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Appendices

The following documents are intended for internal use. CFIA staff can access these documents using the internal tools noted below.

Appendix 8.1: Description of CFIA Importing Tools [RDIMS 2082383]
Appendix 8.2: Import Documentation Transfer (Using EDI or Non-EDI) [RDIMS 2103203]
Appendix 8.3: Fictitious Example of a Completed Import Declaration (ID) [RDIMS 2113999]
Appendix 8.4A: Import Declaration Verification Worksheet for Honey [RDIMS 2050600]
Appendix 8.4B: Review of Honey Importer Controls [RDIMS 2099574]
Appendix 8.5: Fictitious Example of a Honey Import Target (HIT) [RDIMS 2081011]
CHAPTER 8 — IMPORTS

8.1 Objective

This chapter will provide Honey Program inspectors and honey industry stakeholders with an understanding of the:

- honey import requirements;
- tools available to monitor imports and communicate the requirements to the importing community; and
- procedures for conducting inspection activities to verify that honey imported into Canada is safe, not misrepresented, properly packaged and labelled, and meets the Canadian regulatory requirements.

8.2 Scope

Import inspections under the Honey Program apply to all shipments of honey imported into Canada for human consumption, except for shipments imported for personal or non-commercial use (e.g., samples) that fall under one of the exemptions listed in Section 46 of the Honey Regulations (HR).

In-Bond or In-Transit Shipments

These types of shipments (e.g., a shipment from China stored in a bonded warehouse in Vancouver until it is placed on another vessel and shipped to the USA), are not imports because they have not been released by the Canadian Border Services Agency (CBSA). Therefore, they are not permitted to enter the Canadian marketplace. In order for these types of shipments to become available for the Canadian market, they must first go through the regular import process (documentation review and final release by CBSA).

If it is suspected that in-bond shipments have been moved outside of a “bonded” warehouse location, detain the product and refer to the Area Import Coordinator (AIC) for CBSA follow-up.

Honey Imported for Bee Feed

These types of shipments are regulated by the Health of Animals Regulations and Section 57 has restrictions on the importation of honey and other bee products when imported for bee feed. Honey must be irradiated as required by the Animal Health Policy for bee products AHPD-DSAE-IE-2001-3-5.

If it is suspected that imported honey is being used for bee feed, but that it was not imported and/or labelled according to the requirements, refer the information to the Animal Health Program for follow-up.

8.3 References, Forms and Electronic Tools

8.3.1 References

Acts and Regulations

- Honey Regulations (HR)
- Canada Agricultural Products Act (CAPA)
- Organic Products Regulations
- Food and Drugs Act (FDA)
- Food and Drug Regulations (FDR)
8.3.2 Forms/Records

The following CFIA/ACIA forms are available on the External or Internal Forms Catalogue. Note that other product inspection forms may be necessary depending on the activities conducted on the imported products. Please refer to the applicable chapter(s) of this manual for the required forms.

- Import Declaration CFIA/ACIA 4560
- Inspection Report CFIA/ACIA 0992
- Request for Documentation Review (CFIA/ACIA 5272)
- The following worksheets are tools to verify the Import Declaration and the controls put in place by the importer.
- Appendix 8.4A: Import Declaration Verification Worksheet for Honey [RDIMS 2050600]
- Appendix 8.4B: Review of Honey Importer Controls [RDIMS 2099574]

8.3.3 Electronic Databases/Tools

The following electronic databases are tools that are available to monitor imported honey and to communicate the CFIA’s requirements to the importing community. See Appendix 8.1 for a description of these.

- Consumer Packaging and Labelling Act (CPLA)
- Consumer Packaging and Labelling Regulations (CPLR)
- CFIA Fees Notice, Part 7 - Honey Fees
- Health of Animals Regulations

Honey Program References

- Canadian Import, Export and Interprovincial Requirements for Honey
- CFIA Honey Program
- Honey Inspection Program Activities and Frequencies - National Standards Work Plan [RDIMS 2232734]
- Honey Inspection Program - Sampling Plans and Guidelines [RDIMS 1712580]

Other References

- Animal Health Import Policy on Bee AHPD-DSAE-IE-2001-3-5
- Food Imports
- Guide to Importing Food Products Commercially
- Good Importing Practices for Food
- ICTS.Net User Guide [RDIMS 2672592]
- Import Service Centres
- Canada Border Services Agency (CBSA) - Importers
- CBSA Accounting for your Goods - Commercial Invoice
- CBSA Customs Tariff (by Harmonized System (HS) Codes)
- Canadian International Trade Tribunal (CITT) decision reference #AP-89-170
- Automated Import Reference System (AIRS) - a user-friendly, searchable external database of CFIA’s import requirements
- Harmonized Commodity Description and Coding System (HS Code)
- HS codes for various honey products (honey, dried honey, honey powder)
- Import Retrieval System (IRS)
- Import Control and Tracking System (ICTS.Net) and User Guide
- Honey Import Target (HIT)
- Border Lookout

8.4 Regulatory Requirements for Importing Honey

The Canadian Food Inspection Agency regulates the importation of food products. The Guide to Importing Food Products Commercially provides an overview of the federal regulatory and policy requirements for the commercial importation of food into Canada. Additional information on import requirements for honey is available at CFIA’s Import, Export and Interprovincial Requirements for Honey and in the various chapters in this manual (e.g., Sampling, Grade).

Honey imported for human consumption is regulated by the Honey Regulations (HR) under the Canada Agricultural Products Act (CAPA).

- Section 17 of the CAPA prohibits the marketing or possession of honey in contravention to the Act or its regulations, at all levels of trade.
  - Section 30 of the CAPA provides for the removal of illegal imports.
  - Sections 46-52 of the HR outline the requirements for imported honey shipments.
  - Section 46 outlines the type of imports that are exempt from the HR.
  - Section 47 stipulates that imported honey must meet similar requirements as those produced domestically:
    - Honey imports must meet the requirements for grade and compositional standards and labelling as established in the HR.
    - Section 4 of the HR provides for health and safety provisions along with Division 15 of the FDR and the HC-CFIA Policy on Working Residue Levels. Please refer to Chapter 2 - Sampling for more information.
    - Section 47(1)(e) requires that commercial honey imports must be accompanied at point of entry by an Import Declaration (ID) (refer to section 8.4.1 for more information).
    - Section 47.(1.1) states that importers must pay a fee per honey shipment for the verification of the import declaration as prescribed by the Canadian Food Inspection Agency Fees Notice.

Although there are no licensing requirements at this time for importers of honey for human consumption, companies that repack imported honey must be federally registered as mandated in Section 52 of the HR.

In addition to the above regulatory requirements, each shipment of honey must also be accompanied by a Request for Documentation Review CFIA/ACIA 5272 form and CBSA documentation as outlined in the Automated Import Reference System (AIRS). These documents must be presented to a CFIA Import Service Centre for clearance before a shipment is allowed entry into Canada by Canadian Customs officers. Please refer to Appendix 8.2 for more information on import documentation and shipment clearance.
Due to a poor or lack of compliance history, honey imported from certain countries as indicated in AIRS is subject to a hold and test program. Consequently, importers may be asked to demonstrate all country of origins of the honey being imported and compliance assistance fees may apply as prescribed by the Canadian Food Inspection Agency’s Fees Notice.

8.4.1 Import Declaration

Section 47.(1)(e) of the HR requires imported honey to be accompanied by an import declaration (ID). The HR states:

"it is accompanied by an import declaration, in a form provided by the Agency, duly completed in duplicate, dated and signed by the importer."

