



Canadian Food
Inspection Agency

Agence canadienne
d'inspection des aliments

CANADIAN FOOD INSPECTION AGENCY 59 Camelot Drive Ottawa, (Ontario), Canada K1A 0Y9 (Tel: 613-225-2342; FAX: 613-773-7204)	D-02-10
	(EFFECTIVE DATE) November 25, 2010 (2 nd Revision)
Title Canadian Phytosanitary Certification Program for Seeds (CPCPS) to meet the phytosanitary import requirements of the United States	

SUBJECT:

Canadian seed exporters have five options to meet the United States (U.S.) requirements for seed. This directive outlines the five options to certify seed exports from Canada to the U.S.: 1) Phytosanitary Certificate, 2) form USDA-PPQ 587, 3) form USDA-PPQ 925, 4) form CFIA/ACIA 5289 or 5) the Canadian Phytosanitary Certification Program for Seeds (CPCPS) a quality management system program which allows approved seed facilities to use CFIA/ACIA 5309 label.

This directive has been revised to update the review date, as well as minor administrative changes. The content of this directive has not changed.

Canada

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Review

This directive will be reviewed every five years unless otherwise needed. For further information or clarification, please contact the Canadian Food Inspection Agency (CFIA).

Endorsement

Approved by:

Chief Plant Health Officer

Amendment Record

Amendments to this directive will be dated and distributed as outlined in the distribution below.

Distribution

1. Directive mail list (Regions, PHRA, USDA)
2. Provincial Government, Industry (determined by Author)
3. National Industry Organizations (determined by Author)
4. Internet

Introduction

On January 22, 2002 the U.S. implemented phytosanitary import requirements for all propagative seed shipments entering the U.S., for the purpose of preventing the entry of regulated pests. Specifically, the U.S. required that all seed shipments entering the U.S. be accompanied by a Phytosanitary Certificate. The Canadian Food Inspection Agency (CFIA) has negotiated alternative certification options, which are described in this directive. The most recent alternative being the importation of small seed lots (a maximum of 50 seeds of 1 taxon per packet, or a maximum weight not to exceed 10 grams of seed of 1 taxon per packet, with a maximum to 50 seed packets per shipment.) under a Permit to Import (form USDA-PPQ 587) with specific conditions rather than a Phytosanitary Certificate.

Scope This directive describes the U.S. phytosanitary standard that must be met in the certification of propagative seed for entry into the U.S. It also prescribes specific procedures, roles and responsibilities for seed packing and/or export facilities, seed testing laboratories, the CFIA and its approved third party inspection bodies, in the phytosanitary certification of propagative seed for exports to the U.S.

- References
- Seed Program Regulatory Authority Standard (SPRA) standard 231.
 - U.S. Code of Federal Regulations, 7 CFR, parts 300 to 380.
http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=8f3bbcbe3d4f9cf2126d5ca596b903fd&c=ecfr&tpl=/ecfrbrowse/Title07/7cfrv5_02.tpl
 - Seed Laboratory Accreditation and Audit Protocol.
<http://www.inspection.gc.ca/english/plaveg/seeem/lab/germ/slaape.shtml>
 - *Agricultural and Vegetable Seed for Export to the United States: Reference Notebook for Canadian Seed.*, USDA-APHIS, 1997, with periodic amendments.

Definitions, Abbreviations and Acronyms

Definitions for terms used in the present document can be found in the Plant Health Glossary of Terms at www.inspection.gc.ca/english/plaveg/protect/dir/glosterme.shtml.

1.0 General Requirements

1.1 Legislative Authority

The Plant Protection Act, S.C. 1990, c.22

The Plant Protection Regulations, SOR/95-212

Canadian Food Inspection Agency Fees Notice, Canada Gazette, Part 1 (as amended from time to time)

Canadian Seeds Act and Regulations

1.2 Fees

The CFIA is charging fees in accordance with the *Canadian Food Inspection Agency Fees Notice*. Exporters requiring information regarding fees may contact any local CFIA office or visit us at our Fees Notice Web Site :

<http://www.inspection.gc.ca/english/reg/cfiaacia/feesfraiss/feesfraise.shtml>.

1.3 Regulated pests

Refer to the U.S. *Federal Seed Act and Regulations* at:

http://www.access.gpo.gov/nara/cfr/waisidx_01/7_CFR361_01.html

1.4 Regulated Commodities

Seed for propagation, all kinds, including but not limited to: agricultural seed, prohibited and restricted seed and vegetable seed.

1.5 Commodities Exempt

Seed for consumption, processing or research*

* seed is not intended for sale or propagation (except for seed grown in a laboratory for research purposes) and must be destroyed following research studies, and which is destined to a U.S. research facility which has been granted an import permit from the USDA.

1.6 Regulated Areas

Canada (Note: also includes seed brought into Canada from another country).

