preparation except thawing or reheating before consumption.

Ready-to-eat products are typically:

- a) presented as "ready-to-eat", i.e., no preparation required;
- b) labelled to indicate that cooking is not required; or
- c) cooked or not cooked by the processor and are customarily consumed without cooking by the end user.

Product Examples:

- Cooked and frozen crustaceans with the shell removed or separated (e.g., crab sections, lobster tails, peeled shrimp). Note: Cooked and frozen whole and in-the-shell are considered fresh/frozen products.
- Hot-smoked fish product
- Cold-smoked fish product

- Cooked lobster meat and cooked crab meat
- Pâté, mousse, shrimp cocktail, kamaboko

- 3. Processing Shellfish:** Means processing any edible species of bivalve molluscs of the class *Bivalvia* and all marine, carnivorous species of the class *Gastropoda*, either shucked or in the shell, in whole or part, excluding the adductor muscles of scallops and the meat of geoducks.

Examples:

- Clams, oysters, mussels, quahogs, geoducks
- Whelks
- Whole and roe-on scallops.

Note: Squid, octopus, and other cephalopods are not included

- 4. Pickling, Spicing or Marinating Fish:** Means processing where fish is preserved by pickling in brine, with or without the addition of vinegar and/or spices, is not frozen, and where the product has an expected shelf life in excess of 90 days. Pickled, spiced, and marinated fish is sold in barrels or containers in its own brine or curing ingredients.

Examples:

- Pickled split turbot
- Pickled split summer mackerel

- 5. Salting or Drying Fish:** Means processing where fish is salted, and where the final product is intended to have a moisture content of less than 54%.

Salting includes the processing of fish to be sold in the green salted state to other processors or retailers for final drying and preparation before sale.

Saltfish are either pickle or kench cured, removed from pickle tanks or kench stacks, press piled and typically dried before transport and/or sale to consumers.

Examples:

- Light salted cod
- Gaspé cure slack-salted fish
- Dried squid

- 6. Processing Fresh or Frozen Fish or Semi-preserves:** Means processing where the fish products are:
- live (excluding molluscan shellfish); or
 - presented for sale in their natural, unprocessed, unfrozen state, as at the time of capture, such that further preparation by consumers such as heading,

- dressing, cleaning, skinning, or filleting is required prior to consumption; or
- washed, split, headed, dressed, cleaned, skinned, or filleted and/or refrigerated or frozen to preserve quality; or,
 - partially cooked, and requiring further cooking prior to consumption, (have cooking instructions on the label); or,
 - semi-preserved, that is fish prepared by salting or pickling in brine, vinegar, sugar, spices or any combination thereof and packed so that it may be kept fit for human consumption for a minimum of six months by means of refrigeration without freezing.

Examples:

- Whole and dressed fish and fish fillets
 - Scallop meats
 - Smoked herring, mackerel, capelin, or groundfish which requires cooking prior to consumption.
 - Fish sticks and seafood dinners which are labelled with cooking instructions (i.e., are partially cooked and require further cooking prior to consumption).
 - Frozen cooked crustaceans, when they are marketed whole still in the shell, can be considered fresh/frozen products, (whole frozen cooked lobster and shrimp). Note: When the shell is removed or separated (e.g., crab sections, lobster tails, peeled shrimp), they are considered RTE products.
 - Canned anchovies, marinated mussels
7. Any other type of process operation - means any processing of fish not included in the above-noted process operation types.

Example:

- Fish oil extraction

2 3 C-1
New 03/10/31

APPENDIX C

2

3

C-2

New

03/10/31

2 3 D-1
New 03/10/31

APPENDIX D

2 3 E-1
New 03/10/31

APPENDIX E