



Canadian Food
Inspection Agency

Agence canadienne
d'inspection des aliments

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Title POLICY ON THE ISSUANCE OF PHYTOSANITARY CERTIFICATES	

File

SUBJECT:

This directive contains the policy of the Canadian Food Inspection Agency (CFIA) for the preparation and issuance of the Phytosanitary Certificates and Phytosanitary Certificates for re-export, to facilitate exports of plants and plant products, and other regulated articles, to foreign countries.

This revision incorporates the provisions of the International Standard for Phytosanitary Measures No. 12: Guidelines for Phytosanitary Certificates, including the new model Phytosanitary Certificate. It also incorporates terminology and procedures consistent with the NAPPO Regional Standard on Phytosanitary Measures No. 8: "The Accreditation of Individuals to Sign Federal Phytosanitary Certificates"

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Review

This directive will be reviewed every 5 years unless otherwise needed. The next review date for this directive is September 30, 2007. The contact for this directive is Joanne Rousson. For further information or clarification, please contact the Import/Export section.

Endorsement

Approved by:

<p>_____ Director Plant Health Division</p>

Amendment Record

Amendments to this directive will be dated and distributed as outlined in the distribution below.

Distribution

1. Directive mail list (Regions, Network Plant Health Risk Assessment unit, USDA)
2. Canadian Exporters
3. Internet
4. Internet - Export/Import Section

Introduction

Phytosanitary Certificates are official documents issued by the national plant protection organization of the exporting country to the national plant protection organization of the importing country. Phytosanitary Certificates are issued to indicate that consignments of plants, plant products or other regulated articles meet specified phytosanitary import requirements and conform with the certifying statement printed on the certificate. Most countries stipulate their import requirements in legislation, regulations, other official rules or by Permits to Import issued by the national plant protection organization of the importing country. Bilateral agreements/Memorandum of Understanding (MOUs) in the field of plant protection may also indicate the import requirements for specified commodities

The CFIA issues Phytosanitary Certificates as required by importing countries to indicate that the product(s) covered by the certificate conform with the country's phytosanitary import requirements. They are legal government documents and must be carefully controlled. Although Phytosanitary Certificates facilitate trade, they are not "trade documents" and cannot be demanded or issued by importers, exporters, brokers, banks etc.

Scope	This directive is for the use of CFIA staff and for the information of Canadian exporters or other interested parties.
References	Department of the Secretary of State of Canada. <i>The Canadian Style: A Guide to Writing and Editing</i> . Toronto, 1993. <i>Guidelines for Phytosanitary Certificates</i> , ISPM No.12, 2001 FAO Glossary of Phytosanitary Terms, ISPM No. 5, 2002, FAO Export Certification System, ISPM No. 7, 1997 FAO <i>The Accreditation of Individuals to Sign Federal Phytosanitary Certificates</i> , Regional Standards for Phytosanitary Measures, RSPM No. 10, 2000 ACO Training module TM 08A01

This directive supersedes Directive D-99-06 (Original), dated September 15, 1999.

Definitions, Abbreviations and Acronyms

Additional Declaration	A statement that is required by an importing country to be entered on a Phytosanitary Certificate and which provides specific additional information pertinent to the phytosanitary condition of a consignment. (2002, FAO)
Authorized Certification Official (ACO)	A public officer who is authorized by the National Plant Protection Organization (NPPO) and accredited for the signing of Phytosanitary Certificates, who 1) possesses the required education, experience, and training; and 2) has written confirmation of having successfully passed an approved examination. The ACO must be a person designated as an inspector pursuant to Section 21 of the <i>Plant Protection Act</i> .
Commodity	A type of plant, plant product or other article being moved for trade or other purpose (2002, FAO)
Consignment	A quantity of plants, plant products and/or other articles being moved from one country to another and covered, when required, by a single Phytosanitary Certificate (a consignment may be composed of one or more commodities or lots) (2002, FAO)
Consignment in transit	A consignment that is not imported into a country but passes through it to another country, subject to official procedures which ensure that it remains enclosed, and is not split up, not combined with other consignments nor has its packaging changed.
FLU	Foreign Legislation Unit of the Import/Export Section of the Plant

