



Canadian Food  
Inspection Agency

Agence canadienne  
d'inspection des aliments

# CFIA Strategy to Modernize Food Compositional Standards

Presentation to Canadian National Millers Association (CNMA)

September 26, 2023



# Purpose

- To provide an update on:
  - A regulatory change to move compositional standards to an incorporated by reference (IBR) document.
  - A companion consultation to develop a CFIA strategy to modernize food compositional standards once the IBR document is created.
    - [Share your thoughts: Engaging on strategy for modernizing food compositional standards](#)

# Background

## Safe Food for Canadians Regulations (SFCR)

Approximately 200 compositional standards

IBR of SFCR standards completed in 2019

## Food and Drug Regulations (FDR)

Approximately 300 compositional standards

Health Canada and CFIA working to move non-health and safety aspects of standards to an IBR

- Canada Gazette I planned for Fall 2023
- Canada Gazette II estimated 2024/25

# What are food compositional standards?

- A set of established requirements including technical specifications and other properties that define a particular food
- Types of requirements:
  - Ingredients
  - Strength
  - Potency
  - Purity
  - Quality
- Provide a level playing field for industry
- Some standards help protect consumers against fraud and misrepresentation

# Need for modernizing food standards

- The need to modernize food standards was identified through:
  - Agri-food and Aquaculture Roadmap.
  - Food Labelling Modernization Initiative consultations.
- CFIA heard repeatedly that outdated food standards are a barrier to trade, stifle innovation, limit consumer offerings and contribute to administrative burden.
- Many health and safety rules (e.g. fortification requirements) are embedded within the trade-based compositional standards, which leads to unnecessary duplication; confuses interpretation, application and enforcement; and, overall, complicates modernization efforts.
- Contain outdated and inaccurate references to food additives that were not removed when a new food additive framework was created in 2012

# What is Incorporation by reference?

- IBR is a drafting technique that brings the content of a document into a regulation without having to copy it into the regulation's text
- This technique allows CFIA to update these documents with greater flexibility to maintain an agile and flexible regulatory regime
- To support this practice, CFIA's Incorporation by Reference Policy describes a clear and comprehensive process for selecting IBR documents
- The policy outlines the general principles and processes that CFIA follows when identifying documents appropriate for IBR and making modifications to those documents
- The principles of accessibility, transparency, consistency, reasonableness and clarity form the foundation of the policy

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# IBR of FDR food compositional standards

- Trade and commerce limited aspects of standards under the FDR would be moved to an ambulatory IBR document
- Health and safety as well as adulteration provisions would be maintained under the FDR separately from trade and commerce provisions
- Food additive rules will generally not be contained within the IBR document.
  - Will be captured in HC's Lists of Permitted Food Additives



# Future Modernization Work

- The incorporation by reference of all food compositional standards will facilitate future modernization efforts
  - Stakeholders have the option to propose modifications
- Modification of the food compositional standards will follow the process set out in CFIA's Incorporation by Reference Policy
  - CFIA is responsible for assessing modification requests as well as notifying and engaging with stakeholders

# Grain and Bakery Products

- Division 13 of the FDR contains requirements for:
  - Food compositional standards for flours, breads and grains
  - Nutritional requirements for flours and bakery products (e.g. enriched bread, breakfast cereal and alimentary pastes)
  - In some cases, food additive rules and fortification rules form part of the standard

# Example of a standard

## **B.13.001 [S]. Flour, White Flour, Enriched Flour or Enriched White Flour**

(a) shall be the food prepared by the grinding and bolting through cloth having openings not larger than those of woven wire cloth designated "149 microns (No. 100)", of cleaned milling grades of wheat;

(b) shall be free from bran coat and germ to such an extent that the percentage of ash therein, before the addition of any other material permitted by this section, calculated on a moisture-free basis, does not exceed 1.20 per cent;

(c) shall have a moisture content of not more than 15 per cent;

(d) shall contain in 100 grams of flour

- (i) 0.64 milligram of thiamine,
- (ii) 0.40 milligram of riboflavin,
- (iii) 5.30 milligrams of niacin or niacinamide,
- (iv) 0.15 milligram of folic acid, and
- (v) 4.4 milligrams of iron;

