



Canadian Food  
Inspection Agency

Agence canadienne  
d'inspection des aliments

# AN IMPORTER'S GUIDE TO INSPECTION

## Rights and Responsibilities



Canada

## What can I expect from a CFIA inspection?

A Canadian Food Inspection Agency (CFIA) inspector is a federal employee who has the legal authority to enter your property or place of business to conduct an inspection. This person is authorized to do so by Canada's food, plant and/or animal legislation.

Inspections are done for a specific purpose: to verify compliance with the requirements of legislation.

There are various types of inspection. These include the following:

- scheduled inspection
- targeted or product specific inspections at the border
- unannounced inspection (such as responding to a complaint or concern of a citizen or employee or a referral from a federal, provincial/territorial or municipal government department or agency)
- inspection in emergency situations, such as an animal disease outbreak

- inspection for requested services
- follow-up inspection due to previous non-compliance

CFIA inspectors abide by the CFIA values and ethics principles found in *The Canadian Food Inspection Agency and Its Regulated Parties, Stakeholders and Partners: An Ethical Relationship* and Statement of Rights and Service available on our website at [www.inspection.gc.ca](http://www.inspection.gc.ca).

When CFIA inspectors are on your property, at your place of business or are conducting an inspection, they will

- identify themselves to you, and
- treat you in a fair, respectful and unbiased manner.

When arriving for the first time, the inspector will present photo identification. This may be supplemented with a metal badge.

The inspector will ask to speak with the person in charge or the pre-identified contact, and explain the purpose of the inspection and any areas that may be of specific concern.

Please ensure the inspector is aware of any safety concerns or procedures and any biocontainment controls while on your property.

## TIP

If you have questions or need clarification on any aspect of your inspection, please ask your inspector at any time.

While on-site, the inspector will collect information to verify compliance with the legislative requirements and make notes to record details of the inspection. The inspector may, for example

- ask to speak with the people involved,
- review records,
- collect samples,
- take photographs, and
- copy documents.

You are legally required to provide information to, and assist, an inspector, when requested.

## How should I prepare for an inspection?

Like any business, you must know your legal obligations and comply with those laws. The CFIA is committed to providing consistent and professional service in fulfilling our legislative mandate. In return, we ask that you do the following.

- Treat our employees in a courteous and respectful manner.
- Understand the role our employees perform.
- Be aware of the ethical obligations that govern the actions of CFIA officials.

If you have any questions about your inspection, speak with your local inspector or CFIA office. We can provide you with complete, accurate, and timely information that explains the laws and policies that apply to you.

Also, keep your records and supporting documents organized, readily accessible and available. Providing the inspector with complete, accurate and timely information will assist in completing the inspection more quickly and effectively. It is your responsibility to ensure that the products you are importing into Canada meet the legal requirements.

## What will be looked at during an inspection?

Depending on the purpose of the inspection, the CFIA inspector will look at some or all of the following:

- product being imported
- product packages and labels, where applicable
- required import documentation

In addition to inspecting the product, and interviewing you and other individuals involved, the inspector has the authority to access and copy relevant records.

These include the following:

- licences, registrations, permits and/or certificates
- import documents (such as import manifest, weigh bills, and assessment of inspection systems in place in exporting countries)
- written product descriptions
- sampling and testing results
- other data or records required

## What are my rights during an inspection?

When dealing with us, you will be treated with respect, professionalism, fairness, and impartiality. You have the right to

- require that our staff identify themselves and explain why they are contacting you;
- discuss your responsibilities;
- ask questions or ask for clarification on any aspect of the inspection process;
- request copies of educational material, including relevant legislation and fact sheets; and
- receive information in the official language of your choice (English or French).

## TIP

It is important to supply the inspector with accurate information and answers, when requested. If you do not have the information or know the answer at that time, you should tell the inspector when and how you will supply the information at a later date. Delays in providing information can delay finalizing the inspection.

## What happens after an inspection?

When the inspection is done, the inspector will review notes and observations made. If necessary, further information may be requested.

The inspector will tell you about any issues, such as non-compliance with the law and will explain the next steps to be taken, such as corrective action required.

You may receive an inspection report immediately following the inspection or you may be provided with one at a later date, once the inspection is finalized. The time required to finalize an inspection can vary. For example, if the inspector needs to wait for laboratory test results or do further record analysis, the inspection will take longer to finalize.

## What happens if the inspector identifies non-compliance?

You may be faced with a situation where the inspector identifies that something is not complying with the law. In these instances, the inspector has a range of tools available. Depending on the legislation being applied, an inspector may

- provide educational material, including copies of relevant legislation, fact sheets and pamphlets; or
- ask you to store a product or remove it to another place for storage.

More serious actions could also be taken, depending on the circumstances. The inspector may

- issue a corrective action request that requires you to correct the non-compliance within a certain time period;
- order you to remove a product from Canada;
- order you to return a product to its place of origin;
- order you to destroy a product;
- seize and detain a product;
- suspend, cancel or revoke licences, registrations and permits;
- issue an Administrative Monetary Penalties (AMPs) Notice of Violation with Warning or Penalty, where applicable; or
- refer the matter to Area Enforcement and Investigation Services for investigation and potential prosecution.

