



# Natural Selection

*Red is the new green when it comes to organic products in Canada*

As autumn leaves turn crimson red, the maple leaf gets green – organic green that is. On Sept. 2, 2006 the Canadian Food Inspection Agency's (CFIA) proposed organic regulations were published in *Canada Gazette I*. Within 75 days the CFIA hopes to collect comments on the new regulations, review them, make adjustments as needed and shortly after register new regulations. The goal is to have final regulations before the end of 2006.

The timing of the new regulations is very important, particularly as the European Union (EU), our second biggest organic market, is requiring all of its trading partners to have an approved third-party equivalency by Dec. 31, 2006. In typical Canadian style, our regulations are forged by procrastination; we once again take it to the 11th hour!

In all fairness, the Canadian government was very proactive on the organic frontier in the early '90s, even getting proposed regulations published circa 1995. These proposed regulations failed miserably, however, and were never again looked at. While the effort was there, that experience showed that the issue of organics is too complex to govern by prescriptive regulations. The focus changed, and by 1999 the first federal organic standard was published by the Canadian General Standards Board (CGSB). One of the largest weaknesses in the federal standards is that it had no accreditation or certification requirement. Another weakness is that the federal standard did not have a counterpart in any formal federal legislation that provided structure for accreditation of certifying bodies and certification of organic products. The federal standard was simply governed by existing general statutes dealing with misrepresentation. Provinces such as British Columbia and Quebec were among the few that were also engaged in developing organic standards.

The organic industry in Canada is growing at a rate of 15 to 20 per cent yearly. There are over 3,600 certified organic farms producing products with a retail value estimated at \$986 million, based on 2004 figures. Many organic products are now competitive with conventional agricultural products, and some retailers, including those in the mainstream, have made enormous efforts to provide a greater variety of both

fresh and processed organic products. With this kind of momentum, the CFIA simply cannot afford to stay on the sidelines.

The new proposed "Organic Products Regulations" are a CFIA invention, and will be a separate regulatory entity promulgated under the enabling legislation, the Canada Agricultural Products Act. Unlike the efforts in the '90s, these regulations are focused on providing the structure to govern organic agricultural products, provide the framework for accreditation of certifying bodies and for the requirement that organic products be certified. The backbone is still largely based on the latest CGSB Organic Standards (CAN/CGSB-32.310, Organic Production Systems – General Principles and Management Standards).

Under the new federal regulations all products intended for inter-provincial trade or export must be certified organic. Organic products in intra-provincial trade would not be subject to certification under the new regulations, but would still need to meet the requirements of the CGSB Organic Standards. Intra-provincial products would also be subject to existing provincial regulations. The integration of existing provincial organic accreditation and certification could fit into the Canadian Organic Regime. Imported organic products would require an attestation by a component authority in the country of origin saying that the product meets its organic standards.

In addition to the labelling requirements noted in the CGSB standard, the new Canadian organic agricultural legend could be used on the label of a product that meets the requirements of the new regulations. The labels of organic products subject to these regulations will also need to include the name and accreditation number of the organic certifying body. Where the product contains more than one agricultural product, the percentage of each organic product will need to be stated.

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The organic symbol should be appearing on products before the end of the year.