Mandatory  
fortification  
requirements

Voluntary fortification  
requirements

(e) may contain

- (i) malted wheat flour,
- (ii) malted barley flour in an amount not exceeding 0.50 per cent of the weight of the flour,
- (iii) amylase, amylase (maltogenic), asparaginase, bromelain, glucoamylase, glucose oxidase, lactase, lipase, lipoxidase, pentosanase, phospholipase, protease, pullulanase or xylanase,
- (iv) chlorine,
- (v) chlorine dioxide,
- (vi) benzoyl peroxide in an amount not exceeding 150 parts by weight for each one million parts of flour, with or without not more than 900 parts by weight for each one million parts of flour

of one or a mixture of two or more of calcium carbonate, calcium sulphate, dicalcium phosphate, magnesium carbonate, potassium aluminum sulphate, sodium aluminum sulphate, starch and tricalcium phosphate as carriers of the benzoyl peroxide,

(vii) [Repealed, SOR/94-227, s. 1]

(viii) ammonium persulphate in an amount not exceeding 250 parts by weight for each one million parts of flour,

(ix) ammonium chloride in an amount not exceeding 2,000 parts by weight for each one million parts of flour,

(x) acetone peroxide,

(xi) azodicarbonamide in an amount not exceeding 45 parts by weight for each one million parts of flour,

(xii) ascorbic acid in an amount not exceeding 200 parts by weight for each one million parts of flour,

(xiii) L-cysteine (hydrochloride) in an amount not exceeding 90 parts by weight for each one million parts of flour,

(xiv) monocalcium phosphate in an amount not exceeding 7,500 parts by weight for each one million parts of flour, and

(xv) in 100 grams of flour

(A) 0.31 milligram of vitamin B6

(B) 1.3 milligrams of d-pantothenic acid, and

(C) 190 milligrams of magnesium; and

(f) may contain calcium carbonate, edible bone meal, chalk (B.P.), ground limestone or calcium sulphate in an amount that will provide in 100 grams of flour 140 milligrams of calcium.

Food additive rules

# Consultation on how to modernize food standards

- This will allow CFIA to:
  - Gauge demand for change requests (volume *and* complexity).
  - Manage volume of requests.
  - Establish and communicate expectations to stakeholders.
- Consultation to seek stakeholder's views on:
  - Proposed guiding principles, and
  - Strategies to screen, prioritize, communicate and consolidate change requests.

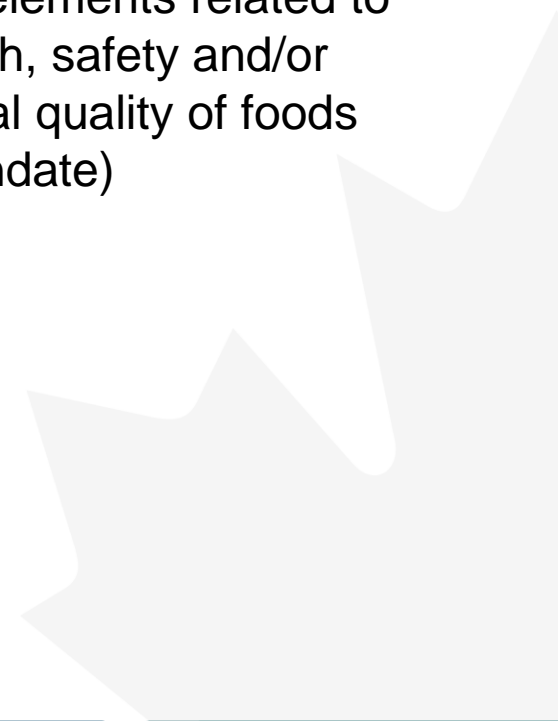
# Proposed guiding principles

## **Standards should:**

- minimize regulatory burden on industry
- provide consumers with the predictability of composition
- outcome based, where possible
- only those properties that define the essential nature of the food
- be written in a clear and concise manner
- harmonize with provincial, territorial and international standards to the greatest extent possible
- comply with Canada's international trade obligations.