2.0 Specific Requirements

2.1 Canadian Phytosanitary Certification Options for the export of seed to the U.S.

The following export certification options are available to certify seed to meet the phytosanitary entry requirements of the U.S. More details are provided in section 2.2.

2.1.1 Phytosanitary Certificate

Phytosanitary Certificates are issued by CFIA authorized certification officials based on inspection and/or laboratory testing of the shipment.

Note: Phytosanitary Certificates will not be issued in support of the export label (CFIA/ACIA 5309).

2.1.2 Form USDA-PPQ 587

The form USDA- PPQ 587 also referred to as an Application for Permit to Import Plants or Plant Products, may be used to certify small seed lots instead of phytosanitary certificates. This permit is issued by the USDA and applies to seed that is already admissible under current regulations, 7 CFR part 361. The specific conditions on issuance of PPQ 587 are described in 7 CFR 319.37-4.

2.1.3 Form USDA - PPQ 925

The form USDA-PPQ 925, also referred to as a Seed Analysis Certificate, issued by any one of the CFIA accredited seed testing laboratories (Appendix 9). This form is accepted by the U.S. to certify agricultural or vegetable seed of Canadian or U.S. origin. It is typically used to certify seed lots (a quantity of seed, each portion of which is within reasonable limits, uniform with respect to purity, germination, variety, type and quality for bulk shipments or in support of the export label CFIA/ACIA 5309. Instruction on issuance of PPQ 925 is described in "Agricultural and Vegetable Seed for Export to the U.S.: Reference Notebook for Canadian Seed."

2.1.4 CFIA/ACIA 5289

The form CFIA/ACIA 5289 (Appendix 2) issued by any one of the CFIA accredited seed testing laboratories (Appendix 9). This form is accepted by the U.S. to certify foreign origin seed (other than that seed grown in Canada or the U.S.) or Canadian and U.S. seed which is not classified as agricultural or vegetable seed. It is typically used to certify seed lots for bulk shipments or in support of the export label CFIA/ACIA 5309.

2.1.5 CFIA/ACIA 5309 - Seed Export Label

The seed export label, CFIA/ACIA 5309, can be used to certify seed exported by facilities which are certified in the CPCPS. (see section 2.3). It is typically used to certify shipments of small packet seed. Except for U.S. seed, laboratory testing supported by seed analysis certificates (either PPQ 925 or CFIA/ACIA 5289) is required for each seed lot prior to using the export label (see section 2.2).

2.2 U.S. Phytosanitary Import Requirements for Seed

The U.S. import requirements for seed are prescribed in the U.S. Code of Federal Regulation 7 CFR part 361.

2.2.1 U.S. seed not co-mingled with other seed

A laboratory test is not required, however, the facility must have a quality management system in place to ensure that the integrity of the U.S. seed is maintained at all times. A Phytosanitary Certificate is not required, however, export label (CFIA/ACIA 5309) must accompany the shipment. See section 2.3.

2.2.2 Seed of Canadian origin or U.S. seed, co-mingled with Canadian seed:

2.2.2.1 Agricultural and vegetable seed

Seed must be free from noxious weeds without a tolerance (7 CFR 361.6(a)(1) and have fewer than 3 of the noxious weeds with a tolerance listed in 7 CFR 361.6(a)(2). A Phytosanitary Certificate, PPQ 587, PPQ 925 or an export label (CFIA/ACIA 5309) must accompany the shipment.

2.2.2.2 Other than agricultural and vegetable seed

Seed must be free from noxious weeds without a tolerance (7 CFR 361.6(a)(1) and have fewer than 3 of the noxious weeds with a tolerance listed in 7 CFR 361.6(a)(2). A CFIA/ACIA 5289 must be issued by the CFIA accredited lab for each seed lot tested that meets the requirements. A Phytosanitary Certificate, PPQ 587, CFIA/ACIA 5289 or an export label (CFIA/ACIA 5309) must accompany the shipment.

2.2.3 Foreign seed (origin other than Canada or U.S.)

Seed must be free from soil, plant pests, prohibited and restricted seeds that are prohibited or otherwise restricted entry to the U.S. because they are associated with regulated pests (see Appendix 3), and noxious weeds without a tolerance. If the seed is agricultural or vegetable seed, it must also have fewer than 3 of the noxious weeds with a tolerance listed in 7 CFR 361.6(a)(2). A Phytosanitary Certificate, PPQ 587, CFIA/ACIA 5289 or an export label (CFIA/ACIA 5309) must accompany the shipment.

2.2.4 Seed exported to the U.S. for research purposes (not contained in a laboratory)

A Phytosanitary Certificate is required based on a visual inspection by an inspector certifying that the seed meets the phytosanitary entry requirements of the United States (as specified in section 2.2 of this directive). For small seed lots, a PPQ 587 may also be used.

