



Canadian Food  
Inspection Agency

Agence canadienne  
d'inspection des aliments

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	<b>(EFFECTIVE DATE)</b>  May 27, 2009 <b>(2<sup>nd</sup> Revision)</b>
<b>Title POLICY ON THE ISSUANCE OF PHYTOSANITARY CERTIFICATES</b>	

**SUBJECT:**

This directive contains the policy of the Canadian Food Inspection Agency (CFIA) for the preparation and issuance of 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 recommendations from the National Audit of Compliance to D-99-06 completed in February and March 2007, as well as, clarification of the origin of a commodity when it is destined for the United States, additional records management responsibilities for the CFIA, and clarification of application process for Export Inspections and the issuance of Phytosanitary Certificates.*

Canada

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## Review

This directive will be reviewed every 5 years unless otherwise needed. The next review date for this directive is May 27, 2014. The contact for this directive is Joanne Rousson. For further information or clarification, please contact the Canadian Food Inspection Agency (CFIA).

## Endorsement

Approved by:

Chief Plant Health Officer

## 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

## Introduction

Phytosanitary Certificates are official documents issued by the National Plant Protection Organization (NPPO) of the exporting country to the NPPO 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 to 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 NPPO of the importing country. Bilateral agreements or memoranda 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 products covered by the certificate conform to the country's phytosanitary import requirements. They are official 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, for the information of Canadian exporters and other interested parties.

**References** ISPM No.12, *Guidelines for Phytosanitary Certificates*, 2001 FAO  
ISPM No. 5, *Glossary of Phytosanitary Terms*, FAO (updated annually)  
ISPM No. 7, *Export Certification System*, 1997, FAO  
*The Authorization of Individuals to Sign Federal Phytosanitary Certificates*,  
RSPM No. 8, 2008, *Regional Standards for Phytosanitary Measures*, NAPPO  
Training Module: Export Certification – The Issuance of Phytosanitary  
Certificates, TM157A01.2, CFIA  
Quality Systems Manual: Authorized Certification Official (ACO) Program for the  
Signing of Phytosanitary Certificates, QSM 1, 2008, CFIA

**This directive supersedes Directive D-99-06 (1<sup>st</sup> Revision) dated September 30, 2003.**

## Definitions, Abbreviations and Acronyms

Definitions for terms used in this document can be found in the Plant Health Glossary of Terms at [www.inspection.gc.ca/english/plaveg/protect/dir/glosterme.shtml](http://www.inspection.gc.ca/english/plaveg/protect/dir/glosterme.shtml).

### 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 visit our Fees Notice Web Site:  
<http://www.inspection.gc.ca/english/reg/cfiaacia/feesfraiss/feesfraise.shtml>.

## **2.0 Authority for Phytosanitary Certification**

### **2.1 *Plant Protection Act and Regulations***

The *Plant Protection Act* is an act passed by the Canadian Federal Government 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.

Pursuant to the *Plant Protection Act*, the *Plant Protection Regulations* stipulate the mechanisms and methodology to be used to implement the legislation laid out in the Act. 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 is a treaty relating to plant health adopted by the Food and Agriculture Organization (FAO) of the United Nations. It is an international agreement to secure common and effective action to prevent the spread and introduction of regulated 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. The New Revised Text of the IPPC came into force in October 2005. As a contracting party to the IPPC, Canada is obliged, among other things, to carry out export inspection and phytosanitary certification to prevent the spread of regulated plant pests. Canada must also respect the phytosanitary import requirements of countries that are not signatories to the IPPC.

## **3.0 Phytosanitary Certification**

### **3.1 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 to the current phytosanitary regulations of the importing country.

### **3.2 Issuance of Phytosanitary Certificates**

The issuance of Phytosanitary Certificates achieves three major objectives:

- it confirms that the plants, plant products or other regulated articles in the shipment covered by the certificate do not pose an 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 the shipment leaves Canada; and
- it facilitates the trade of plants, plant products and other regulated articles between countries.