	Health Division, (PHD) located in Ottawa, Ontario.
Free from (of a consignment, field or place of production)	Without pests (or a specific pest) in numbers or quantities that can be detected by the application of phytosanitary procedures (2002, FAO)
Import Permit	Official document authorizing importation of a commodity in accordance with specified phytosanitary requirements (2002, FAO)
Inspection	Official visual examination of plants, plant products or other regulated articles to determine if pests are present and/or to determine compliance with phytosanitary regulations (2002, FAO).
MOU	Memorandum of Understanding
Official	Established, authorized or performed by a National Plant Protection Organization (2002, FAO)
Pest	Any thing that is injurious or potentially injurious, whether directly or indirectly, to plants or to products or by-products of plants, and includes any plant prescribed as a pest (<i>Plant Protection Act</i>)
Phytosanitary Certificate	<p>Canadian Phytosanitary Certificate means a document, issued by an inspector (ACO), that attests to the phytosanitary status of any thing exported from Canada and that</p> <p>(a) contains the information required by the Model Phytosanitary Certificate set out in the Annex to the International Plant Protection Convention approved by the Food and Agriculture Organization of the United Nations Conference at its Twentieth Session in November 1979, as amended from time to time, and</p> <p>(b) is signed by an inspector and sealed with an official Canadian Phytosanitary Certificate seal; (<i>Plant Protection Regulations, Section 55(1)</i>).</p>
Plants	Includes a part of a plant. (<i>Plant Protection Act</i>).

Plant Products	Unmanufactured material of plant origin (including grain) and those manufactured products that, by their nature or that of their processing, may create a risk for the introduction and spread of pests (2002, FAO)
Practically free	Of a consignment, field, or place of production, without pests (or a specific pest) in numbers or quantities in excess of those that can be expected to result from, and be consistent with good cultural and handling practices employed in the production and marketing of a commodity (2002, FAO).
Program Networks	A CFIA network of specialists located throughout Canada, whose role includes working with the CFIA operation's staff to ensure effective delivery of program policies and procedures and providing input into their design.
Quarantine pests	A pest of potential economic importance to the area endangered thereby and not present there, or present but not widely distributed and being officially controlled. (2002, FAO)
Regulated article	Any plant, plant product, storage place, packaging, conveyance, container, soil and any other organism, object or material capable of harbouring or spreading pests, deemed to require phytosanitary measures, particularly where international transportation is involved.(2002, FAO)
Regulated non-quarantine pest	A non-quarantine pest whose presence in plants for planting affects the intended use of those plants with an economically unacceptable impact and which is therefore regulated within the territory of importing contracted party (2002 FAO).
Regulated pest	A quarantine pest or a regulated non-quarantine pest (2002, FAO)
Test	Official examination, other than visual, to determine if pests are present or to identify pests. (2002, FAO)
Treatment	Officially authorized procedure for killing, removal of pests or rendering pests infertile. (2002, FAO)

1.0 General Requirements

1.1 Legislative Authority

The Plant Protection Act, s.c. 1990, c.22

The Plant Protection Regulations, SOR/95-212

Canadian Food Inspection Agency Fees Notice, Canada Gazette, Part 1 (05/13/2000)

Plant Quarantine Laws and Regulations of foreign countries

1.2 Fees

The CFIA is charging fees in accordance with the *Canadian Food Inspection Agency Fees Notice*. Anyone requiring information regarding fees may contact any local CFIA office or access the CFIA internet web site at www.inspection.gc.ca.

2.0 Authority for Phytosanitary Certification

2.1 *Plant Protection Act and Regulations*

The *Plant Protection Act* is an act to prevent the importation, exportation and spread of pests injurious to plants and to provide for their control and eradication and for the certification of plants and other things. Section 57 of the *Plant Protection Regulations* states that no person shall export or re-export any thing from Canada unless it meets the laws of the importing country respecting phytosanitary import requirements.

2.2 International Plant Protection Convention (IPPC)

The IPPC, a treaty relating to plant health adopted by the Food and Agriculture Organization (FAO) of the United Nations, is an international agreement to secure common and effective action to prevent the spread and introduction of pests of plants, plant products and other regulated articles and to promote appropriate measures for their control. The IPPC came into force in 1952 and was amended in 1979 to include a model for a Phytosanitary Certificate. The IPPC was further revised in 1997 to align it with the agreement on the Application of Sanitary and Phytosanitary Measures (the SPS Agreement) of the World Trade Organization. Under the IPPC, Canada is obliged among other things to carry out export inspection and phytosanitary certification to prevent the spread of plant pests. Canada is also obliged to prevent the spread of pests to countries that are not signatories to the IPPC.

3.0 The Phytosanitary Certificate

3.1 What is a Phytosanitary Certificate:

A Phytosanitary Certificate is an official document issued by the plant protection organization of the exporting country to the plant protection organization of the importing country. It certifies that the plants or plant products and other regulated articles covered by the certificate conform with the current phytosanitary regulations of the importing country.

A Phytosanitary Certificate is issued in support of trade but it is not a trade document. Trade documents comprise of (but are not be limited to) Letters of Credit (LOC), Bills of Lading, invoices etc.

3.2. Why are Phytosanitary Certificates issued

The issuance of Phytosanitary Certificates achieves three major objectives:

- it confirms that the plants, plant products or other regulated articles in the shipment do not pose any undue risk of introducing quarantine pests from the exporting country into the importing country;
- it informs the plant protection organization of the importing country that the shipment meets its phytosanitary import requirements at the time that it left Canada; and
- it facilitates the trade of plants, plant products and other regulated articles between countries.