2.3 **Requirements for seed facilities to be approved in the Canadian Phytosanitary Certification Program for Seed (CPCPS)**

2.3.1 Application for facility approval on the CPCPS.

The facility can submit an application (see Appendix 1) to their local CFIA office or the CFIA approved inspection body (an entity which has been approved by the CFIA to conduct facility inspections under the CPCPS on behalf of the CFIA and which has entered into a Memorandum of Understanding with the CFIA) along with a copy of their Quality Management System Manual (herein referred to as the Manual), for review.

Final approval should be made by the CFIA approved inspection body or by a local CFIA inspector, if previous authorization was obtained from the National Manager of the Grains and Oilseeds Section. The quality management system must contain the following elements described in sections 2.3.2 to 2.3.6.

2.3.2 Seed Sampling, Packaging and Shipping to laboratory procedures

Except for U.S. seed not entered into Canadian commerce and not co-mingled, the facility shall follow the sampling procedures as outlined in U.S. 7 CFR 361.5 [http://www.access.gpo.gov/nara/cfr/waisidx_01/7 CFR 361_01.html](http://www.access.gpo.gov/nara/cfr/waisidx_01/7_CFR_361_01.html). All seed samples must be submitted for testing to one of the CFIA accredited seed labs (Appendix 9).

2.3.3 Documentation Control procedures

The facility must be able to demonstrate ongoing traceability of seed shipments (in their various forms, e.g., small seed lots) to the original seed lots, import documentation and/or their seed testing records. All seed shipments will have to be identified with a unique label (CFIA/ACIA 5309) bearing a certified seed exporter number and a unique serial number. A copy of the invoice bearing a duplicate label must be kept on file at the facility. Each package of seed must be identified with a specific lot number linking it to the original seed lot, and all seed lots contained in a shipment must be indicated on the corresponding invoice. All records will have to be retained at the facility for a minimum of two years.

2.3.4 Segregation and Identification of Seed lots

The facility must be able to identify each seed lot and demonstrate their ongoing ability to segregate seed which meets the U.S. phytosanitary standard (see section 2.2) from seed which does not meet this standard.

2.3.5 Quality Management System Procedures

The facility must be able to demonstrate how it prevents the export of non-complying seed to the U.S., including how it prevents contamination of compliant seed with non-compliant seed.

2.3.6 Export Certification Label

Each facility approved under this program will be assigned a registration number. This number, as well as a serial number, appears on the export certification labels issued by the CFIA to the certified facility. The registration number and serial number make each export label unique. An example of an export certification label is shown in Appendix 7.

The certified facility is responsible for paying all costs associated with obtaining export certification labels (original and duplicates), although they remain the property of CFIA. CFIA provides the specifications for the labels. An order form (Appendix 6) must be completed by the operator of a certified facility and forwarded to the National Manager of the Grains and Oilseeds Section in Ottawa (Fax No. 613-773-7144). They will then authorize the printing of the labels and indicate the quantity and serial numbers to be used for the label print.

2.3.6.1 Shipments by Ground Transportation

For shipments by ground transportation, e.g., truck, the export certification label should be placed on a copy of the export label document (Appendix 8) which will be retained by the USDA at the port of entry and replaces the Phytosanitary Certificate normally required for the entry of the plants to the U.S. For consolidated shipments, a reference to all invoices moving under the individual certification label must appear on the label document specifying the contents of the entire shipment, or alternatively, a copy of all invoices comprising the shipment must be attached to the label document.

2.3.6.2 Shipments by Mail

For shipments by mail, i.e., postal service, the export label (CFIA/ACIA 5309) should be placed on the outside of the package. The accompanying invoices describing the contents of the shipment should be placed inside of the package.

2.4 **Requirements for seed testing laboratories**

Refer to the CFIA Seed Laboratory Accreditation and Audit Protocol.
<http://www.inspection.gc.ca/english/plaveg/seesem/lab/germ/slaape.shtml>

2.5 **Requirements for CFIA and/or CFIA approved inspection bodies**

The CFIA approved inspection body (see Appendix 10) or a CFIA inspector, if authorization has been obtained from the National Manager of the Grains and Oilseeds Section, is responsible for review of facility applications, including their quality management system plans, and conducting annual program audits (see Appendices 4 and 5). Where a CFIA approved inspection body is involved, also refer to Seed Program Regulatory Authority Standard, SPRA standard 231.

The CFIA is responsible for issuing a unique CPCPS facility number to facilities which have applied for and meet the requirements of the CPCPS.

The CFIA is responsible for keeping a registry of approved CPCPS facilities and providing the United States Department of Agriculture, Animal Plant Health Inspection Service, Plant Protection and Quarantine (USDA-APHIS-PPQ) with an updated list of approved facilities.

The CFIA is responsible for the control of all Phytosanitary Certificates, and auditing the use of forms CFIA/ACIA 5289, PPQ 925 and export label CFIA/ACIA 5309.

The CFIA may suspend or revoke a facility's approval status on the CPCPS, upon finding non-compliance to requirements specified in this directive.

