

CSCB Webinar: Safe Food for Canadians Licence Preparing for validation of import transactions

Question Asked	Answer
Why would a broker be a license holder?	There are two reasons we are aware of: 1.The broker may want to offer this as a service to a client; and 2. The importer may act as a broker and clear his own goods.
Can a customs broker renew a license for an importer, as an additional service?	Yes, but only if he has permissions (administrative privileges) for the license holder's MyCFIA Account.
Does CFIA send reminders when licenses are close to expiring? When are they sent and to whom are they sent?	CFIA sends reminders 60, 30, and 15 days for licenses that are due to expire. They are also working on a post-expiry notice to advise of licenses that have expired.
Could a Non-Resident Importer use the SFC license belonging to their Canadian customer? Would the NRI be required to develop the PCP if their Canadian customer has one?	It is permissible for a NRI to be identified on a declaration as the Importer of Record and have the SFC licence of another party (the responsible party from an SFCR perspective) be declared on the transaction. It is always the SFC licence holder who must prepare and maintain the Preventive Control Plan for the food being imported under their licence.
Will CFIA allow for a blanket period in the future, so we do not have to send the image each time we declare the same goods?	Only the SFC license number is transmitted; there is no requirement to send an image.
If a license has expired, how long does it take for it to be renewed?	An expired license cannot be renewed; a new license must be applied for and the service standard for new licenses applies. Cancelled and suspended licenses are posted on CFIA website. Processing times can be found at the following web address: https://inspection.canada.ca/about-cfia/permits-licences-and-approvals/centre-of-administration-for-permissions/eng/1395348583779/1395348638922
If food is imported into Canada that goes to a lab for analysis, evaluation or research and the importer does not have a licence, what do they show in the licence field?	A license is not required for goods that are imported for analysis, evaluation, or research. There is no requirement to show anything in the license field and selecting the correct end-use in AIRS will ensure that the transaction is not rejected.
If an NRI shipper applied for their license but hasn't yet received it, can they still ship into Canada and just provide their application confirmation # until they receive their license?	They cannot. Only a valid 8-digit alpha-numeric license is acceptable.
How long can a license holder wait to renew their license?	A license should be renewed before it expires. An expired license cannot be renewed; a new one must be applied for.
A client wants to import puff pastry for testing purposes, not for human consumption. Would they still require a SFC licence? Further, is SFC flagged on just the HS code or the end use or both?	An SFC license is not required for foods products imported for testing purposes. Selecting the correct end-use in AIRS ensure that the transaction is not rejected. The flag is based on both the food being imported and the end use.
Does a renewed license have the same number?	Yes
How does a company know if their SFCR License number has been used on an import transaction that is not theirs?	At this time, there is no way of knowing. However, CFIA are exploring having this information added to the license holders' account in their CFIA portal.

<p>If food items are returned to Canada after export, is a license required?</p>	<p>Section 22: Exception - return to Canada of exported food</p> <ul style="list-style-type: none"> • Exported food that is being returned to Canada does not have to meet the import requirements of the SFCA and SFCR, if: <ul style="list-style-type: none"> · it is returning in the same condition it was at the time it was exported, and · in the case of all foods, other than an edible meat product; the food is being returned to: <ul style="list-style-type: none"> - the person who exported it from Canada if that person has a licence to export, or - the person who last had possession of the food before it was exported and that manufactured, processed, treated, preserved, graded, packaged or labelled the food · in the case of an edible meat product; <ul style="list-style-type: none"> - a CFIA inspector has authorized its return to Canada, - it is delivered immediately to an establishment where it will be stored and handled in its imported condition by a licence holder, and - it is kept in that establishment until the inspection has been completed by a CFIA inspector <p>You can find the link to this information on CFIA's website here: https://inspection.canada.ca/food-licences/trade/eng/1539883860127/1539883860720#a3_0</p>
<p>We process casual importations most of the time. Since an SFC license will be mandatory by 03/15, does this mean that the AIRS end use for "Travellers & Personal use and not for resale" can no longer be used?</p>	<p>Personal importations of food item do not require a license. Selecting the Travellers and Personal End Use in AIRS can be used for these goods. Use of the travellers and personal end use category should only be used for that purpose. Commercial importations should not select that as an end use. Also, personal shipments with animal health requirements should not use this end use.</p>
<p>In the case of food additives for further manufacturing, is an SFC licence required?</p>	<p>Food additives do not require an SFC license.</p>
<p>If an NRI is shipping to an individual consumer, do these "casual" imports require a Safe Food License?</p>	<p>Regardless of who ships the goods, personal importations of food items do not require a licence. End use code 46.</p>
<p>For commodities from the Manufactured Food Sector, what should we put in the SFCR license field if importer does not yet have the license for this food category?</p>	<p>It is a regulatory requirement to have a SFC licence to import if you are importing Manufactured Food Sector foods. However, during the current transition period, an import declaration can be submitted without an SFC licence number in the Registration Number field until further notice. In this case, importers/brokers should NOT leave the Registration Number field blank. "Y" or "N" should be entered into the field and the transaction will not be rejected. There is no date yet for when licence validation will begin for the Manufactured Food Sector but ample notice will be provided prior to implementation of this phase.</p>

