Required Report: Required - Public Distribution **Date:** July 01, 2025

Report Number: CA2025-0023

Report Name: FAIRS Country Report Annual

Country: Canada

Post: Ottawa

Report Category: FAIRS Country Report

Prepared By: Mihai Lupescu

Approved By: Tacarra Birmingham

Report Highlights:

In June 2025, provisions impacting non-French trademarks on product packaging, labeling, public signage, posters, and commercial advertising, in Quebec's French language legislation and regulations will come into force. Draft regulations and measures on various plastic packaging initiatives (minimum recycled content, recyclability labeling, reduction targets, etc.) continue to be on hold, delayed by pending resolution of a court case.

Table of Contents

Contents

This report was prepared by the Ottawa Office of Agricultural Affairs for U.S. exporters of domestic food and agricultural products. While every possible care has been taken in the preparation of this report, the information provided may not be completely accurate either because policies have changed since its preparation, or because clear and consistent information about these policies was not available. It is highly recommended that U.S. exporters verify the full set of import requirements with their foreign customers, who are normally best equipped to research such matters with local authorities, before any goods are shipped. FINAL IMPORT APPROVAL OF ANY PRODUCT IS SUBJECT TO THE IMPORTING COUNTRY'S RULES AND REGULATIONS AS INTERPRETED BY BORDER OFFICIALS AT THE TIME OF PRODUCT ENTRY.

Executive Summary

Canada was the number two agricultural trading partner for the United States in 2024, with U.S. exports of agricultural products at $28.4 billion[1] and total two-way agricultural trade reaching nearly $69.4 billion. The United States and Canada maintain the world's second largest bilateral agricultural trading relationship with more than $190 million worth of food, agricultural and related products crossing the U.S.-Canadian border every day. In 2024, 55 percent of Canada's total global imports of agricultural products were U.S.-origin. High-value products reached a record $20.9 billion of these imports. The top five consumer-oriented agricultural categories were bakery, cereal, and pasta products ($2.7 billion), fresh vegetables ($2 billion), fresh fruits ($1.8 billion), non-alcoholic beverages ($1.5 billion), and food preparations ($1.4 billion).

The USMCA (United States-Mexico-Canada Agreement) entered into force on July 1, 2020, extending or improving the benefits U.S. exporters previously enjoyed under NAFTA (North American Free Trade Agreement). Implementation of two Canadian trade agreements with third-country trading blocs – CETA (Canada-European Union Comprehensive Economic and Trade Agreement) and the CPTPP (Comprehensive and Progressive Agreement for Trans-Pacific Partnership) – continues to increase agricultural export competition in the Canadian market and expand access to Canada's supply managed markets (dairy, poultry, and eggs) through growing tariff rate quota (TRQ) volumes.

As of May 2025, Environment and Climate Change Canada (ECCC) initiatives impacting plastic materials, including plastic packaging used in agriculture and food manufacturing, are still on hold, while the department is involved in a court case where a decision is expected over the summer months. It is still expected that new draft regulations and measures on requirements for minimum recycled content in plastic packaging, compostability, recyclability labeling, and reduction targets for plastic packaging in food, including fresh produce, be published and opened for public consultations later in 2025. In April 2024, Canada announced the implementation of a Federal Plastics Registry to monitor the types and volumes of plastic products, including plastic packaging used in agriculture and food manufacturing, through their life cycle on the Canadian market. Companies with a physical residence in Canada are mandated to report into the Registry, over a three-year period, on the plastic products placed in the market, and U.S. exporters may be asked to assist for information by their Canadian clients.

In May 2024, Canada published the final guidance document clarifying its position on novelty declarations and pre-market assessments for livestock feeds derived from crops developed through gene-editing, stating that such feeds will be treated with the same regulatory approach as conventional feeds if their characteristics are similar to those conventionally bred.

In June 2024, the province of Quebec published final regulations to clarify the implementation of "Bill 96" (An Act respecting French, the official and common language of Quebec), which is meant to strengthen the use of the French language in Quebec. The Act may have a significant impact on trademarks, in terms of requirements for non-French words on product packaging, labeling, public signage, posters, and commercial advertising. These provisions will come into force in June 2025.

[1] All values are reported in U.S. dollars unless otherwise noted.

Section I. Food Laws

Since April 1997, all federally mandated food inspection and quarantine services for domestic and imported foods have been consolidated under the Canadian Food Inspection Agency (CFIA). On October 9, 2013, the Government of Canada announced that CFIA would report to the Minister of Health rather than the Minister of Agriculture and Agri-Food. The three entities responsible for Canada's food safety under the Minister of Health are: Health Canada (HC), the Public Health Agency of Canada (PHAC) and the food-safety responsibilities of the CFIA. The Minister of Agriculture and Agri-Food continues to oversee CFIA's non-food safety agricultural activities, such as animal health and plant protection, as well as economic and trade issues.

Safe Food for Canadians Act and Regulations

On November 22, 2012, the Safe Food for Canadians Act (SFCA) received Royal Assent. After several years of consultations and regulatory development, the final Safe Food for Canadians Regulations (SFCR) were published on June 13, 2018, and entered into force on January 15, 2019.

The SFCA consolidated four food-related statutes (Canada Agricultural Products Act, Fish Inspection Act, Meat Inspection Act, and the food-related provisions of the Consumer Packaging and Labeling Act) and created new authorities focusing on three important areas: (1) improved food safety oversight to better protect consumers; (2) streamlined and strengthened legislative authorities; and (3) enhanced international marketing opportunities for Canadian industry.

Measures introduced under the SFCA include:

- New prohibitions against food commodity tampering
- Strengthened food traceability
- Improved import controls
- Modernization and simplification of existing food safety legislation
- Aligned inspection and enforcement powers
- Authority to certify food commodities for export
- New review mechanism

In addition, several agricultural product standards and grading requirements were incorporated into the SFCR by reference. Measures incorporated by reference can be found here.

SFCR: Key Requirements

The Safe Food for Canadians Regulations (SFCR) effectively consolidated 14 sets of existing regulations into one regulatory package to implement the SFCA. Three key elements of the SFCR represent the foundation of Canada's new food safety regulatory environment and are mandatory for food-related businesses:

- Licensing
- Preventive controls (including the requirement to have a Preventive Control Plan)
- Traceability (including the requirement to have food recall procedures in place)

CFIA maintains a comprehensive website to help businesses and stakeholders better understand SFCR requirements and to promote SFCR compliance.

Businesses can use the Toolkit for new food businesses and the glossary of key terms to familiarize themselves with the SFCR requirements. CFIA recommends businesses sign up with My CFIA, a web-tool dedicated to facilitating interactions between CFIA and companies, including requests for licenses, permits, registrations, and various certificates.

Companies evaluating business opportunities in Canada should become familiar with SFCR requirements as they develop prospective business plans.

SFCR: Importer of Record | Non-Resident Importer

CFIA provides detailed information on their website for businesses that are the "importer of record" in Canada. Most of these importers are companies with a physical presence in Canada. However, some importers of record in Canada are foreign companies without a physical presence in Canada – a category referred to as "non-resident importers" (NRIs). If an NRI complies with all other relevant SFCR requirements (such as licensing, preventive controls and traceability), then the NRI may be the importer of record on export shipments to Canada, provided that the NRI has a fixed place of business in a country that:

- has an inspection system that has been recognized as equivalent by Canada, if the imported food is a meat product or live or raw shellfish, or
- has a food safety system that has been determined to provide at least the same level of protection in relation to that food as that provided by Canada, if the imported food is not a meat product or live or raw shellfish, and
- provided that the food is sent directly to Canada from such a country.

The United States meets the requirements listed above. NRIs from the United States with issues and enquiries related to their products should contact the CFIA area office responsible for the U.S. state in which their business is located. Before signing up with My CFIA and obtaining an SFCR license, an NRI would have to apply with the Canada Revenue Agency (CRA) for a business number.

SFCR: Timelines

Companies should consult CFIA's interactive tools to learn more about the various licensing, preventive controls, and traceability requirements as well as when the requirements entered into force for different food categories.

For foods such as fish, meat, poultry, dairy, eggs, fresh and processed fruits and vegetables, honey and maple products, most of the new requirements (including licensing, preventive controls and traceability) entered into force on January 15, 2019.

For other foods (e.g., confectionary, snack foods, beverages, oils, dried herbs and spices, nuts and seeds, coffee and tea, or processed grain-based foods such as baked goods, cereals and pasta) and for certain categories of businesses, some of the SFCR requirements were phased in over a longer period of up to 30 months (July 15, 2021). In general, the new requirements for "other foods" came into force on July 15, 2020.

