



Canadian Food
Inspection Agency

Agence canadienne
d'inspection des aliments

CHAPTER 10

IMPORT

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10.1 INTRODUCTION**10.2 Scope of the Import Control for Meat and Meat Products and their Legal Basis****10.2.1 Public Health Aspects**

Meat import is regulated by the *Meat Inspection Act* (MIA) and the *Meat Inspection Regulations* (1990) (MIR). The legislation prescribes conditions for interprovincial and international trade in meat products. (MIA Sections 7 to 9)

The conditions apply to meat products derived from carcasses of mammals or birds and include any other animal that is prescribed for the purpose of the Act or that falls within a class of animals prescribed for those purposes (MIA, sub-section 2(1) "animal")

The species of animals are further specified in MIR sub-section 2(1) "bird" and "food animal". As a consequence, MIA and MIR limit the allowed trade in meat products to those derived from a "bird" and "food animal". Species of mammals (except marine mammals) and birds not conforming to these definitions may not be traded inter-provincially or internationally.

Trade in meat products derived from classes of animals, other than birds or mammals, and the marine mammals are subject to other Canadian legislation and may be traded inter-provincially and internationally if they comply with that legislation.

A **meat product** is defined by the *Meat Inspection Act* as:

1. a carcass;
2. the blood of an animal or a product or by-product of a carcass; or
3. a product containing anything described in paragraph (2).

For exempted meat products see 10.2.4

For in-transit meat products shipments see 10.2.5

For inedible meat products according to the MIR, see 10.2.6

10.2.2 Animal Health Aspects

The legal basis for animal health related restrictions on importation of meat and meat products can be found in the Health of Animals Act and Regulations (part IV).

Restrictions may be placed on the type of meat product which can be permitted entry into Canada from any given country, depending on the status of that country with regard to serious animal diseases. Refer to Annex A of this chapter for specific import conditions.

In the case of those countries which are not considered free from serious animal disease (except BSE), imports are generally limited to the following:

- (a) commercially sterile, cooked, canned meat products that are shelf stable (canned includes all types of hermetically sealed containers, e.g. retortable pouches, glass jars, etc.);
- (b) edible tallow and oleo stearine;
- (c) pasteurized, canned, cured, boneless meat products;
- (d) frozen boneless beef cooked in tubes from specified establishments in certain countries; and

- (e) dried soup-mix products, bouillon cubes, meat extract.

Additional animal health attestations are required to be incorporated in the Official Meat Inspection Certificate (OMIC) from certain countries and for certain types of meat products.

Depending on the species of food animals from which the meat products are derived, the Animal Health and Production Division (AHPD) considers the following animal diseases to be of concern when importing meat and meat products to Canada:

Avian species:

- Newcastle Disease (END)
- Highly Pathogenic Avian Influenza (HPAI)

Equine species:

- No diseases of concern

Porcine species:

- Foot and Mouth Disease (FMD)
- Swine Vesicular Disease
- African Swine Fever
- Classical Swine Fever (Hog Cholera)

Rabbits:

- Rabbit haemorrhagic disease

Ruminants species (bovine, ovine, caprine, cervids):

- Bovine Spongiform Encephalopathy (BSE)
- Foot and Mouth Disease (FMD)

10.2.3 Animal Health and Production Division Import Permits

Meat or meat products from countries which are not free of animal diseases of concern to Canada may be imported under permit issued by the AHPD following an acceptable risk assessment. The import permit must be issued prior to the product arriving in Canada.

10.2.4 Exempted Products

Certain categories of meat products are exempt from the requirements of section 9 of the Meat Inspection Act and do not have to be dealt with in the manner described in this manual. These are specified in sub-sections 3(1) and 3(4) of the MIR and Chapter 1 of the Meat Hygiene Manual of Procedures (MOP). AHPD import requirements may still apply.

