



Ottawa, September 20, 2006

MEMORANDUM D19-1-1

In Brief

FOOD, AGRICULTURAL INPUTS AND AGRICULTURAL PRODUCTS

1. This Memorandum replaces Memorandum D19-1-1, dated November 7, 2000, dealing with the import requirements for food, agricultural inputs, and agricultural products regulated by the Canadian Food Inspection Agency (CFIA) and other government departments.
2. The import commodity reference tables have been removed from Appendix A and what remains in this appendix is now a brief explanation of the commodities subject to control, the applicable legislation and the exemptions that apply to commercial and non-commercial importations. The CFIA's Automated Import Reference System (AIRS) has now become the main reference tool used by border services officers to determine the admissibility of CFIA-regulated goods. For the most up-to-date requirements for CFIA-regulated goods, please refer to the AIRS Web site at <http://airs-sari.inspection.gc.ca>.
3. Appendix B, which covered examples of documentation, and Appendix C, which outlined packaging and labelling requirements, have been deleted. Information regarding these topics may now be found on CFIA's Web site at www.inspection.gc.ca and in paragraphs 23 to 28 of this Memorandum.
4. Furthermore, this Memorandum contains additional information on the responsibilities of the Canada Border Services Agency (CBSA) and the CFIA, on in-transit shipment requirements for goods originating in the United States, and provisions dealing with used vehicles and farm equipment entering Canada. It should be noted that the section on Pest Control Products has been removed, as these goods are now regulated by Health Canada.



Ottawa, September 20, 2006

MEMORANDUM D19-1-1

FOOD, AGRICULTURAL INPUTS AND AGRICULTURAL PRODUCTS

This Memorandum contains a brief explanation of the commodities subject to control, the applicable legislation, and the exemptions that apply to commercial and non-commercial importations of food, agricultural inputs and agricultural products, which are set out in the following sections of Appendix A:

- Live Animals (including animal embryos and semen)
- Edible Meat and Meat Products
- Dairy Products
- Eggs and Processed Egg Products (including inedible products)
- Fresh Fruits and Vegetables (for consumption or processing)
- Processed Fruits and Vegetables, and Maple Products
- Grains, Seeds, and Nuts for Human Consumption
- Seeds for Propagation
- Animal Feeds
- Plants and Plant Products
- Fertilizers, Supplements, Soil, and Growing Media
- Biological Material
- Products of Animal Origin (including honey)
- Fish and Fish Products
- Used Vehicles and Farm Equipment

This Memorandum does not include the requirements of the *Convention on International Trade in Endangered Species of Wild Fauna and Flora* (CITES), or the *Fisheries Act* and the *Fish Health Protection Regulations*. However, this information is contained in Memoranda D19-7-1, *Convention on International Trade in Endangered Species of Wild Fauna and Flora* (CITES), and D19-8-2, *Fisheries Act – Fish Health Protection Regulations*, which may be found on the Canada Border Services Agency (CBSA) Web site at www.cbsa.gc.ca.

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Legislation (excerpt)

Canada Border Services Agency

Canada Border Services Agency Act

The CBSA has responsibility for the initial import inspection services with respect to the Acts listed below as “program legislation.” The CBSA has responsibility for these Acts to the extent that those Acts are applicable at airports and at Canadian border points other than CFIA Imports Service Centres. Items imported in contravention of these listed Acts are to be seized, disposed of, or otherwise handled in accordance with the legislation that controls, regulates or prohibits the importation of the item.

2. The following definitions apply in this Act.

“program legislation” means any other Act of Parliament or any instrument made under it, or any part of such an Act or instrument,

(b) that the Governor in Council or Parliament authorizes the Minister, the Agency, the President or an employee of the Agency to enforce, including the *Agriculture and Agri-Food Administrative Monetary Penalties Act*, the *Canada Agricultural Products Act*, the *Feeds Act*, the *Fertilizers Act*, the *Fish Inspection Act*, the *Health of Animals Act*, the *Meat Inspection Act*, the *Plant Protection Act* and the *Seeds Act*;

5. (1) The Agency is responsible for providing integrated border services that support national security and public safety priorities and facilitate the free flow of persons and goods, including animals and plants, that meet all requirements under the program legislation, by

(a) supporting the administration or enforcement, or both, as the case may be, of the program legislation;

Customs Act

Disposition of goods imported that contravene legislation administered by CFIA should be dealt with in accordance with that legislation. Where no disposition provisions exist, the goods are to be disposed of pursuant to sections 101 and 102 of the *Customs Act*. Under the *Customs Act*, the CBSA has the authority to detain, inspect, dispose of, or refuse entry to goods on behalf of other government departments and agencies under the following legislative provisions:

Section **101**: “Goods that have been imported or are about to be exported may be detained by an officer until he is satisfied that the goods have been dealt with in accordance with this Act, and any other Act of Parliament that prohibits, controls or regulates the importation or exportation of goods, and any regulations made thereunder.”

Subsection **102** (1): “Goods that have been imported in contravention of this or any other Act of Parliament, or any regulation made thereunder, and that have been detained under section 101 shall be disposed of in accordance with that Act or regulation, but, where there is no provision in that Act or regulation for the disposition of such goods, the importer may abandon the goods to Her Majesty in right of Canada in accordance with section 36 or export them.”

Subsection **36** (1): “The owner of goods that have been imported but have not been released may, with the authorization of an officer and subject to the conditions set out in subsection (2), abandon the goods to Her Majesty in right of Canada.”

Subsection **36** (2): “Any person who abandons goods to Her Majesty under subsection (1) is liable for all reasonable expenses incurred by Her Majesty in the disposal of the goods where they are disposed of otherwise than by sale.”

Canadian Food Inspection Agency

Canadian Food Inspection Agency Act – Section 11

11. (1) The Agency is responsible for the administration and enforcement of the *Agriculture and Agri-Food Administrative Monetary Penalties Act*, *Canada Agricultural Products Act*, *Feeds Act*, *Fertilizers Act*, *Fish Inspection Act*, *Health of Animals Act*, *Meat Inspection Act*, *Plant Breeder’s Rights Act*, *Plant Protection Act* and *Seeds Act*.

(2) The Agency is responsible for the enforcement of the *Consumer Packaging and Labelling Act* as it relates to food, as that term is defined in section 2 of the *Food and Drugs Act*.

(3) The Agency is responsible for

(a) the enforcement of the *Food and Drugs Act* as it relates to food, as defined in section 2 of that Act; and

(b) the administration of the provisions of the *Food and Drugs Act* as they relate to food, as defined in section 2 of that Act, except those provisions that relate to public health, safety or nutrition.

(4) The Minister of Health is responsible for establishing policies and standards relating to the safety and nutritional quality of food sold in Canada and assessing the effectiveness of the Agency’s activities related to food safety.

The CFIA is also responsible for the administration and enforcement of the following legislative authorities under the *Canada Agricultural Products Act* and its Regulations:

– *Dairy Products Regulations*

– *Egg Regulations*

- *Processed Egg Regulations*
- *Livestock and Poultry Carcass Grading Regulations*
- *Processed Products Regulations*
- *Honey Regulations*
- *Maple Products Regulations*
- *Fresh Fruit and Vegetable Regulations*
- *Licensing and Arbitration Regulations*

Foreign Affairs and International Trade Canada

Export and Import Permits Act

8. (1.1) Notwithstanding subsection (1), the Minister may, by order, issue generally to all residents of Canada a general permit to import any goods included on the Import Control List that are specified in the permit, subject to such terms and conditions as are described in the permit.

