

CFIA CONSULTATIONS: WEBPOSTING AND EXECUTIVE SUMMARY

November, 2014

As part of the 2014 CFIA Consultations, the Professional Institute of The Public Service of Canada (PIPSC) has submitted a detailed analysis of each of the following proposals:

- Food Program Framework
- A New Regulatory Framework for Federal Food Inspection – Over of Proposed Regulations
- The Draft Integrated Agency Inspection Model
- Use of Private Certification to Inform Regulatory Risk-Based Oversight
- Foreign Food Safety Systems Recognition

The CFIA website states: “Consultation is a key activity of the Canadian Food Inspection Agency (CFIA). It supports open and transparent government. It allows for discussion among Canadians, and between Canadians and government, about designing, implementing and evaluating the following government activities: public policy, regulation, programs, and accountability.”¹

PIPSC has significant concerns that, as currently written, the above proposals will undermine Canada’s animal health & welfare and plant protection programs, nor will they align with international standards. The proposals, in turn, will seriously undermine Canada’s culture of food safety and negatively impact the health and safety of Canadians, as well as present substantial barriers to Canada’s economic growth and stability.

A summary of PIPSC feedback is provided below. For more information about the CFIA consultations or to attain a copy of the full submissions, please contact science@pipsc.ca.

¹ CFIA (2014) Consultations. <http://www.inspection.gc.ca/about-the-cfia/accountability/consultations/eng/1330977431764/1330977617771>

SUMMARY OF CFIA CONSULTATION SUBMISSIONS:

The five CFIA proposals analyzed² will seriously undermine Canada's animal health & welfare and plant protection programs. In order to ensure that Canada maintains a strong culture of food safety that protects the health and safety of Canadians and promotes Canada's economic growth and stability, the following five concerns should be addressed:

- Poor reflection or recognition of the new realities of food and agricultural industries and international standards
- Re-enforcement of silo mentalities and a move away from the "One Health" approach
- Multiple exemptions that reduce standards
- Inaccurate application of economic models to risk ranking and assessment
- Lack of recognition of scientific expertise and government accountability

Poor reflection or recognition of the new realities of food and agricultural industries and international standards

Throughout its consultations the CFIA uses vague and undefined terminology that does not reflect the reasons behind current regulations nor the realities of the food industry. The CFIA's framework demonstrates no understanding of the linkages between animal health and welfare, plant protection, and public health, nor is there a recognition that, with increasing vertical consolidation of the industries, the impact of a safety infraction (food, plant or animal hazards) is magnified continent wide and possibly worldwide. With integrated supply streams, the requirement for rigorous regulatory inspection and oversight is integral to maintaining a safe and stable food supply that supports our domestic and export base in food, plants and animals.

The CFIA is clearly moving away from international standards in all of its proposals. The OIE clearly states that government veterinary services have a vital function to play in both food safety and animal health and welfare, and international trade through "...the direct performance of some veterinary tasks and through the auditing of animal and public health activities conducted by other government agencies, private sector veterinarians and other stakeholders...." and that "veterinary Services [are] to provide health certification to international trading partners attesting that exported products meet both animal health and food safety standards. Certification in relation to animal diseases, including zoonoses, and meat hygiene should be the responsibility of the Veterinary Authority."³ The proposals do not reflect

² 1) Food Program Framework, 2) A New Regulatory Framework for Federal Food Inspection – Overview of Proposed Regulations, 3) The Draft Integrated Agency Inspection Model, 4) Use of Private Certification to Inform Regulatory Risk-Based Oversight, 5) Foreign Food Safety Systems Recognition

³ OIE (2014) The role of the veterinary services in food safety.

http://www.oie.int/fileadmin/Home/eng/Publications_26_Documentation/docs/pdf/EN_role_des_services_veterinarie_securite_sanitaire_des_aliments.pdf Accessed week of August 11, 2014

these international standards. Further details on the OIE's view of government inspection services on farm, and at slaughter are found in the OIE document "The role of the veterinary services in food safety"⁴.

The CFIA has thrown out the internationally accepted and clearly defined terminology that addresses food safety, animal health and welfare, and plant protection, replacing it with its own terminology, which remains vague and undefined. This can be interpreted as an attempt to define, after the fact, what the role and responsibilities of governments are to be, rather than what is set out by international standards. This will undermine standards, transparency and accountability as it will allow the CFIA to claim success by setting the bar at whatever level they managed to achieve.

Re-enforcement of silo mentalities and a move away from the "One Health" approach

These proposals will move the CFIA away from the "One World, One Health" philosophy, which can be explained as a "strategy to better understand and address the contemporary health issues created by the convergence of human, animal, and environmental domains ..." ⁵ or a "...worldwide strategy that draws upon collaboration from veterinary medicine, human medicine, public health, environmental health, wildlife health, and agriculture) to better understand the human-animal-environment interface."⁶

The CFIA's reference only to food safety risk reinforces a silo mentality within the Agency. Food safety is viewed as completely separate and apart from animal health and welfare, and plant protection. The CFIA refuses to acknowledge the continuum of risk from food, plant, and animal commodities that run along the public health, animal health and welfare, and plant protection mandates.

Multiple exemptions that reduce standards

The CFIA refers to multiple exemptions from regulatory requirements throughout its consultations. These are of grave concern as they may undermine human health, public safety, and animal health and welfare and plant protection. This poses a risk to human health and, depending on the country of origin's zoonosanitary or phytosanitary status, to animal health and plant protection. These proposals do not reflect the significance of animal and plant protection mandates.

