



FERTILIZER CANADA

FERTILISANTS CANADA

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MEMO

DATE: March 30, 2021
TO: Canadian Fertilizer Products Forum | Products Committee
FROM: Cassandra Cotton, Vice-President, Policy & Programs
SUBJECT: *Regulations of Products that are or Contain Polymers Under the Fertilizers Act*

On October 7, 2020, the Canadian Food Inspection Agency (CFIA) released a Notice to Industry on proposed *Regulations of Products that are or Contain Polymers Under the Fertilizers Act*. While Fertilizer Canada members are supportive of the requirement to register polymers with the CFIA, as this effort will provide clarity of product in the marketplace once listed on the CFIA website, we voiced concerns with the consultation process and proposed timeline. These discussions identified many important perspectives surrounding the business realities that industry will face as a result of the proposed regulation.

After careful consideration, the CFIA has revised the proposed path forward, as outlined in the [Notice to Industry](#) below, for registration of products which are currently on the Canadian market after having undergone a safety assessment (DS holders). The timeline has been adjusted to directly respond to the needs of members and ensure that products that have been deemed safe continue to have market access, while respecting regulatory requirements.

Highlights of CFIA's amended approach:

March 2021

- CFIA will publish a Notice to Industry – please see [here](#).
- Companies that have obtained a safety assessment (DS holders) will receive a letter from CFIA directly acknowledging that the results of past safety assessments are valid as long as no substantive changes were made to the product, its ingredients and sources, the manufacturing method or use pattern.

April 2021

- The CFIA will conduct a survey of the marketplace to gauge the size of the sector and the polymer technologies used – no enforcement action will be taken as a result of the survey, but the responsible parties will be informed of the registration requirement.
- Polymer producers apply for registration with CFIA within two separate time standards:



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- **Polymer products with existing safety reviews:** 75 working days. For products that are well established in the marketplace and have already undergone the safety assessment and obtained a DS, registrations will be processed within a time standard for minor amendments (maximum of 75 working days) and no safety fee will be charged. Should any anticipated delays to the CFIA review timeline occur (i.e. due to backlog of submissions), the enforcement schedule will be revisited.
- **Polymer products new to the Canadian marketplace:** 245 working days.

January 30, 2022

- All Polymer products with existing safety reviews are issued registration numbers by CFIA.
- Products that are currently in the marketplace without a safety assessment (non-compliant with past requirements) will have to apply for and receive registration prior to commencement of enforcement (October 23, 2023). These submissions will be processed in accordance with the standard service delivery timeline (245 working days).

Please see the following CFIA Notices to Industry for further information.

Fertilizers and supplements: Notices to Industry

<https://inspection.canada.ca/plant-health/fertilizers/notices-to-industry/eng/1490849930025/1490849960260>

Engrais et suppléments: Avis à l'industrie

<https://inspection.canada.ca/protection-des-vegetaux/engrais/avis-a-l-industrie/fra/1490849930025/1490849960260>

Notice to industry – Updated requirements for fertilizer and supplement products that are, or contain, polymers

<https://inspection.canada.ca/plant-health/fertilizers/notices-to-industry/2021-04-01/eng/1617040972366/1617040972960>

Avis à l'industrie – Mises à jour des exigences pour les engrais et les suppléments qui sont ou contiennent des polymères

<https://inspection.canada.ca/protection-des-vegetaux/engrais/avis-a-l-industrie/2021-04-01/fra/1617040972366/1617040972960>

Updated requirements for fertilizer and supplement products that are, or contain, polymers

<https://inspection.canada.ca/plant-health/fertilizers/notices-to-industry/2021-04-01/updated-requirements-for-fertilizer/eng/1617038722060/1617041399920>



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Mises à jour des exigences pour les engrais et les suppléments qui sont ou contiennent des polymères

<https://inspection.canada.ca/protection-des-vegetaux/engrais/avis-a-l-industrie/2021-04-01/mises-a-jour-des-exigences-pour-les-engrais-et-les/fra/1617038722060/1617041399920>

If you have any questions or concerns, please reach out to me directly.

Kind regards,

Cassandra Cotton
Vice President, Policy & Programs