(2) Notwithstanding subsection (1) and any regulation made under section 12 that is not compatible with the purpose of this subsection, if goods are included on the Import Control List solely for the purpose of collecting information pursuant to subsection 5 (4.3), (5) or (6) or 5.4 (6), (7) or (8), the Minister shall issue to any resident of Canada applying therefore a permit to import those goods, subject only to compliance with and the application of any regulations made under section 12 that it is reasonably necessary to comply with or apply in order to achieve that purpose.

8.3 (1) Notwithstanding subsection 8 (1), where goods have been included on the Import Control List for the purpose of implementing an intergovernmental arrangement or commitment and the Minister has determined an import access quantity for the goods pursuant to subsection 6.2 (1), the Minister shall issue a permit to import those goods to any resident of Canada who has an import allocation for the goods and applies for the permit, subject only to compliance with and the application of such regulations made pursuant to section 12 as it is reasonably necessary to comply with or apply in order to achieve that purpose.

(2) Notwithstanding subsection 8 (1), where goods have been included on the Import Control List for the purpose of implementing an intergovernmental arrangement or commitment and the Minister has determined an import access quantity for the goods pursuant to subsection 6.2 (1), but has not issued import allocations for the goods, the Minister shall:

- (a) if in the opinion of the Minister the import access quantity has not been exceeded, issue a permit to import those goods to any resident of Canada who applies for the permit, or

(b) issue generally to all residents of Canada a general permit to import those goods, subject only to compliance with and the application of such regulations made pursuant to section 12 as it is reasonably necessary to comply with or apply in order to achieve that purpose.

(3) Notwithstanding subsection 8 (1) and subsections (1) and (2) of this section, where goods have been included on the Import Control List and the Minister has determined an import access quantity for the goods pursuant to subsection 6.2 (1), the Minister may issue:

(a) a permit to import those goods in a supplemental quantity to any resident of Canada who applies for the permit, or

(b) generally to all residents of Canada a general permit to import those goods in a supplemental quantity, subject to such terms and conditions as are described in the permit or in the regulations.

24. All officers, as defined in the *Customs Act*, before permitting the export or import of any goods, shall satisfy themselves that the exporter or importer, as the case may be, has not contravened any of the provisions of this Act or the Regulations and that all requirements of this Act and the Regulations with reference to those goods have been complied with.

25. All officers, as defined in the *Customs Act*, have, with respect to any goods to which this Act applies, all the powers they have under the *Customs Act* with respect to the importation and exportation of goods, and all the provisions of that Act and the regulations thereunder respecting search, detention, seizure, forfeiture and condemnation apply, with such modifications as the circumstances require, to any goods that are tendered for export or import or exported or imported or otherwise dealt with contrary to this Act and the regulations and to all documents relating to those goods.

GUIDELINES AND GENERAL INFORMATION

RESPONSIBILITIES OF THE CBSA AND THE CFIA

1. The CBSA has responsibility for the initial import inspection services in respect of the Acts set out in section 11 of the *CFIA Act* and they are applicable at airports and other Canadian border points other than Import Service Centres. The CFIA retains responsibility for the enforcement of those Acts to the extent that they apply within Canada at the Import Service Centres and away from the border points.

BORDER INFORMATION SERVICE (BIS) LINE

2. The CBSA Border Information Service (BIS) line responds to public inquiries related to food, plant and animal import requirements. In addition, the BIS line answers inquiries on any border intervention with respect to travellers and/or cargo at airports and other Canadian border points, other than Import Service Centres (ISCs). For additional information on the ISCs, please refer to paragraphs 39 to 42 of this Memorandum.

3. You can access BIS free of charge throughout Canada by calling **1-800-461-9999**. If you are calling from outside Canada, you can access BIS by calling **204-983-3500** or **506-636-5064** (long distance charges will apply). To speak directly to an agent, please call during regular business hours from Monday to Friday (except holidays), 8:00 to 16:00 local time. The BIS Web site can be found at www.cbsa.gc.ca/eservices/bis/.

AIRS WEB SITE

4. The AIRS Web site found at <http://airs-sari.inspection.gc.ca> contains up-to-date listings of the CFIA import policy, regulatory requirements and release instructions to the CBSA. Requirements of other government departments are also listed. In this Memorandum, what remains in Appendix A is a brief explanation of the commodities subject to control, the applicable legislation, and the exemptions that apply to commercial and non-commercial importations.

REPORTING TO THE CBSA AT THE FIRST POINT OF ARRIVAL

5. All importations must be reported to the CBSA at the first point of arrival in Canada. Memorandum D3-1-1, *Regulations Respecting the Importation, Transportation and Exportation of Goods*, explains the general customs requirements and administrative policies regarding the reporting and transportation of goods being imported into, exported from, or moving in-transit through Canada. Under certain conditions, as described in Memorandum D3-1-1, shipments may be allowed to proceed inland, in-bond where formal customs release procedures will be followed and compliance to requirements of other government departments and agencies verified.

6. The CFIA has identified certain high-risk commodities that could introduce pests or diseases into Canada. These commodities must meet specific requirements at the first point of arrival. The AIRS Web site identifies these commodities and the applicable release requirements.

IN-TRANSIT/INLAND/IN-BOND SHIPMENTS

7. For the purpose of this Memorandum, "in-transit" is defined as the in-bond movement of foreign goods through

Canadian territory from a point outside of Canada to another foreign point, as well as Canadian goods moving from a point in Canada through the United States to another point in Canada.

8. The CBSA may authorize in-transit shipments under the following conditions:

(a) The commodity is not identified as a high-risk commodity that requires detention at the first point of arrival in Canada.

(b) The authorization for this movement has been received from the CFIA.

(c) Proof of origin of meat and meat product shipments originating in the United States has been verified.

9. The CBSA may authorize the inland, in-bond movement of high-risk commodities only with the pre-approval of the CFIA.

10. Since most high-risk regulated goods must be pre-approved by the CFIA, procedures for releasing such products on their entry in Canada must be followed. This must be done before inland movement from the first port of landfall in Canada. This means that release approval must be granted for any product which must be referred to the CFIA before it leaves the seaport, land border, airport, courier depot, post office or any other place of importation. This includes in-bond shipments whose customs port of entry is an inland office. High-risk shipments moving in-bond on a rail car cannot be moved from the rail yard without CFIA release, unless otherwise specified by the CFIA. The notification (referral) is not necessary until arrival at point of destination, but could also be done at the time the border is crossed. However, there would be no CFIA release or action taken until arrival at the point of destination, even though this point is located several kilometres inland.

11. These procedures do not apply to meat and meat products in-transit through Canada and originating from the United States. However, border services officers are required to verify proof of origin for all in-transit meat and meat products from the United States, prior to releasing them. Please note that this applies only to in-transit shipments. Shipments in-bond still require CFIA authorization to proceed inland.

CBSA RELEASE INSTRUCTIONS

12. All shipments must comply with the import requirements outlined on the AIRS Web site at <http://airs-sari.inspection.gc.ca> prior to release.