⁴ Ibid.

⁵ American Veterinary Medical Association, (2014) Executive Summary.

<https://www.avma.org/KB/Resources/Reports/Pages/One-Health146.aspx>. Accessed week of August 11, 2014.

⁶ University of Saskatchewan, University Library, (2014) One Health. <http://libguides.usask.ca/onehealth>. Accessed week of

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A particularly egregious exemption proposed by the CFIA exempts inedible or condemned meat products from physical transformation such as staining or denaturing that would clearly identify the products. This is a major risk factor for food borne illness via inadvertent diversion to food as well as deliberate fraud. Canada has a history of such fraud and this is one of the reasons why there is the regulatory requirement to stain or otherwise denature a meat product, giving it an appearance that differs from an edible meat product. The 1967 tainted meat scandal in Montreal is just one example of inedible products being sold for human consumption, where condemned products were sold at restaurants and the World Exhibition.^{7 8}

The reference to Ministerial exemptions for a period of up to two years, states that in all cases “food safety requirements must still be met,” but does not state that animal and plant health requirements must be adhered to as well. This is obviously an oversight as the animal and plant protection mandates of the CFIA support the public health mandate. Under this scenario, a product infested with a pest would be permitted to stay in Canada, as there are no direct public health impacts, only plant protection and economic impacts. Should the hazard be an animal health and welfare risk, the economic impact can be devastating to a country’s economy, with absolutely no direct risk to human health. The limited 2001 UK outbreak of Foot and Mouth Disease was estimated to cost UK£8 billion.⁹

The CFIA makes mention of not requiring a Canadian fixed place of business, and instead only requires a presence in a foreign state that has a food safety system that provides a similar level of protection to Canada. Should a non compliant product be discovered in such a situation, and the foreign importer choose to walk away from the commodity, the Canadian taxpayer would be left holding the tab for any consequences. This coupled with numerous exemptions for products to be legally traded within Canada will no doubt lead to more incursions of animal and plant risks to the Canadian environment. The lack of a Canadian representative of the company that is exporting to Canada forces Canada to accept all the risks (both health & economic) associated with the product.

Inaccurate application of economic models to risk ranking and assessment

The CFIA applies an economic model to scientific risk ranking that does not reflect how the term is used by scientists, within the international trading community, nor by international standard setting bodies. Risk ranking should apply to a commodity and includes such criteria as the country of origin and any processing it may have been subject to. The value of the commodity has no basis on whether or not it poses a human, animal or plant risk and using an economic basis for determination of risk does not

⁷ MacLachlan, I. (2001) Kill and Chill: Restructuring Canada’s Beef Commodity. University of Toronto Free Press

⁸ Cédilot, A. & Noël, A (2010) Mafia Inc: The Long, Bloody Reign of Canada’s Sicilian Clan

⁹ The Royal Geographical Society (with IBG), Geography in the News, Ask the Experts, Jessica Sellick answers questions on Foot and Mouth Disease (FMD) and the impact of the recession in the Countryside
<http://www.rgs.org/OurWork/Schools/Geography+in+the+News/Ask+the+experts/Foot+and+Mouth+Disease+%28FMD%29.htm> accessed week of August 11, 2014

advance public safety, nor animal health and welfare or plant health. The amount of product required to infect a person with a serious epizootic disease is miniscule. For example, the infective dose for humans of E.coli O157 is known to be a little as two cells.¹⁰ Collection, and trade of animal products and animal by-products for food or animal feed, or fertilizer and import activities, are in particular inherently higher risk activities regardless of the economic level of the producer/seller.

Lack of recognition of scientific expertise and government accountability

The proposals for consultation clearly do not value scientific expertise, knowledge, or professionalism within either food safety or regulatory writing. Instead, the new road map and “case for change” absolves the CFIA from the responsibility to oversee and enforce regulations and of government transparency and accountability. It would appear that technology skills may be more highly prized than in depth knowledge of the subject area for which a position is being filled as there are no specific knowledge components for entry or advancement within the CFIA under the new Talent Management. CFIA appears to be wishing to favour generic technology skills and the ability to work within a highly bureaucratic system over subject matter expertise and critical scientific knowledge. This new approach is a step away from increased public health and safety, reflecting the current government’s broader trend of disrespect for expertise and degradation of public services.

Moving forward to enhance Canada’s food safety and economic growth

PIPSC would support either new federal regulations requiring on farm control measures and preventive plans for public health, animal health and welfare, and plant protection, or a much improved integration and cooperation of inspection between the federal, provincial, and territorial governments. Rigorous enforcement must be part of any such inspection and regulatory agency. PIPSC has significant concerns that, as currently written, the above proposals will undermine Canada’s animal health & welfare and plant protection programs, nor will they align with international standards. The proposals, in turn, will seriously undermine Canada’s culture of food safety and negatively impact the health and safety of Canadians, as well as present substantial barriers to Canada’s economic growth and stability.

¹⁰ Foodborne Disease Significance of Escherichia coli O157:H7 and Other Enterohemorrhagic E. coli. This Scientific Status Summary addresses the virulence and disease characteristics of EHEC, their reservoirs and sources, survival and growth, and disease prevention strategies. October 1, 1997 First published in Food Technology Magazine, October 1997.51[10]:69-76 <http://www.ift.org/knowledge-center/read-ift-publications/science-reports/scientific-status-summaries/foodborne-disease-significance-of-escherichia-coli.aspx>. Accessed week of August 11, 2014.