The Import Declaration (CFIA/ACIA 4560) is available on the CFIA’s website and includes on the back of it instructions for completing the declaration. In accordance with the HR, the following information is required:

- names and addresses of the manufacturer (honey producer or packer), exporter, importer and each final destination (consignee)
- product description and packaging information
- production codes
- importer’s signature affirming they have read the “Regulatory Requirements for Food Products Imported into Canada” on the back of the form and that the products described on the declaration meet those requirements.

By signing the Import Declaration, the importer attests that the product meets the requirements of the HR. If the importer has a broker or authorized agent sign on his behalf, the importer is still responsible for ensuring the product meets Canadian requirements.

Although the Import Declaration can be filled out electronically, it still must be printed, signed and faxed to the ISC. The original Import Declaration along with the other import documents is to accompany the imported product. See Appendix 8.3 for an example of a completed Import Declaration.

8.5 Good Importing Practices

Although the Good Importing Practices (GIP) for Food is a voluntary code of practice, it is a tool for inspectors to find, obtain and take action on potential food safety violations. As such, industry is encouraged to use this code to assist them in verifying that all imported food sold in Canada is safe and complies with all relevant Canadian legislation.

The GIP is designed to encourage importers to create their own standard operating procedures (SOPs) to control the food safety risks and meet the regulatory requirements. It is based on the Recommended International Code of Practice - General Principles of Food Hygiene adopted by the Codex Alimentarius Commission. Although some sections of the GIP may not be applicable to every importer, it is intended for broad use across the industry. It deals not only with the key controls necessary to limit safety risks, but also provides direction on control measures related to fraud and on preventing deviations in standard, grade, composition, and labelling of imported food.

Appendix 8.4B Review of Honey Importer Controls based on the GIP and was developed by the Honey Program as an educational tool with two main purposes:
8.6 Roles and Responsibilities

8.6.1 Importers

It is the responsibility of the importer to ensure that the products they import and/or market, meet Canadian regulatory requirements.

As declared on the Import Declaration, the importer has to import products that are safe and meet the Canadian regulatory requirements. The importer's (or authorized agent's i.e. broker's) signature on the ID is such an acknowledgment. This means the importer is taking the responsibility that after due enquiry and to the best of their knowledge and belief, the honey:

- was prepared under sanitary conditions
- is sound, wholesome and fit for human consumption and
- meets all other requirements of the HR.

To facilitate the importation of honey (HS code 040900), importers can find current information on the requirements using the CFIA's Automated Import Reference System (AIRS). Note that the import requirements may differ depending on the origin of the honey and its end use.

Importers of honey should be effective, efficient and economic.

Effective by:

- being aware of the hazards involved in importing honey
- complying with all the Canadian requirements
- implementing a system of Standard Operating Procedures (SOP) based on GIPs for preventing, warning and containing risks associated with marketing and trading of imported honey
- developing and maintaining written purchase specifications/contracts with the exporter and foreign manufacturer to address their systems of quality control to minimize food safety hazards
- obtaining guarantees or certificates of analysis with production dates/lot codes, lot definitions/homogeneity, tests conducted and results.

Efficient by:

- using the correct HS code for the imported honey (i.e. 040900)
- using AIRS to determine requirements and obtain the proper import documents
- identifying the product correctly on the Import Declaration including markings, production codes, grades and the standard container size(s)
- collecting all relevant records and information on each shipment of imported honey
• sampling lots, whether prepackaged or bulk for verification and to test for risk using an accredited laboratory to do the testing as deemed necessary (see Chapter 2 - Sampling and Appendix 2.1B for more information on laboratory testing).

Economic by:
• importing honey that meets Canadian regulatory requirements, and
• avoiding CFIA compliance assistance fees and enforcement actions.

8.6.2 Government Partners

Canada Border Services Agency (CBSA)
The CBSA has the final decision to release the honey shipment into Canada. Their release though, is based on the CFIA’s Import Service Centres (ISC) documentation review, which ensures that the documentation requirements are in order and are met. However, the CBSA can choose to inspect any shipment prior to its release, based on their requirements.

Import Service Center (ISC)
The CFIA, in cooperation with the CBSA has established Import Service Centre (ISC) to improve service to importers for all CFIA programs. For the Honey Program, ISC staff:
• Process and review the required documents sent by the importer, ensuring the information is complete, and then notify the broker/importer and CBSA of their findings.
• Notify inspection staff of released import honey shipments by scanning a copy of the Import Declaration and any other related documents into the Digital Document Store (DDS).
• Handle telephone inquiries regarding import requirements for all commodities regulated by the CFIA.

CFIA Area Import Coordinator (AIC)
AICs are the primary contacts for any illegal import related issue (e.g., wrong HS code) and for facilitating corrective actions relating to non-compliant importers. AICs may also provide guidance and training on CFIA’s importing processes to brokers, importers, CBSA staff and other government agencies. Working in partnership with CBSA, AICs also initiate border lookouts and blitzes aimed at controlling food, plant, and animals and their products at Canadian ports of entry.

CFIA Honey Program
The National Honey Program is responsible for updating the program’s requirements in AIRS and on the CFIA websites including the annual National Standards Work Plan and Sampling Plans and Guidelines. In addition, the Honey Program issues Honey Import Targets as required. The area honey specialists are responsible for overseeing the implementation of the import policies and procedures. They are the key communication link between Operations and Programs.

CFIA Inspector and Operation Staff
CFIA Operations responsibilities include being knowledgeable about the importing community in their area and to:
check for incoming honey imports on a regular basis (e.g., ICTS.Net, Import Retrieval System, Import Declaration in Digital Data Source (DDS) or by notification sent from the importer;

deliver the inspection activities as outlined in the annual work plan and document results in ICTS.Net or equivalent;

verify that the documents accurately identify the shipment and that the product complies with the Honey Regulations;

inspect and sample all import lots from countries on the directed list as outlined in the annual Sampling Plans and Guidelines;

take appropriate follow-up and enforcement action; and

prioritize any Honey Import Target issued by the National Honey Program.

8.7 Import Inspection Procedures

The Import Declaration completed by the importer, provides notification to the CFIA of a honey import. It gives inspectors detailed information about the product including its destination, description, quantity, exporting and manufacturing information of the shipment. This information is useful when seeking imported products for inspection purposes and laboratory analysis.

An import inspection typically includes the following tasks:

- import declaration verification;
- monitoring and/or directed laboratory sampling activities as outlined in the annual Sampling Plans and Guidelines;
- other product inspection verification activities such as label, grade and net quantity as established in the annual National Standards Work Plan; and
- importer information/education when it is required.

According to the HR 52, an importer or any company that repacks imported honey must be federally registered as a packer. Hence, not only are they assessed for compliance to all of the requirements as described in this manual, but also to the Honey Establishment Inspection Manual (HEIM) or Food Safety Enhancement Program (FSEP) - Hazard Analysis Critical Control Point (HACCP) auditing procedures if the establishment is FSEP recognized. Special emphasis is required on Incoming Material Controls (e.g., task Code 5.1.2 of the HEIM).

Facilities importing a variety of foods may also be inspected by other CFIA programs and operation should take that into consideration to avoid duplication.

8.7.1 Import Control Tracking System (ICTS.Net), Import Retrieval System (IRS) and Import Declaration

ICTS.Net and IRS assist the operational areas to prioritize their inspection work by querying the system for all recent imports by program. As per ICTS User Guide and Agrifood Appendix A, it is recommended that a designated position in each operational area/region regularly queries recent
imports by program to determine if recent honey shipments have arrived and to assign them to
their respective CFIA office. Supervisors of each office can then query their assigned office and
assign imports for inspections to specific inspectors based on program and operational priorities.

