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# SFCA – Safe Food for Canadians Act Overview

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# Overview

- Rationale for the Safe Food for Canadians Act and Regulations
- Scope of new SFCR food law in Canada
- Penalties and Enforcement
- Review of Key Requirements and Implementation Timelines
- Review of Requirements for Domestic Manufacturers
- Requirements for Food Importers
- Resources



# Safe Food for Canadians Act



- Introduced on **June 07, 2012**; received Royal Assent in November 2012.
- The Safe Food for Canadians Act came into force **on January 15, 2019**
- Is enforced by the Canadian Food Inspection Agency (CFIA)
- Takes into account the recommendations of the Weatherill report (2009)

Objective: “Modernize, Simplify and Strengthen the federal regulatory framework for food safety.”



**To increase food safety controls**  
**To ensure consumer protection**  
**To enhance legislative authority**  
**To support industry with access to foreign markets**



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# Safe Food for Canadians Act - Overview

Consolidation and modernisation of 4 existing statutes : *Canadian Agricultural Products Act*, the *Fish Inspection Act*, the *Meat Inspection Act* as well as the *Consumer Packaging and Labelling Act*.

**Food and Drugs Act and Regulations continue to apply for all food products sold in Canada**

- Consumer protection (food labels are truthful and not deceptive).
- Food manufacturers and importers are responsible for ensuring that their products are safe, adequately labelled and in compliance with Canadian legislation and regulations.

## Objectives:



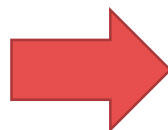
**To apply food safety controls consistently across food categories**  
**To increase the level of efficiency by reducing bureaucracy**  
**To reach a higher rate of compliance from industry**  
**To align with international practices**

# Food Safety & Security - Global Trends

- Global and complex food supply chains
- Technological advances
- Recalls/Emerging pathogens/Climate change
- Demographics/Consumer trends (RTE, Fresh food sector)
- Food Fraud /Intentional food adulterations
- Harmonisation of food safety legislation with trading partners



Source: Komitopoulou (2013) & CFIA (2015)



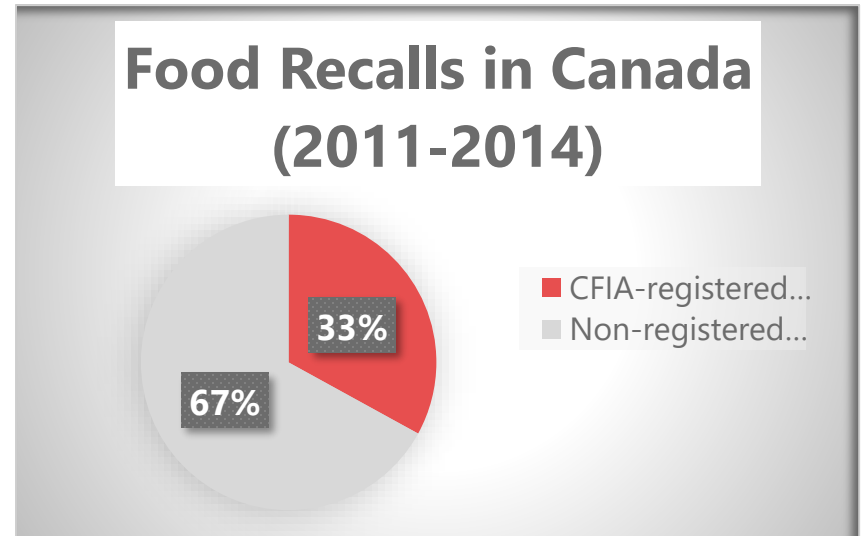
Modernisation of  
Food Safety  
Legislation

# Food Safety Facts

In Canada,

- Extent of Foodborne illness outbreaks:
  - **4 million cases each year**
- Number of recalls for 2011-2014: **1000**
- Most of them voluntary recalls initiated by industry

Source: CFIA, 2015



- % of recalls initiated by the formerly registered Food Sector : **33%**
  - Meat, fish, dairy, egg, processed fruit and vegetables, honey and maple
- % of recalls initiated by the formerly Non-Registered Food Sector : **67% (includes food imports)**
  - Various food categories including but not limited to infant foods, alcoholic beverages, bakery products, cereal products and snacks/spices.



