Canadian Supply Chain Food Safety Coalition

Implications of the Food Safety Modernization Act (FSMA) for Canadian Exporters

Promoting a Culture of Food Safety in British Columbia – 2011 Symposium

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Presentation Outline

• Canadian Supply Chain Food Safety Coalition
• Global Trends
• Impact of US Food Safety Modernization Act
• Where is Canada going?
CSCFSC - Background

- Established – December 2000, incorporated August 2007
- **Our Vision:** Canada’s agriculture, fisheries and food industry will have a world-class reputation for producing and selling safe food.
- **Our Mission:** To facilitate, through dialogue within the food industry and with all levels of government, the development and implementation of a national, coordinated approach to food safety to ensure credibility in domestic and international marketplaces.
CSCFSC Membership

- Open to national, provincial & regional or local associations whose members are actively involved in the food supply chain
- Includes associations representing all segments -- input suppliers through to final marketers
- Allied members - provide services to the supply chain
CSCFSC – Major Activities

- Policy development
  - Symposia, industry/government forums, webinars
  - National Strategy for Industry-led Programs
- Advocacy
  - Relationships with FPT committees
  - Liaison with Federal, provincial & territorial governments (officials & ministers), Parliament, etc
- Pandemic/Emergency/Critical Infrastructure Planning
Global Trends in Industry

- Driven by major buyers & global suppliers
- Responding to new Government initiatives
- New requirements focusing on:
  - Preventive controls (i.e. HACCP approach)
  - Supply chain approach
  - Greater industry responsibility
  - Accredited 3rd Party Certification
  - Harmonization through Global Food Safety Initiative
US Food Safety System

- Divides food safety regulatory responsibility between FDA & USDA
- USDA covers meat, poultry, catfish & egg products (20%)
- FDA covers everything else (80%)
- FDA’s primary legislation is the Food, Drugs & Cosmetics Act (FDCA).
- FSMA (Food Safety Modernization Act) amends FDCA
Major Themes of FSMA

- Prevention
- Enhanced Partnerships
- Import Safety
- Inspections, Compliance, and Response
Impact of FSMA - 1

• New Requirements for some farms, processors, handlers, distributors, transporters & importers
  • Update registration - Bio-terrorism Act - every two years starting in October 2012;
  • Develop, maintain & implement food safety plans based on a hazard analysis (prerequisite programs and HACCP);
  • Develop food defense plan based on a hazard analysis;
  • Implement enhanced traceability capacity.
FSMA – 2: Registration

- Consent to FDA inspection of the registered facility;
- Identify the email address for the facility’s contact person (or, in the case of a foreign facility, the email address of the facility’s U.S. agent); and
- Identify food product categories manufactured, processed, packed, or held at the facility.
FSMA – 3: Food Safety Plan

- Hazard analysis;
- Prerequisite programs (e.g. premises, sanitation, personal hygiene, training, recall, requirements of CFR 21 Part 110, etc.) and controls at critical control points, if any;
- Monitoring & verification;
- Corrective actions; and
- Recordkeeping.
- Implementation – June 2012 (Small in 2013 & V. Small in 2014)
FMSA – 4: Fresh Produce

- Separate produce safety regulation
- Will also require preventive controls
- Will impact on farms & other segments of the supply chain
- Draft proposal due in January 2012
- Implementation January 2013
- Delayed implementation for small & very small farms (2014 & 2015)
FSMA – 5: Food Defense/Intentional Contamination Plan

• Scope uncertain:
  • FDA to conduct vulnerability assessment: short shelf-life, susceptible at CCPs, bulk form prior to packaging
  • Guidance document by Jan 2012 & regulation by June
  • Likely to extend to dairy farms
• High risk/vulnerable products
• Firm to have analysis, plan & mitigation strategies
FSMA – 6: Implementation

• Legislation not a “hammer” but a set of “tongs”
  • One side is inspection by FDA or its agents (impacts domestic & foreign facilities)
    • Comparability Assessment/Determination
  • On the other side two programs with industry implementation:
    • Foreign Verified Supplier Program
    • Voluntary Qualified Importer Program
Domestic Inspections: FDA & state inspectors
Foreign Inspections: FDA, other governments & accredited 3rd parties
Volume of Foreign Inspections set by Congress:
  - 1,200 in 2012;
  - 2,400 in 2013;
  - 4,800 in 2014;
  - 9,600 in 2015; and
  - 19,200 in 2016.
Risk of over inspection close to home (e.g. Canada)
FSMA-8: Foreign Supplier Verification Program (FSVP)