13. As a reference, the following are terms used in the AIRS Web site:

(a) **Approved (no document required)** – The commodity can be imported into Canada. No document is required and the commodity may be released by the CBSA.

(b) **Approved (must be accompanied by the following documents or registration)** – The commodity can be imported into Canada, but the importer must provide the documents listed in AIRS. The commodity may be released by the CBSA if documentation requirements are met.

(c) **Refer to the CFIA (must be accompanied by the following document or registration) or Refer to the CFIA (no document required)** – The commodity may be imported into Canada, but requires a release decision (stamped Request for Release Approval cover sheet) from a CFIA officer. Documentation and/or verification are also required.

(d) **No CFIA Requirement** – The commodity does not fall under the CFIA regulations, but may be subject to restrictions or requirements of other government departments or agencies, or may be eligible for release by the CBSA.

(e) **CBSA Inspection** – The commodity may be imported into Canada, but documents may be subject to review, and verification that import conditions have been met.

(f) **Refuse Entry** – The commodity cannot be imported into Canada. Entry is prohibited under the CFIA regulations and must be refused by the CBSA.

REFUSED OR PROHIBITED IMPORTATIONS AND DISPOSAL OF ABANDONED GOODS

14. Importers must ensure that their shipments comply with the requirements of all government departments and agencies prior to importation into Canada.

15. When a commercial shipment is not in compliance with the requirements and the requirements cannot be met, the importer must immediately export the goods from Canada or have the goods disposed of under the direction of the responsible department or agency.

16. For travellers, when ineligible goods are not in compliance with the requirements and the requirements cannot be met, the officer may require the traveler to remove the goods from Canada, in accordance with the *CFIA Act*, or dispose of the goods using the prohibited products bins set up at the border.

17. Importers may abandon the goods to the Crown, in accordance with subsections 36(1) and 36(2) of the *Customs Act*. Importers are responsible for all reasonable expenses incurred in the disposal of abandoned goods.

Goods that are forfeited to another government department or agency remain the responsibility of that department.

POSTAL AND COURIER IMPORTATIONS

18. Goods that are imported through the postal or courier system must meet all of the requirements outlined on the AIRS Web site referred in paragraph 4 above.

19. Additional information on postal and courier importations can be found in Memorandum D5-1-1, *Customs International Mail Processing System*, and Memorandum D8-2-16, *Courier Imports Remission Order*.

EXPORTATION

20. Memorandum D20-1-1, *Export Reporting*, outlines the export declaration requirements of the CBSA. Exporters should note that shipments must also meet the requirements of the importing country.

21. Several Acts of Parliament prohibit, control or regulate the exportation of certain goods. Further information on the requirements of these Acts can be found in the D19 series of Memoranda.

DIPLOMATS

22. All importations of agricultural commodities, including live animals, are subject to the requirements outlined on the AIRS Web site, regardless of any diplomatic immunity or privilege extended to the person importing the goods. However, certain rules apply when searching/opening of bags. Please refer to Memorandum D21-1-1, *Customs Privileges for Diplomatic Missions, Consular Posts, and International Organizations (Tariff Item No. 9808.00.00)*.

DOCUMENTATION REQUIREMENTS

23. The AIRS Web site outlines the import requirements for food, agricultural inputs, and agricultural products. The CBSA shall date stamp all permits, certificates, declarations, and other documents submitted to support the release of a shipment.

24. The CBSA will collect and forward these documents to the appropriate government department or agency in accordance with established procedures.

25. Documentation submitted to the CBSA, regarding food, agricultural inputs and agricultural products, must be fully completed. Importers are advised that incomplete or missing documentation will result in delays in obtaining release of their goods.

26. Forms that may be required to import these products can be found on the CFIA Web site at www.inspection.gc.ca/english/toc/fore.shtml. Importers should note that these forms may differ from the ones they receive from the country of export.

PACKAGING AND LABELLING REQUIREMENTS

27. The CFIA regulates the packaging, labelling, composition, and net quantity requirements for most foods under the following legislation:

the *Canada Agricultural Products Act* and its Regulations;

the *Meat Inspection Act* and its Regulations;

the *Food and Drugs Act* and its Regulations; and

the *Consumer Packaging and Labelling Act* and its Regulations.

28. The CBSA assists the CFIA with the administration of the above-named Acts and Regulations as they related to packaging and labelling, through the detection and notification of possible infractions. However, the CBSA does not enforce these requirements. The CFIA AIRS Web site as well as the CFIA Web site at www.inspection.gc.ca/english/toc/labetic.shtml outline these basic requirements and give information on the services provided by the CFIA with respect to packaging and labelling requirements.

TRADE FAIRS AND SHOWS IN CANADA

29. Food and horticultural products imported for trade fairs and shows in Canada must meet all of the requirements outlined on the AIRS Web site as they are subject to special conditions set out in the following CFIA Web site at www.inspection.gc.ca/english/corpaffr/publications/exhibit/exhibite.shtml.

CONFIRMATION OF SALE/INVOICE REQUIREMENTS FOR FRESH FRUITS AND VEGETABLES

30. All commercial shipments of fresh fruits and vegetables must have a completed Confirmation of Sale (COS) document accompanying the shipment at time of release, except for Electronic Data Information (EDI) transactions where the COS data is already captured.

31. Any commercial shipment released through EDI does not require a completed COS document to accompany the shipment at time of release.

32. The COS document must be signed by either the purchaser, vendor, importer or their respective representative.

33. The COS document must satisfy all the invoice requirements as outlined in Memorandum D1-4-1, *Canada Customs Invoice Requirements*.

34. In addition to satisfying customs invoice requirements, a copy of the COS document is required to be marked as "Copy for the Canadian Food Inspection Agency."

35. At time of release, border services officers must clearly apply the customs office date-stamp to each copy of the COS document. The date should be stamped carefully so as not to obscure information on the document. It may be applied to the back of the document if necessary.

36. All CBSA offices listed below are to send the completed COS documents on a **daily** basis, in accordance with arrangements made between those CBSA offices and the CFIA, to the addresses provided in Appendix B.

CBSA offices: Lacolle, QC; Pearson International Airport, Toronto, ON; Niagara Falls, ON; Windsor Tunnel, ON; Windsor Bridge, ON; Thunder Bay, ON; St-Stephen, NB; Woodstock, NB; Coutts, AB; Emerson, MB; Regway, SK.

37. All other CBSA offices are to send the completed COS documents on a **weekly** basis, in accordance with arrangements made between those CBSA offices and the CFIA, to the addresses provided in Appendix B.

38. Questions concerning the COS document are to be directed to the Canadian Food Inspection Agency, Fresh Fruit and Vegetable Section, 159 Cleopatra, Ottawa ON K1A 0Y9 or by telephone at 613-225-2342.

CFIA AVAILABILITY

39. To further simplify and enhance the import process, the CFIA has established three ISCs. These centres are staffed by specially trained personnel who are available to review import documentation, and to process food, agricultural inputs, and agricultural products that cannot be easily processed through documentation verification at the border. In addition to clearing shipments, the centres may recommend inspections, as per Annex B of the MOU, and provide border services officers and clientele with a single-point contact for information and advice. A complete list of the centres currently in operation is included in paragraph 42 below.