Certain SFCR provisions (such as licensing and preventive controls) do not apply to:

- an imported food additive,

- an imported alcoholic beverage that contains more than 0.5 percent absolute ethyl alcohol by volume, or
- an imported unprocessed food meant to be further prepared in Canada listed in Schedule 1 of the SFCR, and that
    - is unprocessed and is intended to be manufactured, processed, or treated for use as grain, oil, pulse, sugar, or beverage,
    - has a label applied or attached to it, or accompanying it, that bears the expression "For Further Preparation Only" and "pour conditionnement ultérieur seulement", and
    - is not a consumer prepackaged food.

In November 2022, the CFIA resumed regular compliance and enforcement activities for the manufactured food sector, ending more than two years of enforcement flexibility the Agency had shown during the COVID-19 pandemic.

Additional Food Law Considerations and Resources for Importers

CFIA's "step-by-step" guide to importing food is specifically tailored to SFCR compliance for Canadian food importers and NRIs. Additional CFIA resources include:

- Three key principles for importing food into Canada
- Importing food into Canada fact sheet
- Food-specific import requirements
- Country-specific import requirements
- Food import notices

In addition to SFCR, there are other Acts and Regulations that include provisions applicable to importing food into Canada. In particular, the Food and Drugs Act and the Food and Drug Regulations have food-related provisions summarized on this CFIA web page. Additionally, Health Canada maintains a Food and Nutrition web page with relevant food regulatory information.

Other Regulatory Initiatives

New regulatory initiatives affecting food are posted for review by industry on the CFIA website. In addition, CFIA's Forward Regulatory Plan and Health Canada's Forward Regulatory Plan list a description of anticipated regulatory changes or actions various federal departments intend to bring forward in the near future. The Plans are intended to give stakeholders an opportunity to get informed and to provide input in the development of future regulations. For instance, CFIA's Forward Regulatory Plan: 2024 to 2026 and Health Canada's Forward Regulatory Plan: 2024 to 2026 provide information on regulatory proposals that these regulators expect to bring forward over the next two years.

Section II. Labeling Requirements

General Requirements

CFIA's Industry Labeling Tool provides a single-source of food labeling guidance to industry. The Industry Labeling Tool content is drawn from the Labeling Legislative Framework and can be actively searched from the CFIA General Principles for Labeling and Advertising webpage. In addition, Part 11 of the Safe Food for Canadians Regulations includes consolidated labeling requirements previously included in a variety of product-specific regulations.

The Industry Labeling Tool includes information on:

- basic labeling requirements
- advertising requirements
- claims as to the composition, quality, quantity, and origin of foods
- nutrition labeling
- nutrient content claims
- health-related claims
- regulations on food allergens
- other product specific requirements for alcoholic beverages, processed fruits and vegetables, honey, meat and poultry, fish and supplementary products

Note: Many labeling requirements differ from the United States and require adherence for retail sales in Canada.

For information not found on the Industry Labeling Tool, questions can be directed to the local CFIA office nearest to the anticipated port of entry.

Additionally, the SFCR includes specific labeling requirements for traceability purposes.

CFIA also provides an food labeling consumer-focused resources specifically designed to help consumers better understand the required components of a Canadian food label.

Food Product Innovation

In July 2022, CFIA published regulatory changes under the Food Product Innovation initiative, meant to "facilitate industry innovation and remove duplicative requirements," including:

- Repeal of some standard container sizes
- Incorporation by reference of remaining standard container sizes
- Incorporation by reference of class names (aka common names)
- Updated definition of test market food
- Harmonized and streamlined food commodity-specific labeling requirements

According to CFIA, the older Food Labeling Modernization initiative was refocused, during the COVID-19 pandemic period, on provisions that did not result in mandatory labeling changes, which were grouped under the current Food Product Innovation initiative.

Allergens
Canada maintains a list of eleven priority allergens that must be declared in the ingredient list when present at levels of 10 parts-per-million (ppm) and higher:

1. Peanuts
2. Tree Nuts (including Brazil nuts, cashews, hazelnuts, macadamia nuts, pecans, pine nuts, pistachios, and walnuts)
3. Sesame
4. Milk
5. Eggs
6. Soy
7. Wheat / Triticale
8. Fish
9. Crustaceans and Molluscs
10. Mustard
11. Sulphites

For more information on allergens, please refer to the CFIA food allergen labeling webpage, the CFIA allergen labeling tips factsheet, and the Industry Labeling Tool.

Bilingual Labeling
Mandatory labeling information must be displayed in both English and French, including core labeling requirements as described in the Industry Labeling Tool. There are several exceptions and exemptions to the bilingual labeling requirements, as they relate to:

- Name and principal place of business
- Common name of certain alcoholic beverages
- Shipping containers
- Specialty foods
- Local foods
- Test Market Foods

The province of Quebec has additional labeling requirements concerning the use of the French language on all products marketed within its jurisdiction. Information on these requirements can be obtained from:

> Sous-ministériat à la salubrité alimentaire, à l'inspection et à la santé animale
> Coordinates
> email : smsaisa@mapaq.gouv.qc.ca

Quebec French language labeling information can also be found in the Charter of the French Language, specifically "The Language of Commerce and Business."

In June 2022, the Quebec government passed legislation titled Bill 96, an Act to affirm French as the official and common language of Quebec. The declared purpose of Bill 96 is to reinforce and strengthen the use of the French language in Quebec by expanding the French linguistic obligations and requirements. Bill 96 and its regulations have introduced significant trademark amendments and requirements for non-French trademarks on product packaging, labeling, public signage, posters, and

commercial advertising. These provisions come into force on June 1, 2025. For additional information please refer to GAIN Reports CA2023-0041, and CA2024-0004.

Nutrition / Ingredient Labeling
Canada's new nutrition labeling regulations, published in December 2016, entered into force on December 14, 2021, as scheduled, ending a 5-year transition period. Detailed information about these regulatory changes are posted on Health Canada's webpage dedicated to nutritional labeling regulations and compliance.

For more information on nutrition labeling please consult:

- the Health Canada Nutrition Labeling webpage
- the Health Canada Regulations and Compliance
- the CFIA Industry Labeling Tool the section on Nutrition Labeling.

Certain types of foods are exempt from displaying a nutrition fact table, and the relevant information is included in the following webpages:

- Foods always exempt from displaying a nutrition facts table
- Foods usually exempt from displaying a nutrition facts table
- Reasons for losing the exemption
- Specific foods

Plant-Based Meat, Poultry and Dairy Alternatives
While Canada does not have specific labeling requirements for meat, poultry, and dairy alternatives, strict requirements for the use of the words "meat," "poultry," "milk," and "dairy," along with the fundamental requirement that all labels be 'truthful and not misleading,' create de facto labeling requirements for alternative products.

Canadian Standards of Identity: Volume 1 – Dairy Products defines milk as "the normal lacteal secretion, free from colostrum, obtained from the mammary gland of an animal" and lists mandated requirements for several dairy products, including cheese, butter and ice cream. Any product that does not include an ingredient meeting this definition cannot contain the word "milk" on its label. Similarly, Part I of SFCR defines a dairy product as "milk or a food that is derived from milk, alone or combined with another food, and that contains no oil and no fat other than that of milk." For additional information please see CFIA's Labeling Requirements for Dairy Products.

Similar to milk and dairy products, Canada has strict requirements for labeling meat and poultry products. Additionally, CFIA provides guidance on labeling simulated meat and simulated poultry products (which are products that "do not contain any meat or poultry but are represented as having the physical and nutritive characteristics of meat or poultry"), including requirements related to the common name, the "contains no meat/poultry" declaration, nutritional information, and mandated protein content.

Healthy Eating Strategy Initiatives
CFIA and Health Canada share responsibilities in developing and enforcing Canada's food labeling requirements. Health Canada's mandate includes a Healthy Eating Strategy, which extends into to the following areas:

- front-of-package labeling;

- restricting advertising to children of foods and beverages that meet certain criteria for sugars, sodium, and saturated fat;
- prohibiting the use of partially hydrogenated oils in foods; and
- reducing sodium intake.

Front-of-Package Nutrition Labeling (FOPNL)
According to Health Canada, FOP labels would help consumers make healthier food choices by providing highly visible information on three key nutrients of concern: sodium, sugar, and saturated fat. In June 2022, Canada published final regulations on front-of-package nutrition labeling (FOPNL). The new regulatory requirements are complex, and the food industry has until January 1, 2026, to implement label changes and become compliant. Health Canada published a variety of resources and information to assist with FOPNL implementation. Please consult the following GAIN reports for extensive details on this topic:

- CA2022-0022
- CA2022-0031
- CA2023-0022
- CA2025-0008

Restricting Advertising Food and Beverages to Children
In April 2023, Health Canada (HC) announced the intent to amend the Food and Drug Regulations in order to restrict advertising of foods that contribute to excess intakes of sodium, sugars, and saturated fat. The restriction will be focused on advertising to children under the age of 13. According to HC, the term "advertising" includes "any representation by any means whatever for the purpose of promoting directly or indirectly the sale or disposal of any food, drug, cosmetic or device", while the term "food" includes "any article manufactured, sold or represented for use as food or drink for human beings, chewing gum, and any ingredient that may be mixed with food for any purpose whatever".