3.0 Appendices

- Appendix 1 - Application for Approval in the Canadian Phytosanitary Certification Program for Seeds
- Appendix 2 - Instructions for CFIA Accredited Labs for Completing CFIA/ACIA 5289 - Seed Analysis Certificate
- Appendix 3 - Prohibited and Restricted Seed
- Appendix 4 - Audit checklist - Canadian Phytosanitary Certification Program for Seed
- Appendix 5 - Classification of Non-conformance
- Appendix 6 - Order Form for the CFIA/ACIA 5309 - Seed Export Label
- Appendix 7 - Seed Export Label (CFIA/ACIA 5309) - Sample
- Appendix 8 - Export Label Document
- Appendix 9 - CFIA accredited Seed Testing Laboratories
- Appendix 10 - CFIA Approved Inspection Bodies

APPENDIX 1

APPLICATION FOR APPROVAL IN THE CANADIAN PHYTOSANITARY CERTIFICATION PROGRAM FOR SEEDS

Name of Facility:

Owner/Operator of Facility

Quality Management System Operator

Address:

Email :

Telephone No.:

Fax No.:

Conditions for exporting seed to the United States under the Canadian Phytosanitary Certification Program for Seeds.

The facility shall follow the sampling procedures as outlined in the U.S. *Federal Seed Act*, for all seed lots except those U.S. seed which will not be co-mingled with other seed. All seed samples must be submitted for testing to one of the CFIA accredited seed labs.

- The facility must be able to demonstrate ongoing traceability of seed shipments (in their various forms, e.g., small packets) to the original seed lots and their seed testing records. All seed shipments will have to be identified with a unique approved seed exporter number.
- The facility must be able to identify each seed lot and demonstrate their ongoing ability to segregate seed which meets the U.S. phytosanitary standard from seed which does not meet this standard.
- The facility must be able to demonstrate how it prevents the export of non-complying seed to the U.S., including how it prevents contamination of compliant seed with non-compliant seed.
- All certified facilities must have a quality management system and quality management system manual (Manual) explaining how they will meet the phytosanitary import requirements for seed of the United States. The certified facility must implement and follow their Manual. The CFIA or the CFIA approved inspection body will be responsible for the review and approval of the Manual.

- The facility must submit to pre-approval and the minimum of annual audits of their quality management system by the CFIA or it's approved inspection body.

I, _____ the owner/operator in possession, care, or control of the above named facility have read and understood all the terms, conditions, obligations and requirements stated herein by which I may be certified to export seed for propagation, in accordance with the Canadian Phytosanitary Certification Program for Seeds.

Further, I am and shall be responsible for and shall indemnify and save harmless Her Majesty the Queen in Right of Canada, including Canadian Food Inspection Agency, Her officers, Employees, Successors and Assigns, from and against all manners of actions, causes of action, claims, demands, loss, costs, damages, actions or other proceedings by whomsoever made, sustained, brought or prosecuted in any manner based upon, caused by, arising out of, attributable to or with respect to any failure, inadvertent or otherwise, by act or omission, to fully comply with the said terms, conditions and requirements.

Dated _____ 201_ at _____, Province of _____

Signature - Owner/Operator of Facility

Quality Management System Manual Approved by:

CFIA Program Officer/
CFIA Approved Inspection Body

Date

Quality Management System Evaluation Completed and Facility Recommended for Approval by:

Director of CFIA Approved Inspection Body

Date


Approved for Participation in the Canadian Phytosanitary Certification Program for Seed:

CFIA Commodity Specialist
Canadian Food Inspection Agency

Date

APPENDIX 2

Instructions for CFIA Accredited Labs for Completing CFIA/ACIA 5289 - Seed Analysis Certificate

