

Proposed Amendments to the Food and Drugs Act

The following news release was issued by the CFIA and distributed by the Canadian Society of Customs Brokers.

April 8 2008

Proposed amendments to the Food and Drugs Act (FDA)

While our current food safety system has served us well, we must continue to seek ways of improving our system to better respond to risks in this complex global marketplace. On April 8, 2008, the government tabled amendments to the Food and Drugs Act. Under this proposed legislation, existing food safety systems will be modernized and new tools will be available to support the Food and Consumer Safety Action plan, which is part of the government's commitment to promoting and enforcing food safety standards. Some highlights of the amendments are outlined below.

Amendments to the Food and Drugs Act (FDA)

The Bill, (An Act to Amend the Food and Drugs Act and to make consequential amendments to other Acts), modernizes compliance and enforcement tools available to the Canadian Food Inspection Agency (CFIA).

Better position Canada to meet current and future challenges, protect consumers and support the competitiveness of Canada's food sector;

Streamline and provide more consistent regulatory tools across all food sectors; and

Update the FDA to keep pace in a global economy and with the legislative changes of Canada's trading partners.

New inspection and enforcement powers and authorities

The proposed FDA amendments will introduce new inspection and enforcement powers that will enhance the safety of Canada's food supply. They will provide new authorities to better enable Canada's food inspectors to appropriately monitor food and take action when warranted by allowing the holding and testing of product without seizure and detention, the ability to require removal of unlawful imports and the use of telewarrants.

Improved enforcement tools at points of entry

The enhanced enforcement and inspection authorities contained in the proposed amendments will assist both the Canada Border Services Agency (CBSA) and CFIA in better managing food safety issues at points of entry. These include the authority to stop imports of food; the power to hold and test products; the authority to license or register importers; the power to require importers to establish systems to record the origin and destination of products; and an improved approach to sharing information with other governments.

Benefits to consumers and industry

The proposed amendments will enhance the safety and security of food in Canada by strengthening requirements for keeping records - including information relating to the origin and destination of domestic or imported foods. They will also provide the CFIA with the authority to require the implementation of preventative food safety controls, such as HACCP (Hazard Analysis Critical Control Points) systems, in areas of highest risk. The new enforcement tools mentioned above will also allow the CFIA to more effectively control food imported into Canada.

In addition, the Bill will benefit regulated industries and other stakeholders in a number of ways. These include leveling the playing field between food importers and domestic producers by instituting more consistent control of imports and by providing the CFIA with the tools it needs to protect food safety. The ability to recognize inspection results from inspection bodies outside the country will assist the CFIA by improving the compliance of the food that arrives at our points of entry.

Licensing and Registration Scheme

The proposed amendments include a framework for a licensing or registration regime. This would help the CFIA to protect consumers and maintain Canada's reputation for producing safe, high quality food. Licensing and registration will provide the CFIA with more information regarding imported food and will facilitate the monitoring and tracking of higher risk products.

Since regulations will be required to implement this regime, interested parties will have additional opportunity for input, before any changes occur.

Conclusion

The proposed amendments modernize authorities, correct inconsistencies in the FDA and enhance consumer protection by addressing new and emerging threats to food safety in Canada. They have been developed over time through consultation with industry, partners and other government departments and consultations regarding the Food and Consumer Safety Action Plan are ongoing.

For more information on the Action Plan, please visit the Healthy Canadians website at www.healthycanadians.gc.ca.