



AUG 13 2008

PRC 002880

Ms. Susan Antler
Executive Director
Composting Council of Canada
16 Northumberland Street
Toronto, Ontario M6H 1P7

Dear Ms. Antler:

Thank you for your letter to Carole Swan, President of the Canadian Food Inspection Agency (CFIA), regarding the *Organic Products Regulations* and their impact on the compost industry. Ms. Swan has requested that I reply to your correspondence. I regret the delay in this response.

As you are aware, currently fertilizer and supplement products can be represented as being “organic” if they are solely derived from “organic matter.” The *Fertilizers Act* and *Regulations* define organic matter as the “partially humified remains of animals and plants.” Products are also permitted to be represented as “organic-based” if at least 15 per cent of the product is derived from organic matter.

The *Organic Products Regulations* will come into effect on December 14, 2008, and agricultural products represented as organic or bearing the federal agricultural product legends must be certified according to the National Standards of Canada for Organic Agriculture by a CFIA-accredited certification body.

The CFIA is working to develop proposed amendments to the *Organic Products Regulations*. Please be assured that, as these amendments are drafted, the CFIA will continue to look for ways to improve the regulations and minimize the regulatory impact on producers.

The scope of the Regulations covers all products that meet the definition of an “agricultural product” in the *Canadian Agricultural Products Act* (CAPA). At this time, the CFIA is proposing to limit the scope of the Regulations to agricultural products that have a technical standard and that are within the CFIA’s mandate. Products that do not meet these conditions

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would not have to meet the requirements of the Regulations. As such, until a technical standard is developed for compost, the existing requirements as found in Trade Memorandum "T-4-106 - Organic Fertilizers Under the *Fertilizers Act*" will continue to be applied to all fertilizers and supplements represented as organic in the Canadian marketplace. It should be noted that the *Fertilizers Regulations* provision for stating the minimum percentage of organic matter in the guaranteed analysis section of a compost label will remain unaffected by the *Organic Products Regulations*.

The purpose of the *Organic Products Regulations* is to establish a system that can effectively regulate the representation of "organic" products in the marketplace. The intention of these regulations is not to restrict or have a negative effect on industry sectors but to create a national organic regime that will facilitate international market access, provide protection to consumers against deceptive and misleading labelling practices, and support the further development of the organic industry in the domestic market. The need for a federal-level regulatory system for organic products has been identified and supported by the Canadian organic industry.

We regret to hear that the Composting Council of Canada was not informed of the Organic Products Regulations consultative process. The CFIA conducted extensive consultations on the Regulations from 2003 to 2005. More than 125 meetings were held with approximately 500 individuals representing more than 100 organizations and enterprises in the organic industry, as well as all provincial and two territorial governments. In addition to the aforementioned consultations, the Canadian General Standards Board (CGSB), has been conducting ongoing consultations via its technical committee for organic agriculture. The committee is composed of representatives of relevant interest, including organic producers, consumers, other users, retailers, educational institutions, and technical, professional and research organizations (organic stakeholders). Anyone wishing to participate in the CGSB process may do so, and any amendments to the standard must undergo a stakeholder voting process prior to adoption.

Should the Composting Council of Canada be interested in working towards the development, and future implementation of a technical standard for certifying compost, we suggest that you contact the CGSB. The CFIA's role in the standards development process is to provide technical support to the Committee for Organic Agriculture—specifically, to work to ensure that the standard does not contravene any regulations under the CFIA's mandate.

I understand that your organization has worked closely with the Canadian Council of Ministers of the Environment to develop specific definitions and quality standards for compost products. In this regard, the CFIA appreciates your efforts and the Composting Council of Canada is to be commended for its work in the development of the Compost Quality Alliance pilot project.

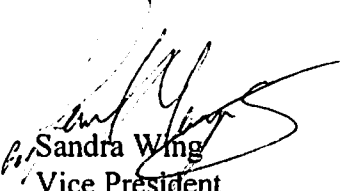
We appreciate your organization's diligent efforts to comply with existing standards and your staunch support of the CFIA's work in regulating soil-related amendments. Should the Composting Council of Canada decide to assume a leadership role in the development of a technical standard for compost—via the CGSB process—the CFIA would welcome such a role. As such, you are invited to contact the following CFIA official:

Mr. Glyn Chancey
Acting Executive Director
Plant Products Directorate
Canadian Food Inspection Agency
59 Camelot Drive
Ottawa, Ontario K1A 0Y9

Telephone: 613-221-7591
Email: chanceygd@inspection.gc.ca

I trust that this information will be of assistance to you. Again, thank you for sharing your concerns.

Sincerely,


Sandra Wing
Vice President
Policy and Programs

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DUE DATE / DATE D'ÉCHÉANCE : 2008/06/06

REQUESTED BY / DEMANDÉ PAR :

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S.O. July 10 2008
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06-06-08

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JK. July 10, 2008
Date:
06-06-08

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Date:

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CL(tc)
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July 14, 2008

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N/A

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Vice-président associé, DPP:

OPD-5 FOR
Paul Mayers (Programs)

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Vice President, Policy and Programs /
Vice présidente, Politiques et programmes/ :

10/15/08
Sandra Wing

Date:

Approved by Executive Vice-President /
Approuvé par le Premier vice-président :

Dr. Brian Evans

Date:

Approved by President /
Approuvé par la présidente :

Ms. Carole Swan

Date: