Canadian Food Inspection Agency
Agence canadienne d'inspection des aliments

Canadian Food Inspection Agency

Enhanced fish species substitution surveillance (2019 to 2020)

Canada

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Introduction

Recent studies have highlighted that fish species substitution and mislabelling is occurring in Canada and around the world. Fish species substitution occurs when one type of fish is represented as another species, usually of higher value, for financial gain. This is a type of food fraud where consumers are deceived about the value of fish they purchase. It creates an unfair market for those selling truthfully represented fish products.

All food sold in Canada, including fish, must be safe for consumption and truthfully represented. To respond to the risk of fish substitution, the Canadian Food Inspection Agency (CFIA) conducted a targeted surveillance strategy during the 2019 to 2020 fiscal year. The objectives of this strategy were to:

- understand the prevalence of fish species substitution and mislabelling in Canada,

- take enforcement action on non-compliances, and

- gather information to refine and improve CFIA's future risk-based activities.

Surveillance overview

Fish filets in fresh, frozen, dried, or salted format were collected to determine if the common name was accurately represented in relation to the species of fish. CFIA inspectors collected fish samples at domestic processors, importers and retail establishments (fish packaged at retail). The Ministère de l'Agriculture, Pêcheries et l'Alimentation du Québec (MAPAQ) collected retail samples in Québec. From April 1, 2019 to March 31, 2020, 362 samples were collected from across Canada.

Targeted sampling was based on risk-factors such as an establishment's history of non-compliance and species most likely to be substituted. The 9 types of fish of highest interest were: butterfish, cod, halibut, kingfish, sea bass, snapper (red and other), sole, tuna and yellowtail.

The samples were tested at a CFIA laboratory using DNA-based fish species identification testing. This method compares DNA of samples against DNA barcode sequences for known fish species contained in a database.

For samples assessed as satisfactory, the declared common name on the fish sample's label matched the common name on the CFIA Fish List for the species identified from the DNA database. If the common name did not match the CFIA Fish List for the species identified through DNA testing, samples were assessed unsatisfactory and inspectors followed up to further assess compliance of the product and regulated party with regulatory requirements.

Authorities

CFIA inspection and enforcement activities carried out as part of this surveillance strategy are under the authority of the:

- *Safe Food for Canadians Act* and *Regulations*

- *Food and Drugs Act* and *Regulations*

Results

CFIA collected 362 samples in total and was able to assess 352 samples, 10 samples could not be assessed. The results are as follows:

- 323 samples were assessed satisfactory: 91.8% (323/352)

- 29 samples were assessed unsatisfactory: 8.2% (29/352)

Results based on where samples were collected, are as follows:

- Domestic processors: 95.7% satisfactory (66/69 samples), 4.3% unsatisfactory (3/69 samples)

- Importers: 94.4% satisfactory (118/125 samples), 5.6% unsatisfactory (7/125 samples)

- Retailers (fish packaged at retail): 88% satisfactory (139/158 samples), 12% unsatisfactory, (19/158 samples).

About two thirds of the samples were one of the 9 targeted types of fish and the rest were other species. Although species sampling was not representative, the results show that the fish most often misrepresented include kingfish, red snapper, and sea bass.

As samples were targeted based on risk factors, the above results do not represent Canadian marketplace compliance overall.

A variety of factors contributed to the unsatisfactory assessment results, most cases relate to poor control in ensuring accurate labelling, in addition to possible intentional substitution.

Detailed test results are available on the Open Government Portal.

Enforcement

CFIA's enforcement actions are guided by the Standard Regulatory Response Process and are considered on a case-by-case basis, taking into consideration the harm caused by the non-compliance, the compliance history of the regulated party, and whether there is intent to violate federal requirements.

CFIA followed up and took appropriate action on all unsatisfactory sample results. This included enforcement actions such as letters of non compliance, products seizure and detention, relabelling to bring product into compliance, and product disposals. In some cases, enforcement actions may be ongoing. Corrective actions resulting from this surveillance strategy included verification that companies implement appropriate controls to ensure products are consistently represented in a truthful and not misleading manner.

CFIA publishes information about certain compliance and enforcement activities on a quarterly basis. Information will continue to be updated following the publication of this summary report.

Collaboration and engagement

Combatting food fraud requires a collective effort. CFIA has engaged internal and external stakeholders including MAPAQ on the delivery of this project. CFIA also recognizes the important role industry plays in accurately representing fish products throughout the food chain and implementing preventive controls to ensure compliance with all regulatory requirements. CFIA will continue to work with the industry to promote compliance and engage consumers to build awareness and report any food fraud related concerns.

Next steps

Surveillance of fish products for compliance with regulatory requirements will continue. The results of this surveillance effort will be used to inform future sampling and inspection strategies with better targeting of areas of high risk, as well as compliance promotion and guidance needs.