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# SFC Act and Regulations - Scope

- Food for human consumption (includes ingredients) that is **imported, exported or interprovincial traded**.
- **Food** animals from which meat products may be derived – meat products are to be **exported or inter-provincially traded in Canada** .
- Some of the traceability, labeling and advertising provisions apply to **intra-provincially traded foods**.



# SFCR - Penalties

## Offences

**39 (1)** A person who contravenes a provision of this Act, other than sections 7 and 9, or a provision of the regulations — or fails to do anything the person was ordered to do by, or does anything the person was ordered not to do by, the Minister or an inspector under this Act other than subsection 32(1) — is guilty of an offence and is liable

- **(a)** on conviction on indictment, to a fine of not more than \$5,000,000 or to imprisonment for a term of not more than two years or to both; or
- **(b)** on summary conviction, for a first offence, to a fine of not more than \$250,000 or to imprisonment for a term of not more than six months or to both and, for a subsequent offence, to a fine of not more than \$500,000 or to imprisonment for a term of not more than 18 months or to both.

# CFIA Enforcement Action

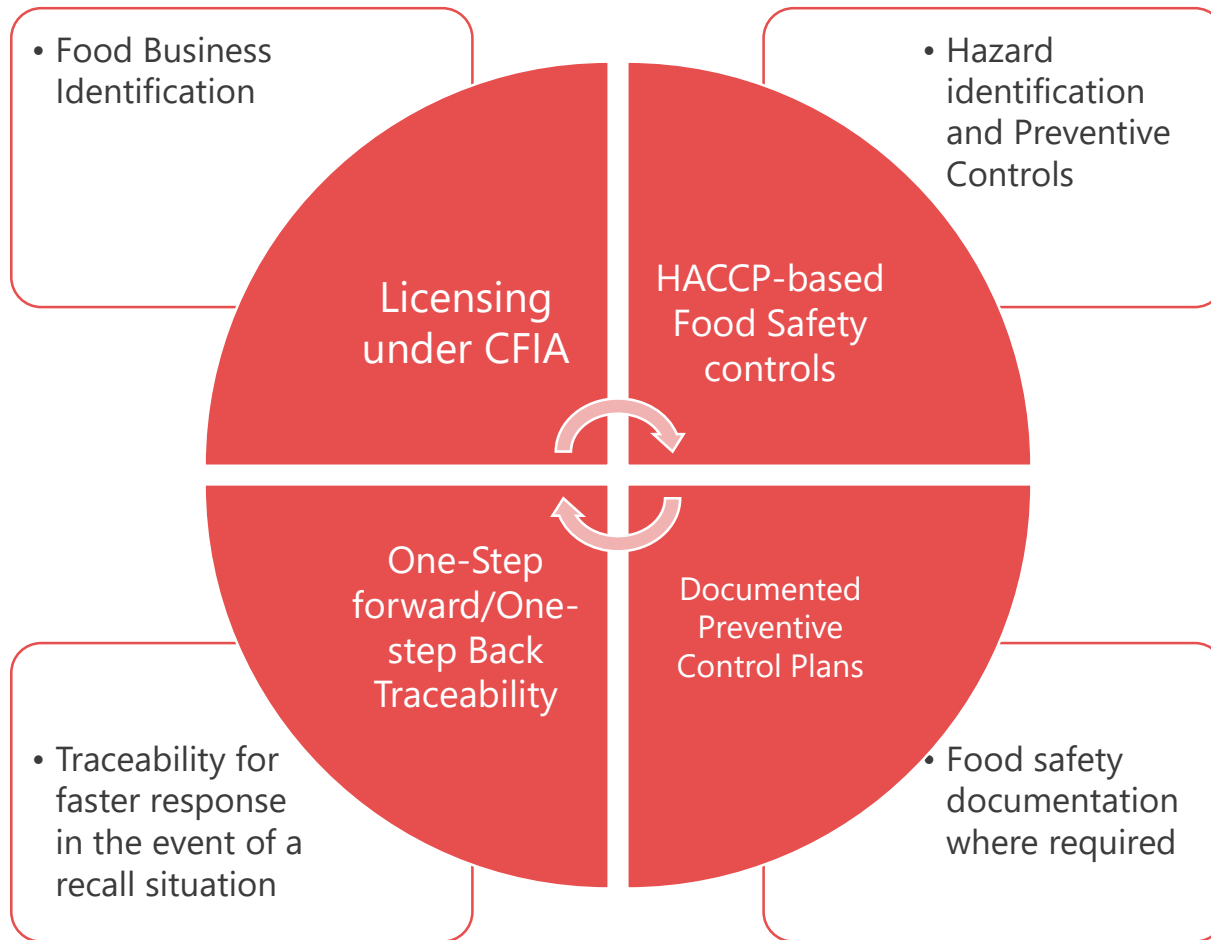


**Applying enforcement tools, the CFIA can do the following:**

1. Refuse to let shipments into Canada
2. Issue notices of violation for non-compliance with plant health and animal health regulatory requirements (notices may contain a warning or penalty).
3. Suspend or cancel licences, registrations or permits for federally registered establishments
4. Recommend prosecution depending on the severity of the violation
5. Seize and detain shipments and products
6. Suspend or cancel organic certifications

Source: CFIA, 2019-05-01

# 4 Key regulatory requirements



# Licensing Requirements



## Structure of License

**① Person** who is responsible, for an:

**② Activity**(or Activities) for a food commodity(ies)

- Manufacturing, processing, treating, preserving, grading, packaging, or labelling a food that will be exported or moved between Canadian provinces
- Importing a food
- Exporting a food that requires an export certificate or other export permission
- Slaughtering a food animal where the meat product will be exported or moved between Canadian provinces
- Storing and handling a meat product in its imported condition for inspection by the CFIA

**③ Location**(or Locations)

(e.g. a facility, farm, operation, establishment, etc.).

# Licensing Requirements

## Key Features

- License cost of \$250 (valid for two years)
- Application is through myCFIA portal
- Applicants define *structure of license*
- Identification of a Profile Authority and Profile Manager (i.e.: scope); which activities / food commodities and locations will form the basis for the license

# Scope of License

## Licensing Considerations:

- If food is prepared for export, most trading partners require that each establishment / location be assigned a unique identifier. Therefore, **only one license should be associated to an establishment** where food is prepared for export to prevent disruptions in trade.