3.3 Who issues Phytosanitary Certificates

In Canada, Phytosanitary Certificates are issued by an Authorized Certification Official (ACO) of the CFIA. The CFIA of the Government of Canada has sole responsibility for the issuance of phytosanitary certificates.

4.0 Sources of Phytosanitary Information

4.1 Plant Quarantine Import Regulations of Foreign Countries (FPQIR)

4.1.1 What they are:

The CFIA recognizes only official phytosanitary regulations of the importing country, or other official documentation.

Most countries have Acts, Laws, Decrees, Regulations, etc., outlining the requirements

for plants and plant products, and other regulated articles imported into their territories. FLU maintains files that contain the FPQIR of most countries. FLU officers are the primary contacts with the foreign plant protection organizations for updates of the regulations, clarification of the requirements and other related matters.

4.1.2 How the information of the FPQIR is provided to ACOs

FPQIR are maintained on a database in O drive and the electronic certification system (ECS). The CFIA staff that issue Phytosanitary Certificates have access to the FPQIR. The data base is organized on a country/commodity basis. Staff should always first check the FPQIR system for information, prior to contacting FLU staff.

4.1.3 What to do when information is not on the system or is out of date

Information on the FPQIR database that is more than two years old should be considered potentially out of date. If FPQIR is not available or is older than two years, the operational program officer must send a new information request to FLU. See Appendix 1 for the Information Request form. The form must be completed according to the established procedures (see ACO Training manual) and e-mailed, or faxed to FLU if e-mail is not available. FLU will provide the answer by completing the appropriate sections of the form with the necessary information. The completed form will be sent to the staff who requested it and the FPQIR will be updated.

4.2 Permit to Import

4.2.1 What it is

An Permit to Import for plants, plant products and other regulated articles is an official document issued by the national plant protection organization of the importing country to the importer. The permit may provide the phytosanitary requirements of the product(s) for which it was issued or may give authority to an importer to import certain plants, plant products or other regulated articles without giving additional details. Not all countries issue Permits to Import and not all commodities are imported via Permits to Import.

4.2.2 When to obtain a copy of the Permit to Import

If the FPQIR database indicates that an Permit to Import is specifically required, the exporter must obtain a copy of the permit and provide it to the ACO. The ACO must evaluate the phytosanitary requirements identified in the permit and, if the permit contradicts available FPQIR information, the Permit to Import must be sent to the appropriate FLU staff. They will advise accordingly and seek clarification from the importing country when necessary. For countries which provide the phytosanitary

requirements via Permits to Import the permit issued for the current shipment is considered valid.

If the Permit to Import is in a language other than English or French, it is the responsibility of the exporter to provide the permit translated into English or French. A copy of the original must be provided with the translated version.

4.3 Letter of credit (LOC)

A letter of credit is a document, issued by a commercial bank to an agent in the exporting country, authorizing the agent to give credit, within the stated limits, to the bearer named in the letter. A LOC is a trade document, not an official government document and should not contain any phytosanitary requirements including a request for a Phytosanitary Certificate when none is required by the importing country. The CFIA has no responsibility for the fulfilment of the terms and conditions of LOC's or other trade documents. However, in certain cases, the LOC is the only document available indicating phytosanitary requirements of the importing country. If the requirements can be met and there is no official information available for verification of the requirements, the phytosanitary conditions on the LOC are considered valid. If the phytosanitary requirements cannot be met, the exporter must be told to re-negotiate the terms of the LOC regarding the phytosanitary requirements.

4.4 Conflicting phytosanitary information

Conflicting phytosanitary information may originate from a number of sources and should always be verified with FLU staff.

5.0 Issuance of a Phytosanitary Certificate

A Phytosanitary Certificate must be issued when the importing country requires it as a condition for import and the plants and plant products in the shipment meet the phytosanitary import requirements of the country. One original and, if requested, one copy marked "true copy" will be issued to the exporter. One copy will be kept in CFIA files.

Upon request by the exporter, additional copies may be provided. Each additional copy must also be marked "true copy".

5.1 Basic rules governing phytosanitary certification

The Phytosanitary Certificate shall be completed in English or French. Exemptions may be allowed in the following circumstances:

- the address of the importer may be written in another language if that language uses Latin letters;
- the additional declaration may be written in another language if that language uses Latin letters. This can be done if the request comes from the national plant protection organization of the importing country, and if the meaning of the additional declaration can be verified and the shipment meets the conditions.

5.2 Inspection and/or testing

When signing a Phytosanitary Certificate an ACO certifies that the plants, plant products or other regulated articles covered by the certificate have been inspected and/or tested according to appropriate official procedures and are considered to be free from the quarantine pests specified by the importing contracting party and to conform with the known current phytosanitary requirements of the importing contracting party, including those of regulated non-quarantine pests and that they are deemed to be practically free from other pests.