According to HC's research, and their monitoring initiative, the food categories frequently advertised to children in Canada include: candy, desserts, chocolate, snack foods, baked goods, restaurant foods, sweetened dairy products, sugar-sweetened beverages, and sweetened breakfast cereals. HC states that "when eaten regularly, these types of foods contribute to excess intakes of sodium, sugars, and saturated fat". Additionally, HC's research shows that "children see and hear food advertising throughout their day, across a range of media platforms (such as television, social media and gaming) and settings (such as retail food stores, theaters, and recreation centers)".

For additional information please consult GAIN report CA2023-0021. A draft regulatory proposal, open to public comments, is expected by the end of 2025.

Prohibiting the Use of Partially Hydrogenated Oils in Foods
Health Canada's ban on the use of partially hydrogenated oils (PHOs) entered into force on September 15, 2018. PHOs were added to Part 1 of the List of Contaminants and Other Adulterating Substances in Foods and their use was banned in all foods, including ingredients, and in minor use applications (e.g., a pan release agent). Fully hydrogenated oils are excluded from the ban.

Reducing Sodium Intake
In December 2020, Health Canada released the Voluntary Sodium Reduction Targets for Processed Foods 2020-2025. The new reduction targets maintain components from the previous effort: a sales weighted average (SWA) target which applies to a whole category of products, and a maximum level of sodium which applies to individual products within a category. Based on consultations, the number of product categories increased from 94 to 117. Additionally, the new SWA targets were set as a 15 to 20 percent reduction from the 2017 measured levels, while maximum levels for individual products were either maintained at previous standards or were increased/decreased to achieve the desired target level for a product category.

From 2007-2010, Health Canada convened a Sodium Working Group to develop a sodium reduction strategy for Canada, where an estimated 60 percent of the population consumes "too much" sodium. The 2010 strategy document eventually led to the June 2012 release of Health Canada's voluntary sodium reduction guidance for the processed food industry. In January 2018, Health Canada published a report on the efficacy of the voluntary industry effort, which concluded that the reduction of sodium in processed foods was much lower than anticipated. In July 2018, Health Canada released a report on the levels of sodium intake by Canadians in 2017, concluding that on average the population consumes twice the recommended levels.

Sodium reduction will remain a priority for the federal government. In addition to the new targets, sodium reduction would continue to be pursued through the Healthy Eating Strategy's front-of-package labeling efforts and possible restrictions on marketing to children.

Section III. Packaging and Container Requirements

Canadian regulations governing container sizes for various fresh and processed foods stipulate standardized container sizes that may differ from U.S. sizes. Standards of identity, grades, and container sizes previously stipulated in various product-specific regulations (such as "honey regulations," "fresh fruit and vegetable regulations," etc.) have been consolidated into the Safe Food for Canadians Regulations.

Food grades have been incorporated by reference and are currently part of the Canadian Grade Compendium. Food standards of identity have also been incorporated by reference and are currently part of the Canadian Standards of Identity (see Section VII of this report for additional information). Finally, requirements for standard container sizes have also been incorporated by reference and are now part of Canada's Standard Container Sizes.

Food Packaging Sustainability Measures – Plastics and PFAS
In Canada, recycling and waste management are regulated at provincial and municipal levels. Federal level authority extends only over hazardous materials and, more recently, over plastic materials, including packaging (detailed below). A federal website dedicated to waste management includes links to provincial authorities involved in regulating recycling and waste.

Reducing plastic pollution remains a high priority for the federal government, with an end goal of achieving zero plastic waste. In May 2021, "plastic manufactured items" were added to Schedule 1 of the Canadian Environmental Protection Act, 1999, giving the federal government national regulatory authority to take action in support of "reaching Canada's zero plastic waste goal and setting the conditions for a plastics circular economy."

In 2020, Environment and Climate Change Canada (ECCC) consulted on A Proposed Integrated Management Approach to Plastic Products to Prevent Waste and Pollution. The proposal includes banning certain single-use plastic items (six items have been identified: straws, plastic checkout bags, stir sticks, 6-pack ring carriers, foodservice ware made from problematic plastics, and cutlery), establishing recycled content requirements in plastic products, and expanding end-of-life producer responsibility in terms of collecting and recycling plastic products.

Single-Use Plastics

In line with the federal government's Zero Plastic Waste Agenda, on June 20, 2022, ECCC announced final Single-use Plastics (SUP) Prohibition Regulations. The ban on single-use plastic manufactured items covers the following six categories:

- checkout bags
- cutlery
- foodservice ware made from or containing problematic plastics that are hard to recycle
- ring carriers
- stir sticks
- straws (with certain exceptions)

The final SUP regulations are scheduled to come into force over a period between six months and three and a half years following June 20, 2022, depending on the specific item considered. For instance, the manufacture and import of single-use plastic ring carriers is prohibited after June 20, 2023, while the sale of these items is prohibited after June 20, 2024. For additional information, including compliance guidance information, please consult the GAIN report CA2022-0016.

Federal Plastics Registry

Following public consultations in early 2024 (see GAIN report CA2024-0001), ECCC announced, in April 2024, the establishment of a Federal Plastics Registry to require plastic resin manufacturers, producers of plastic products (including importers), and service providers to report each year, starting in 2025, on the quantity and types of plastic they place on the market and how that plastic moves through the economy. The reporting requirement extends to the quantity of plastic that is collected and diverted, reused, repaired, remanufactured, refurbished, recycled, processed into chemicals, composted, incinerated, and landfilled.

The annual reporting to the Federal Plastics Registry will start in September 2025, for data related to the 2024 calendar year, and continue until September 2027. ECCC indicated that reporting requirements beyond 2027 would be covered by a future information-gathering notice. Small businesses that generate less than one metric ton of plastics per year are exempt from reporting. In complying with plastic reporting requirements (applicable to businesses with a physical address in Canada), Canadian importers may request information from their suppliers, such as U.S. exporters of agriculture and food products, who thus end up sharing in the effort of collecting and reporting on the data. For more information please consult GAIN Report CA2024-0016.

Recycled Content, Compostable/Recyclable Labeling, Reducing Food Plastic Packaging

In April 2023, ECCC announced public consultations meant to move the federal government's zero plastic waste initiative forward. The consultation was related to the development of rules and requirements to increase recycled content in plastic products, and to improve the accuracy of recyclability and compostability labeling. ECCC submitted for comment a detailed regulatory framework for plastic packaging and certain single-use plastics. In August 2023, ECCC consulted on a Pollution prevention planning notice ("P2 Plan") for primary food plastic packaging meant to set requirements for Canada's largest grocery retailers to prepare and implement pollution prevention plans with an aim towards zero plastic waste from primary food plastic packaging. The proposed measure identified specific targets for the reduction, reuse, redesign, and recycled content in plastic packaging designed to come into direct contact with the food product. It also included an ambitious elimination target in plastic packaging for fresh fruits and vegetables (95 percent by 2028).

While draft final regulations and measures covering all these topics were expected by the end of 2024, as of May 2025, all these initiatives are still on hold as ECCC is involved in a court case where a decision is expected over the summer months. However, ECCC indicated that stakeholder feedback collected through consultations on the range of proposed measures and initiatives has led to additional research and engagement with various stakeholders, including the food industry, to help inform the department on an approach. This included sharing knowledge and information, gathering with various actors in the food supply chain to assess possibilities through innovation, working across government departments and hearing from other jurisdictions to evaluate the feasibility of reducing plastic packaging in the produce sector, and adopting reuse systems in food retail settings. Additional developments are expected by the end of 2025, including publication of final draft regulations and measures for public consultation.

Per- and Polyfluoroalkyl Substances (PFAS)

In May 2023, ECCC and Health Canada consulted on the intent to add per- and polyfluoroalkyl substances (PFAS) to the list of toxic substances regulated under the Canadian Environmental Protection Act. PFAS are substances found in a wide range of products, including food packaging. Two documents were released as part of these consultations:

- Draft State of Per- and Polyfluoroalkyl Substances (PFAS) Report, and
- Risk Management Scope

To mitigate the possible negative impact of PFAS to human health and the environment, the federal government suggested several potential options for consideration, including regulatory and non-regulatory controls for PFAS. For additional information, please consult our GAIN report CA2023-0024, as well as this dedicated website. ECCC and Health Canada have yet to publish a final approach for PFAS.