- CFIA conducts inspections **on each registered license**.
- You have to prepare, keep, maintain and implement preventive control plans (PCPs) **for each license you hold**.
- CFIA enforcement action, such as suspension or cancellation is taken on a license and **impacts all activities and food sectors covered by that license**. An enforcement action on one license could result **in the inspection of activities** conducted under the **other** licenses.

# SFCR Preventive Controls (PCs)

- Preventive Controls are “**Minimum food safety requirements** for everyone who imports, prepares, grows or harvests food for inter-provincial trade or export, regardless of the commodity or size of operation.”
- **They are science and outcome-based requirements**
- The focus is on prevention through the identification of hazards and best practices in food safety management.
- PCs prevent food safety hazards and reduce the likelihood of unsafe food from entering the Canadian market.



# SFCR - Preventive Control Plan

- **Written** document
- Site **compliance** with GMP/Pre-requisite programs
- Addresses **food safety** hazards, control measures and verification/validation activities (aligned with Codex HACCP)
- **Includes consumer protection and market fairness requirements** (labeling, compositional standards, grades)
- Includes **recall and complaint** investigation procedures



# Preventive Control Plan (PCP) – Site Compliance

## Maintenance and Operation of Establishment

1. *Products and processes;*
2. *Sanitation, pest control, sanitizers and chemical agents;*
3. *Hygiene and competencies;*
4. *Equipment and conveyances to be used in an establishment;*
5. *Physical structure and maintenance of the establishment;*
6. *Receiving, transportation and storage; and*
7. *Investigation and notification, complaints and recall procedures.*

Part 4 of the Safe  
Food for  
Canadians  
Regulations (SFCR)



**Adherence to GMP/ Pre-requisites to the production of safe food**



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# Hazard Analysis

## **This SFCR requirement:**

- Describes the biological, chemical, and physical hazards that are reasonably expected to contaminate your food.

## **The process of conducting a hazard analysis:**

- Constitutes the process of collecting and interpreting information pertaining to potential hazards and conditions that may support the occurrence of hazards and identify which ones pose a significant risk to food safety.



# Recall and Complaint Investigation Procedures

## SFCR - Subsection 82 to 85

Food Businesses must maintain effective complaint, investigation, notification and recall system. Goal is to:

- Identify and determine if any of the food you are responsible for presents a risk of injury to human health or does not meet the requirements of the Safe Food for Canadians Act and Regulations; and
- Notify the CFIA without delay and remove the food from distribution, retail sale or consumer use, or correct the food at the point of sale when necessary.