Section (3) of the *Meat Inspection Regulations, 1990*:

Meat products exempted from the application of the Act

3. (1) Sections 7 to 9 of the Act do not apply in respect of:
 - (a) a shipment of meat products weighing 20 kg or less that is intended to be used for non-commercial purposes;
 - (b) a shipment of meat products that is part of an immigrant's or emigrant's effects;
 - (c) a meat product derived from a marine mammal;
 - (d) a prepared pet food;
- (d-1) feed, as defined in subsection 2(1) of the *Feeds Regulations, 1983*;

- (e) a meat product carried on any vessel, train, motor vehicle, aircraft or other means of transportation for use as food for the crew or passengers thereof;
 - (f) a carcass of a game animal or a part of a carcass of a game animal, including the carcass or part of the carcass of the animal that is considered to be a game animal in another country, that is to be used for non-commercial purposes;
 - (g) gelatin, bone meal, collagen casing, hydrolyzed animal protein, monoglyceride, diglyceride, fatty acid and the products resulting from the rendering of inedible meat products;
 - (h) a meat product, the total amount of which does not weigh more than 100 kg, destined and used for analysis, evaluation, testing, research or an international food exhibition;
 - (i) a food in which the meat product is of insignificant quantity having regard to the nature of the food and the nature of the meat product therein;
 - (j) animal skins not intended for use as human or animal food, hooves, horns, feathers, hair, wool and pharmaceuticals containing products of animal origin;
 - (k) a meat product that is destined for inedible rendering; and
 - (l) a food that meets the following specifications, namely:
 - (i) the food is a mixture of a fish product and a meat product;
 - (ii) the food is commonly recognized as a fish product, having regard to:
 - (A) the relative proportions and type of the fish and meat ingredients present in the food;
 - (B) the common name of the food;
 - (C) the type of processing applied to the fish and meat ingredients; and
 - (D) the historical recognition of the food as a fish product;
 - (iii) the food is processed in an establishment registered in accordance with the *Fish Inspection Regulations* or has been imported into Canada in compliance with those Regulations; and
 - (iv) the meat product used in the preparation of the food originates from an establishment registered in accordance with these Regulations or a foreign establishment authorized to export meat products to Canada in accordance with these Regulations.
3. (4) Subsection 9(1) of the Act does not apply in respect of a meat product that has been exported from Canada and is thereafter imported into Canada in the state in which it was exported.

Interpretation:

MIR 3.(1)(a) is interpreted as allowing a shipment, non commercial purposes, up to 20 kg total weight of various meat products from abroad to Canada, without those products having to satisfy the provisions of the MIA and MIR. These meat products will be allowed to enter Canada only if they comply with the provisions of the *Health of Animals Act and Regulations*.

For more information on travellers programs, contact your local Canada Border Service Agency (CBSA) office at: <http://www.cbsa-asfc.gc.ca/menu-eng.html>

MIR 3.(1)(c) exempts meat and meat products derived from marine mammals from application of the Section 9 of the MIA. Meat and meat products derived from marine mammals are regulated by the *Fish Inspection Act and Regulations*.

MIR 3.(1)(e) is interpreted to exempt meat and meat products for use as food for crew or passengers only when placed on board a mode of transport outside the Canadian territory, and kept on board. Storage, transportation and disposal of these meat products are subject to the *Health of Animals Act and Regulations*.

Meat and meat products placed on board of vessels, or other means of international transport, from anywhere on Canadian territory, are not exempt, regardless whether or not they are under Customs bond.

Meat products offered for sale in duty free stores located anywhere on Canadian territory and also to deliveries of meat products, from foreign destinations, to vessels docked or anchored in Canadian ports are not exempt from Canadian import requirements.

MIR 3.(1)(h) is interpreted as allowing a person, or a company, to bring into Canada, from abroad, up to 100 kg total weight of a meat product for sample purpose, without that product having to satisfy the provisions of MIA and MIR. These meat products will be allowed to enter Canada only if they comply with the provisions of the *Health of Animals Act and Regulations*.