Appropriate procedures may include: field inspection during the growing season, regular inspections of facilities and premises, laboratory testing, verification of treatment, visual inspection of the product, verification of survey results or distribution of pests, etc., or any combination of these or as specified in the FPQIR. Laboratory testing carried out in the US is accepted as a certification base only if the laboratories are accredited by the USDA.

5.2.1 Quarantine pests

All plants and plant products imported for propagation or consumption/processing must be certified free from quarantine pests listed by the importing country. The quarantine pests are specific to each country or group of countries, i.e. European Union countries. The quarantine pests often also referred to as prohibited pests are listed in the FPQIR.

To certify freedom from quarantine pests, the ACO issuing the Phytosanitary Certificate must be satisfied that:

- the pests in the prohibited pest list do not occur in Canada or in the area of production;
or
- appropriate inspection and/or laboratory testing has taken place to verify the absence of the pests; or
- appropriate treatment has been carried out to kill, remove or render the pests infertile.
Certain importing countries specify which treatments are acceptable.

5.2.2 Regulated non-quarantine pests:

Only plants for planting, including seeds, bulbs and tubers and various kinds of vegetative propagative material, can be subject to requirements related to regulated non-quarantine pests (RNQP). These pests may be present in Canada or the region/area of production, but a certification program or treatment procedures would be in place to ensure that the propagative material meets the import requirements. Examples: plants grown under virus certification program, fumigation of alfalfa seed to eliminate *Ditylenchus dipsaci*, if present, etc. The importing country may establish tolerances for RNQP.

5.2.3 Other pests:

The consignments are also certified to be deemed practically free from other pests. Determination of practically free from other pests, shall be based on visual inspection or knowledge of the production and handling practices.

To certify plants or products practically free from other pests, the ACO certifying the shipment must be satisfied that:

- the pest(s) occurs at levels no greater than is commonly accepted; or
- the shipment meets the level of tolerance for the pest(s) set by the importing country for that plant or plant product. See also the definition of “practically free”.

5.2.4 Free from soil

If plants or plant products must be free from soil but no specific tolerances or instructions are given, the following applies: a product is free of soil if there is no discernable soil in it or on it, i.e., soil peds in grain or visible soil on plant roots.

5.2.5 Treatments

Any treatment required by the plant protection organization of the importing country as a condition for entry must be supervised or verified by the inspection staff. Details (date, concentration, duration, etc.) of the treatment are to be entered on the Phytosanitary Certificate in the space provided for treatment, unless the information request specifically indicates that the treatment details must be entered in the additional declaration box.

Treatments that were applied, but were not specifically performed to meet the official import requirements, must not be entered on the Phytosanitary Certificate.

Named treatments that are requested by the importing country, but that are not registered

for use in Canada, must not be applied in Canada. FLU should be contacted to determine if an alternate treatment may be applied, or if the treatment can be applied at the destination.

5.3 Additional declaration

An additional declaration is an official statement on the Phytosanitary Certificate which provides specific additional information pertinent to the phytosanitary condition of a consignment above and beyond what is normally required to certify a shipment. An additional declaration is requested by the national plant protection organization of the importing country and may be required in cases where specific conditions need to be met. An additional declaration should only be included on the Phytosanitary Certificate if it is clearly and specifically required by the government of the importing country.

If the FPQIR or the Permit to Import states that the plants and plant products must be certified "based on....", this means that an additional declaration is not required. However, if the FPQIR or the Permit to Import states that the plants and plant products must be certified "stating that ...", an additional declaration is required.

When the additional declaration is typed on an attachment, the additional declaration section of the certificate should read: see attachment. The attachment must bear the number of the Phytosanitary Certificate.

5.4 Re-issuance of Phytosanitary Certificates

Re-issuance of Phytosanitary Certificates is not a standard practice. However, if a change is requested by the exporter after the original Phytosanitary Certificate has been fully completed, signed and stamped and has left the care and control of CFIA, the certificate may be re-issued, provided the following condition has been met: the issuing office must be satisfied that the original certificate and its true copy are returned or have been destroyed. The new certificate will bear a new number. It must also bear the number of the certificate it replaces. The wording "This cancels and replaces certificate #.. dated..." is placed in the upper right hand corner (electronic Phytosanitary Certificate) or immediately under "To: Plant Protection Organization of" (pre-printed forms). CFIA must be confident that the phytosanitary status of the shipment is unchanged.

Repeated requests for re-issuance of phytos, by the same exporter, should be considered suspect and no further certificates issued without consultation with the supervisor or FLU.

5.5 Dating of Phytosanitary Certificates

The date entered on the Phytosanitary Certificate is the date on which it was actually issued. This date must not be more than 14 days prior to the date on which the shipment leaves, unless specified differently in the FPQIR. The date on the Phytosanitary Certificate indicates to the importing country that, on that date, the plants, plant products or other regulated articles were considered to meet the phytosanitary import requirements.