Will pet food manufacturer need an SFC license?	No. SFC requirements apply only to products for human consumption.
We have an importer who said that they are not pursuing a license because they have Health Canada authorization. If HC has issued NPN numbers, is a Safe Food License also required?	Natural Health Products are not included in the Safe Food for Canadians Regulations and therefore do not require an SFC license.
For an importer that holds multiple SFC licenses, how do we determine which one to use?	The license that is selected will depend on the product being imported. Communication with the licence holder is critical in ensuring the correct number is declared.
What is the Service Level Agreement for updating end-use codes in AIRS once identified? Presumably, we would have a reject that we are waiting to resubmit.	The CFIA AIRS database is continually updated. Please advise CFIA if you are aware of any item in AIRS that has not been updated. It's possible it can take only one day but will depend on what else is in play. An alternative is to use paper, since it allows you to move forward if there is no adequate end-use in AIRS. But please let CFIA know, even if you use paper, so it's fixed for future declarations.
We have multiple clients who import active yeast/flavorings for beer. Do these ingredients that are used for the production of beer need the SSFC license, or can we use 'other end uses' in the OGD system?	Both active yeast and flavouring for beer are considered to be part of the Manufactured Food Sector. While a licence is required for the import of these foods, declaration without an SFC licence will not be rejected at this time.
Does an imported baker mix that contains dairy require a license?	A "baker mix" product that is multi-ingredient is part of the manufactured food sector. It does not need a licence for dairy and eggs even though it may contain these ingredients. When a food is a mixture, it is the mixture and not each ingredient that must be covered on the licence.
It is more beneficial to have all commodities on one license?	It is a business decision of the licence holder whether to obtain one or multiple licences to cover the foods being imported but all foods can be covered under a single licence.
Do you recommend importers provide their vendors with their Safety Food License Number so they can put it on their import documents?	If the importer wants to ensure this information is on the import documents so the license number is visible to the broker, they could ask that this be done. Any decision to do so would be up to the parties involved.
We have an importer who said that they are not pursuing a license because they have HC authorization and HC has issued NPN numbers. Is a Safe Food License also required?	Natural Health Products are not included in the Safe Food for Canadians Regulations and therefore do not require a license.
An important part of importing fresh fruit and vegetables is the DRC requirement, but there is no mention of the DRC under the SFCR.	The SFCR includes a requirement for importers to be a member of the DRC (certain exemptions apply) however, the licence SFC licence validation that began on March 15th did not include validation of the DRC number.
Is a license required for a food that is being imported and sold as a "test market"?	Each test market scenario is unique and whether or not a licence is required would depend on the specific exemptions set out in the test market authorization, as approved by the Minister. Unless otherwise specified as an exemption, food imports would need to meet the SFCR requirements for a licence to import.