MIR 3.(1)(i) is interpreted by the policy outlined in the <http://www.inspection.gc.ca/english/anima/meavia/mmopmmhv/chap1/1.1-5e.shtml>

MIR 3.(1)(l) exempts meat products containing both meat and fish, when the product is classified as a fish product in accordance with CFIA policy. Refer to: <http://www.inspection.gc.ca/english/anima/fispoi/manman/fpimip/chap2su8e.shtml>

MIR 3.(4) allows entry into Canada of meat products legally exported out of Canada and being returned, either for commercial reasons or due to being refused entry by the importing country's competent authority for having failed import inspection. These shipments may enter Canada providing they meet all provisions of the *Meat Inspection Act and Regulations* with the exception of section 9(1) of the MIA. Exported meat products returning to Canada must comply with the provisions of the *Health of Animals Act and Regulations*.

Detailed procedures for handling of returned exported meat products can be found in Annex V of this chapter.

10.2.5 In Transit Meat Products

In transit shipments of meat products are shipments originating in a foreign country and shipped through Canadian territory, under Canadian customs bond, to a foreign country.

There are no provisions under the Meat Inspection Act and Regulations, to exempt these foreign meat product shipments, when they enter Canadian territory. However, for practical reasons the CFIA is not controlling entry of these meat products to Canada, except as indicated below, as long as they remain under Canadian customs bond. All in transit meat product shipments must comply fully with all applicable provisions of the Health of Animals Act and Regulations.

There are three possible categories of in transit shipments:

1. Shipments originating in the USA and destined to another part of the USA

These shipments are considered to carry low risk with respect to public and animal health, and consequently are being controlled solely by CBSA officials. These are the most numerous among the in transit shipments of meat products.

2. Shipments originating in the USA, destined to a third country (off shore)

These shipments are considered to carry low risk with respect to public and animal health, and consequently are being controlled solely by CBSA.

3. Shipments originating in a third country (off shore), destined to the USA

These shipments are considered to be potentially of high risk, mainly from the animal health point of view and consequently are referred by CBSA for CFIA clearance, before they are allowed to enter Canadian territory. CFIA Import Service Centres clear these shipments and maintain records for verification purposes.

10.2.6 Inedible Meat Products, Pharmaceuticals and Industrial Animal Products Derived from Animal Carcasses

Scope and legal basis for inedible meat products import control program

Inedible meat products are meat products as defined by the Meat Inspection Act and are animal products under the *Health of Animals Act* and *Regulations*. Consequently all public and animal health aspects of the import control program for meat and meat products defined above also apply to inedible meat products.

Inedible meat products controlled under the meat import program are raw single ingredient meat products for animal food and for pharmaceutical purposes. Requirements for import and certification of inedible meat products for import to Canada are detailed in the Annex F of this chapter.

Some inedible meat products are exempted by subsection 3(1) of the Meat Inspection Regulations 1990, from application of sections 7, 8 and 9 (import, export and interprovincial movement) of the *Meat Inspection Act*. However, they must comply with provisions of the *Health of Animals Act* and *Regulations*.

MIR 3.(1)(d) exempts “prepared pet food”. Prepared pet food is interpreted as food containing meat product, prepared specifically for feeding of pets and is packaged and labelled for retail trade as pet food. Prepared pet food includes shelf stable canned and frozen/refrigerated (raw or cooked) food, with or without ingredients other than meat products.

MIR 3.(1)(g) exempts, among other things, “products resulting from rendering of inedible meat products”. This is interpreted to include all rendered meat products identified and destined for manufacture of animal feed and industrial uses. This paragraph also exempts: “gelatin, bone meal, collagen casings, hydrolysed animal protein, monoglyceride, diglyceride and fatty acid”. These products, although derived from meat products, have been subjected to extensive processing and as a result lost their identity as meat products. They may be used for manufacture of industrial products not destined for human consumption as well as ingredients for manufacture of products for human consumption or pharmaceuticals.

MIR 3.(1)(j) exempts “animal skins not intended for human consumption or animal food, hooves, horns, feathers, hair, wool and pharmaceuticals containing products of animal origin”.

Pharmaceuticals containing products of animal origin are defined as health food store products, food supplement preparations etc., packaged and labelled for that purpose, for the retail sale. In this form, these products are exempted under the *Meat Inspection Regulations 1990*, paragraph 3.(1)(j), as indicated above. Meat products imported in bulk for manufacture

of pharmaceuticals are considered meat products and may be imported only if in compliance with all of the provisions of the *Meat Inspection Act* and *Regulations*.