Section IV. Food Additive Regulations

Canada's Food and Drugs Act and the associated Food and Drug Regulations strictly control the use of food additives. Most foods approved for sale in the United States comply with Canadian food additive regulations, but differences can occur at the permissible levels and in the use of specific additives, such as colorings, preservatives, sweeteners, or enzymes.

Historically, permitted food additives have been listed in tables under Division 16 of the Food and Drug Regulations. These Regulations prescribed which additives are permitted in Canada, to which foods they can be added, and up to what levels, as well as prohibit the sale of a substance as an additive unless it is found in one of the tables. Following consultations in 2023, Health Canada repealed the food additive tables from Division 16, and replaced with the up-to-date Lists of Permitted Food Additives, as documents incorporated by reference.

Health Canada's Food Additives webpage provides additional helpful information on Food Additives. Interested stakeholders can subscribe to Health Canada's Food Additives e-Notice here to receive updates related to changes in the food additive regulatory landscape.

The Guide for the Preparation of Submissions on Food Additives provides a detailed description of the application process for regulatory approval for a new food additive, for a previously unapproved use of an already-permitted food additive, for an increased maximum level of use of an already approved food additive, or for a previously unapproved source for an already-permitted enzyme. Health Canada created the Food Additive Submission Checklist to assist applicants in assembling the necessary materials for a food additive request.

As documents incorporated by reference, the lists of food additives are subject to ongoing review and changes. Notices of proposal and notices of modification are Health Canada's mechanisms to announce the intent to, and the final decision about a change to documents incorporated by reference, including the lists of food additives. Interested stakeholders are encouraged to review these notices regulatory, to keep current with Canadian developments related to food additives.

Section V. Pesticides and Contaminants

Pesticides

Some agricultural chemicals approved for use in the United States are not registered in Canada. As a result, these pesticides are deemed to have a zero tolerance in Canada, and imported foods containing unregistered pesticide residues above 0.1 parts per million are deemed to be adulterated under Section B.15.002(1) of Canada's Food and Drug Regulations. The goods are subject to detention, destruction, or return.

Pesticides are regulated under the Pest Control Products Act and the associated Pest Control Products Regulations. Health Canada's Pest Management Regulatory Agency (PMRA) sets maximum residue limits (MRL) for pesticides and maintains an MRL Database as well as a residue definitions list, which includes corresponding metabolites.

PMRA is also responsible for pesticide registration. More information on the PMRA-regulated product application process can be found here.

PMRA continuously reviews and re-evaluates past decisions regarding the approval and/or use of pesticides. Such review processes typically involve public consultations at various stages of decision-making. PMRA's Pesticides and Pest Management Consultations website includes up-to-date information on all such initiatives. PMRA final decisions on pesticides are published on the Decisions and Updates website.

Contaminants

Health Canada is responsible for the assessment of risks to human health from exposure to food-borne chemical contaminants and other adulterating substances, under Division 15 of the Food and Drug Regulations. Additionally, the Canadian Food Inspection Agency (CFIA) conducts regular surveillance of the levels of chemical contaminants in the Canadian food supply.

Health Canada classifies most chemical contaminants which are inadvertently present in foods as follows:

- Environmental Contamination
- Processing-Induced Contamination
- Natural Toxins
- Accidental Point Source Contamination
- Adulteration

Additionally, Health Canada publishes and regularly updates a List of Contaminants and Other Adulterating Substances in Foods, and Maximum Levels for Chemical Contaminants in Foods. Interested stakeholders may join Health Canada's Chemical Contaminants e-Notice, a notification service for issued advice, as well as regulatory and scientific developments in the area of food chemical contaminants in Canada.

Section VI. Other Requirements, Regulations, and Registration Measures

Meat and Poultry

Only U.S. meat and poultry establishments registered with USDA Food Safety and Inspection Service (FSIS) are eligible to export products to Canada. In addition, CFIA maintains its own list of approved establishments. Exporters should confirm their establishment is listed on the CFIA list before shipping any product. Please contact the FAS/Ottawa office if there is a discrepancy between the FSIS and CFIA directories.

Certain FDA-regulated Meat and Poultry-Containing Products

Shipments to Canada of several meat and poultry-containing products regulated by the U.S. Food and Drug Administration (FDA), such as meat and poultry broths, extracts, bouillons, flavors, and certain soups and noodles containing meat and poultry, must be accompanied by an FDA-issued "Certificate to a Foreign Government." For more information please refer to FDA's Food Export Library, as well as CFIA's website dedicated to broth, flavor and extract of meat origin.

Shell Eggs

Only U.S. egg processing plants that meet the environmental sampling and *Salmonella* testing requirements in the Safe Food for Canadians Regulations may export shell eggs to Canada. USDA Agricultural Marketing Service (AMS) maintains a list of U.S. facilities Approved to Export Table Eggs to Canada. Additional information can be found on AMS's website, and CFIA's website.

Ungraded eggs may only be imported into Canada for breaking and must be delivered directly to a registered processed egg station for processing. Ungraded eggs may originate from registered or from unregistered U.S. facilities; there is no list of facilities eligible to ship ungraded eggs.

Processed Egg Products

Only U.S. egg product processing facilities registered with USDA FSIS are eligible to export egg products to Canada. Additional information can be found on CFIA's website.

Certain FDA-regulated Egg Products

Shipments to Canada of egg products not covered under the U.S. Egg Products Inspection Act and that are regulated by the FDA, such as cooked omelets, frozen egg patties, crepes, hard boiled eggs, imitation egg products, mayonnaise, and foods containing egg extracts, must be accompanied by a certificate issued by USDA AMS under the Processed Egg and Egg Products Export Verification (PEEPEV) Program.

Fresh Fruits and Vegetables – Leafy Greens and Romaine Lettuce

CFIA details import requirements for Leafy Green Vegetables from California and Arizona. Based on these requirements, products grown in California must be handled by a certified member of the California Leafy Green Products Handler Marketing Agreement. Since mid-August 2020, only products handled by shippers who are certified members of the Arizona Leafy Greens Marketing Agreement have been allowed access into Canada. Since fall 2020, increased detection of E. coli in imported romaine lettuce and romaine lettuce containing products from the United States prompted the CFIA to implement additional temporary import requirements. For instance, in fall 2024, CFIA published

additional temporary requirements which ended in December 2024. Since each growing season is different, shippers are advised to regularly check the CFIA website for updates on import requirements applicable to the current marketing year.

Fresh Fruits and Vegetables – Lot Code on Field Packaged Products
According to the SFCR timeline for traceability requirements (See section I), fresh fruits and vegetables consumer prepackaged in the field must display a lot code. CFIA provides guidance on selecting lot codes.

Fresh Fruits and Vegetables – Grade Standard Requirements
CFIA maintains Grade Standard Requirements, incorporated by reference, for fresh fruits and vegetables imported from the United States.

Closed-face Sandwiches
Closed-face sandwiches must be produced under a Hazard Analysis and Critical Control Point (HACCP) plan. Information on the USDA AMS Export Verification (EV) program required for closed-face sandwiches exported to Canada can be found here.

Bison
Since U.S. *bovine spongiform encephalopathy* (BSE) regulations do not apply to bison, a USDA AMS EV program is required for bison meat and products exported to Canada. The export requirements for all meat, including bison, shipments to Canada are available on the USDA FSIS Export Library. Additional information on the AMS EV program for bison meat and products is available here.

Bovine Inedible Raw Materials / Bovine Blood Plasma
Canada has specific requirements related to the removal of bovine specified risk material (SRM). Canada requires that bovine (cattle and bison) SRM be removed from inedible raw materials. Information on the USDA AMS EV programs for bovine inedible raw materials and for bovine blood plasma exported to Canada can be found at the above links or on the AMS Bovine, Ovine and Caprine EV Programs webpage.

Natural Casings
Starting from May 15, 2025, Canada will only permit U.S. natural casing imports from facilities approved under the AMS EV program and shipments will be certified with a CFIA approved export certificate signed by a FSIS veterinarian. Additional information and procedures are listed on the AMS website.

Section VII. Other Specific Standards/Laws

Grades and Standards of Identity

In the past, standards of identity, grades, and container sizes (see Section III) were stipulated in various product-specific regulations (such as "honey regulations" or "fresh fruit and vegetable regulations", etc.). As explained in Section I of this report, these product-specific regulations have been consolidated into the Safe Food for Canadians Regulations.