• Impacts US importers & foreign suppliers
• Importers’ verification activities to include
  • monitoring records for shipments,
  • lot-by-lot certification of compliance,
  • annual on-site inspections,
  • checking the hazard analysis and risk based preventive control plan & food defence plan, and
  • periodically testing and sampling shipments.
• Regulation by January 2012/implementation January 2013
FSMA – 9: Voluntary Qualified Importer Program (VQIP)

- Imports get “fast-track” service
- Additional requirements to basic FSMA:
  - Foreign facility **must have** accredited 3rd party audit
  - Certificates must accompany product
- “Accreditation” not yet defined
  - US industry players (e.g. GMA, etc) advising use of GFSI benchmarked programs
  - Programs recognized by other governments may be eligible
- Guidance by January 2012/ program by June 2012
FMSA – 10: Import Provisions work together

Accreditation Body
Accredits 3rd parties
Sec. 307

3rd Party Certification
Certify high-risk food imports
Sec. 303

Voluntary Qualified Importer Program
Importer inspection and product certification enable expedited product entry
Sec. 302

Foreign supplier verification program
Foreign firms obtain 3rd party certification as needed
Sec. 301
FSMA – 11: FDA is looking for comments

- US process requires FDA to post draft regulations for comment
- FDA is also requesting comments on key areas in advance of posting draft regulations:
  - Preventive controls
  - Fees
  - Inspections
  - Import controls
- AAFC is co-ordinating industry comments
- Several Canadian groups have commented (CHC on produce)
Websites for FSMA Information

- FDA’s FSMA site: http://www.fda.gov/Food/FoodSafety/FSMA/default.htm
- Docket site: http://www.fda.gov/Food/FoodSafety/FSMA/ucm261689.htm
Where is Canada going?

- Modernization promised since early 1990’s
- Current Government
  - November 2007 – *Canada’s Food and Consumer Safety Action Plan* – commitment to updating Canada’s food safety regime
  - January 2008 – Federal consultations
  - April 2008 – Bill C-51 introduced but not proceeded with
  - November 2008 – Speech from the Throne promise
  - Feb/June 2009 – House of Commons Subcommittee on Food Safety – study & report
  - September 2009 – Commitment to implementing all 57 Weatherhill recommendations
  - March 2010 – Speech from the Throne promise
Where is Canada going?

- Two streams
  - Harmonization of CFIA’s enforcement powers
  - Modernization of Food & Drugs Act – possibly a separate Foods Act

- Other Issues
  - Imported food & ingredients – 2010 draft regulations
  - Traceability – proposed Act

- Current Status – expected/but uncertain
- Coalition members actively engaged in preparations
Coalition Members

National Organizations
- CropLife Canada
- Canadian Animal Health Institute
- Canadian Trucking Alliance
- Canadian Federation of Agriculture
- Canadian Hatching Egg Producers Association
- Turkey Farmers of Canada
- Chicken Farmers of Canada
- Egg Farmers of Canada
- Canadian Pork Council
- Canadian Cattlemen’s Association /Beef Information Centre
- National Cattle Feeders Association
- Dairy Farmers of Canada
- Canadian Horticultural Council
- Canadian Produce Marketing Association
- Canadian Meat Council
- Canadian Poultry & Egg Processors Council
- Further Poultry Processors Association of Canada
- Dairy Processors Association of Canada
- Fisheries Council of Canada
- Canadian National Millers Association
- Food and Consumer Products Canada
- Food Processors of Canada
- Canadian Association of Importers and Exporters
- Canadian Association of Regulated Importers
- Retail Council of Canada
- Canadian Federation of Independent Grocers
- Canadian Restaurant & Food Service Association

Provincial/Territorial Groups
- Alberta Egg Producers Council
- Ontario Produce Marketing Association
- Small Scale Food Processors Association

Allied Members
- QMI-SAI Global
- Guelph Food Technology Centre
- NSFI Canada
- Jackie Crichton Consulting
Questions & Discussion

Website: www.foodsafetycoalition.ca

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