MIR 3.1(k) exempts “a meat product that is destined for inedible rendering”.

10.3 CFIA Meat and Meat Products Import Control Program

CFIA's meat and meat products import control system includes the following control elements:

1. Determination of equivalency of the meat inspection systems of the exporting countries, approval of establishments, product registration and certification of the products, by the competent authorities of those countries, for export to Canada.
2. Point of entry control - involves review of import documentation and verification of eligibility of the meat product for import to Canada.
3. Tracking and informatics.
4. Import inspection program.

10.3.1 Determination of Meat Inspection System Equivalency, Approval of Foreign Establishments and Products Registration

The legal basis for control elements of CFIA meat import control program.

Meat Inspection Act (MIA)

9. (1) *No person shall import a meat product into Canada unless;*

- (a) *at the time it was prepared for export, the country from which it originated and any country in which it was processed had meat inspection systems, those systems and the relevant establishments in those countries were approved in writing by the Minister before that time and the approvals were valid at that time;*
- (b) *that person provides an Inspector with evidence satisfactory to the Minister that it meets the prescribed standards for imported meat products;*
- (c) *it meets the prescribed standards for imported meat products; and*
- (d) *it is packaged and labelled in the manner prescribed.*

Determination of a foreign countries equivalency is based on the approval of a country's system of meat inspection, approval of establishments operating within that system, and review and registration of individual meat products prepared in these establishments. Details related to foreign country meat inspection system evaluation program for meat only can be found in the Annex B of this chapter.

Refer to Annex A of this chapter for a link to the list of countries with approved inspection systems and for the country specific conditions for importation of meat and meat products.

The list of foreign establishments eligible to export meat and meat products to Canada is available upon request from the Chief of Import Programs, Meat Programs Division, CFIA, in Ottawa.

All shipments of meat products being imported to Canada must be accompanied by a valid Official Meat Inspection Certificate for Export of Meat Products to Canada (OMIC), issued by the competent authority of the exporting country. The certificates must be individually

numbered, with specific reference to the country of origin and the numbers must not have been repeated within the preceding 12 months on any meat product imported from the same country. The certificate format as well as the required attestations are negotiated and established at the time of the system review. The OMIC is the main document required by the CFIA, as a proof that the imported meat products comply with the applicable Canadian legislation, both from the public and animal health points of view. For this reason, attestations required by the *Meat Inspection Act* and *Regulations* as well as the *Health of Animals Act* and *Regulations* must be present, specific to the meat products and the animal health status of the exporting country.

The OMIC specifies the country of origin of the meat products as well as the slaughter, processing and exporting establishments implicated in the production and export to Canada. The product description must be accompanied by the label registration number, in cases where label registration is required. In addition to the product information, the certificate must specify the exporter and the importer. The importer must be a Canadian entity, person or company, with a Canadian address.

Details related to the format of the certificates and the procedures for use of the certificates can be found in the Annex C of this chapter.

10.3.2 Point of Entry Control

Verification of the eligibility of the shipments is carried out at three CFIA Import Service Centres (ISC). Importers and/or import brokers are required to present all certificates to one of the ISCs, before the shipment is allowed to enter Canada. At the ISC, the officials review the required documents for validity and the necessary attestations.

The data on each shipment is entered into the Import Control and Tracking System (ICTS). The ICTS automatically verifies eligibility of the country, establishments and the label registration number. In addition to this information, the ICTS also verifies validity of shipping marks to assure that the same shipping mark was not used within the preceding 12 months on any meat product imported from the same country. Shipping marks are unique numbers, or combinations of letters and numbers that positively identify each and every shipping container within the shipment with the corresponding OMIC. The OMIC numbers may be used as shipping marks. More details about the use of shipping marks can be found in the Annex D of this chapter.

CBSA will not allow any meat product to enter Canada, except as described in 10.2.5, unless the importer/broker presents them with a proof that CFIA has reviewed the required documents, determined that the shipment is eligible to enter and that CFIA is taking over the tracking of the shipment, for its own purposes, until the required inspections have taken place and the shipment may be released to the importer.