### **3.3 Authorized Certification Officials (ACO)**

In Canada, Phytosanitary Certificates are issued by ACOs in accordance with the Quality Management System Manual for ACOs.

### **4.0 Sources of Phytosanitary Information**

#### **4.1 Foreign Plant Quarantine Import Requirements (FPQIR)**

##### **4.1.1 Importing country requirements:**

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

Most countries have legislation such as Acts, Laws, Decrees, Regulations, etc., outlining the requirements for plants and plant products, and other regulated articles imported into their territories. The Export Commodity Officer (ECO) group within the Plant Health and Biosecurity Directorate, (PHBD) located in Ottawa, Ontario) maintains information that contains the FPQIR of most countries. The ECO group is the primary contact with the foreign plant protection organizations for updates of the regulations, clarification of the requirements and other related matters.

#### 4.1.2 FPQIR information

The FPQIR information is maintained on a database called the Electronic Certification System (ECS). The ACO who prepares and issues Phytosanitary Certificates have access to the FPQIR within the ECS. ACOs should always first check the ECS for information, prior to contacting the ECO group.

#### 4.1.3 Missing or out-of-date FPQIR information

Information on the ECS that is more than two years old should be considered potentially out-of-date. If the FPQIR is not available or is older than two years, the operational program officer must send a new information request to the ECO group. (Please see the ACO Training Manual for instructions on how to request an update of the FPQIR from the ECO group) (Latest version of Training Module: Export Certification – The Issuance Manual of Phytosanitary Certificates TM157A01.x)

### 4.2 Permit to Import

#### 4.2.1 Definition

A Permit to Import for plants, plant products and other regulated articles is an official document issued by the NPPO of the importing country to the importer. For some countries, the only method of communicating the import requirements is through the issuance of a Permit to Import. For this reason it is often important for the ACO to obtain a copy of the Permit to Import when one is required. Not all countries issue Permits to Import and not all commodities are imported via Permits to Import.

#### 4.2.2 Permit to Import Requirements

If the ECS indicates that a Permit to Import is required, the exporter must obtain a copy of the permit and provide it to the ACO. Exceptions to this rule will be noted in the information field of the ECS. 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 ECO group. They will advise the ACO and seek clarification from the importing country when necessary.

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

### **4.3 Letter of credit (LOC)**

A LOC is a trade 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 not a phytosanitary 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 LOCs or other trade documents. However, in exceptional cases, the LOC may be 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 stated may guide the ECO group in determining the phytosanitary import requirements. If the phytosanitary requirements cannot be met, the exporter must be advised 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 clarified with the ECO group.

### **5.0 Issuance of a Phytosanitary Certificate**

A Phytosanitary Certificate must only be issued when the importing country requires it as a condition for import and when the plants, plant products, and other regulated articles, if the shipment meet the phytosanitary import requirements of the country of import. 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 true 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. Exceptions may be allowed in the following circumstances:

- the address of the importer may be written in another language if that language uses Latin letters, and/or

- 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 NPPO of the importing country, and if the meaning of the additional declaration can be verified and the shipment meets the conditions stated in the AD.

## 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 IPPC contracting party and to conform with the known current phytosanitary requirements, including those for 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 ECS. Laboratory testing carried out in the US is accepted as a certification basis only if the laboratories are approved by the USDA.

### 5.2.1 Quarantine pests

All plants, plant products and other regulated articles, whether exported for propagation, consumption or processing must be certified free from quarantine pests listed by the importing country when a Phytosanitary Certificate is required. The quarantine pests are specific to each country or group of countries, e.g. European Union countries.

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

- the pests on the prohibited pest list do not occur in Canada or in the area or place of production; or
- the inspection and/or testing (e.g. laboratory) has taken place to verify the absence of the pests; or
- the required treatment has been carried out to kill, remove or render the target pests non-viable or 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 non-quarantine pests may be present in the importing country, in Canada or in the production area, but a certification program or treatment procedures must be in place to ensure that the propagative material meets a specific tolerance for regulated non-quarantine pests. The importing country may establish tolerances for RNQPs.