<p>Would it be possible to see a template of the letters sent to importers regarding expired licenses?</p>	<p>There is no template for rejected transactions. Letters are sent by CFIA to those whose licenses are soon to expire or have already expired. CFIA will look into providing a sample of this letter. Sample reject notices are included in this presentation as well as on CFIA's website.</p>
<p>It is more beneficial to have all commodities under one license, as opposed to having several licenses?</p>	<p>A single SFC license can certainly cover multiple products.</p>
<p>We understand that fish oil to be used in the manufacture of food supplement does not need SFC. Is that correct?</p>	<p>If the fish oil is destined for use in a product that is a Natural Health Product, no SFC licence is required. If the fish oil will be used as an ingredient in a food, an SFC licence would be required.</p>
<p>Are there different licensing fees dependent on the number of commodities on the license ?</p>	<p>No. There is a single fee for one SFC license, regardless of the number of commodities on that license.</p>
<p>What is the correlation between a Site license and am SFC license?</p>	<p>If you are referring to a Health Canada site license, there is no correlation between that and an SFC license. A site licence is not part of the regulatory framework under the SFCR</p>
<p>If manufactured foods aren't yet included in the license requirement, what category of food is the license required for?</p>	<p>As of March 15, 2021, food import transactions of meat, fish, dairy, eggs, processed eggs, processed fruits or vegetables, honey, maple and, fresh fruits or vegetables will automatically be rejected by the Canadian Food Inspection Agency (CFIA) when transmitted electronically, unless a valid SFC licence is entered in the Integrated Import Declaration (IID) system. An SFC licence is required for manufactured food sector foods (it is a regulatory requirement). However, during this transition period, declarations without a valid licence for these foods will not be rejected.</p>
<p>Will US NRI shippers be required to have a license if they are shipping to individual consumers? Or is the license only required for commercial imports?</p>	<p>Regardless of who ships the goods, personal importations of food items do not require a licence.</p>
<p>What happens if a US NRI shipper is still in the process of getting their license but hasn't received it yet? Can they still ship into Canada and just put their application number on their commercial invoice?</p>	<p>If a license is required, the license number must be indicated. Including the application number on the commercial invoice does not serve the same function as a license and after March 15th, the transaction would be rejected.</p>

It was stated that a Non-Resident Importer if they do not have a Safe Foods for Canada Licence – can declare a Canadian Companies – Safe Foods for Canada Licence Number at time of clearance. Understanding that the NRI must have an agreement in place that the Canadian Holder of the License with take responsibility for the PCP and Traceability.

So this would mean that the Importer of Record of the goods does not have to be the same as the Safe Foods for Canada License Holder - and the entry would not be rejected as not matching – Importer to Licence Holder. Again understanding that the License Holder would be responsible for the PCP and Traceability.

Taking this one step further:

Can this also apply to a Canadian Importer – applying another Canadian Company's Safe Foods License – of course as long as the License is for import and the same commodities.

As the SAFE Food Licence does not have to be the Importer into Canada, a third party such as a consulting firm could apply for the licence in their own name and allow the NRI to use same at time of import. Of course, the Consulting Firm would have to ensure that the PCP and Traceability for the products is in place as it relates to the Supplier/Manufacturer, importation as well as the company in Canada who would be receiving the goods. The Consulting Firm would have to manage all aspects of their PCP and Traceability for the products for which the Consulting's Licence was used. With your knowledge as it relates to SAFE do you see any reason why this could not happen – understanding the Consulting Firm would be taking on total responsibility for the PCP and Traceability.

Yes to all three of your questions. For clarification, the "Canadian importer" is 'Canadian Importer of Record'. For example, the Canadian importer of record should declare the SFC licence of the business who is taking responsibility for meeting all applicable SFCR requirements - e.g. traceability records, preventive control plan etc. It is permissible for the SFC licence/importer to be a different party than the Importer of Record on the declaration.

Third-parties such as consultants can apply for an SFC license as a service to importing and exporting clients. However, if the third party is named on the application as the licence holder, as you know, that third-party is taking on the responsibility that all conditions of the license are met for the activities being conducted under that license. For example:

- meet the relevant SFCR requirements associated with the new activities or foods, such as preventive controls, traceability and labelling requirements
- have a written preventive control plan, and
- comply with record keeping requirements.

A license holder may grant administrative access to their MyCFIA account to the third party, which could facilitate the function that you seem to be describing.