Food **grades** have been incorporated by reference and are currently part of the Canadian Grade Compendium, which includes:

- Volume 1, Ovine Carcasses and Poultry Carcasses
- Volume 2, Fresh Fruit or Vegetables
- Volume 3, Processed Fruit or Vegetable Products
- Volume 4, Dairy Products
- Volume 5, Eggs
- Volume 6, Honey
- Volume 7, Maple Syrup
- Volume 8, Fish
- Volume 9, Import Grade Requirements
- Grade Standard Requirements for Fresh Fruits or Vegetables Imported from the United States

Food **standards of identity** have also been incorporated by reference and are currently part of the Canadian Standards of Identity, which includes:

- Volume 1, Dairy Products
- Volume 2, Processed Egg Products
- Volume 3, Fish
- Volume 4, Processed Fruit or Vegetable Products
- Volume 5, Honey
- Volume 6, Maple Products
- Volume 7, Meat Products
- Volume 8, Icewine

In addition, other requirements have also been incorporated by reference, including the following:

- Grade Standard Requirements for Fresh Fruits or Vegetables Imported from the United States
- Minimum Drained Weights and Average Drained Weights for Processed Fruit or Vegetable Products in a Hermetically Sealed Package
- Units of Measurement for the Net Quantity Declaration of Certain Foods

In December 2024, the federal government published a regulatory package with changes to Canada's Food and Drug Regulations (FDR) to modernize the regulatory framework for establishing and making changes to compositional standards and food additives, as well as a new regulatory framework for determining food adulteration. For food compositional standards, the changes repeal standards from the FDR and incorporate them by reference into the FDR through a new document entitled the Food Compositional Standards Document. Additionally, regulatory changes separate out health and safety provisions from the standards. The measures also trigger certain amendments to the Safe Food for

Canadians Regulations (SFCR) and revisions to three existing documents incorporated by reference: Canadian Standards of Identity (under the SFCR), Common Names for Ingredients and Components (under the FDR), and Nutrition Labeling - Table of Permitted Nutrient Content Statements and Claims (under the FDR).

Product-Specific Requirements
As explained in Section I of this report, all product-specific requirements previously included in separate product-specific regulations have been consolidated into the Safe Food for Canadians Regulations.

The CFIA website related to Safe Food for Canadians Regulations provides product-specific information and guidance for a variety of foods:

- Dairy products
- Egg and processed egg products
- Fish
- Fresh fruits or vegetables
- Honey
- Maple
- Meat products and food animals
- Processed fruit or vegetable products
- Manufactured food (all other food)

In addition, the CFIA provides Product-Specific Import Requirements for a wide range of foods, including those listed above. This product-specific import information should be read in conjunction with the information and guidance provided by CFIA on General Food Import Requirements.

Fresh Fruits and Vegetables: Ministerial Exemption
When there is a shortage of a product, Canada can waive the minimum grade, labeling and/or packaging requirements through a ministerial exemption. All requirements can be waived when imports are designated for processing; only the labeling and packaging requirements can be waived when imported products are for repackaging.

Processed Foods (Including Processed Fruits and Vegetables): Test Market Authorization
Importers interested in market testing a processed fruit or vegetable product that does not meet the general requirements, including bilingual labeling, standard container sizes and compositional standards, may request a Test Market Authorization. If the product includes unapproved food additives or unapproved uses of an approved additive, then the importer would need to receive a Marketing Authorization from Health Canada before applying for a Test Market Authorization.

Plant-Based Meat, Poultry, and Dairy Alternatives
Simulated meat and simulated poultry are products that "do not contain any meat or poultry but are represented as having the physical and nutritive characteristics of meat or poultry." CFIA provides guidance on requirements for these products, which include:

- common name
- "contains no meat/poultry" declaration

- nutritional information
- mandated protein content

For information on labeling requirements for plant-based dairy alternatives please see Section II.

Novel Foods (Including Genetically Engineered Foods, and Gene-Edited Foods/Seeds)

Canada defines novel foods as: products that have never been used as a food; foods which result from a process that has not previously been used for food; or, foods that have been modified by genetic manipulation. Health Canada is responsible for ensuring that all foods, including those derived from biotechnology (including via gene editing), are safe prior to entering the Canadian food system.

Novel foods are regulated under the Food and Drugs Regulations (Division 28, also called "Novel Foods Regulations"). Prior to marketing or advertising for a novel food, companies must notify Health Canada, which conducts a safety assessment of the novel food (based on guidelines updated in July 2022 – see below information related to plant breeding) prior to permitting its sale in the Canadian marketplace.

Labeling of novel foods is voluntary and regulated by the National Standard for Voluntary Labeling and Advertising of Foods that Are and Are Not Products of Genetic Engineering. CFIA treats novel food labeling as a claim related to the method of production, and provides an overview of the voluntary labeling standard in a factsheet.

In 2021, Health Canada consulted on new guidance for the Novel Foods Regulations, focused on plant breeding. The intent was to provide greater clarity, predictability, and transparency regarding the regulation of novel foods derived from plants, including those developed using gene editing technologies, as well as to provide an efficient and predictable pathway to commercialization for new products. Following these consultations, in July 2022, Health Canada published new guidance on the novelty interpretation of products of plant breeding and on the pre-market assessment of foods derived from retransformants, while the CFIA informed stakeholders on how this guidance would be implemented. Going forward, Health Canada plans to continue modernizing guidance for all novel foods. Additionally, Health Canada published a Notice of Intent regarding the development of proposed regulatory changes to Division 28 of the Food and Drugs Regulations, and invited stakeholders to provide comments.

In May 2023, the Canadian Food Inspection Agency (CFIA) and Agriculture, Agri-Food Canada (AAFC) announced the publication of updated regulatory guidelines supportive of the introduction of gene-edited seed products in the Canadian market. The guidelines clarify that any plant that releases seeds into the environment is subject to pre-market clearance under Canada's Seeds Regulations (Part V) only when: the plant contains foreign DNA; the plant has a new commercially-viable herbicide tolerance trait; or, the plant is of a new crop species or is intended for new uses in Canada. For additional information please consult our GAIN report CA2023-0023.

In May 2024, the CFIA published the finalized guidance document clarifying their position on novelty declarations and pre-market assessments for livestock feeds derived from crops developed through gene-editing. This provided the final piece of clarification for the seed and grain sectors on Canada's policies for gene-edited crops. In line with the other policy decisions, livestock feeds derived from gene-edited plants characteristically similar to those conventionally bred, will be treated with the same

regulatory approach under the Feeds Act and Feeds Regulations. For additional details please consult GAIN Report CA2024-0019.

For more information on the regulations governing genetically engineered foods please see FAS/Canada's annual GAIN report on Agricultural Biotechnology. Additional information can be found on Health Canada's dedicated webpage for information concerning genetically modified and other novel foods.

Vitamin and Mineral Fortification
The addition of vitamins and minerals to food in Canada is regulated under the Food and Drug Regulations, mostly under Part D, although certain specific provisions are found under Part B. Fortification is mandatory for certain foods, voluntary for others, and prohibited for most foods. This information is summarized in the table Foods to Which Vitamins, Mineral Nutrients and Amino Acids May or Must be Added.

Supplemented (Fortified) Foods
In Canada, supplemented foods are prepackaged foods containing supplemental ingredients, such as vitamins, mineral nutrients, amino acids, or other ingredients (like caffeine and herbal extracts). Typical examples include beverages with added minerals, caffeinated energy drinks, and snack bars with added vitamins. According to Health Canada, the presence of these supplemental ingredients sets these foods apart from regular foods, as they may pose a health risk if they are consumed in excess by the general population, or if consumed by vulnerable populations such as children and pregnant women.

On July 20, 2022, Health Canada published a new regulatory framework for supplemented foods ("Supplemented Foods Regulations"), replacing the long-time practice of regulating these products through temporary authorizations (see the next paragraph). The Supplemented Foods Regulations establish detailed conditions for the use of supplemental ingredients in foods, prescribing the categories of food to which they may be added, the maximum amount allowed in supplemented food, and the cautionary statements that may be required on the product label. To assist businesses with the implementation of and compliance with the new supplemented foods regulatory framework Health Canada published a variety of resources, guidance, and general information. For additional information please consult our GAIN reports:

- CA2022-0024
- CA2022-0034

Prior to the new regulatory framework, supplemented foods were marketed in Canada based on a Temporary Marketing Authorization granted by Health Canada on a case-by-case basis. The department issued specific guidance for supplemented foods, and published a list of foods that received Temporary Marketing Authorization (TMA) letters.