### 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 and 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 or related matter in association with it, i.e., no soil peds in the grain and no visible soil adhering to the plant roots.

### 5.2.5 Treatments

Any treatment officially 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. It is the Pest Management Regulatory Agency's (PMRA) responsibility to register and maintain a list of approved products to be used for pest control.

In cases where a treatment with an unregistered product is requested by the importing country, the ECO group should be contacted to determine if an alternate treatment may be applied, or if the treatment can be applied at destination.

### **5.3 Phytosanitary Records**

To enable audits (internal or external) of the phytosanitary certification system and to maintain traceability, it is essential that certain records pertaining to phytosanitary certification are maintained. At a minimum, for each Phytosanitary Certificate issued, the following documentation is required to be kept by the regional office:

- completed CFIA/ACIA 3369
- The file copy of the Phytosanitary Certificate
- A copy of the Permit to Import, when stated as required in the ECS-FPQIR

These records must be retained by the regional office for a minimum of six months after the Phytosanitary Certificate was issued and must be maintained by the CFIA according to the Government of Canada document retention standards and procedures.

### **5.4 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 NPPO 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 NPPO of the importing country.

Known required additional declarations will be stated in the additional declaration field of the FPQIR in the ECS. Additional declarations may also be stated on a Permit to Import.

When the additional declaration is typed on an attachment, the Additional Declaration field of the certificate must read: see attachment. The attachment must be stamped, signed, dated, and bear the exact same number as the Phytosanitary Certificate.

### **5.5 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 the CFIA, the certificate may be re-issued, provided that the issuing ACO is satisfied that the original certificate and its true copy have been returned or 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 no. dated ..." is placed in the upper right hand corner (ECS generated Phytosanitary Certificate) or immediately under "To: Plant Protection Organization of" (pre-printed forms). The CFIA must also be confident that the phytosanitary status of the shipment is unchanged.

Repeated requests for re-issuance of Phytosanitary Certificates, by the same exporter, should be considered suspect and further certificates should not be issued without consultation with the RPO, inspection supervisor, or the ECO group.

### **5.6 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 Canada, 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 the ECO group.

## 5.7 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 shipment related documents. They must 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 field, 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”.

## 5.8 Irregular circumstances

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

### 5.8.1 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 the ECO group**, it may be possible to issue the certificate after a consignment has left Canada.

- a sample of the plants or plant products or other regulated articles in the shipment was taken prior to leaving Canada 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 samples truly represent the shipment. This option can only be applied in limited circumstances;

- 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.

If the exporter decides to export prior to receiving a Phytosanitary Certificate, they bear all the risks, associated costs, and any enforcement measures due to not obtaining certification prior to the consignment leaving Canada.

Resolution of issues surrounding detained shipments due to lack of phytosanitary certification may involve a number of actions by the CFIA and the importing country. This usually occurs 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, unless otherwise determined after consultation with the ECO group. Refer to section 5.6 Dating of Phytosanitary Certificates for more details.

#### 5.8.2 Requests for Phytosanitary Certificate for Canadian products in-transit or transshipped through the US

Canadian products moved in transit through the U.S. to a different 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 U.S. (transshipment means that the initial means of conveyance was changed or, in the case of grain, it may mean that it enters the U.S. grain handling system) should be certified to meet the phytosanitary import requirements of the country of destination. In the "Name and Address of Consignee" field 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 the form of a letter format indicating: "At the time of issuance of the Phytosanitary Certificate number..... on (the date of issue) the shipment met the phytosanitary import requirements of .....(the country of destination)".

### 5.8.3 In-Transit through other countries

In cases when a shipment transits through a country which has specific transit requirements, including the need for Phytosanitary Certificates, the names of both the importing country and the country of transit may be written on the certificate. Use the Port of Entry field to indicate the transit country, e.g. Country X, via Country Y. In such cases the phytosanitary import requirements of both countries must be met.

