

25 years and counting: Milestones in Canadian food regulations

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I have been writing this column for 25 years. One of my first articles was about the creation of the Canadian Food Inspection Agency (CFIA) in April 1997. Happy 26th anniversary, CFIA!

The creation of CFIA was a profound achievement. It set the foundation for statutory changes that culminated in the consolidation of federal food laws under the *Safe Food for Canadian Act* (*SFCA*) and *Safe Food for Canadian Regulations* (*SFCR*).

Prior to CFIA, foods in Canada were governed by numerous federal departments. This hampered the delivery of predictable services to industry. It also was an obstacle to a single vision of food safety. While the ministers of agriculture and agri-food and health govern CFIA today, the agency provides a focal point for federal oversight of food safety and animal and plant health.

Federal food laws

It's important to note that foods today are governed, federally, by both the *Food and Drugs Act* (FDA) and *Food and Drugs Regulations* (*FDR*), as well as the *SFCA*/*SFCR*. There is a bit of duplication of federal food standards in *FDR* and *SFCR*. This has not gone unnoticed. CFIA plans to modernize this framework. It is likely that in the not-so-distant future, food standards will be consolidated in a single document that will be incorporated by reference by both *SFCR* and *FDR*. This is part of the vision that led to the creation of CFIA.

While the establishment of CFIA in 1997 was a significant milestone, the impact of *SFCA*/*SFCR* on governance of food is unparalleled in Canadian history. *SFCA* received Royal assent only in November 2012. *SFCR* was registered in May 2018. The two came into force on January 15, 2019. The last of the transitional provisions under *SFCR* happened at the end of 2022 only.

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It has indeed taken a long time to consolidate and modernize federal food laws, but the result is worth the grief and time, as Canada now has a much more robust food safety system.

Milestones

Over the lifespan of CFIA, there have been other major modernization milestones. Mandatory nutrition labelling came into force in 2003. These food labelling rules were some of the most prescriptive Canada has ever seen. A transition period of three to five years was offered. By 2007, prepackaged foods in Canada were required to include a nutrition facts table (NFt), when applicable. Enhanced food allergen, gluten source and sulphite labelling became law in 2011, but offered a two-year transition period. In 2016, nutrition, ingredient and allergen labelling were modernized. A five-year transition period was offered but it was extended until December 14, 2022 (with additional extension till December 14, 2023, for few straggling products) due to the pandemic. Then in 2022, another watershed period ushered in new rules for supplemented foods and front of package (FOP) nutrition symbols. The new FOP rules have a transition period, which ends on December 31, 2025.

In July 2022, CFIA finalized the Food Product Innovation rules.

The future of food regulations in Canada will have many new chapters.

CFIA has begun working on its food labelling modernization (FLM) initiative. Proposed rules were published in *Canada Gazette I* in June 2019. However, CFIA elected to complete only the "housekeeping" portions of the initiative due to COVID-19. CFIA plans to reintroduce FLM but hasn't provided a timeline for that. It is important to remember *SFCA*/*SFCR* was designed to be the first step in modernizing food labelling, so expect more modernization.



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