Wine, Beer, and Other Alcoholic Beverages
The federal Importation of Intoxicating Liquors Act gives the provinces and territories full control over the importation of alcoholic beverages into their jurisdictions. Provincial liquor boards control the sale of alcoholic beverages in Canada and the market structure can vary considerably from province to province. Alcoholic beverages can only be imported through the liquor boards in the province where the product will be consumed. In general terms, U.S. exporters are required to have their products 'listed'

for sale by the provincial liquor board. In many provinces, U.S. exporters must have a registered agent, who provides the necessary marketing support within the province to obtain a provincial liquor board listing. U.S. exporters should contact the provincial liquor board in the target market for a listing of registered agents.

U.S. exporters should refer to the CFIA's Industry Labeling Tool, for complete information on alcoholic beverage labeling requirements. Container sizes for wine are standardized and metric. The most common containers for wine are 750 milliliters, as well as 1-, 1.5-, and 2-liter formats. Additional information on regulatory requirements is listed here, as well as in Division 2 of Part B in Canada's Food and Drugs Regulations. For example, light beer in Canada is defined by regulation as beer with an alcohol content of 2.6 to 4.0 percent by volume. For additional information related to marketing wine in Canada please consult GAIN Report CA2021-0039 on the Ontario Wine Market and GAIN Report CA2021-0040 on the Quebec Wine Market.

Organic Foods

The import and sale of organic food products in Canada are governed by the same rules and regulations that apply to non-organic food products. No distinction is made between organic and non-organic foods regarding import requirements. Currently, all Canadian packaging, labeling, grading, and inspection regulations apply equally to organic and non-organic foods.

Products labeled organic must be in compliance with Part 13 of the Safe Food for Canadians Regulations. Producers must be prepared to demonstrate that organic claims are truthful and not misleading, and that all commodity-specific requirements have been met. Additional information (including Canada's new 2020 Organic Standards) can be found on CFIA's webpage dedicated to Organic Products.

In 2009, the United States and Canada signed an organic equivalence arrangement, under which most products that bear the USDA Organic seal may also use the Canada organic logo. U.S. organic products imported into Canada must be accompanied by an organic certificate issued by a U.S. accredited certifying agent listed in the Organic certifying agents List, and a document which has the following attestation statement: "Certified in compliance with the terms of the US-Canada Organic Equivalency Arrangement."

The following products **may not** be sold or marketed as organic in Canada:

- Agricultural products produced with the use of sodium nitrate;
- Agricultural products produced by hydroponic or aeroponic production methods;
- Agricultural products derived from animals not produced according to livestock stocking rates set out in the most recent version of Canada's organic production systems standards (CAN/CGSB-32.310).

Irradiated Food

Health Canada is responsible for regulations specifying which foods may be irradiated and the treatment levels permitted; this information is included in Division 26 of the Food and Drugs Regulations. The following irradiated products may be sold in Canada: potatoes, onions, wheat and flour, spices and dehydrated seasoning preparations, fresh and frozen raw ground beef.

Requirements for the labeling of irradiated foods apply equally to domestic and imported foods and require the identification of wholly irradiated foods with both a written statement such as "irradiated" or "treated with radiation" or "treated by irradiation" *and* the dedicated international symbol. Additional information on food irradiation can be found on this CFIA webpage.

Special Dietary Foods, Infant Formula, and Infant Foods

The composition and labeling of foods for special dietary use are regulated under Division 24 of the Food and Drug Regulations and include: formulated liquid diets, nutritional supplements, gluten-free foods, protein reduced foods, and low calorie foods. The Labeling Requirements for Foods for Special Dietary Use apply in addition to the general requirements enumerated in the Industry Labeling Tool.

The composition and labeling of infant formula, infant foods, and human milk fortifiers are regulated under Division 25 of the Foods and Drug Regulations. Labeling requirements for infant foods, infant formula, and human milk fortifiers apply in addition to the general requirements enumerated in the Industry Labeling Tool.

In November 2023, the federal government consulted on a proposal to modernize Divisions 24 and 25 of the Food and Drug Regulations, which cover foods for special dietary use, and foods for infants. The regulatory modernization proposal is intended as a comprehensive restructuring of the regulatory requirements for these types of foods. An essential element of the proposal is the introduction of a new category of foods called Foods for a Special Dietary Purpose (FSDP). The regulatory initiative would establish a clear differentiation between products that meet the definition of FSDP and those that do not, so that FSDP become subject to enhanced regulatory oversight, including premarket authorization for most infant FSDP, and stop-sale provisions for public health reasons. For additional information please consult GAIN Report CA2023-0057.

In October 2024, the federal government initiated a public comment period to seek stakeholder views on proposed compositional requirements for infant formula, medical foods for ages one or more, medical foods represented as a total diet replacement for weight reduction, conventional infant foods (such as infant cereals and fruit purees), gluten-free foods, and formulated nutritional foods (currently regulated as meal replacements and nutritional supplements). For additional information please consult GAIN Report CA2024-0049.

Confectionary, Chocolate, and Snack Food Products

These products are regulated under the Food and Drug Regulations. Most confectionary products and snack foods are “unstandardized foods,” meaning that there are no standards of composition. However, this is not the case for chocolate products, such as bittersweet, semi-sweet, or dark chocolate. Canadian composition standards and other requirements for chocolate and cocoa products are now incorporated by reference and listed under Canadian Food Compositional Standards.

For confectionary items, if the product is sold as a one-bite confection, the product is exempt from the nutrition facts table requirement. However, a larger retail package containing multiple one-bite treats would be subject to standard labeling requirements.

Pet Food
The Consumer Packaging and Labeling Act and the Competition Act govern the labeling and advertising of pet foods sold in Canada. All pet food labels, and advertising are to be truthful and verifiable. Pet food labeling guidelines are available here. CFIA regulates pet food imports and related products to prevent animal diseases from being introduced into Canada under the Health of Animals Regulations. Exporters may review CFIA pet food import policies at this CFIA webpage.

The USDA Animal and Plant Health Inspection Service (APHIS) provides information on pet food exports to Canada through its IRegs system. The webpage includes Notices and up to date information regarding CFIA import requirements. In May 2022, the CFIA updated the import requirements for pet chews made from animal products and by-products, while in April 2024, CFIA announced changes to import requirements for pet supplements.

Livestock Feeds
Under the Feeds Act, CFIA administers a national livestock feed program to regulate domestic and imported livestock feeds by means of pre-sale product evaluation and registration as well as post-market inspection and monitoring. As an initial step, U.S. livestock feed exporters must apply to have all feeds registered in Canada. Further, U.S. exporters must retain an agent who resides in Canada and has the legal authority to act on their behalf. The current list of approved feed ingredients (as either single ingredient feeds or as mixed feeds) is published in Schedules IV and V of the Feeds Regulations.

The CFIA regularly consults on several feed-related initiatives, as part of their larger Feed Regulatory Modernization initiative. Additional information on requirements for livestock feeds in Canada and the online forms for product registration are available on this CFIA webpage.

Health Claims
Health claims on pre-packaged foods must be truthful and not misleading. Health claims must be substantiated before they can be used on food labels in Canada. Claims generally fall into one of three categories: general health, function, and disease risk reduction.

General health claims do not require approval by the Canadian government as they promote broad claims of healthy eating and provide dietary guidance. This kind of claim does not refer to health effects, disease, or health condition. Statements that imply a 'healthy choice' or that use a logo/symbol are subject to review and must not be false, misleading, or deceptive.

Disease risk reduction and therapeutic claims are statements that link food or a constituent of a food to reducing the risk of developing a diet-related disease or condition. These claims are substantiated by sound scientific evidence that has established a relationship between certain elements of healthy diets and the risk reduction of certain diseases. These claims are specific to the food composition and labeling conditions that are to be met. For example, "A healthy diet containing foods high in potassium and low in sodium may reduce the risk of high blood pressure, a risk factor for stroke and heart disease. (Name of the food) is a good source of potassium and is low in sodium." CFIA provides a table of acceptable claims under Part B, Division 1 of the Food and Drug Regulations.

Function claims describe the specific beneficial effects of foods or food constituents on normal functions or biological activities of the body associated with health or performance. They are based on the specific role that the food or food constituent plays when consumed at a level consistent with normal dietary patterns. There are conditions of use, including minimum levels and content requirements, before a function claim can be made. Claims should be submitted to Health Canada for an acceptability review prior to use on Canadian food packaging labels. A table of acceptable function claims previously reviewed by Health Canada is available here.

Nutrient function claims are a subset of function claims that pertain to a food's energy value, or a nutrient contained in the food recognized as an aid to maintain functions of the body in good health and normal growth and development. A table of acceptable nutrient function claims previously reviewed by Health Canada is available here.