40. The CFIA officers are not located at, nor do they provide services to, all CBSA offices. The CFIA employs a limited number of specially trained officers, known as Import Specialists, at three regionally-based ISCs. ISCs are accessible to their clients by telephone and by facsimile. The CFIA Web site address is www.inspection.gc.ca.

41. For inquiries that require an explanation of the CFIA policy or deal with the legislation of food, plant and animal import requirements, call one of the CFIA Import Service Centres listed below.

42. The CFIA ISC's business hours and contact numbers are:

Eastern ISC (for Quebec and Atlantic)

7:00 a.m. to 11:00 p.m. (local time)
Telephone and EDI: 1-877-493-0468
(Canada and United States)
1-514-493-0468 (all other countries)

Facsimile: 1-514-493-4103

Central ISC (for Ontario)

7:00 a.m. to 12:00 a.m. (local time)
Telephone and EDI: 1-800-835-4486
(Canada and United States)
1-416-661-3039 (all other countries)

Facsimile: 1-416-661-5767

Western ISC (for the Prairies and British Columbia)

7:00 a.m. to 12:00 a.m. (local time)
Telephone: 1-888-732-6222 (Canada and United States)
1-604-666-9240 (EDI and all other countries)

Facsimile: 1-604-666-1577

TARIFF RATE QUOTAS

43. Under the *Export and Import Permits Act* (EIPA), Foreign Affairs and International Trade Canada (FAITC) regulates the importation of certain agricultural commodities, including dairy products, eggs, margarine, chicken, turkey, beef, veal, wheat, barley and their products.

44. The importation of these products is controlled by way of a tariff rate quota (TRQ) system. This system allows for the importation of TRQ goods at lower rates of duty, under "within access" classification numbers, until quotas have been met. Additional importations may be

imported at significantly higher duty rates. Importers may classify under "within access" classification numbers most agricultural goods regulated under the EIPA, if they have obtained the appropriate import permit from FAITC prior to importation. However, wheat and barley and their products can be imported under "within access" classification numbers on a first-come, first-served basis without obtaining an import permit. For additional information, or for a complete list of the agricultural goods covered by the EIPA, refer to Memorandum D10-18-1, *Tariff Rate Quotas*, Memorandum D10-18-6, *First-Come, First-Served Agricultural Tariff Rate Quotas*, or Memorandum D19-10-2, *Export and Import Permits Act (Importations)*.

45. It should be noted that a TRQ import permit is not a condition of release by CBSA. The CBSA will release complying shipments of TRQ goods imported without an import permit. However, if the permit has not been obtained by the date of final accounting, in accordance with subsection 32 (1), (3) or (5) of the *Customs Act*, the goods must be classified at the higher rate of duty. Further details on how to obtain an import permit from FAITC may be found in Memorandum D19-10-2.

46. On the other hand, certain agricultural products (e.g., wheat, barley and their products) may be imported under the authority of a General Import Permit (GIP). In such cases, it is not necessary to obtain one from FAITC. The eligible quantities or values of agricultural goods may be imported by a traveller, under a personal exemption, or at reduced rates of duty, under GIP provisions. However, the GIP 100 allows for the importation of unlimited quantities of TRQ goods at the higher rates of duty and may be used for either personal or commercial importations. Refer to Memorandum D19-10-2, for further information on GIPs.

APPENDIX A

BRIEF EXPLANATION OF THE COMMODITIES INCLUDED OR EXCLUDED IN EACH SECTION, THE APPLICABLE LEGISLATION, AND EXEMPTIONS (COMMERCIAL AND NON-COMMERCIAL GOODS) THAT ARE SUBJECT TO CHANGE, THEREFORE, CONSULT WITH THE CFIA'S AIRS FOR THE MOST UP-TO-DATE INFORMATION

LIVE ANIMALS (INCLUDING ANIMAL EMBRYOS AND SEMEN)

Included in this section

- Mammals, birds, and reptiles
- Animal embryos and semen
- Hatching eggs are considered live animals and are included in this grouping.

Excluded from this section

- Live fish. Refer to section "Fish and Fish Products."
- Insects (other than honeybees). Refer to section "Biological Material."

Applicable Legislation

- the *Health of Animals Act* and its Regulations
- the *Canadian Environmental Assessment Act*

Notes

- The *Health of Animals Act* stipulates that an animal must reside in a country a minimum of 60 days before that country can be considered the country of origin.
- The requirements of the *Convention on International Trade in Endangered Species of Wild Fauna and Flora* (CITES) are not provided in this Memorandum. Refer to Memorandum D19-7-1 for further information and to ensure that restrictions do not apply.
- Refer to the instructions provided in Customs Notice N-539, *Customs Procedures for the Category of Restricted Feeder Cattle From the United States* dated October 1, 2003, for the section on the Restricted Feeder Cattle, which allows for the clearance of "restricted feeder cattle" at the border without inspection by the CFIA.

Exemptions (are subject to change with notice)

- Kittens and puppies from the United States under 3 months of age, as well as assistance dogs, when accompanied by their owner, are exempt from the requirements.

EDIBLE MEAT AND MEAT PRODUCTS

Included in this section

- Any edible meat or poultry and any food products containing meat or poultry in any amount.
- Any edible meat and meat products in-bond, in-transit, and Canadian edible meat and meat products exported and returned back to Canada.

Excluded from this section

- Inedible meat. Refer to section "Products of Animal Origin."

Applicable Legislation

- the *Meat Inspection Act* and its Regulations
- the *Canada Agricultural Products Act*
- the *Processed Poultry Regulations*
- the *Health of Animals Act* and its Regulations

Notes

- All edible meat and meat products must be detained at first point of arrival and referred to the CFIA for authority to release, before the shipment is allowed to proceed inland.
- United States shipments presented to the CBSA more than 72 hours after clearance by the CFIA must be referred back to the CFIA before the shipment is allowed to proceed inland.
- The requirements of the *Convention on International Trade in Endangered Species of Wild Fauna and Flora* (CITES) are not provided in this Memorandum. Refer to Memorandum D19-7-1 to ensure that restrictions do not apply.
- Importers should note that food shipments primarily regulated under the *Food and Drugs Act* and the *Consumer Packaging and Labelling Act* may be subject to health and safety as well as packaging and labelling requirements, except transshipment to or from the United States.

In-bond shipments: All in-bond shipments, except in case of transshipments of United States origin, must be detained at first point of arrival, and the CFIA contacted before the shipment is allowed to proceed inland.

Exemptions (are subject to change with notice)

- **Non-commercial importations – Personal use**

For the personal use and consumption of the importer and that are not intended for re-sale or distribution.

United States origin

- Importations of edible meat and meat products not exceeding 20 kg (44 lb) per person that are identifiable as originating in the United States are exempt from the requirements in this section, subject to the following restrictions on chicken, turkey, beef, and veal:
 - Whole Turkey: 1 (FAITC restriction),
 - Turkey Parts: 10 kg (FAITC restriction)
 - Chicken: 10 kg (FAITC restriction)
 - Chicken or Turkey, including in cans or jars: 20 kg/person (Food of Animal Origin Division of CFIA restriction)
 - Ruminant meat such as cattle, sheep, goat, bison, deer, and buffalo: 5 kg (CFIA restriction is currently in place due to Mad Cow disease)

Other countries

- Refer to the CFIA.
- Importations of meat or meat products not exceeding 100 kg that are destined for analysis, evaluation, testing, research, or an international food exhibition may also be exempted. Refer to the CFIA.

