



Canadian Food
Inspection Agency

Agence canadienne
d'inspection des aliments

CANADA'S FEED BAN

The purpose of this paper is to explain the history and operation of Canada's feed ban and to put it into a broader North American context.

Canada and the United States share the same BSE risk, and it originated outside North America.

The probable source of BSE in North America is cattle imported into Canada and into the United States from the United Kingdom during the 1980's. By 1990, Canada and the United States had banned any further imports of these cattle and the disease had been made reportable under law. Over this same period, Canada and the United States shared common industry feeding practices within a highly integrated market for live cattle, meat products, rendered by-products and animal feeds. Until the later half of 1997, it was legal in Canada and in the United States to feed cattle with meat and bone meal containing rendered proteins that may have been derived from these UK-origin cattle, some of which we now know were likely to have been capable of transmitting BSE. In 1990, all UK-origin animals that had been imported into Canada were successfully traced and placed under a monitoring program for clinical signs of BSE. In 1994, Canada took the decision that all UK-origin animals still alive were to be eliminated from the Canadian herd. In the face of criticism within Canada and internationally for such an aggressive measure, these animals were removed, sampled and tested. All the animals returned negative results for BSE.

Canada and the United States responded to this risk at the same time, with the same feed bans.

In response to the shared risk factors and common industry practices and an international recommendation issued by the World Health Organization, Canada and the United States introduced virtually identical ruminant feed bans in 1997 as a secondary firewall behind import controls. Canada and the United States were among the first countries to respond to the WHO recommendation and the action was initiated in the absence of the detection of the disease. This integrated firewall was developed as a precautionary measure to limit the potential spread of BSE through the cattle population in North America, should there have been a previously undetected presence of BSE on the continent. These bans prohibit the feeding of most mammalian-derived proteins to ruminant animals (cattle, sheep, goats, deer, elk and other species), with the exception of proteins derived from pure swine or equine, blood of any species, and milk and milk products of any species. Canada's ban also went further to prohibit the feeding of poultry litter and restaurant waste to ruminants. It is important to note that BSE is not a contagious disease capable of being transmitted horizontally from animal to animal.

Then and now. The recent detections of BSE in Canada and the United States in a small number of cattle are a manifestation of a low level of exposure, which had not been detected prior to implementation of the bans. Canadian, U.S. and other international scientific and technical analyses, including an examination of the UK experience, indicate that the bans will have reduced the amplification and reduced the potential further spread of BSE that would have begun in North America prior to implementation of these bans. These analyses support the conclusion that there is a low and declining incidence of BSE with or without the bans being absolutely



water tight. The long incubation period demonstrated by the age of the BSE-positive animals identified through the intensive and targeted surveillance programs provides evidence that the level of contamination of feed was low when the ruminant feed bans in North America began to be implemented. Detecting some additional BSE-positive animals, whether born prior to or for a limited period of time after entry into force of the ban, has been fully taken into account in the development and implementation of the robust measures in North America for protection of public and animal health. As such, it would also not change the risk profile for either Canada or the United States.

Canada, like the United States, has progressively built a record of compliance within the context of a comprehensive inspection program. The feed ban involves the regulation of a complex and diverse network of independent industry players throughout the agri-food sector. It covers some 28 inedible rendering facilities, 550 commercial feed mills, 1300 retailers and over 100,000 farms with ruminants, a portion of which have multiple species on the same farm. The number of facilities varies with economic conditions. We know today that there was some infectivity in the feed chain at the time the ban was introduced. Given this level of complexity throughout the animal feed system, as was the case with many countries, it was not possible to turn the ban “on” instantly. It was a secondary firewall put in place at a time when BSE had never been detected in an animal born in North America. Further, the UK animals culled in Canada all tested negative for BSE. In line with the approach used in the United States, product in the system was not recalled and would have taken a period of time to be used up. Similarly, the feed ban inspection program has evolved to its current comprehensive state over time.

Canadian regulation requires manufacturers, users, vendors and feeders of animal proteins and feeds to have procedures and records in place to demonstrate:

1. segregation of prohibited animal proteins is maintained to prevent feeding to ruminants and the adulteration or cross-contamination of ruminant feeds;
2. labels of products comprising or containing prohibited proteins carry warnings about not feeding them to ruminants; and,
3. records of distribution for proteins and feeds are being kept to facilitate tracing throughout the animal feed and animal production chain.

Specific inspection requirements and procedures

Canada's feed ban regulations are established under the authorities provided by the federal *Health of Animals Act*. This statute is administered by the Canadian Food Inspection Agency (CFIA) and provides federal inspectors with the authority to enter premises, examine feeds, documents and other things as well as other powers that permit the Agency to administer comprehensive inspection programs and enforcement activities. Canada's feed ban applies to manufacturers, importers, distributors, retailers and feeders of animal proteins and animal feeds.

Canada's feed ban inspection programs are comprehensive and detailed in scope and employ audit principles published by the International Standards Organization (ISO) i.e. that regulated



parties “say what they do, do what they say and prove it” to demonstrate and enable the verification of compliance. Animal protein and feed manufacturers, whether they be renderers, feed mills or on farm, are required to have written manufacturing procedures and controls in place in their facilities (“say what they do”), follow these procedures (“do what they say”) and keep records to demonstrate that the procedures and controls have been followed (“prove it”). Inspections involve systematic assessments and observations of the adequacy of procedures, practices and records utilised by facility operators for each step in the manufacturing process for animal proteins and feeds (from ingredient receiving and storage through processing to finished product storage, labelling and distribution to customers). Individual inspection tasks are rated as “Satisfactory” or “Unsatisfactory” with respect to compliance with the relevant feed ban regulatory requirement. “Unsatisfactory” ratings require facility operators to take corrective action within a specified period that is dependent on the nature of the non-compliance. Follow-up inspections are conducted to verify that corrective actions have been taken.