Probiotic claims are another subset of function claims relating to live microorganisms, which provide a health benefit when administered in adequate amounts. Health Canada provides specific guidance regarding the use of probiotic microorganisms in food and the conditions for acceptable probiotic function claims. Use of the term "probiotic" should be accompanied by specific, validated statements about the effect of the probiotic, which should be identified by the Latin name and strain identity of the specific microorganism. CFIA provides a table identifying a limited number of acceptable non-strain specific claims about probiotics here.

Method of Production Claims

Method of production claims refer to how a product is produced, grown, handled, or manufactured. Such claims are subject to subsection 5(1) of the Food and Drugs Act and section 7 of the Consumer Packaging and Labeling Act , which prohibit statements and claims that are false, misleading, and deceptive or that create an erroneous impression regarding the product, including its method of production.

Natural / Feed Claims

CFIA provides the conditions for the use of the word "natural" (and other permutations thereof) here. For meat, poultry, and fish products to be labeled as "naturally raised," further specific information explaining the meaning of the claim must be included on the label to avoid confusion. Additionally, CFIA provides the conditions under which a meat, poultry, or fish product can make certain feed claims, such as "raised without …," here.

Homemade / Artisan Made Claims

CFIA defines "homemade" products as those foods that are not commercially prepared. The claim "artisan made" refers to products that are made in small batches with limited use of automated machines. CFIA considers the use of a brand name or a trademark symbol in conjunction with the term "homemade" to be misleading when the product is prepared at a commercial scale. Terms "homemade style," "home-style," or "like homemade" are acceptable for those foods that contain mixes in whole or in part from commercial or private recipes.

Kosher/Halal Claims

Kosher food certification provides that a food is processed in accordance with the requirements of the Kashruth is made by a Rabbi or Rabbinical organization and is identified by the appropriate Rabbi or Rabbinical organization symbol.

Halal foods must be certified by a certifying body or person and the name of that certifying authority should appear on the product label. Both Kosher and Halal certifying authorities are private entities in Canada and are not regulated under Canada's food related acts and regulations.

Gluten-Free Claims

There is a range of gluten-free products available in Canada. Gluten-free claims fall under Division 24 of the Food and Drug Regulations, which covers food for special dietary use, and have been interpreted by Health Canada here. It is prohibited to claim or give the impression that a product is 'gluten-free,' if derived from barley, rye, oats, triticale, or wheat, kamut, or spelt. The prohibition also applies to products derived from modified gluten proteins as well as gluten protein fractions derived from any of the aforementioned cereals. Food products containing less than 20 parts per million (ppm) of gluten may be considered gluten-free foods provided they are prepared under good manufacturing practices. Health Canada has determined that glabrous hull varieties of canary seed and "gluten-free oats," which contain less than 20 ppm of gluten from aforementioned grains, are acceptable ingredients in gluten-free foods. Gluten-free claims on beer are permitted for beers brewed from other than the aforementioned grains.

CBD (Cannabidiol) and CBD-containing Products

In Canada, the Cannabis Act defines "cannabis" as the cannabis plant, including:

- any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not;
- any substance or mixture of substances that contains or has on it any part of such a plant; and
- any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained.

Given this definition, all cannabinoids in the cannabis plant, including CBD and THC, are regulated as "cannabis" under the Cannabis Act and its regulations. Therefore, any cannabis-containing products, including any CBD-containing products, may only be accessed in Canada via three channels:

1. **Retail or on-line cannabis outlets:** individuals may purchase CBD-containing products from a provincially authorized retailer, similar to purchasing THC-containing products for recreational purposes.
2. **Medical use:** individuals, with the support of their health care practitioner and a medical document, may purchase CBD-containing products from a federally licensed seller of cannabis for medical purposes.
3. **Prescription drugs:** individuals, under a prescription issued by their doctor or other prescriber, may purchase CBD-containing prescription drugs approved by Health Canada and bearing a Drug Identification Number (DIN).

Currently, Canada does not allow the importation of any cannabis or cannabis-containing products, including CBD and CBD-containing products, except for scientific purposes.

Additionally, the sale of natural health products (NHPs) containing any cannabinoid (including CBD) in Canada is prohibited. The Canadian Hemp Trade Alliance and the Canadian Health Food Association continue to advocate for a different regulatory regime for CBD-containing products.

For additional guidance and information, please consult Health Canada's Guidance for Health Products Containing Cannabis and the general Cannabis page.

Sample Products and Personal Consumption
Food samples for research, evaluation, or display at trade shows and food exhibitions are permitted entry but may not be offered for commercial sales. Entry at the border will be facilitated if U.S. exporters show proof of their food exhibition participation and that the products are of U.S. origin. Typically, the weight of each product sample may not exceed 100 kilograms (about 220 pounds). CFIA provides detailed information on their webpage dedicated to the importation of food and plant products for trade shows and exhibitions in Canada.

Importation for personal consumption is generally restricted to 20 kilograms or 20 liters per product. The CFIA provides detailed information on bringing food into Canada for personal use, including the Maximum Quantity Limits for Personal Use Exemption.

Section VIII. Geographical Indicators, Trademarks, Brand Names and Intellectual Property Rights

Trademarks, Brand Names, and Intellectual Property Rights (IPR)
The Canadian Intellectual Property Office (CIPO) is the federal agency responsible for registering trademarks in Canada. Registered trademarks are entered on the Trademark Register and can provide U.S. companies direct evidence of ownership. Trademark registrations are valid for 15 years in Canada and may be renewed.

To register a trademark, an application (with fee) must be sent to the Office of the Registrar of Trademarks. In most instances, a trademark must be used in Canada before it can be registered. CIPO advises that companies hire a registered trademark agent to search existing trade names and trademarks. The Canadian College of Patent Agents and Trademark Agents provides a list of registered trademark agents broken down by region. Detailed information on trademarks, including on the application process, and a trademark database can be found on CIPO's trademarks webpage**.**

In June 2022, the Quebec government passed legislation titled Bill 96, An Act respecting French, the official and common language of Quebec. The declared purpose of Bill 96 is to reinforce and strengthen the use of the French language in Quebec by expanding the French linguistic obligations and requirements. Bill 96 has introduced significant trademark amendments and requirements for non-French trademarks on product packaging, labeling, public signage, posters, and commercial advertising. These provisions come into force on June 1, 2025. For additional information please refer to GAIN Reports CA2023-0041, and CA2024-0004, and continue to monitor the FAS GAIN Portal for relevant updates on this topic.

Geographical Indications
After concluding the Canada-European Union Comprehensive Economic and Trade Agreement (CETA), the federal government amended Canada's Trademarks Act to extend protections for geographical indications per CETA provisions on intellectual property. There are 171 European food product geographical indications registered under CETA, of which 152 names receive full protection, while 19 names are subject to a number of exemptions (listed under Article 20.21). The full list of geographical indications recognized in Canada can be found here.

Section IX. Import Procedures

The Canada Border Services Agency (CBSA) is the first line regulatory agency at border points ensuring that all imports have appropriate documentation. However, the CFIA is the lead agency for ensuring that imports comply with the acts and regulations pertaining to food and agricultural products. CFIA has the power to detain, destroy, or return products that violate Canadian food regulations. Re-inspection and storage costs associated with appeals on rejections may be borne by either the exporter or the importer. Most U.S. food exports to Canada are cleared at the border without delay.

Commercial Goods: Canada Border Services Agency (CBSA)
Detailed information on importing goods into Canada, including accounting for your shipment, the release of the shipment, the reporting of the shipment, and the storing of your shipment are available at this CBSA webpage.

It is also possible to contact CBSA directly. CBSA provides a contact information directory broken down by region and/or function.

The use of a customs broker is very common when importing goods into Canada. CBSA licenses customs brokers to carry out customs-related responsibilities on behalf of their clients. A broker's services can include:

- obtaining release of imported goods
- paying any duties that apply
- obtaining, preparing, and presenting or transmitting the necessary documents or data
- maintaining records
- responding to any CBSA and/or Revenue Agency concerns after payment

Clients must pay a fee, established by the brokerage firm, for these services. CBSA provides additional information on customs brokerage services and a list of licensed customs brokers.

Commercial Goods: Canadian Food Inspection Agency (CFIA)
CFIA provides extensive information on the programs and services it offers for importing commercial foods into Canada, including a Step-by-Step Guide. In addition, CFIA's Automated Import Reference System (AIRS) provides specific import requirements for food items by the Harmonized System (HS) classification, and detailed by place of origin (i.e., a specific U.S. state), destination in Canada (i.e., a specific province) and end use of the food item (e.g., for animal feed, for human consumption, etc.). The

CFIA Contact Us webpage covers a range of issues, including contact information for regional offices and the National Import Service Centre.

Sample Products and Personal Consumption
Please consult Section VII of this report for information on importing commercial sample products and items for personal consumption.