For details consult the Canadian Food Inspection Agency Import Service Centres at <http://www.inspection.gc.ca/english/imp/importe.shtml>

10.3.3 Tracking and Informatics

Data on all imported meat product shipments is entered into the CFIA's Import Control and Tracking System (ICTS). The ICTS is a national, automated computerized system that allows the CFIA to capture data on all imported meat product shipments, verify validity of the certificate number and the shipping marks, verify eligibility of the exporting country, slaughter, processing and exporting establishments and the label registration number, for export to Canada.

The ICTS generates an Import Inspection Report (IIR) and an invoice (for collection of CFIA fees associated with clearance of imported meat shipments) for each shipment. The report is

the record of the import transaction for tracking purposes and provides the importer with the inspection assigned to the shipment.

For details consult the Canadian Food Inspection Agency Import Service Centres at:
<http://www.inspection.gc.ca/english/imp/importe.shtml>

10.3.4 Inspection of Imported Meat Product Shipments

10.3.4.1 Legal Basis

The *Meat Inspection Act* requires the importer to present each imported meat product shipment to CFIA for inspection.

MIA

9. (2) *Every person who imports a meat product into Canada shall, as soon as possible, deliver it, in its imported condition, to a registered establishment for inspection by an Inspector.*
9. (3) *No person shall have in his possession an imported meat product that the person knows;*
- (a) has been imported into Canada in contravention of subsection 9(1); or*
(b) has not been delivered to a registered establishment for inspection as required by subsection 9(2).
10. (1) *No person shall advertise or sell or have in his possession for any such purpose an imported meat product that;*
- (a) has been imported into Canada in contravention of subsection 9(1); or*
(b) has not been delivered to a registered establishment for inspection as required by subsection 9(2).

10.3.4.2 Import Inspection Program

Based on the above legal requirements, the CFIA has in place a meat product import inspection program. The program for inspection of meat products imported from the US varies from the program for meat products imported from all the other countries (off shore). This difference is based on the *Canada-United States Free Trade Agreement Implementation Act* and is reflected in the MIR 1990:

MIR 1990

- 3.(5) *Subject to subsection (6), for the purpose of implementing the Agreement as defined in section 2 of the Canada-United States Free Trade Agreement Implementation Act, section 8 and subsection 9(2) of the Act do not apply in respect of a meat product that is;*
- (a) imported into Canada from the United States, as defined in section 2 of the Canada-United States Free Trade Agreement Implementation Act; and*
- (b) certified, by a Veterinarian who is empowered by the United States Department of Agriculture to enforce the national meat inspection legislation of the United States, as being a product of that country and as meeting the standards set out in these Regulations and as being packaged and labelled in accordance with these Regulations.*
- 3.(6) *Spot checks or similar verifying measures, including any such measures conducted*

at the border and including any unloading requirements, may be conducted in respect of a meat product that is imported into Canada from the United States by an Inspector, at facilities designated by the Director.

The Subsection 3(5) exempts the meat shipments imported from the US from the requirement for obligatory delivery of all imported meat shipments to a registered establishment for inspection. The Subsection 3.(6) replaces that requirement by a more open requirement for import inspection of shipments imported from US, at the discretion of the Director, Meat Programs Division. The shipments designated for full organoleptic inspection must be presented in a Canadian establishment registered specifically for inspection of meat products imported from the USA. The shipments designated as “skip lots” are released at the border and need not be presented to a CFIA Inspector in a Canadian registered establishment for inspection. All skip lots that are also unmarked meat products must however be delivered to a Canadian establishment registered for the processing of meat products or the packaging and labelling of meat products, as prescribed by the section 115 of the Meat Inspection Regulations 1990.

10.3.4.2.1 Initial Shipments From Eligible Foreign Establishments

A minimum of the first 10 consecutive shipments from the foreign establishment, newly authorized for export to Canada, are subjected to full organoleptic inspections in a Canadian establishment registered for the purpose. After 10 consecutive shipments have successfully passed full organoleptic import inspections, the establishment will be automatically placed into the reduced inspection mode.

