



Canadian Food
Inspection Agency

Agence canadienne
d'inspection des aliments

Food Labelling – Canadian Food Inspection Agency and Health Canada

April 7, 2022



Canada

Overview

- **Acts and Regulations**
 - **Health Canada Labelling Changes**
 - **Industry labelling tool; Claims and Statements**
 - **Licencing; who?**
 - **Traceability? New regulation?**
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Food and Drugs Act/Regs.

- The Food and Drug Regulations (FDR), as they apply to food, prescribe, among other things, the labelling of all prepackaged foods, including requirements for ingredient list, nutrition labelling, durable life dates, nutrient content claims, health claims and foods for special dietary use. It also sets out bilingual labelling requirements.

Safe Foods for Canadians Act and Regulations

- The Safe Food for Canadians Act (SFCA) improves our food safety system and helps manage risk to protect Canadian families. The legislation draws together food inspection regulations previously administered under four different Acts into one overarching law. This enables the CFIA to apply consistent regulatory requirements and inspection approaches across all regulated food commodities.
- Similar to the FDA, under the SFCA it is prohibited for a person to manufacture, prepare, package, label, sell, import or advertise a food commodity in a manner that is false, misleading or deceptive or is likely to create an erroneous impression regarding its character, quality, value, quantity, composition, merit, safety or origin or the method of its manufacture or preparation [6(1), SFCA].
- The SFCR prescribes requirements for bilingual labelling, type size (height) of information, the manner of declaring the net quantity, the common name, the name and principal place of business, the pictorial representations, standardization of container sizes, and information that must appear on the labels of specific foods. Requirements on standards of identity and grades have been included in documents incorporated by reference

CFIA website

- **Food and Drugs Act and Regulations**
- **Safe Foods for Canadians Act and Regulations**

- **Canadian Food Inspection Agency website**

<https://inspection.canada.ca/eng/1297964599443/1297965645317>

Health Canada – labelling changes

- Health Canada label changes – effective Dec. 14, 2022

Examples of changes:

- Nutrition Facts table
- List of ingredients
- Sugar and Serving sizes

<https://www.canada.ca/en/health-canada/services/food-labelling-changes.html>

Few changes;

- Nutrition Facts Table:

| ORIGINAL | | NEW | |
|---|-----------------------------|--|---|
| Nutrition Facts Valeur nutritive | | Nutrition Facts Valeur nutritive | |
| Per 250 mL / par 250 mL | | Per 1 cup (250 mL) pour 1 tasse (250 mL) | Serving size stands out more and is more similar on similar foods |
| Amount | % Daily Value | Amount | % Daily Value* |
| Teneur | % valeur quotidienne | Teneur | % valeur quotidienne* |
| Calories / Calories 110 | | Calories 110 | Daily Values updated |
| Fat / Lipides 0 g | 0 % | Fat / Lipides 0 g | 0 % |
| Saturated / saturés 0 g | 0 % | Saturated / saturés 0 g | 0 % |
| + Trans / trans 0 g | | + Trans / trans 0 g | |
| Cholesterol / Cholestérol 0 mg | | Carbohydrate / Glucides 26 g | |
| Sodium / Sodium 0 mg | 0 % | Fibre / Fibres 0 g | 0 % |
| Carbohydrate / Glucides 26 g | 9 % | Sugars / Sucres 22 g | 22 % |
| Fibre / Fibres 0 g | 0 % | | |
| Sugars / Sucres 22 g | | Protein / Protéines 2 g | |
| Protein / Protéines 2 g | | Cholesterol / Cholestérol 0 mg | |
| Vitamin A / Vitamine A | 0 % | Sodium 0 mg | 0 % |
| Vitamin C / Vitamine C | 120 % | Potassium 450 mg | 10 % |
| Calcium / Calcium | 2 % | Calcium 30 mg | 2 % |
| Iron / Fer | 0 % | Iron / Fer 0 mg | 0 % |
| | | | |
| | | *5% or less is a little, 15% or more is a lot | |
| | | *5% ou moins c'est peu, 15% ou plus c'est beaucoup | |

Calories is larger and stands out more with bold line below

mg amounts are shown

New % Daily Value footnote

Serving size stands out more and is more similar on similar foods

Daily Values updated

New % Daily Value for total sugars

Updated list of minerals of public health concern

CFIA Industry labelling tool

- **Industry labelling tool:**
<https://inspection.canada.ca/food-label-requirements/labelling/industry/eng/1383607266489/1383607344939>
- **Core requirements (basic labelling info)**
- **Claims and Statements**

Food labelling requirements checklist

- <https://inspection.canada.ca/food-label-requirements/labelling/industry/food-labelling-requirements-checklist/eng/1393275252175/1393275314581>

One example from the checklist;

- Common name

- Is a common name present?

- If not, is the product exempt?

- Is the common name on the principal display panel (definition) (PDP)?

- Is the common name in letters of 1.6 mm or greater?

- Or, if the area of the principal display surface (definition) (PDS) is 10 cm² (1.55 inches²) or less, is the common name shown in characters with a minimum type height of 0.8 mm (1/32 inch)?

- Is it an appropriate common name?