Honey imports are to be inspected based on the following program priorities:

- annual sampling plan requirements (import monitoring, directed and compliance plans);
- lot size;
- compliance history of the importer; and
- Honey Import Target in place for the shipment.

The honey inspector also reviews emails received from programs on non-EDI imports via Import
Retrieval System and all Import Declarations, to determine if it is necessary to conduct an
inspection based on the above priorities. Any incomplete Import Declaration must be followed up
with the importer and the Area Import Co-ordinator.

If the Import Declaration indicates that the honey is packed in a non-standard container
size (box 15), incorrect grade declaration (box 13) or common name (box 11) is
questionable, follow-up with the importer and take appropriate action.

Once inspectors know which import shipments to inspect, they need to review the company file
(see Chapter 1 - Introduction Section 1.7.2) and plan for the types of sampling and other product
inspection activities required in the annual work plan.

If the information is not clear regarding final destination address, have an Import Control Tracking
System (ICTS) user confirm it by using the Transaction Number or contact the importer on record.
For importers with a foreign address, communicating with the importer may be more difficult and
the product warehouse contact should be used as much as possible.

8.7.2 On-Site Import Declaration Verification

When the decision is made to perform an on-site inspection, the inspector must ensure that the
information provided on the Import Declaration (ID) matches the actual goods at the consignee’s
premises as prescribed by the Honey Regulations 47.(1)(e). Using Appendix 8.4A Import
Declaration Verification Worksheet for Honey as a checklist, the inspector verifies that the ID is:

- complete according to the instructions on the back of the ID and signed by the
  importer or authorized agent, and
- accurate, by comparing the information in the boxes on the ID against other shipping
  paperwork (e.g., Commercial Invoice, Bill of Lading) and the actual shipment
  available on site.

See section 8.8.1 if no Import Declaration is available for the imported honey.

8.7.2.1 Incorrect HS code

If an inspector comes across an import shipment that was declared using the honey HS code
040900, but the actual product is not honey, an ID is not required. Instead, please follow these
steps:

- Advise the importer to correct their CBSA entry documentation and make a note of
  this on the Inspection Report CFIA/ACIA 0992 (refer to Appendix 8.1 for the HS codes
for various honey products and refer the importer to the CBSA for determining the correct HS code).

- Inform the AIC of the details including the shipment transaction number for follow-up with broker and CBSA as required.
- If applicable, refer any non-compliances or concerns with the actual product to the appropriate CFIA program for their follow-up.

The Area Import Co-ordinator (AIC) will inform CBSA’s Partnership Branch for their follow-up if the importer or broker is using an incorrect HS code to evade tariff. As required, the AIC also sends letters to importers and brokers making them aware of the requirements.

8.7.3. Product Inspection Activities

Any import inspection should include as many product inspection activities as possible. Track the time spent under the appropriate tasks. The frequencies are based on the annual National Standards Work Plan taking into account the compliance history of the importer or foreign supplier, the imported product and the country of origin.

Product inspection activities include:

- verification of label and nutrition information, grade, and net quantity
- laboratory sampling as per the annual sampling plans and guidelines, and
- follow-up inspections and issues identified via complaints and environmental scanning.

The specific information regarding product inspection tasks and follow up to non-compliance is detailed in the respective chapters of this manual. All activities are to be recorded in ICTS.Net, the Inspection Report (CFIA/ACIA 0992) or equivalent. A copy is to be left with the importer and the original is placed in the company file.

8.7.4. Import Sampling Plans

Sampling is one of the primary means used in the Honey Program to verify the safety and quality of the imported honey. Importers are expected to take a more active role in this activity and become more accountable in ensuring the compliance of their products.

The annual Sampling Plans and Guidelines provide the frequency of sampling by country, which largely depends on historical import volumes and compliance history. In response to past non-compliances, a list of countries is identified each year for directed chemical residue and/or foreign sugar sampling instead of monitoring mode. In addition to having this list in the guidelines, AIRS identifies the Honey Program targeted sampling activities for each affected country.