Tariff Rate Quotas
A number of agricultural products are import-controlled by Global Affairs Canada (GAC), meaning the access to the Canadian market is limited to a specified annual volume and the import conditions are strictly regulated. Canada uses a series of tariff rate quotas (TRQs) negotiated under several international trade agreements to regulate imports of certain agricultural products. Import permits are issued by the Canadian Government to selected importing companies (i.e., import quota holders).

The list below includes the agricultural commodities most relevant to U.S. exporters. For each of these product groups, GAC provides information on which exact HS lines are covered by the import control rules and TRQs as well as import quota holders and import quota utilization rates:

- Broiler Hatching Eggs & Chicks
- Chicken & Chicken Products
- Dairy Products (including Cheese)
- Eggs & Egg Products
- Margarine
- Turkey & Turkey Products

Since Canada does not control the importation of all dairy and poultry products (e.g., certain processed dairy and poultry products may enter Canada duty-free and quota-free), exporters should confirm the market access status of their product in advance.

To avoid difficulties at the border, companies may request CBSA provide an Advance Ruling for Tariff Classification to ensure proper tariff classification. An advance ruling is binding until it is revoked or amended by CBSA.

Section X. Trade Facilitation

USMCA Certification of Origin
With USMCA's coming into force on July 1, 2020, the former NAFTA Certificate of Origin (CBP Form 434) **is no longer valid**. Instead, importers, exporters, or producers will have to certify that a product meets the requirements for preferential treatment under USMCA.

The certification of origin requirement for USMCA preferential treatment **does not have to follow a prescribed format**. The certifier (importer, exporter, or producer) can make the certification on a commercial invoice or other document, as long as the information provided satisfies the **nine minimum data elements** set out in USMCA Annex 5-A. For multiple shipments of identical goods, taking place within a period of up to 12 months, shippers may include a previously signed certification of origin.

Additional guidance and information is available on the U.S. Customs and Border Protection (CBP) website, and in CBP's USMCA Implementation Instructions document.

In the absence of an official certificate of origin, FAS/Canada has received numerous reports from industry sources that importers, customs brokers, freight forwarders, distributors, and/or buyers have developed individual certification of origin documents to prevent trade disruptions from July 1, 2020. FAS/Canada recommends all U.S. companies exporting goods eligible for preferential tariff treatment to Canada contact their export sales partners to confirm the USMCA certification of origin procedure to be used. FAS/Canada further recommends U.S. exporters review trade partners' certification of origin documents to ensure the data provided meets USMCA requirements.

Advance Rulings for Tariff Classification

To help determine the proper tariff classification of goods and to facilitate customs clearing, the Canada Border Services Agency (CBSA) offers Advance Rulings for Tariff Classification. These rulings, issued under paragraph 43.1(1)(c) of the Customs Act, provide information on the importation of particular goods, including their 10-digit tariff classification number under the Canadian Customs Tariff. These advance rulings are particularly useful when importing supply-managed products (dairy, poultry and eggs), since not all such products are subject to TRQs (see Section IX), and some products, depending on tariff classification, may be imported into Canada duty-free and quota-free. CBSA rulings are binding until revoked or amended.

CBSA Assessment and Revenue Management Project

In 2021, the CBSA launched the Assessment and Revenue Management (CARM) project to modernize and streamline the process of importing commercial goods into Canada and offer importers simplified access to a range of CBSA services. The first phase of the project became operational on May 25, 2021, and enabled importers, brokers, and trade consultants to view their transactions and statements of account, request a ruling, and pay invoices with new electronic payment options. The second and final phase of the project was implemented in October 2024. CARM is now mandatory for all importers of goods into Canada, including U.S. non-resident importers (NRIs). For more information, please consult the vast range of information provided by CBSA (on the CARM website), such as:

- CARM webinars and registration events
- CARM video library ("how to" tutorials)
- Onboarding documentation
- Frequently asked questions

Appendix I. Government Regulatory Key Agency Contacts

Canadian Food Inspection Agency

Health Canada

Pest Management Regulatory Agency

Health Canada, Bureau of Chemical Safety

Canada Border Services Agency

Provincial Liquor Boards

Global Affairs Canada, Trade Controls Bureau

Appendix II. Other Import Specialist Technical Contacts

All Languages Ltd. 421 Bloor Street East, Suite 306 Toronto, ON M4W 3T1 Tel: 416-975-5000 Toll Free: 1-888-975-9544 Fax: 416-975-0505 Website: http://www.alllanguages.com Email: translations@alllanguages.com *Label translations	**ACC Label Inc.** 2001 Robert-Bourassa Boulevard, Suite 1700 Montreal, Quebec H3A 2A6 Tel: 514-228-7453 Website: www.acclabel.com *Label translations and packaging compliance.
ETICON Consultants Ltd. 43 Roydon Place, Suite 204 Ottawa, Ontario Tel: 613-798-0136 Fax: 613-798-0140 Website: www.eticon.ca Email: info@eticon.ca *Labeling translations and regulatory review.	**Innovative Consulting Solutions Inc.** P.O. Box 68 South Slocan, British Columbia V0G 2G0 Tel. (250) 359-7873 Fax. (250) 359-7874 Website: www.innovating-canada.com Email: info@innovating-canada.com * Scientific and regulatory work, expertise in natural health Products, dietary supplements, foods and beverages.
MDB Enterprises Mississauga, Ontario Tel: (416) 460-7687 Website: http://mdbenterprises.net/mdbent/index_e.html *Translation and labeling capabilities.	**McCarthy Consultant Services Inc.** 1151 Gorham Street, Unit #8 Newmarket, ON L3Y 8Y1 Tel: 905-836-0033 Fax: 905-836-0006 Website: www.mccarthyconsultant.com Additional contacts: *Label translation and regulatory compliance consultant, NHPs.

In French Only Inc. 25 Rockcastle Drive Toronto, Ontario M9R 2V2 Tel: 416-248-5648 Fax: 416-614-3806 Website: www.translations.ca Email: info@translations.ca *Qualified to provide certified Canadian translations; labeling translations and regulatory review; food industry marketing and advertising services.	**Norton Rose Fulbright Canada** Royal Bank Plaza, South Tower, Suite 3800 P.O.Box 84 Toronto, Ontario M5J 2Z4 Tel:(416) 216-2961 Fax: (416) 216-3930 Website: www.nortonrosefulbright.com *****Legal advocacy with all branches of Health Canada on new ingredients and dietary supplements.
Natural Sci Regulatory Consulting Corporation Guelph, Ontario Tel. 519-279-8080, ext. 1 *Regulatory compliance for food and NHPS	**Quality Smart Solutions** 4145 North Service Road, Suite 200 Burlington, Ontario L7L 6A3 Tel. 800-396-5144, ext. 4 *Registrations, NHPs
MMP Enterprises Tel. 905-532-9106, ext. 257 Fax. 905-532-9110 Website: www.mmplogistics.com * Fulfillment, Cross-docking Canadian Warehouse Natural Health Products	**Cosmatos Consulting** 21 Worthington Private Stittsville, Ontario K2S 0H2 Tel. (613) 271-7544 Fax. (613) 271-8283 Website: www.cosmatos.com *Label translations, regulatory review and compliance, expertise with meat products.
DeValk Consulting Inc. 1545 Carling Avenue Ottawa, ON K1Z 8P9 Phone 613-739-7850 Fax 905-356-0753 Website: www.devalkconsulting.com *Label translations, regulatory review and compliance.	**Source Nutraceutical, Inc.** 1 – 1249 Clarence Ave. Winnipeg, MB R3T 1T4, Canada Phone: 204.254.2234 Toll Free: 1.877.254.2234 Fax: 204.254.7817 Website: http://sourcenutra.com/ *Label solutions, regulatory review and compliance

Dicentra Inc. 21 Phoebe Street, Suite B0002 Toronto, Ontario M5T 1A8 Tel. (416) 361-3400 Fax. (416) 361-3304 Website: www.dicentra.com Email: info@dicentra.com * Scientific and regulatory work, expertise in natural health products, dietary supplements, foods and beverages, fertilizers.	**Gowling WLG** 160 Elgin Street, Suite 2600 Ottawa, Ontario K1P 1C3 Tel: 613-783-8849 Fax: 613-788-3618 Website: https://gowlingwlg.com *Legal advocacy with all branches of Health Canada on new ingredients, dietary supplements, and test market authorizations.
Intelli Trade Inc. 5405 Eglinton West, Suite 100 Etobicoke, Ontario M9C 5K6 Tel: (416) 622-2235 * Customs tariff consultant and specializing in advance rulings on tariffs.	

Attachments:

No Attachments