Backdating Phytosanitary Certificate is not permitted except for special circumstances, i.e. the importing country requires that the certificate bears the same date as other shipping documents, or final details about the volume/quantity of the product is not known until after loading and the Phytosanitary Certificate cannot be issued until the next day.

Any conflict related to dating Phytosanitary Certificates must be resolved in consultation with FLU.

5.6 Permissible information on the Phytosanitary Certificate

Only phytosanitary information should appear on the Phytosanitary Certificate (see Appendix 2). The Permit to Import number, when required, may appear on the certificate. However, if specifically requested by the exporter and a justification is provided, the inclusion of a maximum of two pieces of non-phytosanitary (trade) information that link the Phytosanitary Certificate to other documentation that accompanies the shipment is permissible. Information must be factual and includes such examples as: a letter of credit number, or bill of lading number or date, or some other number that appears as an identifying feature on other documents. They do NOT include any reference to grade, quality, color, etc. On the pre-printed Phytosanitary Certificate, the Permit to Import number (and any non-phytosanitary information) can be written in the top right corner. The computer issued Phytosanitary Certificate is provided with a File Reference box, where the Permit to Import number and the maximum two pieces of other information can be written. Container numbers are considered to be part of the package description and will be entered in "Number and description of packages".

5.7 Irregular circumstances

The following examples may be used for guidance in applying this policy:

5.7.1 Requests for Phytosanitary Certificates

Phytosanitary Certificates and/or other phytosanitary requirements that are requested by the exporter in response to the terms of a LOC are not to be issued or fulfilled automatically. The request must be an official requirement of the national plant protection

organization of the importing country and must not conflict with the FPQIR of the country or any mandatory Permit to Import. Consult with the appropriate officer in FLU when a conflict arises. Private companies in the importing countries and banks cannot request a Phytosanitary Certificate when one is not required by the national plant protection organization of the importing country.

If the request is not from the national plant protection organization of the importing country, issuance of the Phytosanitary Certificate must be refused. Exceptions to this may only be made in consultation with FLU. When the terms of the LOC cannot be changed and it appears that the shipment is in jeopardy as a result of the lack of a Phytosanitary Certificate, the FLU may recommend to issue the Phytosanitary Certificate. The exporter must be made aware in writing, by the ACO issuing the Phytosanitary Certificate, that this was an exception and it may not be repeated.

5.7.2 Requests for an additional declaration

Requests for an additional declaration by an exporter, either as a result of the conditions in the LOC or other reason, must be verified. The only valid requests are those from the national plant protection organization of the importing country. All other requests must be denied. However, if it appears that the shipment is in jeopardy as a result of the refusal to write an additional declaration, contact the FLU. The FLU may decide to accept the additional declaration for the present shipment and seek clarification from the plant protection organization of the importing country for any future shipments.

5.7.3 Shipment left Canada without a Phytosanitary Certificate.

A shipment should not leave Canada without a Phytosanitary Certificate if one is required. However, there are circumstances under which, and following consultation with FLU, it may be possible to issue the certificate after a consignment left Canada.

- a sample of the plants or plant products or other regulated articles in the shipment was previously taken and analyzed by inspection staff or other authorized government agency (e.g. Canadian Grain Commission). If the inspection results reveal that the product complies with the phytosanitary import requirements of the country of destination, a Phytosanitary Certificate can be issued;
- a sample from the same lot of plants and plant products or other regulated articles can be obtained either from another government agency or from the exporter and inspected. Phytosanitary certification could take place based on these samples. There must be confidence that the sample(s) truly represent(s) the shipment;

- an inspection of the premises or other system inspections indicates that the product complies with the phytosanitary import requirements of the importing country, i.e., elevator inspection, bog inspection for peat moss;
- an inspector can verify that an effective treatment was applied to the product prior to export, i.e. heat treatment certificate or freezing;

Resolution of detained shipments due to lack of phytosanitary certification may involve a number of actions by FLU and the importing country, on a case by case basis. When a decision is made to issue a Phytosanitary Certificate, the date entered on the document must be the actual date of issuance.

5.7.4 Requests for Phytosanitary Certificate for Canadian products in transit or transshipped through the US

Canadian products moved in transit through to US to the country of destination are inspected and certified to meet the phytosanitary import requirements of the country of destination. No specific statements are made on the Phytosanitary Certificate related to in transit movement

Canadian grain transshipped in bulk through the US (transshipment means that the initial means of conveyance are changed and/or grain may be moving through the US grain handling system) should be certified to meet the phytosanitary import requirements of the country of destination. In the Name and Address of Consignee section of the Phytosanitary Certificate, enter the name and the address of the importer in the country of destination and write - via the United States-. If requested, the ACO signing the Phytosanitary Certificate may issue an attachment in a letter format saying : “At the time of issuance of the Phytosanitary Certificate number..... (the date must be indicated) the shipment met the phytosanitary import requirements of(write the country of destination”).