 Canadian Food Inspection Agency / Agence canadienne d'inspection des aliments		Certificate Number / N° du Certificat
SEED ANALYSIS CERTIFICATE for seed destined for the USA which is: a) Not Canadian-grown seed or US grown seed, or b) Not listed in the <i>US Federal Seed Act</i> Regulations		CERTIFICAT D'ANALYSE DE SEMENCES visant les semences destinées aux États-Unis : a) qui ne sont cultivées ni au Canada ni aux États-Unis, ou b) qui ne sont pas réglementées en vertu de la loi américaine sur les semences (<i>US Federal Seed Act</i>)
1. Name and Address of Sender / Nom et adresse de l'expéditeur		
		2. Date Issued / Date de délivrance
		3. Laboratory Number / N° du laboratoire
SENDER'S INFORMATION (The information is that of the sender and not of the laboratory) INFORMATION PROVENANT DE L'EXPÉDITEUR (et non du laboratoire)		
4. Origin / Provenance	5. Kind / Type	6. Variety / Variété
7. Scientific Name / Nom scientifique	8. Lot Designation / Désignation du lot	9. Size of Lot / Taille du lot
10. Treatment / Traitement		11. Sample Taken by / Échantillon prélevé par
12. Other Information / Autres renseignements		
LABORATORY DETERMINATION (To be used for labeling) / ANALYSE EN LABORATOIRE (Pour l'étiquetage)		
13. Common Name(s) of Kinds in Excess of 5% of the whole Nom(s) commun(s) des types de graines dépassant 5% de l'ensemble du lot		14. Scientific Name(s) / Nom(s) scientifique(s)
15. Indicate if seed is, or will be: / Indiquez s'il s'agit d'une semence : <input type="checkbox"/> Pelleted / Enrobée <input type="checkbox"/> Coated / Pelliculée <input type="checkbox"/> Treated (Indicate labelling) / Traitée (indiquez l'étiquetage) _____		
16. US noxious weeds and other seed contaminants based on examination of: / Mauvaises herbes nuisibles réglementées aux E.-U. et autres semences contaminantes d'après l'analyse de _____ Grams / Grammes		
17. Scientific name and number of each kind of noxious weed and other seed contaminants. / Nom scientifique et quantité de chaque espèce de mauvaise herbe nuisible et d'autres semences contaminantes.		
18. "X" ONE / Ne cocher qu'une seule case <input type="checkbox"/> This lot of seed is considered to conform with the current phytosanitary regulations of the United States / Ce lot de semences est conforme aux règlements phytosanitaires en vigueur aux États-Unis OR (for agricultural and vegetable seeds listed in the <i>US Federal Seed Act</i> Regulations only) / OU (ne s'applique qu'aux semences agricoles et aux semences potagères réglementées en vertu de la loi américaine sur les semences (<i>US Federal Seed Act</i>)) <input type="checkbox"/> This lot of seed is considered to conform with the current phytosanitary regulations of the United States, except that it contains <i>US Federal Seed Act</i> weeds beyond allowable tolerance. / Ce lot de semences est conforme aux règlements phytosanitaires en vigueur aux États-Unis, sauf qu'il contient des mauvaises herbes dont la quantité est supérieure à la limite stipulée dans la loi américaine sur les semences (<i>US Federal Seed Act</i>)		
19. Name and Address of issuing Laboratory / Nom et adresse du laboratoire émetteur	20. Name and Title of Authorizing Official / Nom et titre de l'agent autorisé	21. Signature

Information contained in this certificate is subject to the provisions of the Canadian *Access to Information Act* and *Privacy Act*.

Les renseignements contenus dans le présent certificat sont soumis aux exigences prévues par la *Loi sur l'accès à l'information* et la *Loi sur la protection des renseignements personnels* en vigueur au Canada.

APPENDIX 2 cont'd

Use form CFIA/ACIA 5289 provided by the Canadian Food Inspection Agency (CFIA) for seed that is to be exported to the U.S. when the seed is any one of the following:

- a) Any kind of seed that originated in countries other than Canada or the U.S.,
- b) U.S. origin seed that has been co-mingled with Canadian seed or offered for sale in Canada,
- c) Canadian grown seed that is not listed in the U.S. Federal Seed Act and regulations (FSA) as an agricultural or vegetable seed.

Use the Form USDA-APHIS-PPQ 925 for Canadian grown agricultural and vegetable seed, as listed in the U.S. Federal Seed Act and regulations, or for U.S. returned agricultural and vegetable seed that has not been commingled with other seed nor offered for sale in Canada.

Top right corner: Assign a certificate number - Use the lab alpha code (see white tab of the USA reference notebook) followed by the last 2 digits of the calendar year, followed by "B", then the consecutive number of the certificate. For example, if the laboratory's alpha code is "A", then the first certificate the lab issues in 2002 will be: A-02-B-1. The second certificate will be A-02-B-2, etc.

Block 1 Enter the name and mailing address of the person and company submitting the sample for testing.

Block 2 Enter the date the certificate is issued.

Block 3 If the laboratory assigns a test number, enter that number here.

Block 4 Enter the name of the country in which the seed was grown. Note that if the seed lot is a mixture or blend of seed of different origins, the country of origin of each component of the mixture or blend must be stated.

Block 5 Enter the common name(s) as provided by the exporter. The lab may abbreviate the common name to fit the space.

Block 6 Enter the variety name or V.N.S. if the exporter does not state the variety. The FSA requires a variety name for vegetable seeds.

Block 7 If the exporter provides a scientific name, enter it here.

