

Questions and answers: Temporary Safe Food for Canadians licence conditions for importing romaine lettuce and products containing romaine lettuce from the U.S.

September 28, 2021; version 1b

Industry guidance: [Import requirements for romaine lettuce from the United States \(2021\)](#)

Question	Answer
<p>1. What is the meaning of "Delegate" on the attestation form?</p>	<p>The "delegate" can be any person the SFC licence holder deems appropriate, including a supplier. However, the licence holder should understand the implications with this choice. When the importer assigns a delegate to complete the form on their behalf, the holder of the SFC licence to import remains responsible if any of the conditions set out in the attestation or the final declaration are not met. Furthermore, at the time of CFIA post-entry inspections, CFIA will be verifying that the importer has all records (including the attestation forms) and can demonstrate how the temporary licence conditions are being implemented. Therefore, also in this later context, the role of the person acting on the licence holder's behalf for the attestation form is key, which stresses the importance of applying rigor in the choice of that delegate.</p>
<p>2. One example in the Import Requirements document notes that the <i>"product must be processed in batches separate from other product with a clear break between production lots."</i></p> <p>Does the "break" between production lots require a full sanitization of the production line, or is it just that there must be a clear start and end to each production lot, so that each lot is clearly linked to a pre-harvest sampling lot/CoA?"</p>	<p>The break between production lots is for two purposes: to maintain product integrity and linkage with the CoA; and to prevent tested romaine lettuce from being contaminated by untested romaine lettuce due to cross-contamination via food contact surfaces on the processing line. Therefore, if the processing facility handles tested and untested products (or products not tested according to the temporary Canadian sampling and testing requirement), the break between production lots requires a full sanitization of the production line.</p>
<p>3. When will AIRS be updated?</p>	<p>AIRS updates will take place early on September 30.</p>
<p>4. A CoA is required for each "type" of romaine-lettuce product in a shipment. Is romaine lettuce harvested from the same block but packaged in different pack sizes (e.g., a 3-pack vs a 6-pack) considered to be different "types" that require a separate CoA?</p> <p>What about different packaged salads that use the "same" romaine but the other ingredients differ (e.g., dressing and nut/seed varieties)?</p>	<p>One CoA is required for each sampling lot, but the sampling lot considerations are different depending on the sampling option chosen.</p> <p>Finished product sampling: Sampling lot = one type of romaine-lettuce product in a shipment of no more than 1 truckload (20,400 kg). Each bar code or PLU of product is considered a different lot.</p> <p>- If finished product sampling is used, each different product (each different pack size) in the shipment requires a separate CoA.</p> <p>Pre-harvest sampling: Sampling lot = a 2-acre field exposed to homogeneous agricultural conditions. Applies to field-pack, as well as processed products if products were processed with a 'clean break' between other sampling lots, and a link is maintained with the CoA.</p> <p>- If pre-harvest sampling is used, field-packed romaine lettuce harvested from the same sampling block, but in different pack sizes, would require only 1 CoA.</p> <p>Rationale: For finished product sampling, the lot is defined by the product type on the shipment, not which field the lettuce came from. For pre-harvest, the lot is defined by the field the lettuce came from.</p>
<p>5. Section 4 of the attestation form asks for the "Name of the SFC licence holder". If the delegate is completing the form, whose name should they enter?</p>	<p>If the delegate is filling out the form, they should complete section 4 by checking the declaration box, entering their own name and the date.</p>
<p>6. Do the temporary import conditions apply to products crossing the border as of September 30 (so anything harvested now should be tested), or is it for products harvested as of September 30?</p>	<p>The temporary import conditions apply to products crossing the border as of September 30.</p>
<p>7. On the attestation form, section 3, what is CFIA looking for under the column "Name of exporter, if available"?</p>	<p>The purpose of this field is to gather an additional piece of information in case it is not clear which CoA goes with which product on the shipment. Knowing who the exporter is may help in such a case since the exporter is identified in other documentation associated with the shipment, such as on the Bill of Lading. This is not a mandatory field.</p>
<p>8. If the importer chooses to use a delegate, does the delegate need to be identified as an alternate service provider (ASP) in the importer's My CFIA account? Is there a need to identify the delegate at all with regard to the licence?</p>	<p>No, the importer does not need to identify the delegate as an alternate service provider in MyCFIA. Refer to Q1 for more information on who can be a delegate and what the implications are.</p>
<p>9. If the US shipper or importer has a question related to the import process, who at CFIA should they contact?</p>	<p>They should contact the National Import Service Centre (NISC). Email: cfia.nisc-cni.acia@inspection.gc.ca; Telephone: 1-800-835-4486 or 1-877-493-0468 (Canada or U.S.A.) 1-289-247-4099 (Local calls and all other countries)</p> <p>For other regulatory questions, they can submit them to Ask CFIA using the online form at https://inspection.canada.ca/eng/1299860523723/1299860643049.</p>

Question	Answer
10 Is the pre-harvest sampling option (Option 2) the same as the routine-based sampling described in the California LGMA's pre-harvest sampling and testing protocol?	<p>No. There are important differences in the Canadian requirement that must be met, as follows:</p> <ul style="list-style-type: none">- The sampling lot is 2 acre field or less of homogeneous romaine lettuce crop that has been exposed to homogeneous agricultural conditions, not a maximum of 40 acres as indicated in Part II, section 4 of the LGMA protocol.- For each sampling lot, the minimum number of individual random sample units (grab specimens) is 60. This sampling rate of 60 is only a recommendation in Part II, section 5 of the LGMA protocol, but is mandatory to comply with the temporary SFC licence conditions.- If the licence holder chooses to confirm a presumptive (screening) positive result, the confirmation test must be a cultural method, not a molecular method as indicated in Part II, section 2 of the LGMA protocol.