# Traceability Requirements

## Overview

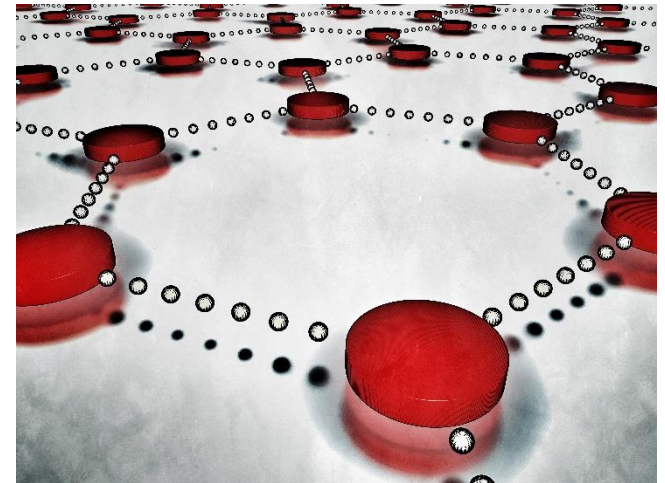
- Consistent with Codex Alimentarius international traceability standard.
- One Step Forward- One Step Back Approach:
- Tracing of the physical flow of food commodities to the immediate customer and tracing the physical flow of food commodities backwards to the immediate supplier.

## Objectives

- Rapid identification of origin and movement of commodities through the supply chain

## Records

- Notification of unsafe food – Electronic data made available to CFIA within 24 hours
- Retention of records: **2 years** (includes perishable products)



# Summary of Timeline

SFCR requirement	Dairy products; Eggs; Fish; Honey; Maple products; Meat products; Processed egg products and Processed fruit or vegetable products	Fresh fruits or vegetables	All Other Foods		
			More than \$100K in annual food sales <u>AND</u> more than 4 employees	More than \$100K in annual food sales <u>AND</u> 4 employees or less	\$100K or less in annual food sales <u>OR</u> 4 employees or less
Licence	January 15, 2019	January 15, 2019 (N/A for growing and harvesting)	July 15, 2020	July 15, 2020	July 15, 2020
Traceability	January 15, 2019	January 15, 2019 (except growing and harvesting)	July 15, 2020	July 15, 2020	July 15, 2020
		January 15, 2020 (growing and harvesting)			
Preventive Controls	January 15, 2019	January 15, 2020	July 15, 2020	July 16, 2021	July 16, 2021
Written PCP	January 15, 2019 (not required for maple products and honey if annual food sales are \$100K or less)	January 15, 2020 (not required if annual food sales are \$100K or less)	July 15, 2020	July 16, 2021	not required if \$100K or less (regardless of no. of employees)

Source: CFIA, 2019



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# Domestic Food Manufacturer PCP Plan



## **Domestic Manufacturer PCP Requirements under SFCR**

### **Ensuring the establishment is maintained and operated as required**

Complete Maintenance and Operation of Establishment Checklist

### **Conducting a hazard analysis**

1. Product description
2. Process flow diagram
3. Traffic flow diagram
4. Hazard identification and evaluation

### **Describe how hazards are controlled**

1. Control measures
2. Critical control point determination
3. Critical control point procedures
4. Verification procedures for control measures

### **Describe the measures in place to meet consumer protection requirements**

1. Measures for consumer protection requirements



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# Overview of Food Imports



## Facts

- Estimated Number of Food Importers: 25,000
- Imported Food Sector (IFS) : 70% of food products sold in Canada (Source: CFIA, 2015)

## Rationale for Import requirements under SFCR

- Food importer is **responsible for food safety** and is **licensed**
  - Ensures that foreign suppliers manufacturing, preparing, storing, packaging and labelling the food under the same standards as food prepared in Canada.
  - Performs **verification activities** to ensure site and materials meet Canadian food law.
- License provides a means of communication with importers
  - **Non-resident importers are permitted** under certain conditions (importer's country of business must have a food safety system that provides the same level of food safety protection as Canada's)



# Food Importer PCP Plan



## Food Importer SFCR Requirements

- Importer maintains a PCP plan (some exemptions apply)
  - Ensures Foreign manufacturer's compliance with GMP
  - Approves Foreign supplier
  - Performs Risk Analysis on imported food products
  - Identifies and complete verification activities
  - Document verification activities
  - Takes corrective action procedures
- Maintains procedures for handling customer complaints
- Maintains food recall procedures
- Keep traceability records



## Getting ready for a CFIA inspection

# Regulatory Compliance

### How will an Inspector evaluate compliance?

- Verifies properly licensed person to conduct federally regulated activities undertaken at a location(s).
- Verifies the license holder has a Preventive Control Plan that meets the SFCR requirements.
- Verifies preventive controls are implemented and effective.
- Reviews Preventive Control Plan

As they pertain to the structure of the SFCR license (the activities/ food commodities and locations).