Note

Importers should note that quantities imported in excess of these amounts may be subject to high rates of duty.

DAIRY PRODUCTS**Included in this section**

- Any milk, or product thereof, whether alone or combined with another agricultural product, that contains no oil and fat other than that of milk, including cheese, yogurt, butter, ice cream, ice milk, casein, dry milk products, Kishk, and any product containing a dairy product.
- A milk product as defined by the Animal Health and Production Division (AHPD) means any of the following: partly skimmed milk, skimmed milk, cream, butter, buttermilk, butter oil, whey, whey butter, or whey cream, in concentrated, dry, frozen, or reconstituted or fresh form. This does not include milk proteins, milk sugars, and milk enzymes.
- Any dairy product in-bond, in-transit and Canadian dairy products exported and returned back to Canada.

Applicable Legislation

- the *Canada Agricultural Products Act* and its Regulations
- the *Dairy Products Regulations*

- the *Health of Animals Act* and its Regulations
- the *Consumer Packaging and Labelling Act* and its Regulations
- the *Food and Drugs Act*

Notes

- Importers should note that in addition to the documentation requirements, shipments may be subject to packaging and labelling requirements.
- Dairy products containing more than two per cent meat products are also subject to the requirements in the “Edible Meat and Meat Products” section.

Exemptions (are subject to change with notice)

Commercial importations

- There are no exemptions from the requirements in this section.

Non-commercial importations

- For the personal use and consumption of the importer and that are not intended for resale, or distribution.

United States origin

- Non-commercial importations of dairy products that are readily identifiable as originating in the United States, not exceeding \$20.00 in value and 20 kg in weight (per person), are exempt from all government department requirements in this section.

Other countries

- Non-commercial importations of dairy products originating from any country other than the United States, not exceeding \$20.00 in value and 20 kg in weight (per person), must meet the requirements of the CFIA’s AHPD, but are exempt from all other requirements in this section.

Other non-commercial importations – The following dairy products **are exempt** from all the requirements in this section:

1. those carried on and consumed on any vessel, train, motor vehicle, aircraft, or other means of transportation for consumption by the crew or passengers; or
2. those imported from the United States onto the Akwesasne Reserve for use by an Akwesasne resident.

Notes

- Importers should note that quantities having a value in excess of \$20.00 may be subject to high rates of duty.
- Importations of margarine or butter substitutes in excess of 3 kg (per person) may be subject to high rates of duty.
- All importations in excess of 20 kg are subject to all requirements in this section.
- **Samples** – Importations of dairy products as samples that are destined for analysis, evaluation, testing, research, or food exhibitions may be imported under the same AHPD requirements as a commercial shipment or with a Permit to Import Samples. These must be detained at first point of arrival and the CFIA must be contacted for release. Other government department requirements apply as well.

Note to customs: Relay copy of Import Declaration to the CFIA Import Service Centre.

EGGS AND PROCESSED EGG PRODUCTS (including inedible products)

Included in this section

- All edible and inedible eggs including egg products, dried, frozen, or liquid food products which contain processed egg products, eggs for further processing, table eggs, moon cakes, quail eggs, duck eggs.
- Eggs and processed egg products in-transit, in-bond, and Canadian shipments of eggs and processed egg products exported and returned back to Canada.

Excluded from this section

- Hatching eggs. Refer to section “Live Animals.”

Applicable Legislation

- the *Canada Agricultural Products Act*
- the *Egg Regulations*
- the *Processed Egg Regulations*
- the *Consumer Packaging and Labelling Act* and its Regulations
- the *Health of Animals Act* and its Regulations

Notes

- For the purposes of this section, an egg means an egg of the avian species imported for purposes other than hatching.
- Importers should note that in addition to the requirements in this section, their shipments may be subject to packaging and labelling requirements.

Exemptions (are subject to change with notice)**Commercial importations**

- Importations of eggs not exceeding 30 dozen and processed egg products not exceeding 20 kg are exempt from packaging and labelling requirements, but are subject to other government department requirements.

Non-commercial importations

- For the personal use and consumption of the importer and that are not intended for resale, or distribution.

United States origin

- Non-commercial importations not exceeding two dozen eggs (per person) that are readily identifiable as originating in the United States are exempt from all government departments requirements.

Other countries

- There are no exemptions from the requirements in this section for non-commercial importations of eggs and processed egg products originating from any country other than the United States.

Notes

- Importers should note that quantities imported in excess of two dozen eggs per person may be subject to high rates of duty.
- **Samples** – Importations of egg products as samples that are destined for analysis, evaluation, testing, research, or food exhibition may be imported under the same AHPD requirements as a commercial shipment or with a Permit to Import Samples. These items must be detained at the first point of arrival and the CFIA must be contacted for authority to release. Other government department requirements apply as well.

FRESH FRUITS AND VEGETABLES

(for consumption or processing)

Included in this section

- Fresh fruits and vegetables.
- Fresh produce that has not been altered by processing in any way, for example cutting or peeling, and is intended for human consumption.

Excluded from this section

- Products referred to in Chapter 20.
- Potatoes (tubers) imported for propagation. Refer to section “Plants and Plant Products.”

Applicable Legislation

- the *Canada Agricultural Products Act*
- the *Fresh Fruit and Vegetable Regulations*
- the *Licensing and Arbitration Regulations*
- the *Plant Protection Act* and its Regulations
- the *Food and Drugs Act* and its Regulations

Notes

- All commercial importers of fresh produce must possess a valid Federal Produce License issued by the Food of Plant Origin Division of the CFIA or be a member of the Fruit and Vegetable Dispute Resolutions Corporation (DRC).
- All shipments of apples, potatoes, or onions must be presented to the ISC. Refer to AIRS.
- Importers should note that in addition to the documentation requirements in this section, shipments may be subject to packaging and labelling requirements.
- The Ministerial Exemption is required for all “bulk” shipments exceeding 50 kg and originating from the United States.

Exemptions (are subject to change with notice)

- Fresh produce destined for a bonded warehouse are exempt from packaging and labelling requirements but are subject to other government department requirements.

Commercial and non-commercial importations

- Non-commercial importations that are for the personal use and consumption of the importer and that are not intended for resale or distribution.
- Under the *Fresh Fruit and Vegetable Regulations* and the *Licensing and Arbitration Regulations*, commercial shipments, defined as a vehicle load of fresh fruit and vegetables consisting of 15 packages or less, and with a weight not exceeding 250 kg (551 lb) in aggregate (total), are exempt from the Inspection Certificate and Confirmation of Sale requirements.

Other exemptions (shipments that do not require the Inspection Certificate and Confirmation of Sale) include produce that is:

- (a) destined for livestock feeding or for the preparation of animal feed in respect of which, in the case of import and international trade, a certificate or permit attesting to that fact has been issued by the appropriate government authority;
- (b) part of an emigrant’s or an immigrant’s effects;
- (c) carried on and consumed on any vessel, train, motor vehicle, aircraft, or any other means of transportation, for consumption by the crew or passengers;
- (d) imported from the United States onto the Akwesasne Reserve for use by an Akwesasne resident.