- Block 8** Enter the seed lot designation provided by the exporter. It may be numeric, alphanumeric or alphabetical.
- Block 9** Enter the number and types of containers, and weight in lbs. or kgs., as provided by the exporter.
- Block 10** If the seed lot has been or will be treated, enter the name of the substance or process used to treat the seed. Substance names shall be the commonly accepted coined, chemical (generic), or abbreviated chemical name.
- Block 11** Enter the name of the officially recognized sampler.
- Block 12** Add any other pertinent information supplied by the exporter.
- Block 13** If the kind is listed in the FSA, enter the common name as given in the regulations. If the kind is not listed in the FSA, enter the common name as provided by the exporter. If the seed lot is a mixture, list each kind separately and include percentage in the mixture.
- Block 14** If the kind is listed in the FSA, enter the scientific names as given in the regulations. If the kind is not listed in the FSA, enter the scientific name as given in (<http://www.ars-grin.gov/npgs/tax/taxgenform.html>). If the seed lot is a mixture, list each scientific name separately.
- Block 15** Indicate if the seed is, or will be pelleted, coated, and/or treated. Put an “X” in any block that applies.
- Block 16** To be completed based on sample weight specified in the FSA for non-Canadian origin seed that is subject to the FSA. If the kind is not listed in the FSA, determine the noxious weed exam working sample weight by following the instructions in Section 2.3B of the AOSA Rules for Testing Seed. Note that the maximum working sample size is 500 grams.
- Block 17** Enter the scientific name of each kind of seed contaminant found in the seed lot. For seed which is not of Canadian or U.S. origin, also record the presence of soil, quarantine-significant plant pests or prohibited or restricted seeds.

NOTE 1: When plant pests (eg., diseases or live insects) are found, contact CFIA for identification assistance in determining whether they are of quarantine-significance and whether the seed lot meets the current U.S. phytosanitary regulations.

NOTE 2: Soil is defined in U.S. regulations 7 CFR 330.100 as "The loose surface material of the earth in which plants grow, in most cases consisting of disintegrated rock with an admixture of organic material and soluble salts."

NOTE 3: Prohibited or restricted seeds are prohibited or restricted by specific quarantines. Refer to appendix 3, "Status of Seeds Entering the United States for Planting". Kinds listed under Sections 2 and 3 of the document are considered to be prohibited or restricted seeds.

NOTE 4: Noxious weeds (seeds of plants listed in the U.S. regulations in: 7 CFR 361.6(a)(1) and 7 CFR 361.6(a)(2)) listed in FSA Section 361.6(a)(1) are referred to in these instructions as "list 1" noxious weeds. Seed lots containing any of these weeds are prohibited from entry into the U.S..

NOTE 5: Noxious weeds listed in FSA Section 361.6(a)(2) are referred to in these instructions as "list 2" noxious weeds. These weeds are only of concern when kinds listed in the FSA are found. If noxious weeds of list 2 are found, enter them in block 17 and see instructions in Block 18 2.b. These are the weeds in list 2:

Canada thistle, *Cirsium arvense* (L).
 Russian knapweed, *Acroptilon repens* (L.)
 Quackgrass, *Elytrigia repens* (L.)
 Perennial sowthistle, *Sonchus arvensis* (L.)
 Johnsongrass, *Sorghum halepense* (L.)
 Field bindweed, *Convolvulus arvensis* (L.)
 Leafy spurge, *Euphorbia esula* (L.)
 Whitetop or Hoary cress: *Cardaria draba* or *Cardaria pubescens*,

Block 18 1. Seed of Canadian or U.S. origin

For a seed lot that is not listed in the FSA: put an X in the first box if the lot is free from prohibited or restricted seeds and noxious weeds of list 1. If any of these contaminants were found, **do not issue the CFIA/ACIA 5289**. In this case, issue the laboratory's standard report of analysis, indicating the seed does not meet U.S. phytosanitary requirements.

2. Seed which is not of Canadian or U.S. origin

- a) For a seed lot that is not listed in the FSA: put an X in the first block if the seed lot is free from soil, quarantine-significant plant pests, prohibited or restricted seeds and noxious weeds of list 1. If any of these contaminants were found, **do not issue the CFIA/ACIA 5289**. In this case, issue the laboratory's standard report of analysis, indicating the seed does not meet U.S. phytosanitary requirements.
- b) For a seed lot that is listed in the FSA.

- i. Put an X in the first block if the sample is free from soil, quarantine-significant pests, prohibited or restricted seeds, noxious weeds of list 1, and fewer than 3 of the list 2 noxious weeds. If any soil, quarantine-significant plant pests, prohibited or restricted seeds or noxious weeds of list 1 are found, **do not issue the CFIA/ACIA 5289**. In this case, issue the laboratory's standard report of analysis, indicating the seed does not meet U.S. phytosanitary requirements.
- ii. Put an X in the second block if the sample is free from soil, quarantine-significant pests, prohibited or restricted seeds and noxious weeds of list 1, and there are 3 or more of the list 2 noxious weeds in the sample. Notify the exporter that the shipment will be refused entry into the United States. Instruct the exporter to notify the consignee in the United States that the shipment must be cleaned under USDA supervision before it can be released. The seed lot will be sampled at the port of entry and the consignee must hold the shipment intact until APHIS contacts them to set up supervision for the cleaning procedure. Put an X in the second block and fax a copy of the certificate to the USDA, APHIS Seed Examination Facility at (301) 504-8539.