An inspector can at any time request product samples/testing, review traceability plans to confirm compliance and/or if suspicion of a food safety risk exists.





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# My CFIA Portal



Sign in to MyCFIA to request permissions such as licences, permits and export certificates.



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# Licensing Interactive Tool



Government  
of Canada

Gouvernement  
du Canada

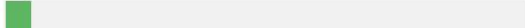
**Canadian Food  
Inspection Agency**



**Agence canadienne  
d'inspection des aliments**

## Licensing interactive tool - Safe Food for Canadians Regulations

English ▼

Progress  5%

Note: For optimal use of the functionalities of this tool, we recommend that you use Firefox or Google Chrome. If you are using Internet Explorer or another web browser, we recommend that you refer to the [SFCR: Glossary of key terms - \(Opens in a new window\)](#) to view the applicable definitions.

# Preventative Control Plans (PCPs)



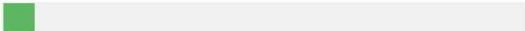
**Canadian Food  
Inspection Agency**



**Agence canadienne  
d'inspection des aliments**

## Preventive Control Plan (PCP) interactive tool - Safe Food for Canadians Regulations

English ▼

Progress  6%

Note: For optimal use of the functionalities of this tool, we recommend that you use Firefox or Google Chrome. If you are using Internet Explorer or another web browser, we recommend that you refer to the [SFCR: Glossary of key terms - \(Opens in a new window\)](#) to view the applicable definitions.



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# Training resources



Be Prepared for the Safe Food for Canadians  
Act

An Introduction to

## Preventive Control Plans

[Register Here](#)



Canadian Food  
Processors Institute  
FOOD PROCESSING SKILLS CANADA



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# CFIA Templates – Domestic Food Manufacturers

## 4 sets of templates

1. Template for ensuring the establishment is maintained and operated as required.
2. Templates for conducting a hazard analysis.
3. Templates to describe how you control your hazards.
4. Template to describe the measures in place to meet consumer protection requirements.

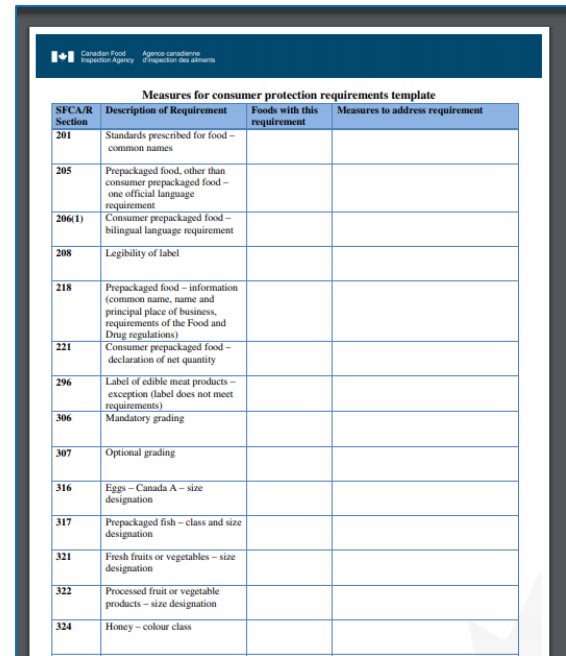
Maintenance and operation	
SFCR section	Requirement
<b>Sanitation, pest control and non-food agents</b>	
11 89(4) 50	<b>Sanitation</b> <ul style="list-style-type: none"><li>- The establishment, and any conveyances or equipment used in it, are clean and in a sanitary condition.</li><li>- Cleaning and sanitizing activities do not contaminate food.</li></ul>
11 89(4) 51	<b>Animal and pest control</b> <ul style="list-style-type: none"><li>- The establishment (the facility and surrounding area) is protected against the entry of animals (for example, entry of rodents in the facility or wild deer in crop fields), when reasonably practicable.</li><li>- No animals are permitted in the facility, including companion animals.</li><li>- Any measures taken to prevent the presence of animals (for example, bait stations) do not contaminate food.</li></ul>
11 89(4) 52	<b>Non-food agents (for example, cleaning chemicals)</b> <ul style="list-style-type: none"><li>- Identified and suitable.</li><li>- Used in a manner that does not contaminate food and according to any manufacturer's instructions.</li></ul>
<b>Conveyances and equipment used in the establishment</b>	
11 89(4) 53	<b>Conveyances and equipment used for food:</b> <ul style="list-style-type: none"><li>- Appropriate for the food and activity.</li><li>- Designed, constructed and maintainable to prevent contamination of food.</li><li>- Equipment parts are made of materials that are corrosion-resistant, durable, cleanable and non-toxic.</li><li>- Equipped with the necessary measuring instruments (for example, recording thermometer).</li><li>- Functions as intended.</li><li>- Accessible for sanitation.</li><li>- Used, maintained and calibrated as per manufacturer's instructions and in a way that does not contaminate food.</li><li>- Food contact surfaces are smooth, free from pitting, cracks or flakes, a</li></ul>



# CFIA Templates – Importer PCP

## 4 sets of templates

- Checklist for foreign supplier preventive controls and food safety system
- Template for describing the hazards associated with your imported food and how those hazards are being controlled
- Templates for describing your PCP verification procedures and for recording your verification activities
- Template to describe the measures in place to meet consumer protection requirements

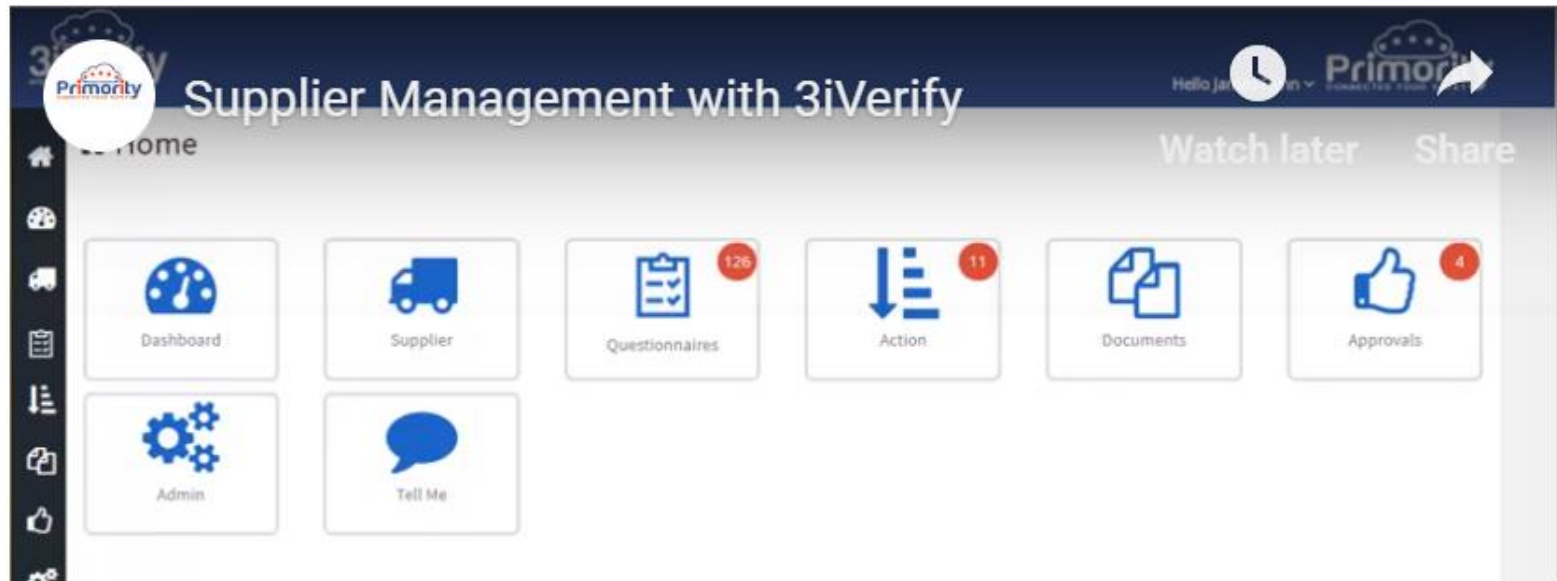


The image shows a screenshot of a table titled "Measures for consumer protection requirements template". The table has four columns: "SFCA/R Section", "Description of Requirement", "Foods with this requirement", and "Measures to address requirement". The table lists various food categories and their corresponding requirements, such as "Standards prescribed for food – common names", "Prepackaged food, other than consumer prepackaged food – one official language requirement", "Consumer prepackaged food – bilingual language requirement", "Legibility of label", "Prepackaged food – information (common name, name and principal place of business, requirements of the Food and Drug regulations)", "Consumer prepackaged food – declaration of net quantity", "Label of edible meat products – exception (label does not meet requirements)", "Mandatory grading", "Optional grading", "Eggs – Canada A – size designation", "Prepackaged fish – class and size designation", "Fresh fruits or vegetables – size designation", "Processed fruit or vegetable products – size designation", and "Honey – colour class".

SFCA/R Section	Description of Requirement	Foods with this requirement	Measures to address requirement
201	Standards prescribed for food – common names		
205	Prepackaged food, other than consumer prepackaged food – one official language requirement		
206(1)	Consumer prepackaged food – bilingual language requirement		
208	Legibility of label		
218	Prepackaged food – information (common name, name and principal place of business, requirements of the Food and Drug regulations)		
221	Consumer prepackaged food – declaration of net quantity		
296	Label of edible meat products – exception (label does not meet requirements)		
306	Mandatory grading		
307	Optional grading		
316	Eggs – Canada A – size designation		
317	Prepackaged fish – class and size designation		
321	Fresh fruits or vegetables – size designation		
322	Processed fruit or vegetable products – size designation		
324	Honey – colour class		



# Paperless Solutions



# Supplier Verifications

## Step 1

- Database is populated with supplier contact information
- Request for existing food safety certifications is initiated

## Step 2


- The Food Importer or manufacturer emails customised questionnaires to the suppliers
- Material questionnaires and supplier questionnaires are emailed to your suppliers' authorised technical contacts