- as printed in bold face type, but not in italics, in the Food and Drug Regulations (FDR) (standardized product) or in the Canadian Standards of Identity documents or in the Common Names for Prepackaged Fish document incorporated by reference (IbR) in the Safe Food for Canadians Regulations (SFCR),

- as prescribed by any other regulation, or

- the name by which the food is commonly known, if the name is not so printed or prescribed

Refer to the Industry Labelling Tool for further information on Common Name

Claims and Statements

- **Health Claims** - "A healthy diet rich in a variety of vegetables and fruit may help reduce the risk of heart disease."
- **Method of Production** – Natural, homemade, artisan made
- **Organic** - Imported or inter provincially traded products making an organic claim must be certified under the Canada Organic Regime
- **Nutrient content** - "high fibre"

Subsection 5(1) of the Food and Drugs Act states:

No person shall label, package, treat, process, sell or advertise any food in a manner that is false, misleading or deceptive or is likely to create an erroneous impression regarding its character, value, quantity, composition, merit or safety.

Subsection 6(1) of the Safe Food for Canadians Act states:

It is prohibited for a person to manufacture, prepare, package, label, sell, import or advertise a food commodity in a manner that is false, misleading or deceptive or is likely to create an erroneous impression regarding its character, quality, value, quantity, composition, merit, safety or origin or the method of its manufacture or preparation.

Allergen-free claims

- Can the label have: “Gluten free” and “produced in a facility that uses nuts, gluten and dairy” on the same label?
- True or False? Hint: x free claim and a precautionary statement

True – however...

- it is possible that both a “gluten-free” claim and “produced in a facility that also processes gluten” statement could be true for a single product. In such situations, it is important to note that in no way does a precautionary allergen statement or other similar types of statements reduce a regulated party's responsibility for the accuracy of a “(naming the allergen)-free” claim.
- A false or inaccurate “(naming the allergen)-free” claim may be subject to enforcement action by the CFIA, regardless of whether a precautionary statement is also present.

Allergen-free, gluten-free and cross contamination statements:

- <https://inspection.canada.ca/food-label-requirements/labelling/industry/allergens-and-gluten/eng/1388152325341/1388152326591?chap=5>

Licensing under the Safe Foods for Canadians Act/Regulation

- Under the Safe Food for Canadians Act (SFCA) and Safe Food for Canadians Regulations (SFCR), many food businesses require a licence to carry out activities with respect to food.
- The SFCR specify whether you need a licence based on the activities you conduct, and not based on the type of business.

Do you need a licence?

Licensing interactive tool – Safe Foods for Canadians Regulations

https://ca1se.voxco.com/SE/93/SFCR_licence/?&lang=en

3.2 Intra provincial trade

No license required

- You do not need a license:
 - trade food within your province
 - manufacture, process, treat, preserve, grade, package or label food that will be sold and consumed within your province or territory

Keep in mind

You may obtain a license if your provincial or territorial regulations require you to obtain one from the CFIA.

Commodities which may have such a requirement include dairy products, eggs, fish, fresh fruit or vegetables, honey, maple products, meat products, processed egg products, and processed fruit or vegetable products.

When you apply for your license you will be required to name the provincial or territorial regulation or policy that requires you to obtain a license from the CFIA.

Food Licenses: <https://inspection.canada.ca/food-licences/eng/1523876882572/1523876882884>

CFIA licencing fees

- CFIA Fees Notice:
<https://inspection.canada.ca/about-cfia/acts-and-regulations/list-of-acts-and-regulations/cfia-fees-notice/eng/1582641645528/1582641871296#c8>

ie. Dairy, egg, honey commodity fees for product inspection, import

- Other food commodity fees and valid for 2 years
\$260.09

Traceability under the Safe Foods for Canadian's Act/Regulations

- Safe Foods for Canadians Act/Regulations

Traceability for food (including intra provincial)

- The Safe Food for Canadians Regulations (SFCR) require that certain food businesses track the movement of their food in the supply chain – forward to the immediate customer and back to the immediate supplier. These requirements apply to a broad scope of food businesses.

Do you need a Traceability program?

Fact Sheet Traceability: <https://inspection.canada.ca/food-safety-for-industry/toolkit-for-food-businesses/traceability/eng/1427310329573/1427310330167>

How does it work?

The traceability documents must:

- identify the food: the common name of the food, the name and address of the person who manufactured, prepared, produced, stored, packaged or labelled the food, and a lot code
- trace the food one step back to the person who provided you with the food, including the date on which the food was provided to you
- trace the food one step forward to the person to whom you provided the food, including the date on which you provided the food
- if applicable, identify and trace back the ingredients you use to make the food, including the date on which they were provided to you
- if applicable, identify and trace back the food animals you slaughter

Clear and readable records are to be maintained for two years, be accessible in Canada, and provided to CFIA upon request. Where electronic records are used, they need to be provided in a single file and in a format that can easily be opened and used in standard commercial software.

- When selling to end user – direct consumer (forward) – that information isn't required to be obtained

CFIA website – Interactive tools

Food licences -

<https://inspection.canada.ca/food-licences/eng/1523876882572/1523876882884>

Food safety for industry -

<https://inspection.canada.ca/food-safety-for-industry/eng/1299092387033/1299093490225>

Who to contact when you have questions?

- **AskCFIA:**

<https://inspection.canada.ca/about-cfia/contact-us/contact-cfia-online/eng/1299860523723/1299860643049>

- **1-800-442-2342**