

## Summary of Amendments to Bill C-27

### **Sections Added:**

Section 26.1 has been added, requiring inspection manuals to be made public

Section 29.1 has been added. It sets up an Ombudsman to handle complaints. The Ombudsman can try to mediate or resolve problems. The Ombudsman may recommend compensation. If problems can't be solved, he/she has to record reasons why. The Ombudsman submits a report annually to the President of the CFIA, who then sends the report to the Minister who makes it public.

Section 30.1 has been added. It provides for re-inspection if the business being inspected disagrees with the original inspection.

Section 43.1 has been added. It provides for businesses to apply to the ombudsman for compensation for costs due to CFIA exercising its powers when the business is found not to have committed an offence.

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### **Sections Deleted:**

Sections 44 and 45 have been deleted. These sections allowed CFIA to get businesses to pay for costs of inspection.

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### **Sections Amended:**

Section 3 has been amended to exclude farming from requiring a license to operate from the CFIA

Section 4 has been amended to reduce discretionary power of CFIA in attaching conditions to licenses

Section 5 has been amended to include a procedure for revoking licenses, including appeal to the ombudsman

Section 8 has been amended to require information collection etc. to be in compliance with the Information Act and Privacy Act

Section 9 has been amended to require approval of the Minister for the CFIA to enter arrangements with foreign governments

Section 14 has been amended to require foreign inspection results etc. to be comparable to Canadian in order to be recognized

Section 25.1 (i) has been amended to restrict samples to a reasonable number

Section 25.4 through 25.8 have been added, allowing inspectors to restrict movement of product until it establishes it meets requirements, and providing further procedures in the event

Section 35 has been amended, instructing the court not to order seized things to be returned if they are diseased/toxic, etc.

Section 40 prohibiting the making of false statements, has been amended, adding "with intent to deceive"

Section 46 has been amended, making the Crown liable for losses due to CFIA's actions if it fails to exercise due diligence

Section 56 (i) is amended, adding toxic substances as subject to regulation vis a vis imported products

Section 56 (s) is amended regarding conditions attached to licences

Section 56 (w.1) is added, regarding procedure for making complaints to the ombudsman

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**Amendments Under Consequential Amendments to other Acts:**

The Canada Agricultural Products Act is amended to prohibit the use of dairy terminology in labeling non-dairy products

The CFIA Act is amended, requiring the Minister to set up an Advisory Board of up to 12 persons with relevant knowledge or experience to provide a discussion forum for CFIA matters, to provide policy advice to the Minister, to review reports. The Advisory Board is to report to the Minister and standing committees by March 31 each year.

The CFIA Act is also amended to require “qualified” persons to be appointed as inspectors, etc.

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**Amendments Under Coordinating Amendments:**

The Border Services Agency Act is amended regarding who may be appointed to carry out CFIA functions at the border