Block 19 Name and address of issuing laboratory. The lab may use a stamp, if they have one.

Blocks 20 and 21 Name and signature of authorizing official. The person responsible for the content of the test information, usually the laboratory manager, signs here. Signatures may be preprinted or actual signatures. The person signing the certificate is certifying that kind names and the tests for contaminants are in accordance with the FSA and/or U.S. phytosanitary requirements.

Distribution of Copies 4 Total

Original - Give to exporter. The exporter forwards this copy with the shipment; U.S. Customs will send this to the APHIS Seed Examination Facility when the shipment crosses the border.

Copy 1 - Give to exporter. The exporter retains this copy.

Copy 2 - Give to exporter. The exporter forwards this copy with the shipment; the importer keeps this copy.

Copy 3 - Lab - file copy.

IMPORTANT: EXCEPT FOR APPROVED FACILITIES AUTHORIZED TO USE CFIA 5309 (EXPORT LABEL) WHO ARE REQUIRED TO KEEP THE ORIGINAL COPY,

THE LAB MUST INSTRUCT THE EXPORTER TO SEND THE ORIGINAL AND COPY 2 WITH THE SEED WHEN IT CROSSES THE BORDER.

FAX copies are acceptable, but if they are used at the border, then the lab must mail the original to the Seed Examination Facility (See blue tab for address).

NOTE The lab must advise the exporter that if a seed lot is sold to more than one consignee, the original Seed Analysis Certificate (SAC) will be sent with the first shipment. Copies of the original SAC will be acceptable for subsequent shipments. The Seed Examination Facility will keep track of the combined weights of shipments with the same SAC, ensuring the combined weight does not exceed the weight of the shipment entered in Block 9.

APPENDIX 3

PROHIBITED AND RESTRICTED SEED

For a listing of seed kinds which the U.S. considers as prohibited and restricted seed refer to the document entitled “Status of Seeds Entering the United States for Planting”.

http://www.aphis.usda.gov/plant_health/permits/downloads/seedweb.pdf

APPENDIX 4

Audit Checklist - Canadian Phytosanitary Certification Program for Seed

Name of the facility:

Location:

Date:

Name of Approved Inspector:

Quality Management System Requirement	Yes	No	Type of non-conformance	Corrective action	Due date
Has the management approved the facility quality management system and accepted responsibility for the process?					
Is the facility's quality management system documented?					
Can the facility demonstrate compliance with sampling procedures prescribed in U.S. 7 CFR 361.5?					
Can the facility show traceability of export seed packages to individual seed lots?					
Does the facility have seed testing records, or import documents to show that seed lots conform to U.S. phytosanitary requirements?					
Does the facility have a segregation system to maintain seed integrity for the various lots? Can the facility demonstrate how non-conforming seed lots are kept separate?					
Does the facility have a seed identification marking system which allows for traceback of all export seed shipments to original seed lots?					
Can the facility provide seed testing or import records for all seed lots?					

Does the facility have a process to evaluate suppliers and to place orders with suppliers which have a proven track record?					
Has the facility identified a Quality Management System Operator?					
The system does not permit seed to be exported to the U.S. until the Quality Management System Operator has verified the compliance with the export requirements					
The quality management system operator has a training program that ensures staff are knowledgeable with the quality management system procedures					
Does the Quality Management System Procedures Manual outline the appropriate steps involved in ordering CFIA/ACIA 5309 labels?					
The Quality Management System Operator conducts internal audits that ensures compliance with the QSP					
Does the facility have a plan to react to and dispose of seed that doesn't meet the export requirements and does he maintain a written record of disposal procedures?					
Does the facility have a system to analyse the cause of non-conformance and take corrective actions?					

APPENDIX 5

Classification of Non-conformance

- **Critical Non-conformance:** inspection findings that reveal that the integrity of this program is in jeopardy. Certification labels cannot be used because this non-conformance will damage the integrity of the certification label, and will directly affect export markets. The approved facility is suspended from this program and all un-used labels must be surrendered to the CFIA until remedial action has been taken to the satisfaction of the CFIA.
- **Major non-conformance:** inspection findings that reveal one isolated incident of non-conformance having no direct impact on the integrity of the product provided that remedial action can be taken within a period defined by the CFIA. Corrective action must be carried out within the time-frame specified by the lead auditor, in consultation with the CFIA, which shall not exceed two weeks. Should the facility fail to complete corrective actions in the specified time period, participation of the facility will be suspended.

Note: if more than two major non-conformities are detected during an inspection, the classification is changed to critical non-conformance.

- **Minor Non-conformance:** inspection findings that reveal a non-conformance incident which does not immediately and/or significantly affect the integrity of the program or product, but leads to a major non-conformance if more than three minor incidents of any deficiency are detected during any one inspection. Corrective actions must be undertaken by the facility by no later than the next audit, or within a time-frame agreed to by the lead auditor in consultation with the CFIA.