## Step 3

- The food importer/manufacturer or contracted food safety professional performs verification activities and approvals.
- 3i verify allows secure back and forth communication with suppliers.




# Maintenance and Operations of Establishment

INTEGRATED INGREDIENT INTEGRITY

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Foreign Establishment Information

Sanitation and Pest Control

Equipment

Forms

Environmental Conditions

Loading and Storing

Competency

Hygiene

<https://portal.3iverify.com/Action>

CFIA - Maintenance and Operation of Est. - Sanitation and Pest Control (Ref.No. 26-2)

### Sanitation and Pest Control

#### Instructions

Please select Yes, No or N/A for each question and enter any justification or comments.

Requirement	True ⓘ	Justification
50 Sanitation		
50.1 The establishment, and any conveyances or equipment used in it, are clean and in a sanitary condition.	<div>Yes S</div> <div>No N/A</div>	<div></div>
50.2 Cleaning and sanitizing activities do not contaminate food.	<div>Yes S</div> <div>No N/A</div>	<div></div>

# Market Fairness Requirements



## CFIA - Market Fairness

Page 1 of 1

### Measures for Consumer Protection

Ref no. : 43-6-2

#### Instructions

Please complete the CFIA form template listing food product label and quality standard verification procedures as applicable.

Description of requirement	Foods with this requirement	Measures to address requirement
201 - Standards prescribed for food - common names	Honey	Verified through laboratory testing every 6 months. Provided information about the Codex standard for honey to my supplier
205 - Prepackaged food, other than consumer prepackaged food - one official language requirement	Black peppercorns	Randomly check labels on shipments when doing shipment checks at receiving. See receiving logs/checklist for details
206(1) - Consumer prepackaged food - bilingual language requirement	All products from this foreign vendor	Randomly check labels on shipments when doing shipment checks at receiving. See receiving logs/checklist for details

# Summary

## SFCA and Regulations

- Focuses on **food safety prevention**, ensures **customer protection**
- One consistent approach for all food sectors
- In line with International standards
  - **Codex HACCP**, Scientific standards, Risk and Outcome-based

## Key requirements

- Preventive Controls and written PCP plans (Applicable to all food categories with a few exceptions)
- Greater focus on **imported foods**
- Includes consumer protection and market fairness requirements (labeling, compositional standards, grades)
- Some of the traceability, labeling and advertising provisions apply to **intra-provincially traded foods**.





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Thank you!

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