Every imported lot from countries on the directed and compliance list is targeted. Product is sampled and may be detained as per the annual sampling guidelines and AIRS.

For honey imported into Canada from a country that historically only imports small quantities of honey or that has never imported honey in the past, larger shipments are targeted for chemical residues and foreign sugars as per the guidelines. In the absence of controls in place by the importer, it is recommended to detain the honey until the results indicate the appropriate disposition.
8.7.5 Importer Information on Controls in Place to Minimize Food Safety Risks

For new importers or importers that import honey from directed countries, an import inspection also includes informing importers on the risks in importing honey and their responsibility to have controls in place to help ensure the honey complies with Canadian requirements. The references at the beginning of this chapter and a blank copy of Appendix 8.4B should be shared with the importer for this purpose.

All time spent on this type of activity is to be logged.

8.8 Non-Satisfactory Inspections

8.8.1 Non-Satisfactory Import Declaration Verification

For every non-satisfactory found with the * items listed on Appendix 8.4A Import Declaration Verification (e.g., no signature, missing a product), the inspector must discuss the matter with the importer, document the non-compliance to the HR on the Inspection Report CFIA/ACIA 0992 or equivalent and refer it to the Area Import Co-ordinator for CBSA follow-up as required.

Education is usually the appropriate response to first time Import Declaration non-compliances but if the actual product is known not to meet the requirements (e.g., incorrect/missing grade declaration (box 13), not labelled bilingual), the product should not be sampled until the importer provides an acceptable corrective action plan. Take appropriate product action.

If no Import Declaration (ID) is available, the importer is responsible for providing this documentation for each honey shipment and should make a copy available. If however, the importer or his broker cannot provide a copy of the ID by the end of the inspection, make a copy of the available shipment documentation (e.g., Commercial Invoice, Bill of Lading), control the affected honey and record this on the Inspection Report. Contact your Area Honey Specialist who will verify with the Area Import Co-ordinator whether the shipment was entered legally (i.e. declared as honey - HS code 040900) or whether it was declared illegally as another HS code.

For repeat non-compliances, contact your supervisor and Area Honey Specialist. Problems will be discussed with the AIC/Import group to determine the follow-up measures to be taken (e.g., Import Alerts, refer the matter to the CBSA).

8.8.2 Non-Satisfactory Product Inspections

Refer to the appropriate chapters of this manual for details on follow-up to non-satisfactory product inspections. Appendix 8.4B is optional to use in the hope to achieve voluntary compliance.

Honey that fails to comply with Canadian requirements is subject to regulatory actions such as detention, voluntary destruction, return to origin (with foreign country notification if applicable), formal notice of removal, product recall as well as possible legal actions.
8.8.3 Non-Satisfactory Laboratory Sample Results

When a potential health risk has been identified, follow established procedures as described in the Food Emergency Response Manual.

For unsatisfactory laboratory results, in addition to the corrective actions outlined in the Sampling Plans and Guidelines, Appendix 8.4B is provided as a guide to review the controls in place by the importer. It is recommended for the inspector to complete this form with the importer’s presence. This checklist, which is based on the CFIA’s Good Importing Practices, can then in turn be used as a tool by the importer to develop and implement a corrective action plan. Although there is no legal authority to demand that Standard Operating Procedures (SOPs) be implemented by an importer, these guidelines help to achieve compliance.

All records are to be kept on the company file for any necessary compliance/enforcement actions in case the importer does not provide or act upon a corrective action plan and still imports non-compliant product.

In the absence of any actions by the importer to correct the situation, future shipments from the directed countries could be detained and requested to be tested at the importer’s expense to show that the imported product meets the Canadian requirements.

When repeat non-compliances from the same importer and product have been identified, stricter enforcement actions need to be considered. Contact your supervisor and area honey specialist for direction to control the risk.