Notes

- All importations of products regulated under the *Plant Protection Act* must comply with the Phytosanitary Certificate or Permit to Import requirements.
- All Confirmation of Sale documents must be forwarded to the CFIA following release, in accordance with established protocol. Refer to paragraphs 30-38 of this Memorandum.

PROCESSED FRUITS AND VEGETABLES, AND MAPLE PRODUCTS

Included in this section

- Any food product prepared wholly or in part from fruits or vegetables, including frozen, concentrated, marinated, preserved and canned products, and any maple products.

Excluded from this section

- Fresh chilled products. Refer to section “Fresh Fruits and Vegetables.”
- Honey and bee products for bee feeding. Refer to section “Products of Animal Origin.”

Applicable Legislation

- the *Canada Agricultural Products Act* and its Regulations
- the *Processed Products Regulations*
- the *Maple Products Regulations*
- the *Consumer Packaging and Labelling Act* and its Regulations
- the *Food and Drugs Act* and its Regulations

Provincial regulations may apply.

Notes

- For the purposes of this section, “canned” includes cans or glass containers that have received a thermal process; “preserved” includes any kind of container, where preservation is achieved by a means other than thermal process or freezing, for example pickled, acidified, sugared.
- Importers should note that in addition to the documentation requirements, shipments may be subject to packaging and labelling requirements.

Note to CBSA: All Import Declaration documents must be sent to a CFIA Import Service Centre following release of shipment.

Exemptions (are subject to change with notice)**Commercial and non-commercial importations**

- Importations of processed fruits and vegetables and maple products are exempt from the declaration requirement of the *Processed Products Regulations* and *Maple Products Regulations* when:
 - (a) They are consigned to a national or international exhibition when:
 - the food products weigh 100 kg or less; and
 - they are not intended for sale in Canada.
 - (b) They are consigned for use and human consumption by the importer and not for resale or distribution when:
 - their weight does not exceed 20 kg for processed fruits and vegetables, 100 L for maple syrup, and 25 kg for other maple products;
 - they are part of an immigrant’s effect;
 - in the case of maple products, they are carried on any vessel, train, motor vehicle, aircraft or any other means of transportation for consumption by the passengers or crew members;
 - they are imported from the United States onto the Akwesasne Reserve for use by an Akwesasne resident; this does not apply to a food product that is shipped to Canada from another country through the United States;
 - in the case of processed fruits and vegetables, if they are the object of a marketing test.

Ministerial exemption

- The Minister of Agriculture and Agri-Food Canada or a delegate of the CFIA may exempt certain importations from any of the regulated requirements if these importations are for the purpose of marketing a food product. However, the exemption can only be granted if the Minister or delegate considers an importation necessary in order to alleviate a shortage in Canada in the available supply from domestic production of that food product or any equivalent product. The shipment may be subject to inspection on arrival in Canada.

Maple Products

- Maple products may come in all types of containers: can, glass jar, plastic jar, plastic pouch, Tetra-Pack and non-sealed packaging.
- Importations not exceeding 20 L of maple syrup and 5 kg for other maple products are exempt from the import and export requirements of the *Maple Products Regulations*.

**GRAINS, SEEDS, AND NUTS
FOR HUMAN CONSUMPTION**

Included in this section

- Seeds and grains intended for human consumption or for further processing for human consumption, for example: cereal grains such as wheat and barley, nuts, and seeds for sprouting. Processed wheat and barley products such as pasta, breads, flour, and pizza are also included in this category.

Excluded from this section

- Seeds and grains imported for propagation and animal feed. Refer to sections “Seeds for Propagation” and “Animal Feed” respectively.

Applicable Legislation

- the *Plant Protection Act* and its Regulations

Note

- Importers should note that in addition to the documentation requirements, shipments may be subject to packaging and labelling requirements.

Exemptions (are subject to change with notice)**Commercial importations**

- There are no exemptions to the CFIA’s requirements.

Non-commercial importations

- Health Canada’s invoice requirement does not apply to non-commercial importations.

Seeds for cleaning and screening

- Barley, millet, oats, triticale, and wheat seeds being imported only for cleaning or screening are regulated and should be referred to the CFIA for authority to release.

SEEDS FOR PROPAGATION

Included in this section

- Any seeds intended for propagation or imported for further processing for propagation, including flower, fruit and vegetable seeds, and cereal grains such as wheat, oats, and barley.

Excluded from this section

- Seeds and grains imported for human consumption or animal feed. Refer to sections “Grains, Seeds, and Nuts for Human Consumption” and “Animal Feed” respectively.

Applicable Legislation

- the *Seeds Act* and its Regulations
- the *Plant Protection Act* and its Regulations

Exemptions (are subject to change with notice)

“Small lots” or “Lots” are defined as follows:

- 5 kg or less of the following species – wheat, oats, barley, rye, triticale, sorghum, corn, and seeds of similar sizes;
- 500 g or less of the following species – grass seed, forages, flower seed, millet, and seeds of similar sizes.

Commercial importations

- Importers of “small lots” of seeds may submit a Seed Importer’s Statement in lieu of the Seed Analysis Certificate and Seed Import Declaration.

Non-commercial importations

- Importers of “small lots” of seeds are exempt from the Seed Analysis Certificate and Seed Import Declaration requirements.

Notes

- A seed lot may consist of one or more packages.
- Seed for cleaning and screening – Barley, millet, oats, rye, triticale, and wheat seeds being imported only for cleaning and screening are regulated and should be referred to the CFIA for authority to release.

Note to CBSA: All Import Declaration documents must be forwarded to a CFIA Import Service Centre following release.

ANIMAL FEEDS**Included in this section**

- Any animal feed for livestock containing an animal product or by-product, including in-bond and in-transit shipments, and Canadian animal feeds exported and returned back to Canada.
- Any substance or mixture of substances manufactured, or sold to be used directly or after mixing-in with another substance or mixture for the following uses: consumption by livestock; providing the nutritional requirements of livestock including horses, cattle, sheep, goats, swine, foxes, fish, mink, rabbits, and poultry; preventing or correcting nutritional disorders of livestock. These products are listed as:

Single Ingredient Feeds

- Must be approved by the CFIA for use as feed. Some require registration.
- Includes cereal grains, hay and straw, products of non-animal origin, and products of animal origin.

Multiple Ingredient Feeds/Mixed Feeds

- Must be registered under the *Feeds Act*.
- Includes mixtures of substances, for example complete feeds and mineral feeds.

Microbial Animal Feed Products

- Must be registered under the *Feeds Act*.
- Includes biologics, drugs, and animal health products.

Excluded from this section

- Pet food, for example dog and cat food. Refer to the section “Products of Animal Origin.”
- Seeds and grains imported for propagation or human consumption. Refer to the sections “Seeds for Propagation” and “Grains, Seeds, and Nuts for Human Consumption.”

