

16.5 CHEESE IMPORT LICENSING

Amendments to the cheese compositional standards in federal regulations come into force on December 14, 2008. These amendments introduce requirements for a cheese import licence and revise the compositional standards for cheese.

Requirements related to a cheese import licence are specified in Sections 26.2 to 26.6 of the Dairy Products Regulations (DPR). These sections describe the requirements that must be met to apply for and maintain a cheese import licence as well as the conditions for suspension or cancellation of a licence.

Exemptions for requiring a cheese import licence are the same as outlined in Section 16.3.1.

16.5.1 Application for a Cheese Import Licence

An application for the issuance, renewal or amendment of a cheese import licence shall be sent to the local dairy inspector in a form provided by the Agency (CFIA / ACIA 5562 (2008/08), available at <http://www.inspection.gc.ca/english/for/mpppe.shtml>) and shall indicate:

- whether it is an application for a new cheese import licence or for the renewal or amendment of an existing cheese import licence;
- the number of the importer's existing cheese import licence, if any and expiry date; and
- the name, address, including postal code, telephone number, emergency contact number and e-mail address.

The application shall have annexed to it:

- a) a copy of the importer's cheese recall program, indicating:
 - the person responsible for carrying out the program,
 - the cheese coding system description, and
 - the notification and other procedures to effect the recall;
- b) a list of cheeses expected to be imported during the period of the cheese import licence, and the country in which they originate; and
- c) if the importer has an establishment in Canada for the purpose of cutting, shredding, repackaging, etc... (not including storage) of the imported product, other than a registered establishment, the application shall also have annexed to it:
 - plans and specifications for the establishment including description of the location of the establishment in relation to adjacent facilities, intended uses of rooms and types and location of equipment to be used,
 - a copy of the sanitation program for the establishment, indicating
 - the person responsible for carrying out the program,
 - the equipment and chemical agents required to maintain clean and sanitary conditions,
 - the measures proposed to be taken to ensure clean and sanitary conditions,
 - a copy of the pest control program for the establishment, indicating
 - the person responsible for carrying out the program, and
 - the measures proposed to be taken to safely and effectively control insects, birds, rodents and other vermin, and
 - a document indicating of the source of water to be used at the establishment for drinking or for cheese preparation and a copy of a certificate of microbiological analysis of this water.

To evaluate if an application for a cheese import licence meets the above applicable requirements, the local dairy inspector reviews the application package, consisting of the applicant's current information and the annexed information. A visit is not necessary to evaluate the application but may be scheduled to explain the importer's responsibilities and assess the facilities.

If the applicant's current information and the annexed documents are not complete and accurate, the application will be returned to the applicant for resubmission.

If the application and the annexes meet the above requirements, the local dairy inspector sends the application to the Area Program Specialist for final review. A licence number is assigned and the Director will issue a cheese import licence (CFIA / ACIA 5563 (2008/08)). A cheese import licence is not assignable and expires two years after the date of issue indicated on it.

In the case of an application for the renewal or amendment of a cheese import licence, the applicant only needs to indicate changes or updates to:

- the recall program,
- the list of cheeses expected to be imported,
- the plans, specifications, location of rooms and equipment to be used,
- the sanitation and pest control programs.

16.5.2 Conditions to Maintain a Cheese Import Licence

Every importer who holds a cheese import licence shall

- a) maintain the recall program referred to above;
- b) maintain and carry out the sanitation and pest control programs referred to above and produce a certificate of microbiological analysis of the water once a year, if the importer has an establishment in Canada for the purpose of cutting, shredding, repackaging, etc. of imported cheese, other than a registered establishment;
- c) be able to provide evidence that each imported cheese meets the Dairy Products Regulations, and
- d) keep for two years at an address in Canada, in respect of each imported cheese,
 - a copy of the import declaration;
 - a copy of any evidence in the possession of the importer that substantiates that the cheese meets the requirements set out in the Dairy Products Regulations and
 - a record of:
 - the product code for the cheese,
 - the names, addresses and telephone numbers of the persons to whom the cheese was distributed,
 - any complaints received about the cheese and how the complaints were handled, and
 - any recall carried out with respect to the cheese.

These conditions will be monitored and evaluated by CFIA inspectors as per Section 16.6.3.

16.5.3 Suspension/Cancellation of Licence

The Director may suspend or cancel a cheese import licence if conditions outlined in Sections 26.5 or 26.6 of the DPR are met. Suspension or cancellation are available enforcement options and recommendations to proceed with the appropriate enforcement option will be made by CFIA operational and program staff on a case-by-case basis.