

Modernization of the Canadian Feeds Regulations
Joint Recommendations to the Co-Chairs of the Feed Regulatory Steering Group
November 29, 2013

On November 18, 2013, industry members of the Feed Regulatory Steering Group (FRSG) met to discuss the current status and future direction of the regulatory modernization process. Represented at the meeting were the Animal Nutrition Association of Canada, Canadian Aquaculture Industry Alliance, Canadian Cattlemen's Association, Canadian Pork Council, Chicken Farmers of Canada and Dairy Farmers of Canada.

The principal objective of the meeting was for the six industry associations to determine whether there was sufficient commonality of views to enable a joint recommendation to the CFIA co-chairs of the FRSG. This would be aimed at moving expeditiously into the next phase of the regulatory transformation process. Therefore, discussion focused specifically on whether and how hazard identification and control measures might be incorporated in the new regulation or related policy guidance.

The associations took particular account of the comments made by participants at the stakeholder workshop held in March 2013, where a clear majority supported the inclusion of hazard identification and preventive controls in a new Canadian regulation. The associations also considered the current EU and proposed US rules, both of which require that hazard identification and control plans be documented and implemented in animal feed production establishments. Finally, the exchange of views was guided by the overriding goal—advanced by CFIA and supported by the agri-food stakeholder community—of implementing outcome-based regulations focused on the mitigation of risk.

At the conclusion of discussions, the six associations unanimously agreed to make the following recommendations to the co-chairs of the FRSG:

1. A modernized feed regulation—in concert with regulatory guidance and administrative procedures—should include measures to promote the implementation of hazard identification and preventive control plans in feed manufacturing, storage and distribution facilities. Such measures should focus exclusively on feed safety, considering that nutritional requirements are based on commercial arrangements between suppliers and their customers.
2. While such plans would need to be appropriately documented, monitored and verified, the form of delivery would be outcome-based. For example, while most commercial facilities will favour ANAC's FeedAssure program, there are other HACCP-based approaches that might be acceptable, provided they satisfy the intended feed safety outcome.
3. It is recognized that the EU and US feed safety statutes authorize the inclusion of mandatory hazard identification and preventive controls in regulation. However, there appears to be some doubt as to whether the Feeds Act would enable such a

requirement in a new Canadian regulation. The associations agreed that a mandatory approach along the lines of the EU and US frameworks, coupled with a risk-based facility licensing system, would be the preferred route for the commercial feed industry in Canada.

4. If the statutory authority for mandatory hazard identification and preventive control programs is indeed found to be lacking in Canada, the associations agreed that CFIA should put in place appropriate incentives to encourage the widespread use of recognized hazard identification and control plans for the commercial feed industry.
5. In its December 2010 policy paper and again in its June 2013 submission to the regulatory steering group, ANAC proposed that CFIA refocus its inspection resources to concentrate on establishments without hazard identification and control plans in place, and to adopt a modernized, system-based review of facilities with formal preventive controls and independent verification programs. In 2010, CFIA officially acknowledged that ANAC's FeedAssure program meets all the requirements of the Agency's own Food Safety Enhancement Program. However, FeedAssure-certified facilities are given only token recognition, by receiving one less partial inspection per year. The six associations recommend that CFIA provide an incentive for commercial feed facilities to participate in the FeedAssure program by lessening the inspection burden on certified facilities and reallocating scarce enforcement resources to commercial establishments without preventive control plans and thus representing the highest risk.
6. Finally, the associations recommend to the FRSG co-chairs that CFIA staff expedite any policy or legal inquiries needed to ascertain whether a modernized feeds regulation can, within existing statutory authorities, incorporate provisions for risk-based licensing of commercial facilities, and mandatory hazard identification and control plans. In the absence of such authorities, the associations further recommend an examination—in consultation with the full FRSG—of methods of adapting the facility inspection system to fit an outcome-based regulatory environment. The intent would be to provide appropriate incentives which would best encourage the expansion of FeedAssure or other hazard identification and control programs of equivalent rigour.

Respectfully submitted by:

**Animal Nutrition Association of Canada
Canadian Aquaculture Industry Alliance
Canadian Cattlemen's Association**

**Canadian Pork Council
Chicken Farmers of Canada
Dairy Farmers of Canada**