FISH INSPECTION PROGRAM SAMPLING POLICY

1. PURPOSE

The purpose of the sampling policy is to define the intent of sampling in the context of the Regulatory Verification System of the Fish Inspection Program.

2. AUTHORITIES

This regulatory policy as it relates to sampling is issued under the authority of the:

- Fish Inspection Act (FIA), R.S.C. 1985, c. F.-12
- Fish Inspection Regulations (FIR), C.R.C., c.802
- Food and Drugs Act, R.S.C., 1985, c. F-27
- Food and Drug Regulations, C.R.C., c. 870

Part 1, sect.3.i (FIA)

The governor in council may, for the purpose of regulating the export or import of fish and containers make regulations [,] i) prescribing the manner in which samples of any fish can be taken.

Part 1, sect.4.1.c (FIA)

Subject to subsection (1.1), an inspector may at any time [,] c) take any samples for inspection.

Section 3 (FIR)

Subject to subsection (2), these regulations apply only in respect of fish and containers intended for export or import.

Section 4 (FIR)

All fish are subject to inspection and an inspector may take samples of fish free of charge for the purpose of inspection.

Section 5 (FIR)

The owner of fish or a person acting on his behalf shall make readily accessible to an inspector any fish or containers for which inspection or reinspection is required under these regulations.
3. **SCOPE**

This policy applies to the Canadian Food Inspection Agency (CFIA) and its authorized representatives or agents, who are involved in the administration and enforcement of the:

- Fish Inspection Act, R.S.C. 1985, c. F.-12
- Fish Inspection Regulations, C.R.C., c.802
- Consumer Packaging and Labelling Act, R.S.C., 1985, c. C-38
- Consumer Packaging and Labelling Regulations, C.R.C., c. 417
- Food and Drugs Act, R.S.C., 1985, c. F-27
- Food and Drug Regulations, C.R.C., c. 870

The policy covers sampling of fish and fish products which are destined for human consumption, and in the case of Canadian federally registered fish processing establishments, water and ice sampling, and environmental sampling. This policy does not cover harvest area biotoxin monitoring sampling in Canada.

4. **POLICY STATEMENT**

The CFIA's role is to verify that regulated parties are meeting their responsibilities in ensuring that fish and fish products comply with safety, quality and identity requirements in accordance with applicable Canadian regulations, and to assess the effectiveness of the Fish Inspection Program in meeting CFIA’s mandate. Sampling of fish, fish products, water, ice and the processing environment are tools that support the Fish Inspection Program’s regulatory verification activities.

The CFIA is committed to regular reviews and analysis of risks concerning sampling and will provide appropriate tools for planning, conducting, tracking and communicating sampling activities.

5. **POLICY REQUIREMENTS**

5.1 Sampling activities shall be based on sound science.

5.2 All CFIA sampling target numbers and other relevant activities shall be identified in the Fish Inspection Program national annual sampling plan.

5.3 Sampling plans are designed in accordance with internationally accepted protocols, where appropriate, in order to meet program objectives.

5.4 The CFIA will consider any sampling requests made by external parties on a case by case basis and may accommodate these requests based on available resources.

5.5 Only samples drawn in accordance with current, approved procedures by CFIA inspectors or other authorized personnel will be acceptable for Agency evaluation.

5.6 The integrity and condition of samples must be protected to ensure proper evaluation of the sample. Analyses will not be performed on product which has been compromised in a manner which would result in an improper evaluation.