10.3.4.2.2 Reduced Inspection Mode

One in every 10 consecutive imported shipments (US and off shore), chosen at random by the Import Control and Tracking System (ICTS), is subjected to full organoleptic import inspection. From off shore countries the other 9 of 10 shipments receive a cursory visual inspection at a registered inspection establishment.

For meat product from the US, the other 9 of 10 shipments are not assigned an inspection by the ICTS. These are referred to as “skip lots” and may be released at the border by the CBSA to general commerce in Canada except for “unmarked” meat products which must be directed to a registered establishment for further processing. Refer to Annex I-2 for further information regarding “unmarked” meat products.

10.3.4.2.3 Intensified Inspection Mode

1. Immediately after an imported shipment of meat product fails import inspection for major product deficiencies, the ICTS will automatically designate all shipments of related meat products from the same foreign establishment for full organoleptic import inspection until 10 consecutive lots pass successfully.
2. When imported shipments of meat products are subjected to sampling for laboratory analysis, under a CFIA monitoring programs and if violative levels are reported, the responsible CFIA HQ staff will create a specific intensified inspection plan for the same type of meat product from the same foreign establishment. Fifteen consecutive lots, of at least 15 times the weight of the lot found in violation will be sampled by CFIA and held in a registered establishment pending receipt of laboratory results. To avoid delays, the industry is given an option to pre-test the lots in accredited laboratories in the originating country. The satisfactory results must be either certified by the competent authority on the OMIC or an original laboratory report, clearly cross referenced with the imported lot must be presented to CFIA.

10.3.4.2.4 Establishments Registered for Inspection of Imported Meat Products

1. The US shipments designated by the ICTS for full organoleptic import inspection must be presented in establishments registered for inspection of imported meat products and designated by the Meat Program Division (MPD), for inspection of imported US meat products. (Establishment activity code 9B/US or 9C/US)
2. All off shore shipments of imported meat products must be presented in establishments registered for inspection of imported meat products.

(Establishment activity codes 9B, 9C)
3. All shipments of frozen cooked tubed boneless beef from South American countries not free of FMD must be presented for inspection in establishments located in close proximity to Canadian International sea ports and designated for that purpose. (Establishment activity code 9A)

Refer to Annex K for activity code approval and registration information.

10.3.4.2.5 Inspection of Imported Meat Products

All imported shipments of meat and meat products from countries other than the USA and all USA shipments designated for full organoleptic import inspection must be delivered to a Canadian establishment, registered for that purpose, for an inspection by a CFIA Inspector.

When the shipments to be inspected arrive in the registered establishments the Inspector must check for presence of seals, where necessary, on the transport containers and verify the numbers against those on the OMIC. In some instances, this function can be delegated to a responsible employee of the establishment when appropriate documented control is in place and has been accepted by the Inspector.

All imported shipments to be inspected must be staged inside the establishment to allow the Inspector to carry out cursory, over all, inspection of the shipment. All shipping containers are examined for signs of damage and possible refrigeration failure during transport.

The Inspector must also check acceptability of the labelling and marking and verify that the product being presented for inspection is the same and of the same quantity as is certified. Presence of shipping marks on all shipping containers must be checked and the numbers verified against those on the certificate.

Details of the cursory inspection procedures, standards and disposition criteria can be found in the Annex O of this chapter.

Following a satisfactory cursory inspection, shipments assigned for full organoleptic inspection will have a number of shipping containers selected for further evaluation. The selection is made according to the random numbers sampling plan specified on the Import Inspection Report. These containers will be moved to the designated CFIA inspection room/area for further examination. Refer to Annex P for more information on full organoleptic inspection, the CFIA standards for the meat products and disposition criteria can be found in Annex P of this chapter.

10.3.4.2.6 Laboratory Sampling Plans

At the time of the full organoleptic inspection, monitoring samples for laboratory examination may be required to be drawn. The shipments are not detained pending receipt of the laboratory results. The types of laboratory monitoring for imported meat products are described in Annex M of this chapter. The monitoring samples may be drawn for the following examinations:

1. **Chemical residue** - meat import monitoring. Refer to: ANNEX M-1
2. **Meat Microbiology Sampling Plan M202**

When imported shipments of meat products are found to have violative levels as a result of CFIA microbiology or chemical residue monitoring, the responsible CFIA HQ staff will create a specific intensified inspection plan for the same type of meat product from the same foreign establishment. For details, see section 10.3.4.2.3.(2.) and the Annex M of this chapter.

