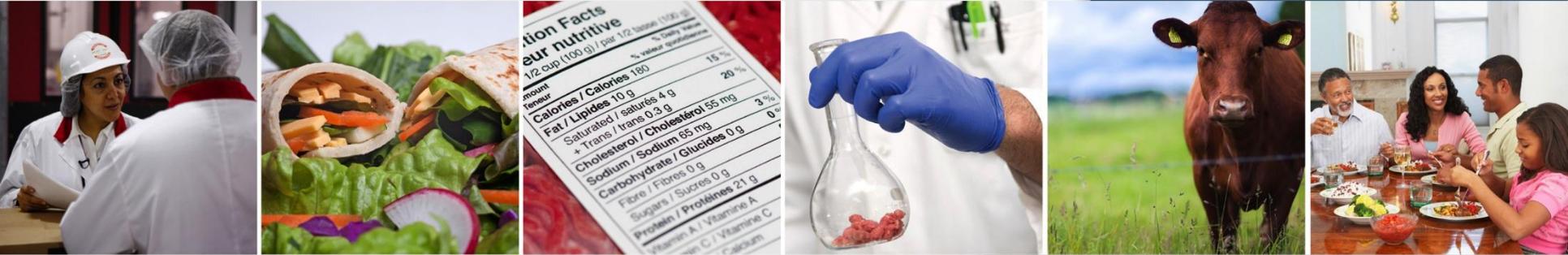


# THE CANADIAN FOOD INSPECTION AGENCY'S FOOD SAFETY REGULATORY FORUM



## Compliance Promotion

Formalizing an Approach to Support Stakeholder Compliance



Canadian Food Inspection Agency

Agence canadienne d'inspection des aliments



Canada

## Purpose

- To provide an overview of compliance promotion
- To discuss how enhanced compliance promotion efforts could improve industry's ability to meet regulatory requirements
- To discuss the role of industry, government and third parties in contributing to an effective compliance management system

## CFIA Modernization Initiatives

3

- In response to a changing operating environment, the CFIA has embarked on an ambitious transformation agenda
- These modernization efforts are being applied to four strategic focus areas:
  - Stronger food safety rules
    - Legislative/Regulatory Modernization
  - More effective inspection
    - Inspection Modernization, Inspector Training, **Compliance Promotion**, Enhanced Science Capacity
  - Commitment to service
    - Statement of Rights and Service, Service Standards and User Fees
  - More information for consumers
    - Transparency, Labelling Review

## Background

**Definition:** *Compliance promotion is any activity that increases awareness, informs, motivates or changes behaviour, and encourages compliance with a regulatory requirement*

*Adapted from: BC Ministry of the Environment, Compliance Management Framework*

- First step for regulated parties to achieve compliance is for them to understand their obligations and how best to meet them
- As the Agency moves towards an improved inspection model and updated regulations for food, information and guidance will be key to success
- There are also opportunities for industry, their associations and other interested third parties (e.g. academia, non-government organizations) to play significant role in assisting regulated parties to achieve compliance
- Ultimate outcome is that the food safety system is strengthened through better public health outcomes, the generation of efficiencies and the ability to target enforcement efforts

## Challenges and Barriers to Compliance

- There are a variety of challenges and barriers which may impact on industry achieving regulatory compliance:

Social	Economic	Regulatory
Principled disagreements with the rules	Inadequate financial resources or infrastructure	Difficulty complying with overly prescriptive requirements
Lack of knowledge or technical specialization	Benefits of non-compliance outweighs the cost of compliance	Difficulty complying with requirements that are outdated or not in line with modern industry practices
Unwillingness to comply		Difficulty understanding requirements

## Challenges and Barriers to Compliance

### Small Business Constraints:

- Small businesses may be particularly challenged to meet regulatory obligations
  - Limitations related to human, financial, technical and time resources
  - Lack of specialized expertise to help them understand and comply with legislative requirements
- Generally rely on information provided by the regulator or industry associations

## **Aligning roles and responsibilities**

7

- Industry has the responsibility for producing safe food; designing systems to ensure that they meet regulatory requirements
  - Also provides leadership by promoting best practices, providing peer support and guidance
  
- Third parties (e.g. non-government organizations, academia, food technology centers) have technical expertise and specialized knowledge relevant to their sectors
  - Can provide services or training tailored to meet industry needs
  
- CFIA communicates regulatory requirements, verifies industry compliance and takes enforcement action where non-compliance identified
  - Also plays a role in the generation of compliance through communication with regulated parties

## Why Focus on Facilitating Compliance?

8

- Aligning efforts to support modernization
  - CFIA food safety modernization initiatives require guidance to help regulated parties understand and comply with new requirements
    - Food Importer Licensing
    - Inspection Modernization
    - Outcome-based regulatory approach
- Aligning tools for consistency
  - CFIA currently uses a wide variety of tools to promote compliance
  - Issues with respect to inconsistency across commodities and sectors continue to be identified
  - Opportunity to promote consistent compliance and enforcement responses and better facilitate regulated parties' understanding of legislative requirements

## Domestic and International Approaches

9

- Innovative approaches are being applied domestically and internationally to achieve and maintain stakeholder compliance:
  - Plain language interpretations (e.g. regulatory requirements)
  - Searchable information (e.g. by business type and by topic)
  - Interactive tools (e.g. templates, checklists, risk assessment tools)
  - Training resources and expert technical advice (e.g. through academic partnerships)
  - Real-time assistance (e.g. hotlines, email, interactive Qs and As)
  - Various methods of dissemination (e.g. podcasts, webinars, print, social media, videos, workshops)
  - Specialized business portals (e.g. focussing on small businesses)

## Proposed Pillars of a Compliance Promotion Strategy

Pillars	Examples of Potential Applications
<b><i>Education</i></b>	<ul style="list-style-type: none"> <li>• Enhanced online search function</li> <li>• Guidance documents for both stakeholders and CFIA employees</li> <li>• Enhanced use of social media</li> <li>• Webinars and YouTube videos demonstrations on key topics</li> </ul>
<b><i>Technical Assistance</i></b>	<ul style="list-style-type: none"> <li>• Plain language synopses to complement legal documents</li> <li>• Training opportunities are provided through partnerships</li> <li>• Model systems</li> <li>• Searchable question and answer repository</li> <li>• Templates, self-assessments and checklists</li> </ul>
<b><i>Transparent Communication</i></b>	<ul style="list-style-type: none"> <li>• Industry best practices highlighted as examples</li> <li>• Compliance and enforcement data is shared publicly</li> </ul>
<b><i>Compliance Incentives</i></b>	<ul style="list-style-type: none"> <li>• Compliance history supports ability to adjust inspection frequencies</li> <li>• Support programs conditional on compliance</li> <li>• License suspensions and monetary penalties act as deterrents</li> </ul>

## Questions

- How could enhanced compliance promotion efforts in the following areas improve industry's ability to meet regulatory requirements?
  - Education
  - Technical Assistance
  - Transparent Communication
  - Compliance Incentives
- What should be the role of industry, government and third parties in contributing to an effective compliance management continuum?
- What are the opportunities for collaboration?

## Feedback

Your feedback is welcome

- By email: [CFIA-Modernisation-ACIA@inspection.gc.ca](mailto:CFIA-Modernisation-ACIA@inspection.gc.ca)
- By mail:
  - Strategic Partnerships Division
  - 1400 Merivale Road, Tower 1
  - Floor 6, suite 218
  - Ottawa, ON K1A 0Y9
  - Canada
  - Attn: compliance promotion
- By fax: 613-773-5606