## **Should not:**

- include composition or production elements
- contain elements related to the health, safety and/or nutritional quality of foods (HC mandate)



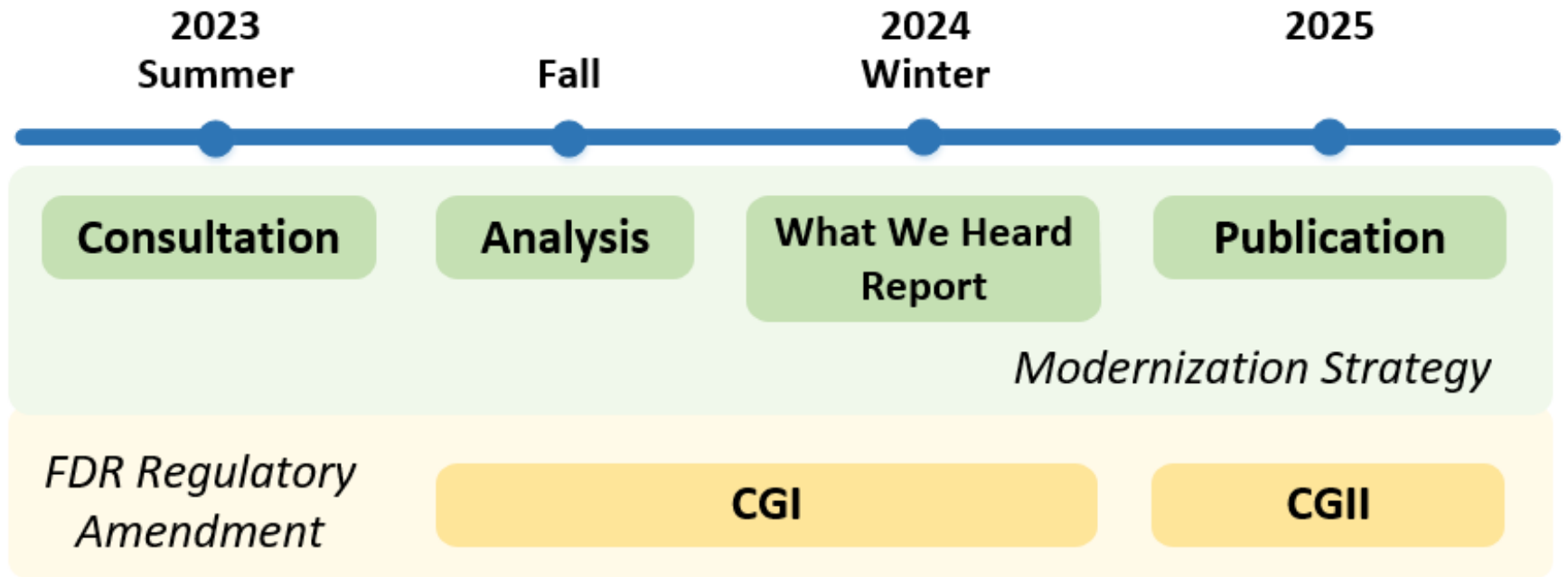
# Proposed strategies

CFIA Proposes to...	Examples
<b>SCREEN</b> change requests for completeness based on clear criteria	Presence of industry consensus, alignment to GoC priorities, not being used to fix non-compliance
<b>PRIORITIZE</b> requests that address industry issues	Priority based on addressing most outdated or excessively prescriptive standards
<b>COMMUNICATE</b> CFIA's decisions regarding proper course of action	Communicate decisions and/or propose alternative approaches; some proposals may require initial work by HC (e.g. food additive additions could require HC reg change)
<b>CONSOLIDATE</b> requests based on commodity groups or sub-groups	Consolidate requests by commodity where possible

# Public consultations

- For CFIA's modernization strategy:
  - Participate by reading [Discussion paper: A strategy for modernizing food compositional standards](#) (see CFIA website)
  - Submit feedback via the online questionnaire or by e-mail
  - Closed on September 22, 2023, however an extension granted to CNMA in light of the timing of this presentation
- For regulatory amendment to create IBR framework, CGI is planned for fall 2023

# Timeline





Questions ?



Canada