5.7.5. Transit through other countries

In cases when the shipment transit through a country which has specific transit requirements, including the need for Phytosanitary Certificates, the names of both importing country and country of transit may be written on the certificate, i.e., lumber to Hungary, transiting Germany. In such cases the phytosanitary import requirements of both countries must be met.

5.8 Refusing to issue a Phytosanitary Certificate

The CFIA will not issue a Phytosanitary Certificate if one or more of the following circumstances occur:

- no Phytosanitary Certificate is required for the exported commodity by the importing country;
- the shipment does not meet the phytosanitary requirements of the importing country;
- the shipment already left Canada and certification cannot take place as required (e.g., field inspection not done, shipment unavailable for inspection and samples of the product were not taken during loading);
- exporter refuses to give required information or refuses to cooperate in order for certification to take place;
- technical obstacles prevent certification (e.g., appropriate laboratory test is not available).

5.9 Phytosanitary Certificate for Re-export

A Phytosanitary Certificate for re-export can only be issued if the imported product was accompanied by a Phytosanitary Certificate or a certified copy thereof issued in the country of origin and the product meets the phytosanitary import requirements of the importing country. The re-export Phytosanitary Certificate is based on the Phytosanitary Certificate from the country of origin.

The Training Module: Export Certification - Authorization of Staff to Sign Phytosanitary Certificates, explains section by section the completion of the Phytosanitary Certificate for re-export.

US products in transit through Canada do not qualify for a Canadian Phytosanitary Certificate for re-export.

6.0 Origin of Plants and Plant Products for Phytosanitary Certification

6.1 Plants or Plant Products considered to be of Canadian origin

- Plants were grown in Canada;
- Plants or plant products were imported into Canada but were processed to such extent that the original identity is no longer relevant from the phytosanitary point of view.
- Plants were imported into Canada and were grown for at least one full growing season.
- For export certification to the United States (US), plants were imported into Canada and

grown for one full cycle under the Canadian Greenhouse Certification Program. Plants imported into Canada from countries from where the US prohibits or restricts imports of those plants, are never considered of Canadian origin by the US, therefore are not eligible for export to the US. Certain exceptions may apply to restricted plants. Contact FLU for details.

Plants are never considered of Canadian origin by the US if they were imported under Canada's growing media program.

6.2 Plants or products certified in a region of Canada other than the region of production

When plants, plant products or other regulated articles are presented for certification in a region of Canada other than the region of production, it is necessary to verify with the CFIA staff in the region of origin if a previous request for certification was made, and if certification can take place based on pest distribution in that region. Verification may include requests for the inspection records from the region of origin.

6.3 Plants or plant products of foreign origin

Plants or plant products of foreign origin may be covered by a Canadian Phytosanitary Certificate, indicating the country of origin as the actual country of production when:

- they were imported into Canada without a Phytosanitary Certificate (because Canada did not require a Phytosanitary Certificate), or if the original Phytosanitary Certificate can no longer be clearly linked to the plants, plant products or other regulated articles presented for certification (e.g., shipment was subdivided, going to multiple destinations, etc.) and
- a simple treatment or procedure (cleaning, conditioning or pesticide treatment) has taken place and did not alter the nature of the product.

FLU must be contacted to verify the entry requirements of the foreign product into the final country of destination. The FPQIR usually provides information only on import requirements for Canadian products. Entry requirements may differ for the same product from other countries.

7.0 Responsibilities and Lines of Communication

7.1 CFIA responsibilities

7.1.1 Foreign Legislation Unit

Set and provide guidance on policy on the issuance of Phytosanitary Certificates.

Seek clarification from foreign plant protection organizations of their phytosanitary import requirements in cases of contradictions or lack of phytosanitary information.

Maintain FPQIR data base up-to-date and respond to Information Requests on a timely basis

Negotiate or contribute to negotiations with foreign plant protection organizations for less stringent phytosanitary requirements, when they are not technically justified.

Negotiate release of shipments that are detained, as a result of alleged phytosanitary reasons.

7.1.2 Area/Regional staff responsible for phytosanitary certification activities

The area/regional staff are the first line of contact between FLU and exporters. Only in exceptional cases will FLU deal directly with an exporter.

The link between the field staff and FLU should be: Inspection Staff-> Operational Program Officer->FLU. In certain cases the Program Network Specialist should be consulted before contacting FLU. A senior inspector may contact FLU directly if the operational program officer is absent.

Consult FPQIR database.

Confirm FPQIR Information with FLU where required or when in doubt of the accuracy of the available information.

Inform exporters of the known import requirements of foreign countries before exporters start negotiating with importers.