### 5.8.4 Trans-loaded through other countries

In cases when a shipment is destined to a country with phytosanitary requirements but is trans-loaded (moving commodities from one conveyance to another, excluding the transfer between conveyances of ocean shipping containers (RSPM#5)) through an intermediate country, the names of both the importing country and the intermediate country of trans-loading may be written on the certificate. Use the Port of Entry field to indicate the trans-loaded country, e.g. "Country X, trans-loaded via Country Y". In such cases the phytosanitary import requirements of both countries must be met. Trans-loaded countries should only be indicated on the Phytosanitary Certificate when the shipment is not considered to enter the market place of the country nor is there a change in ownership. If a change in ownership occurs then the intermediate country should either issue a Phytosanitary Certificate or a Phytosanitary Certificate for Re-export.

### 5.8.5 Shipments In-Transit through the United States destined to Canada

There may be cases where a product needs to be shipped in-transit through the United States with a final destination of Canada. Where phytosanitary restrictions exist for products entering the United States a Phytosanitary Certificate should be issued indicating United States as the final destination. Use the Port of Entry field to indicate that the United States is the in-transit country, e.g. "Canada in-transit via United States". The product must meet the requirements of the United States and adhere to any Canadian domestic movement restrictions.

## 5.9 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);
- the exporter refuses to give required information or refuses to cooperate in order for certification to take place; or
- technical obstacles prevent certification (e.g., appropriate treatment or laboratory test is not available).

### **5.10 Phytosanitary Certificate for Re-export**

A Phytosanitary Certificate for Re-Export can only be issued if the imported commodity was accompanied by a Phytosanitary Certificate or a certified copy thereof that was issued in the country of origin and provided that the product meets the phytosanitary import requirements of the importing country. The Phytosanitary Certificate for Re-export is based on the Phytosanitary Certificate from the country of origin plus any additional inspection, treatment or other phytosanitary measure that ensures that the commodity complies with the phytosanitary import requirements of the importing country.

Please consult the ACO Training Manual for more instructions on how to issue a Phytosanitary Certificate for Re-export.

U.S. 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**

Origin refers to place(s) from which a consignment gains its phytosanitary status.

### **6.1 Origin for Plants or Plant Products for destinations other than United States**

Plants or Plant Products are considered to be of Canadian origin if:

- 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.

## 6.2 Origin of Plants Destined for the U.S.

According to the United States Department of Agriculture (USDA), an article imported into Canada from another country shall be considered as being from Canada only if it meets **all** of the following conditions:

- a) It is imported to the U.S. directly from Canada after having been grown in Canada for at least 1 year\*; and
- b) It has never been grown in a country from which it would be prohibited into the U.S.; and
- c) It has never been grown in a country for which the USDA has special import conditions. Exception: The articles are imported into Canada under conditions that are equivalent to those required by the USDA or the articles are subjected to post-entry quarantine in Canada equivalent to what would be required in the United States; and
- d) It was not imported into Canada in growing media. Exception: If the articles meet the requirements of both the Canadian Growing Media Program (CGMP) and the United States Growing Media Program (USGMP) at the time of entry into Canada.

Note \* Greenhouse plants grown under the Canadian Greenhouse Certification Program (CGCP) or the Canadian Nursery Certification Program (CNCP) may be exported to the United States under the CGCP/CNCP after one growing cycle, as long as the plants conform to conditions (b) through (d). Other nursery stock may be exported to the U.S. under the CNCP after one growing season, as long as the articles comply with conditions (b) through (d).

## 6.3 Plants or plant 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.

## 6.4 Plants or plant products of foreign origin

Plants or plant products of foreign origin may be covered by a Canadian Phytosanitary Certificate, indicating the foreign 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 they have not met the conditions of 6.1 or 6.2.

The ECO group must be contacted to verify the entry requirements of the foreign product into the final country of destination.