Consequences if industry is found to be out of compliance

When non-compliance with the feed ban is identified, the CFIA first seeks to obtain voluntary compliance by way of immediate corrective actions taken by the regulated party. Enforcement actions available in response to deliberate, negligent, uncorrected or repetitive incidents of non-compliance include the seizure and detention of products or the refused entry or the ordering of removal from Canada (in the case of imported products). In addition, in the case of animal protein manufacturers (renderers) and importers, they must comply in accordance with conditions set out in mandatory permits issued by the CFIA on an annual basis. Critical non-compliance with the conditions on permits can result in the suspension or cancellation of these permits.

Should court action be considered necessary to pursue, offences under the *Heath of Animals Act* are punishable by means of a fine not exceeding \$50,000 or to imprisonment for a term not exceeding six months, or to both, upon summary conviction. Indictable offences are punishable by means of a fine not exceeding \$250,000 or to imprisonment for a term not exceeding two years, or to both. It is important to stress that to date the application of this level of enforcement action has not been required to bring regulated parties into compliance.

Role and limitations of feed testing in verifying compliance

Where possible, periodic product testing is also desirable to complement systems-based compliance inspections to confirm that products conform to intended specifications and that manufacturing controls being practiced are effective. However, product tests in themselves are not absolute indicators of either compliance or non-compliance with regulatory requirements under the ban. This has been due, in part, to the nature of the feed ban itself in that some of the exceptions to the ban (e.g. milk or blood products from ruminants) which can be legally fed to ruminants are difficult to differentiate from other ruminant-derived products (such as meat and bone meal and bone meal) which are prohibited from feeding to ruminants with existing testing methods.



As part of an ongoing effort to ensure that the CFIA is taking advantage of all relevant tools to enforce Canada's animal health safeguards, the CFIA continuously monitors and periodically evaluates new testing technologies. A small feed sampling and testing trial that began in 2004 to evaluate the limitations of direct microscopy is being reported on and made available separately.

Record of compliance

On a regular basis, the CFIA compiles and reviews inspection findings. In cases where 100% compliance is not demonstrated during a specific inspection cycle at the time of reporting (usually on a fiscal year basis), the CFIA conducts follow-up inspection activities into the next inspection cycle in order to verify that any outstanding non-compliance has been resolved. CFIA policy requires significant non-compliance issues to be followed-up immediately.

From August of 1997 to the end of 1998, the focus of compliance inspections was to promote education and awareness about the feed ban, begin verifying implementation of new manufacturing practices and controls and develop a more robust inspection program. With respect to domestic manufacturers of animal protein products (renderers), full compliance with the feed ban requirements has been necessary in order for facility operators to obtain new permits each year.

By the end of 1998, all commercial feed mills in Canada had been inspected at least once specifically with respect to feed ban compliance to ensure they were implementing the necessary procedures to comply with the new regulations. In calendar 1999, 65 feed mill facilities were inspected and all achieved compliance during that review period. In calendar 2000, 108 facilities were inspected and all achieved compliance. From January 2001- March 2002, Canada shifted towards an inspection frequency of once per year (away from once per three years) at commercial feed mills. During this reporting period, 416 facilities were inspected, 92% of which achieved compliance by the end of that period. In fiscal 2002-2003, 468 facilities were inspected with 99% having achieved compliance during that period. In the most recently completed reporting period, fiscal 2003-2004, 532 facilities (99% of commercial feed manufacturers) were inspected and 95% of them had achieved compliance during that period. Deficiencies and associated corrective actions that had not yet been verified by CFIA at the end of fiscal 2003-2004 have been or are being addressed in the current inspection cycle.

Canada's feed ban, like that of the United States, has been an effective firewall against amplification and further spread of BSE through the cattle population, thereby contributing to the minimal risk of transmitting BSE. The risk to consumers through consumption of meat products is very low and is further addressed through the removal of specified risk materials (SRM) of cattle at slaughter. SRM are tissues that, in infected cattle, contain the BSE agent. The risk to foreign countries through trade in the vast majority of classes of animals and meat products is similarly minimal where appropriate mitigating measures, inspection and certification processes can be demonstrated. This conclusion is supported by epidemiological investigations following the Canadian and U.S. detections of BSE, and numerous and ongoing on-site



Canadian Food Inspection Agency Agence canadienne
d'inspection des aliments

international reviews of Canada's suite of measures in action. Surveillance programs stretching over 12 years in Canada and the United States continue to demonstrate that BSE is a rare occurrence in North America and that the 1997 feed bans have achieved their intended purpose to reduce further amplification and to limit the potential spread of BSE over time.

Canada is going further by responding to the recommendations of the international team.

Multiple scientific analyses have concluded that the Canadian and U.S. feed bans as implemented will lead eventually to the eradication of BSE in North America. However, Canada has formally proposed to take the additional step necessary to accelerate this process – to eradicate BSE more quickly. That is why on December 10, 2004, Canada published draft regulatory enhancements that include the removal of SRM from the entire animal feed chain, including from pet food and fertilizer. This proposal parallels the requirement to remove SRM from the human food supply that has been in effect since July 2003. This step responds fully to the recommendations of the international team of BSE experts, including a world renowned U.S. scientist, which also made very similar recommendations to the United States.

Canada 

Canadian Food Inspection Agency
January 17, 2005