Advise exporters to avoid specific phytosanitary details, when negotiating the terms of the LOC to ensure that they do not agree to phytosanitary requirements that cannot be met or that are contradictory to the official government regulations.

Advise exporters not to include in the LOC the presentation of the Phytosanitary Certificate as a payment condition.

Advise exporters that statements or documents related to pesticide residue analysis, fitness for human consumption, quality, grade, colour, size and other quality aspects of the product cannot be part of the phytosanitary certification and may not appear on the

certificate.

Explain to exporters the policy on the issuance of Phytosanitary Certificates

Verify that the product complies with the plant quarantine import requirements of the importing country by using appropriate procedures.

Investigate breaches of policy and provisions of the Plant Protection Act by exporters.

Issue Phytosanitary Certificates (ACO only).

7.2 Exporters' responsibilities

Know the phytosanitary import requirements for the commodity they intend to export, before signing contracts or LOC. The requirements may be obtained from the CFIA when the requirements are known, from the Permit to Import or from the importer. Information provided by importer must be verified with the local CFIA office.

Ensure that contracts and LOC have minimal references to the phytosanitary requirements and do not contradict the official import phytosanitary requirements.

Ensure that the LOC does not include the presentation of the Phytosanitary Certificate as a payment condition.

When an Permit to Import is required, obtain it from the importer and present a copy to the CFIA local office. If the permit is in a language other than English or French the exporter must translate the permit and provide a copy of the original and the translation.

Apply for export inspection and phytosanitary certification to the appropriate CFIA office. The application should be received ten (10) days before the date of shipping. Exporters should not apply for phytosanitary certification after the shipment left Canada or just before arriving at destination. The Phytosanitary Certificate may not be issued after shipments left Canada.

Ensure that shipments meet the phytosanitary import requirements of the importing country and safeguard the phytosanitary status of the product after inspection.

8.0 Control of Phytosanitary Certificates

All pre-printed Phytosanitary Certificates are numbered. Computer generated certificates are numbered automatically by the Export Certification System. The same rules for handling of pre-printed Phytosanitary Certificates will be applied to any blank certificates generated by the ECS.

Logs and files will be kept of the pre-printed Phytosanitary Certificates .

Phytosanitary Certificates not yet issued but partially completed will be kept under CFIA care and control.

Any spoiled certificates will be voided and kept on file. Spoiled ECS generated certificates which have not yet left CFIA care and control must be shredded if a corrected version has been issued with the same number. Any replaced certificates will be voided and kept on file. If the printed copy of ECS generated certificate is voided, the ACO must ensure that the electronic version is also voided.

Official copies of all Phytosanitary Certificates issued must be kept on file by the local CFIA office.

No incomplete signed or stamped Phytosanitary Certificate will be given to exporters under any circumstances.

Audits shall be conducted as per the protocol in the ACO manual on any aspect of the procedures used for issuance of Phytosanitary Certificates.

9.0 Appendices

Appendix 1: Export Information Request
Appendix 2: Section by Section Description of the computer generated Phytosanitary Certificate

APPENDIX 1

DEMANDE D'INFORMATION POUR L'EXPORTATION/ EXPORT INFORMATION REQUEST**SECTION 1.**

PAYS DE DESTINATION/ COUNTRY OF DESTINATION: _____

PRODUIT/ COMMODITY: _____

ORIGINE/ ORIGIN: _____

 CONSOMMATION/ CONSUMPTION MULTIPLICATION/ PROPAGATION PRODUITS FORESTIERS/ FOREST PRODUCTS: _____ AUTRES/ OTHER: _____QUANTITÉ/ QUANTITY: _____ COMMERCIAL RECHERCHE/ RESEARCHDATE D'EXPÉDITION/
DATE OF EXPORT: _____ ÉCHANTILLON/
SAMPLE BAGAGE/ LUGGAGE**SECTION 2.**PERMIS REQUIS/ PERMIT REQUIRED: OUI/ YES NON/ NOCERTIFICAT PHYTOSANITAIRE REQUIS/
PHYTOSANITARY CERTIFICATE REQUIRED: OUI/ YES NON/ NODÉCLARATION(S) ADDITIONNELLE(S) REQUISE(S)/
ADDITIONAL DECLARATION(S) REQUIRED: OUI/ YES NON/ NO

MENTIONNANT/ STATING:

INSPECTION BASÉE SUR/ INSPECTION BASED ON:

TRAITEMENT/ TREATMENT:

AUTRE INFORMATION/ OTHER INFORMATION:

SECTION 3.INFORMATION

DEMANDÉ PAR/ REQUESTED BY: _____

FOURNIE PAR/ GIVEN BY: _____

 DISTRICT REGIONAL REGIONAL OTTAW
A

NO. DE TÉLÉC./ FAX NO.: _____

NO. DE TÉLÉC./ FAX NO.: _____

(613) 228-6602

APPENDIX 2

SECTION BY SECTION DESCRIPTION OF THE PHYTOSANITARY CERTIFICATE

This information supplements information found in the body of this policy and provides additional guidance for completing a Phytosanitary Certificate.

