



January 26, 2008

The Hon. Tony Clement, P.C., M.P.
Minister of Health
Brooke Claxton Building
Locator 0906C
Tunney's Pasture
Ottawa, Ontario
K1A 0K9

Dear Minister:

The Canada Grains Council and Grain Growers of Canada once again held a joint conference in Ottawa in November of 2007. A significant portion of the program was allocated to subject matter and speakers pertaining to regulatory modernization. As you may be aware, Meena Ballantyne and Daniel Chaput responded to our invitation to Health Canada to speak at these sessions. We can advise that their remarks were well received, as were the regulatory modernization principles and objectives identified in their presentations.

Following these presentations and an industry perspective delivered by Rory McAlpine of Maple Leaf Foods Inc., we asked conference participants to consider and respond to the question of what needs to have been accomplished for Health Canada's and industry's objectives for a modernized regulatory system for foods to become reality. A summary of their responses and related discussion is attached for your reference.

You will note that the key themes and actions identified resonate well with those outlined in the previous and latest versions of Health Products and Food Branch's Blueprint for Renewal. We trust the attached summary will be carefully considered by HPFB directorates in their ongoing consultations pertaining to proposed legislative and regulatory amendments. Accordingly, we are taking the liberty of providing copies to a number of senior managers within Health Canada.

We would also like to take this opportunity to extend an invitation to you to deliver a keynote address at the Canada Grains Council annual meeting to be held in Winnipeg in early April (additional details to follow under separate cover).

Yours sincerely,



Dennis Stephens
Secretary
Canada Grains Council



Richard Phillips
Executive Director
Grain Growers of Canada

cc. Meena Ballantyne
Susan Fletcher
Sandra Wing
Richard Wansbutter
Gordon Harrison
Ross Ravelli

Key Objectives Identified in the Focus on Healthy Living Discussions
Canada Grains Council – Grain Growers of Canada Meeting
November 19, 2007 – Ottawa

Note to readers: **The points that follow represent the key objectives and end points identified by CGC/GGC meeting participants as being of high priority for consideration by Health Canada, Canadian Food Inspection Agency and Agriculture and Agri-Food Canada in the modernization of Canada’s regulatory system. These points pertain to federal regulation and regulators governing seeds, crop inputs, food ingredients/additives and processed foods, including foods (technologies) considered to be “functional” by virtue of their potential to contribute to the health of individuals and the Canadian population.**

- 1. Canada’s agri-food value chain (crop inputs, crop varieties, crop protection, commodity production, primary and secondary processing) participants place top priority on having simultaneous access to technology that is available to agri-food value chains in other countries. This is seen as a prerequisite to international competitiveness.**

The enabling steps to ensuring that this is an outcome of Canada’s federal public policy and regulatory systems are:

- Pre-market evaluation and other regulatory frameworks that are enabling (world class and internationally recognized and as a consequence, pave the way to international market acceptance) rather than restrictive (prevent market access/acceptance in Canada for products and technologies approved and available in other industrialized nations).
- A contingent of human resources residing within Canada’s regulatory agencies (Health Canada, Canadian Food Inspection Agency, Pest Management Regulatory Agency) that is commensurate with the administrative and service delivery obligations set out in Canada’s federal regulatory policy.
- Mutual recognition agreements with Canada’s major trading partners (U.S., Mexico, EU, Japan) that result in simultaneous access to all markets for approved technologies, regardless of jurisdiction of first approval.

- 2. Alignment of Canada’s regulatory environment with those of major trading partners and competitors in the international marketplace.**

While it is of strategic importance to establish and administer regulatory systems in Canada that are world leading in terms of science and administrative process, Canada’s system cannot be allowed to become out of step with internationally accepted science and evaluation methods for product efficacy and safety. Alignment of Canada’s regulatory environment (not necessarily complete harmonization) is of

paramount importance to the future international competitiveness of Canada's agri-food sector.

In consideration of the fact that Canada's most important market is the North American market that is subject to the provisions of NAFTA, a top priority of the Government of Canada should be the alignment of the agri-food regulatory frameworks of Canada, USA and Mexico. Regulatory mutual recognition agreements based on equivalent regulatory competence and oversight among these three trading partners are of critical importance to the North American economy.

3. Canada's agri-food value chain would benefit from inter-departmental/inter-agency coordination and oversight as the federal government seeks to regulate to the benefit of consumer health and safety.

- Canada has a federal regulatory policy that applies to all federal departments and agencies that hold regulatory responsibilities. This policy requires that cost-benefit analyses be applied to all new regulatory initiatives and regulatory amendments. Such analyses would be more meaningful if conducted with inter-departmental oversight and involvement.
- The agri-food sector is also desirous of a "single point of entry" or "single window" service to assist in directing value chain participants to the appropriate regulatory agency(ies) or office(s).

4. Canada's federal regulatory agencies need to get on with regulatory modernization.

Health Canada and the Canadian Food Inspection Agency have jointly declared the modernization of Canada's regulatory systems as being of strategic and paramount importance. Canada's agri-food value chain participants have contributed to and endured 15 years of public consultations on the modernization of the Food and Drugs Act and Regulations. "Legislative Renewal" was initiated in 1992. Canada's agri-food value chain calls upon the government of Canada to effect modernization that is meaningful and of net benefit to the value chain and the Canadian economy. To achieve this, federal regulators must:

- Recognize the fundamental right of producers and processors to sell commodities and processed products in the Canadian market. Regulatory interventions abridge this fundamental right and need to be the minimum required to foster public safety, population health and fairness in trade and commerce.
- Respect Canada's federal regulatory policy (Cabinet Directive on Streamlining Regulation) in drafting and adopting amendments to the Food and Drugs Act and Regulations and other federal statutes and related regulations.
- Allocate equal effort and importance to delivering societal benefits and mitigation of risk to society.
- Invest in and conduct sustained communication of benefits and risk. Canada has approximately 250,000 new consumers per year exercising their right to make

decisions in food, foods for special dietary purposes and natural health product purchases.

5. Allocate public resources and publicly funded communication pertaining to food nutritional attributes and health benefits that is in balance with emphasis in public policy and expenditures pertaining to food safety and risk management.

Canada has an enviable record of food safety and is recognized internationally as being among leading jurisdictions in the regulation of foods and beverages. However, consumers in Canada and in export markets deserve to understand the nutritional attributes of Canadian food ingredients and foods at a level that is commensurate with consumer confidence in the safety of Canadian food products.

To meet this objective, Health Canada and its partners among other federal departments must:

- facilitate the adoption and widespread use of substantiated health claims for foods, beverages and natural health products in order to enhance population health and mitigate against increase in health care costs; and,
- redesign and re-tool Health Canada's pre-market evaluation framework for health claims for foods, beverages and natural health products so as to provide maximum clarity of pre-market information requirements and optimal service to applicants for health claims.

Both of the above points are in the public interest and should be funded accordingly.