Applicable Legislation

- the *Feeds Act* and its Regulations
- the *Health of Animals Act* and its Regulations
- the *Plant Protection Act* and its Regulations

Notes

- Fodder such as hay, straw, grasses and silage intended to feed ruminants, swine or horses from countries other than the United States are prohibited.
- Importers should note that, in addition to the documentation requirements, shipments may be subject to packaging and labelling requirements.
- The reference to ruminants in this section includes: alpacas, antelopes, argyles, aurochs, bantengs, bison, bovines, buffaloes, camels, caribou, cattle, chamois, chevrotains, dall's sheep, deer, elands, elk, gazelles, gaurs, giraffes, gnus, gorals, goyals, ibexes, lamas, moose, moufflons, muntjacs, musk-oxen, okapis, oryxes, oxen, pasangs, pronghorns, red sheep, rocky mountain sheep and goats, sikas, tahrs, wapiti, and yaks.

Exemptions (are subject to change with notice)**Commercial and non-commercial importations**

- The AHPD of the CFIA may authorize the importation of non-registered or regulated products for research purposes or as samples for analytical testing.
- Bird seeds require no documentation, however, those containing seeds specified elsewhere in AIRS are subject to those specified requirements (e.g. niger, hemp, sorghum, millet).
- One bale of hay per animal, per day, for travel purposes is exempted. It does not include supplies for the time the animals are in Canada for a show. It only includes enough hay and straw to reach their destination.

Seeds for cleaning and screening

- Barley, millet, oats, rye, triticale, and wheat seeds being imported solely for cleaning and screening, are regulated and should be referred to the CFIA for authority to release.

PLANTS AND PLANT PRODUCTS**Included in this section**

- **Miscellaneous:** Includes aquatic plants, bulbs, flowers and greenhouse plants, including cut flowers and house plants, vegetable and herb transplants or cuttings, potato tubers for propagation, shamrock and heather, grass sod, broomcorn, tobacco, soil, peat moss, and earthworms.
- **Nursery stock:** Includes trees, shrubs, and vines intended for propagation.
- **Forestry products:** Include products harvested from trees and shrubs, but not capable of or intended for propagation, including bamboo, Christmas trees, decorative products, firewood, logs, foliage, mulch, tree and shrub seeds, wood chips, and lumber. In AIRS, the requirements (e.g., import permit) for **firewood** are provided under the species of trees. If not specified, refer to "Other types of forestry products."

Excluded from this section

- Root crops imported for consumption. Refer to the section "Fresh Fruits and Vegetables."

Applicable Legislation

- the *Plant Protection Act* and its Regulations

Note

- The requirements of the *Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)* are not provided in this Memorandum. Refer to Memorandum D19-7-1 for further information and to ensure that restrictions do not apply.

Exemptions (are subject to change with notice)**Commercial importations**

- Cut flowers, including chrysanthemums, orchids, geraniums, poinsettia, tropicals, etc. require no documentation.

Non-commercial importations

- House plants from the U.S. that have been grown indoors and that are part of a passenger's baggage or household effect, require no documentation.

**FERTILIZERS, SUPPLEMENTS, SOIL,
AND GROWING MEDIA**

Included in this section

- Any fertilizer, supplement or growing media containing an animal product or by-product, including manure, as well as in-bond, in-transit, and Canadian shipments exported and returned back to Canada.
- **Fertilizers:** As defined under the *Fertilizers Act*, fertilizers are any substance or mixture of substances containing nitrogen, phosphorus, potassium, or other plant food manufactured, sold, or represented for use as a plant nutrient. For example processed or unprocessed manure, micronutrients, and fertilizer-pesticides.
- **Supplements:** As defined under the *Fertilizers Act*, supplements are any substance or mixture of substances other than a fertilizer that is manufactured, sold, or represented for use in the improvement of the physical condition of soils or to aid plant growth. Supplements include compost, microbial inoculants, wetting agents, polyacrylamides, plant growth regulators, peat moss, manures, and soil pH altering products.
- **Soil:** Includes sand, earth, clay, silt, soil minerals, earthworm castings, compost, humus, peat and sphagnum moss, muck, plant litter, or debris.
- **Growing Media:** Includes perlite, polyurethane sponge, rockwool, polyserene foam, vermiculite, and polyacrylamide.

Applicable Legislation

- the *Fertilizers Act* and its Regulations
- the *Health of Animals Act* and its Regulations
- the *Plant Protection Act* and its Regulations

Note

- Importers should note that in addition to the documentation requirements, shipments may be subject to packaging and labelling requirements.

Exemptions (are subject to change with notice)**Commercial and non-commercial importations**

- There are no exemptions to the CFIA requirements in this section. However, the following exemptions to the requirements of the *Fertilizers Act* may apply:
 - (a) Fertilizers without pesticides that are for the direct application to the soil by the importer and are not for resale are exempt from the *Fertilizers Act*.
 - (b) Fertilizers that are sold for manufacturing purposes only, and require further treatment prior to sale to the user are exempt from the *Fertilizers Act*.
 - (c) Supplements imported for manufacturing purposes (other than inoculants used for seed treatment) are exempt from the *Fertilizers Act*.
 - (d) The Plant Health and Production Division of the CFIA may authorize the importation of non-registered supplements for research purposes. Contact the CFIA for further information.

BIOLOGICAL MATERIAL

Included in this section

- Bacterial cultures (plant and animal), bees, earthworms, fungal cultures, insects, microorganisms (including bacteria, viruses, fungi, and protozoa), mushroom spawn, nematodes, *Rhizobium* species, slugs, terrestrial snails, tissue culture plants, and veterinary biologics, such as vaccines, toxoids, immunomodulators, and diagnostic kits for infectious diseases.

Applicable Legislation

- the *Health of Animals Act* and its Regulation
- the *Plant Protection Act* and its Regulations

Exemptions (are subject to change with notice)

- There are no exemptions to the requirements in this section (commercial or non-commercial).

PRODUCTS OF ANIMAL ORIGIN (including honey)

Included in this section

- Animal products made from the flesh, blood, bones, hoofs, horns, offal, skin, wool, hide, hair, feathers, or plumes of an animal, and any other product of animal origin not specified elsewhere, such as inedible meat and poultry products, highly processed animal products, honey, and bee products imported for pharmaceutical, industrial use, animal food, and human consumption.
- Any products of animal origin in-bond, in-transit, and Canadian products of animal origin exported and returned back to Canada.

Applicable Legislation

- the *Health of Animals Act* and its Regulations
- the *Meat Inspection Act* and its Regulations
- the *Plant Protection Act* and its Regulations
- the *Honey Regulations*

Notes

- Importers should note that in addition to the documentation requirements, shipments may be subject to packaging and labelling requirements.
- **Samples** – Importations of products of animal origin as samples that are destined for analysis, evaluation, testing, research, or food exhibition may be imported under the same AHPD requirements as a commercial shipment or under a Permit to Import Samples. These items must be detained at the first point of arrival and the CFIA must be contacted for authority to release. Other government department requirements may also apply.

Exemptions (are subject to change with notice)

Honey only: Importations that are consigned for use and human consumption by the importer and not for resale or distribution when:

- The weight of the shipment does not exceed 20 kg; or
- They are part of an immigrant's effect; or
- They are imported from the United States onto the Akwesasne Reserve for use by an Akwesasne resident; this does not apply to a food product that is shipped to Canada from another country through the United States.