All Sections

Information entered in all sections of Phytosanitary Certificates generated by CFIA's computerized Export Certification System (ECS) will appear in upper case with the exception of scientific names which will appear in lower case and italics with capitalization as appropriate. Manually prepared Phytosanitary Certificates shall be typed or printed clearly and scientific names may be either underlined or italicized.

Country Name

This shall be the name of the country of destination. These are found in the common data table of the ECS.

Certificate Number

Pre-printed books of Phytosanitary Certificates are sequentially numbered. The ECS will generate a unique number for each Phytosanitary Certificate.

Reference : See Section 5.6

Name and Address of Exporter

This must be an address in Canada. A reference to the name of one other person or firm in another country may be included in this field in addition to the name and address of the Canadian exporter. Only one address will be in this field.

Foreign agent c/o Canadian Exporter, i.e.:
SUN PRODUCTS INC., USA C/O JIM'S EXPORT SERVICE,
39 ANYPLACE ROAD, HOMETOWN, ONTARIO, CANADA H0H 0H0

Name and Address of Consignee

An address in the country of destination as provided by the exporter. Note: This is one of only two fields where the language entered may be other than English or French. The language characters must be the same as those used in English or French. There will be only one consignee entered per Phytosanitary Certificate. However, when the country of a consignee is other than the country of destination a reference to another name or firm may be added, i.e., Beijing Traders, China C/O Enterprises LTD, India.

Number and Description of Packages

Sufficient details should be included to enable the NPPO of the importing country to identify the consignment and its component parts, and verify their size if necessary. Container numbers, railcar numbers if known can be included.

Distinguishing Marks

When the product is not in bulk, any identifying words, numbers or a description of a specific mark on a package can be used as a distinguishing mark, i.e., A BRAND #4240

Container numbers are not considered to be “distinguishing marks”

Place of Origin

Unless otherwise detailed by the FPQIR, the place of origin shall be shown as Province (or region), Canada.

The place of origin may be in a country other than Canada when the product did not originate in Canada. See Section 6 of this policy.

Declared Means of Conveyance

One of the words, “sea, air, road, rail, mail, passenger” will be inserted. The name of the carrier may be included.

Declared Port of Entry

This should be the first point of arrival in the country of the final destination, or if not known, the country name. FPQIR, Permits to Import or trade documents may indicate a specific port of entry.

Name of Produce and Quantity Declared

The common name and scientific name and the quantity of product and unit of measurement are entered here.

Unless otherwise stated in the FPQIR, the scientific name of any plant material will appear at the genus level. Material such as used machinery, etc., will obviously have no scientific name designation.

The common name of the product shall be kept as short as possible while still identifying the product to the phytosanitary officials of the importing country. Quality, grade, trade names and colour information will not be entered.

Treatment

Treatments are only entered on the Phytosanitary Certificate when required by the importing country and the following information should be included as applicable:

- Date - Date application commenced,
- Treatment - Basic description of the process involved.
- Chemical - Active ingredient
- Concentration - The concentration of the chemical
- Duration and Temperature - The length of time and temperature during treatment

Seal

The official CFIA stamp is placed here.

Additional Declaration

This is the section in which declarations are entered to certify freedom from certain pests, to declare that specific procedures were used, or to declare that certain conditions have been met. On Phytosanitary Certificates generated by the ECS the additional declaration will appear in upper case italics with scientific names in lower case italics.

Information may be added in a language other than English or French, only if the declaration is a specific requirement of the importing country, the characters are common to French and English, and is authorized by headquarters.

Place of Issue

This shall be the name of the place (City, Province, Canada) where the office of the issuing inspector is located.

Name of Authorized Officer

This will be the name of the ACO signing the certificate. On hand -written Phytosanitary Certificates the name should be written in legible capital letters.

Date

See section 5.5 “Dating of Phytosanitary Certificates” in the policy

Signature

This shall be the manual signature of the authorized officer on the original and true copy.

Attached Lists

Attached lists should only be employed where information which would normally appear in the body of the Phytosanitary Certificate exceeds the allotted space. The three sections where this is most likely to occur are Number and Description of Packages, Name of Produce and Quantity Declared, and Additional Declaration. Other sections may require additional space, however, this provision does NOT extend to “trade information” .

To complete these sections a list or annex may be attached to the Phytosanitary Certificate. The attached list or annex shall bear the same Phytosanitary Certificate number and must be signed, dated and stamped with the official CFIA stamp. The ECS generates the Phytosanitary Certificate number and date automatically when the annex is added using the system. When the list or annex is issued manually the necessary information must be entered manually on the annex.

The annex or attached list becomes a legal part of the Phytosanitary Certificate.