The following non-conformities are classified as Critical non-conformance:

- The facility exported a seed shipment which was found to be infested with a quarantine pest or contains a prohibited and restricted seed.
- The facility failed to take corrective actions once they were aware of a non-conforming product.
- The facility provided certification labels to a person not authorized or employed by the facility.
- The facility fails to make reports or records available to the CFIA or its approved inspection body.

The following non-conformities are classified as Major non-conformance:

- The facility's Quality Management System Operator is incapable of demonstrating the general requirements of the program.

- The facility has failed to maintain a records/marketing system to trace back all export seed shipments to original seed lots.
- The facility has failed to demonstrate how they maintain the integrity of approved seed lots to ensure no co-mingling with non-approved seed lots.
- The facility cannot produce documentation to support all seed lots exported.
- The facility fails to maintain a record of certification labels used for export shipments.
- The facility does not have a disposal procedure and/or record of seed that does not meet the export requirements.
- The facility's quality management system fails to reflect the necessary elements of the CPCPS.

The following non-conformities are classified as Minor non-conformance:

- The facility fails to have in its employ sufficient staff to ensure the program specifications are being consistently met.
- staff members of the facility who are carrying out tasks related to the CPCPS are not aware of the phytosanitary standard.
- The facility's documentation (treatment records, import records, inspection reports, etc.) are not completed or maintained in a manner consistent with the facility's quality management system.
- The facility fails to maintain an up to date list of suppliers providing seed for export.

Order Form for the CFIA/ACIA 5309 - Seed Export Label
Formulaire de Commande pour Étiquettes d'Exportation de Semences - CFIA/ACIA 5309

PART I / PARTIE I
PERSON ORDERING / PERSONNE PLAÇANT LA COMMANDE

NAME/NOM :		
COMPANY NAME/ NOM DE COMPAGNIE:		
ESTABLISHMENT REGISTRATION NUMBER /NUMÉRO D'ENREGISTREMENT DE L'ÉTABLISSEMENT :	NUMBER OF LABELS REQUIRED/ NOMBRE REQUIS :	LAST SERIAL NUMBER USED/ DERNIERE NUMÉRO DESÉRIE:
BILLING ADDRESS/FACTURER À : _____ _____ _____	SHIPPING ADDRESS/ENVOYER À: <input type="checkbox"/> Same as Billing Address/ Même que l'adresse de facturation _____ _____ _____	
SIGNATURE :	DATE:	TEL:

PART II / PARTIE II
FOR GOVERNMENT USE ONLY / POUR USAGE OFFICIEL SEULEMENT

AUTHORIZED BY CANADIAN FOOD INSPECTION AGENCY INSPECTOR OR OFFICER (NAME) / AUTORISÉ PAR INSPECTEUR D'AGENCE CANADIENNE D'INSPECTION DES ALIMENTS(NOM):	
SERIAL NUMBERS / NUMÉROS DE SÉRIE :	
PRINTER/STAMP MAKER (NAME AND ADDRESS) / IMPRIMEUR (NOM ET ADRESSE): _____ _____ _____	
PLEASE SEND THE EXPORT CERTIFICATION LABELS TO / VEUILLEZ FAIRE PARVENIR LES ÉTIQUETTES DE CERTIFICATION D'EXPORTATION À: _____	
SIGNATURE OF AUTHORIZED PERSON/SIGNATURE DE LA PERSONNE AUTORISÉE:	DATE :

ORIGINAL(E) >> ORDERING COMPANY/ L'ÉTABLISSEMENT COMMANDANT
COPY 1 / COPIE1 >> CANADIAN FOOD INSPECTION AGENCY OTTAWA / L'AGENCE CANADIENNE D'INSPECTION DES ALIMENTS D'OTTAWA

APPENDIX 7

Seed Export Label (CFIA/ACIA 5309)-Sample



APPENDIX 8

EXPORT LABEL DOCUMENT
(Ground Transportation Only)

ATTENTION USDA PPQ

THIS SHIPMENT CONTAINS SEED FROM CANADA

COMPANY NAME: _____

COMPANY REGISTRATION NUMBER: _____

1. ATTACHED LIST DESCRIBING CONTENTS OF THE SHIPMENT, INCLUDES: SEED KINDS, ORIGIN

OR

2. ATTACHED INVOICES

STICK PHYTO LABEL AT BOTTOM OF THIS LABEL DOCUMENT

APPENDIX 9

CFIA Accredited Seed Testing Laboratories

For a complete listing of the CFIA Accredited Seed Testing Laboratories, please refer to the following link:

<http://www.csi-ics.com/pdfs/facilities/Accredited%20Lab%20List.pdf>

APPENDIX 10

CFIA Approved Inspection Bodies

Canadian Seed Institute
240 Catherine Street, Suite 200
Ottawa, Ontario
K2P 2G8

Tel: (613) 236-6451 / 1-800-516-3300

Fax: (613) 236-7000

Email: csi@storm.ca