FISH AND FISH PRODUCTS

Included in this section

- Fish and fish products imported for human consumption, including live fish imported for direct human consumption.
- In the *Fish Inspection Act*, “fish” means any fish, including shellfish and crustaceans and marine animals, and any parts, products or by-products thereof.

Excluded from this section

- Imported live fish not for human consumption, including but not limited to fish imported for further cultivation in aquaculture operations, bait, ornamental fish and pet fish. Please note that live fish are not considered to be imported for further cultivation in aquaculture operations when they are imported for inventory control and held live prior to marketing for human consumption. These may be subject to regulations enforced by the Department of Fisheries and Oceans or provincial authorities.
- Other imported fish products not for human consumption, including but not limited to frozen fish labelled as bait, stuffed fish for display purposes (including puffer fish), fish imported for pet food and fish imported for analytical purposes.
- Fish imported for personal consumption as food, with the exception of live Chinese mitten crabs of the genus *Eriocheir* and puffer fish of the family *Tetraodontidae*.
- Canadian goods returned by original exporter are not subject to the import licensing and notification requirements of the *Fish Inspection Regulations*.

Applicable Legislation

- the *Fish Inspection Act* and its Regulations

Notes

- The requirements of the *Convention on International Trade in Endangered Species of Fauna and Wild Flora* (CITES) are not provided in this Memorandum. Refer to Memorandum D19-7-1 for further information and to ensure that restrictions do not apply.
- The requirements of the *Fish Health Protections Regulations* made under the *Fisheries Act* and enforced by the Department of Fisheries and Oceans are not provided in this Memorandum. Refer to Memorandum D19-8-2 for further information and to ensure that restrictions do not apply.
- All persons importing fish or fish products for commercial purposes must have a valid Fish Import License, or a Quality Management Program Import License issued by the CFIA. The CBSA does not verify this documentation, unless required to do so by the CFIA.
- All persons importing fish or fish products for commercial purposes must notify the CFIA in writing either prior to importing or within 48 hours following importation.
- Live or raw molluscan bivalve shellfish may be imported into Canada only when harvested from approved areas. The following countries may export live or raw shellfish products to Canada:
 - The United States – all products from shippers listed on the Interstate Certified Shellfish Shippers List;
 - New Zealand – all products from shippers listed on the Interstate Certified Shellfish Shippers List;
 - France – all products from shippers listed on the CFIA List of Approved French Shellfish Shippers;
 - The Republic of South Korea – shucked frozen oysters from shippers listed on the Interstate Certified Shippers List;
 - Japan – shucked frozen oysters from shippers listed on the Interstate Certified Shippers List.
- Interstate Certified Shellfish Shippers List is available at <http://vm.cfsan.fda.gov/~ear/shellfis.html>.

- The Interstate Certified Shellfish Shippers List may be obtained by writing to:
Mrs. Charlotte V. Epps
Division of Cooperative Programs
HFS-625
Food and Drug Administration
5100 Paint Branch Parkway
College Park, MD 20740-3835

Telephone: 301-436-2154
Facsimile: 301-436-2672
Email: cepps@cfsan.fda.gov
Web site: www.fda.gov
- List of Approved French Shellfish Shippers is available at www.inspection.gc.ca/english/anima/fispoi/import/oysthuite.shtml.
- The Approved French Shellfish Shippers List may be obtained by writing to:
Canadian Food Inspection Agency
Fish Seafood and Production Division
159 Cleopatra Drive
Ottawa ON K1A 0Y9

Facsimile: 613-228-6648

USED VEHICLES AND FARM EQUIPMENT

Included in this section

- used agricultural vehicles, equipment, implements, containers, and carriers;
- used earth moving vehicles, equipment, implements, tools, carriers and containers;
- used passenger and recreational vehicles;
- used military equipment.

Excluded from this section

- New vehicles from the manufacturer.

Applicable Legislation

- the *Plant Protection Act* and its Regulations
- the *Health of Animals Act* and its Regulations

Notes

- Regardless of origin, imported used vehicles, farm equipment, and related earth moving vehicles and equipment must be free from soil, sand, earth, plant residue, manure, and related debris.
- The requirements for used vehicles and farm equipment are also provided in Memorandum D19-12-1, *Importation of Vehicles*.

APPENDIX B**MAILING ADDRESSES FOR CONFIRMATION OF SALE**

For ports of entry: British Columbia Coastal

Canadian Food Inspection Agency
 Fresh Fruit & Vegetable Specialist
 Suite 400, 4321 Still Creek Drive
 Burnaby BC V5C 6S7

Telephone: 604-666-7778
 Facsimile: 604-666-1963

For ports of entry: Alberta

Canadian Food Inspection Agency
 Fresh Fruit & Vegetable Specialist
 Room 654, 220 4th Avenue South East
 Calgary AB T2G 4X3

Telephone: 403-292-6746
 Facsimile: 403-292-6629

For ports of entry: British Columbia, including Kingsgate and Osoyoos

Canadian Food Inspection Agency
 Multi-Program Inspector
 34577 91 Street
 P.O. Box 1530
 Oliver BC V0H 1T0

Telephone: 250-498-5301
 Facsimile: 250-498-5303

For ports of entry: Ontario

Canadian Food Inspection Agency
 Fresh Fruit & Vegetable Officer
 Room 317, 165 the Queensway
 Toronto ON M8Y 1H8

Telephone: 416-259-4024
 Facsimile: 416-259-7980

For ports of entry: Saskatchewan and Manitoba

Canadian Food Inspection Agency
 Fresh Fruit & Vegetable Specialist
 Room 613, 269 Main Street
 Winnipeg MB R3C 1B2

Telephone: 204-984-6186
 Facsimile: 204-983-8022

For ports of entry: Atlantic

Canadian Food Inspection Agency
 Import Coordinator
 1081 Main Street, P.O. Box 6088
 Moncton NB E1C 8R2

Telephone: 506-851-3015
 Facsimile: 506-851-2801

For ports of entry: Quebec

Canadian Food Inspection Agency
 Fresh Fruit & Vegetable Specialist
 7101 Jean Talon Street East, Room 600
 Anjou QC H1M 3N7

Telephone: 514-493-8859
 Facsimile: 514-493-6306

REFERENCES

<p>ISSUING OFFICE –</p> <p>Food, Plant and Animal Program Partnerships Division</p>	<p>HEADQUARTERS FILE –</p> <p>7616, 4617-4</p>
<p>LEGISLATIVE REFERENCES –</p> <p>The <i>Customs Act</i>, section 101, and subsections 102 (1), 36 (1) and 36 (2)</p> <p>The <i>Canadian Food Inspection Act</i>, section 11</p> <p>The <i>Export and Import Permits Act</i>, subsections 8 (1.1), 8 (2), 8.3 (1), (2), and (3), sections 24 and 25</p>	<p>OTHER REFERENCES –</p> <p>D1-4-1, D3-1-1, D5-1-1, D8-2-16, D10-18-1, D10-18-6, D19-0-0, D19-7-1, D19-8-1, D19-8-2, D19-9-1, D19-10-2, D19-12-1, D20-1-1, D21-1-1</p>
<p>SUPERSEDED MEMORANDA “D” –</p> <p>D19-1-1, November 7, 2000</p>	

Services provided by the Canada Border Services Agency are available in both official languages.