10.3.4.2.7 Acceptance of Shipments and Release to Importers

The CFIA will notify the importer or their representative of the successful inspection. The inspected lots are released to the importer subject to the following:

Fully marked shipments have no restrictions with respect to the final use or the destination.

Unmarked imported meat products must be delivered to a Canadian establishment registered for the processing of meat products or the packaging and labelling of meat products, as prescribed by the section 115 of the *Meat Inspection Regulations 1990*. Meat products imported from the USA and for which **some Canadian requirements have been waived** must be dealt with as though they were unmarked meat products, until they have been processed and exported from Canada in their entirety. Refer to Annex I-1 of this chapter.

Un-stamped imported meat products may be shipped anywhere within Canada. Seals are required when shipped to another registered establishment.

For details of requirements for shipping and receiving of unmarked and un-stamped meat products in registered establishments consult Chapter 8 of the Meat Hygiene Manual of Procedures and Annex I-2 of this chapter.

10.3.4.2.8 Refusal of Imported Shipments

Section 18 of the MIA provides the legal basis for dealing with shipments of meat products that are or have been imported into Canada in contravention of the Canadian legislation.

The Inspector may seize and detain the shipments (MIA 15, 16, 17) and/or order them out of Canada (MIA 18.(1)) at the time of the clearance, at the import inspection or any time after the shipments were released to the importer. In cases where a meat product imported to Canada out of compliance with the *Meat Inspection Act and Regulations* is used in manufacture of a meat product, CFIA may consider recall of the final meat product. The Inspector is not required to seize and detain the shipments, before the shipments are ordered out of Canada (MIA 18.(1)).

The Notice to remove these shipments from Canada must be either hand delivered or sent by registered mail to the importer, who will have 90 days to comply with the order. See Annex J-1 of this chapter for a template of the Notice.

Legal basis

MIA 18

- 18.(1) *Where an Inspector believes on reasonable grounds that any meat product is being or has been imported into Canada in contravention of this Act or the Regulations, the Inspector may, whether or not the Inspector seizes the meat product pursuant to section 15, require the importer to remove it from Canada by giving the importer a*

notice for its removal delivered to the importer personally or sent by registered mail to the importer's business address in Canada.

- 18.(2) *Where any meat product is not removed from Canada within a period of ninety days after a notice for its removal was delivered or sent to the importer under subsection (1), or within such longer period after the delivery or sending of the notice as may be authorized by the Minister, it shall, notwithstanding section 16, be forfeited to Her Majesty in right of Canada and may be disposed of, as the Minister may direct, at the expense of the importer.*

When shipments of meat products are ordered out of Canada, the importers must provide notification of a place and the time of the removal acceptable to the CFIA. Refer to Annex J-2 of this chapter. The CFIA will witness removal of the refused imported meat products from Canada in accordance with the MIR section 124.

124. *The importer of a meat product who has been given a notice for removal of the meat product from Canada referred to in subsection 18(1) of the Act shall present the meat product to an Inspector for verification of the removal of the meat product at the time and place of its removal.*

Refused shipments that failed to be removed within the prescribed time shall be destroyed under CFIA supervision, at the importer's expense.

Detailed procedures for handling of imported meat product shipments found upon import inspection not to comply with Canadian requirements and the procedures to follow when the importer wishes to appeal the import Inspector's decision to refuse a shipment can be found in the Annex J of this chapter.

10.3.4.2.9 Failure to Present Meat Products for Import Inspection (FTP)

Imported meat products identified by the ICTs for import inspection that were not presented to a CFIA Inspector for inspection in a registered establishment must be viewed as illegally imported.

CFIA has a tracking procedure in place to identifying FTPs before they enter distribution into general commerce within Canada. Details of the procedure and indications of how to deal with the FTPs can be found in Annex I-3 of this chapter.