## What are my rights after an inspection has taken place?

After an inspection, you have the right to

- speak to your local CFIA office about the service you have received;
- be advised of the reasons for our decisions in writing, where practical or legally required;
- receive written documentation outlining the rules of a destruction or regulatory order;
- receive information in the official language of your choice (English or French);
- obtain information under the provisions of the *Access to Information Act*;
- have your privacy protected, as set out by the *Privacy Act*;
- contact the CFIA's Complaints and Appeals Office to submit an official complaint; and
- seek redress through the courts.

## Complaints, comments and compliments

We welcome your feedback on how we are serving you. Such feedback provides us with an opportunity to recognize excellence and to make improvements. So please pass along your compliments and comments.

**Complaints and appeals:** Complaints or appeals are generally related to quality of service, administrative errors and regulatory decisions made by CFIA employees.

Complaints or appeals can be made

- when you are not satisfied with our staff's approach;
- when you perceive undue delays; or
- when you disagree with decisions made by CFIA employees related to licensing, registration, permits, orders, inspection results, seizure, labelling and other items.

The CFIA takes complaints and appeals very seriously, so these are handled in an efficient and transparent manner.

The CFIA uses an incremental process to manage complaints and appeals. To make a complaint or an appeal, follow these steps:

### Step 1:

- Speak to the CFIA employee involved regarding the matter. Try to resolve the matter with this employee.

### Step 2:

- If you are not satisfied with the response from Step 1, speak to the employee's supervisor (at the manager or director level) about how to resolve the matter.

### Step 3:

- If you are still not satisfied after following Steps 1 and 2, submit a formal complaint in writing to the Complaints and Appeals Office. Do this by using the Complaints section of the Complaints, Comments and Compliments form, which is found in the middle of this brochure or on our web page. Once received the Complaints and Appeals Office will start an impartial and transparent review of the matter.
- To help us understand your concern and to avoid delays, we strongly recommend that you
  - contact us in writing by completing the form carefully, and
  - attach any supporting documents that you think may be helpful for us when reviewing your complaint.

- When we receive your completed form, we will contact you (either by phone or email) within 2 business days. We will give you your file number, acknowledge receipt of your information and inform you about the process.

**Comments and compliments:** We also would like to hear your feedback, suggestions or ideas about our service or how to improve our service. This could include letting us know when you believe CFIA staff have provided a good service. Your feedback helps us identify areas where we can improve our programs and services.

You can submit such feedback by using the Comments and Compliments section of the Complaints, Comments and Compliments form found in the middle of this brochure or on our web page.

When we receive your completed form, we may contact you (either by phone or email) to acknowledge that we received your comment and to ask you questions to better understand your feedback.

## Here is how you can contact the Complaints and Appeals Office at CFIA:

### By email

You can email us at  
CAO\_BPA@inspection.gc.ca.

### By mail

Send postal mail to this address:

Canadian Food Inspection Agency  
c/o Complaints and Appeals Office  
1400 Merivale Road, T1-6-350  
Ottawa, Ontario  
K1A 0Y9

### By phone

Phone lines are open from 8:00 a.m. to 8:00 p.m. Eastern Time, Monday to Friday.

Toll-free: 1-800-442-2342  
Local: 613-225-2342  
TTY: 1-800-465-7735

### By fax

Toll-free: 855-297-4198  
Local: 613-773-6561

## Where do I go for more information?

For more information about the CFIA, visit our website at [www.inspection.gc.ca](http://www.inspection.gc.ca).

If you need information about the legal requirements that apply to your operation or business, visit

- the CFIA's Acts and Regulations web page, or
- the Department of Justice's Laws Website.

To learn more about the CFIA's Statement of Rights and Service, visit our website at [www.inspection.gc.ca](http://www.inspection.gc.ca).

If you have specific questions regarding the inspection, talk to your inspector, or reach one of our Area offices.

### **Atlantic Area Office**

1081 Main Street  
P.O. Box 6088  
Moncton, New Brunswick  
E1C 8R2  
Telephone: 506-851-7400  
Fax: 506-851-2801

### **Quebec Area Office**

2001 University Street  
Room 746-C  
Montreal, Quebec  
H3A 3N2  
Telephone: 514-283-8888  
Fax: 514-283-3143

### **Ontario Area Office**

174 Stone Road West  
Guelph, Ontario  
N1G 4S9  
Telephone: 519-837-9400  
Fax: 519-837-9766

### **Western Area Office**

1115-57 Avenue NE  
Calgary, Alberta  
T2E 9B2  
Telephone: 403-292-4301  
Fax: 403-292-4551

© 2012 Her Majesty the Queen in Right of Canada  
(Canadian Food Inspection Agency), all rights reserved.  
Use without permission is prohibited.

CFIA Po767-12  
Catalogue No.: A104-96/1-2012  
ISBN: 978-1-100-54129-7