Note: the FPQIR usually provides information only on import requirements for Canadian products. Entry requirements may differ for the same product originating from other countries. It may not always be possible to make foreign plants or plant products eligible for phytosanitary certification.

## **7.0 Responsibilities and Lines of Communication**

### **7.1 CFIA responsibilities**

#### **7.1.1 Export Commodity Officer (ECO) group**

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 the FPQIR database and respond to Information Requests on a timely basis.

Negotiate or contribute to negotiations with foreign plant protection organizations for less stringent phytosanitary import requirements, when the current requirements 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 is the first line of contact between the ECO group and exporters. Only in exceptional cases will the ECO group deal directly with an exporter.

The link between the field staff and the ECO group should be:  
Inspection Staff-> Operational Program Officer->ECO group.

In certain cases the Program Network Specialist (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) should be consulted before contacting the ECO group. A senior inspector may contact the ECO group directly if the operational program officer is absent.

Consult the FPQIR database.

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

Obtain translated copies of foreign import permits when no other official documents are available to verify FPQIR.

Provide the ECO group with a copy of a Permit to Import when specifically requested in the FPQIR.

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.

Verify that any specific origin requirements are conducted.

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 for some destinations and products, from the Permit to Import or from the importer. Information from the foreign NPPO 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 a 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.

Complete and sign *Application for Export Inspection and Phytosanitary Certification*, Form CFIA/ACIA 3369, for each phytosanitary certificate requested, and submit to 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 has left Canada, while en-route, or just before arriving at destination.

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

Be prepared to present evidence to CFIA inspectors that verify information, including origin, provided on the CFIA/ACIA 3369 form.

## 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 that are partially completed but have not yet been issued, will be kept under CFIA care and control. If necessary to provide the exporter with a draft phytosanitary certificate, the word DRAFT must be written or printed diagonally across the phytosanitary certificate. The signature and seal fields must also be crossed out.

Any spoiled certificates will be voided and kept on file. Spoiled ECS generated certificates which have not yet left the care and control of the CFIA 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.

**Incomplete signed or stamped Phytosanitary Certificate must not be given to exporters under any circumstances.**

Internal audits shall be conducted by the CFIA 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: Section by Section Description of the computer generated Phytosanitary Certificate

## APPENDIX 1

**SECTION BY SECTION DESCRIPTION OF THE COMPUTER GENERATED  
PHYTOSANITARY CERTIFICATE**

This information supplements information found in the body of this policy and provides additional guidance for completing a Phytosanitary Certificate. Information provided below also applies to pre-printed Phytosanitary Certificates.

**All Sections**

Information entered in all sections of Phytosanitary Certificates generated by CFIA's computerized Export Certification System (ECS) will appear in upper case. 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 above Section 5.7

**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**

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.

## **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 should be included if known.

## **Declared Point 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. Please see section 5.8.3 regarding transit through other countries.

## **Name of Produce and Quantity Declared**

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

Unless otherwise stated in the ECS, plants and plant products should be identified using accepted scientific names, at least to the genus level but preferably to species. Material such as used machinery, etc., will obviously have no scientific name designation. Certain plants for planting must be identified to the species or even to cultivar, for example, plants listed under the Convention on the International Trade of Endangered Species (CITES).

The common name of the product may be included, but shall not replace the scientific name. It shall be kept as short as possible. 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 or dosage rate 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.

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 ACO 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 5.6 "Dating of Phytosanitary Certificates" in the policy

**Signature**

This shall be the hand-written 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.

To complete these sections, a list or annex may be attached to the Phytosanitary Certificate. Any attachments containing phytosanitary information shall bear the Phytosanitary Certificate number, and shall be dated, signed and stamped with the official CFIA stamp. The Phytosanitary Certificate should indicate, in the appropriate section, that the information belonging in that section is contained in the attachment.

An industry generated annex indicating Name of Produce and Quantity Declared is only acceptable if it follows all the specifications provided above for this field.

The annex or attached list becomes a legal part of the Phytosanitary Certificate when it is signed, dated and stamped.