

## CSGA'S Complete Q&A Framing Document To The CFIA's SRM Pre-Consultation Survey

The Canadian Food Inspection Agency (CFIA) has just released three Seed Regulatory Modernization (SRM) Task Team reports and a pre-consultation survey, seeking input on potential changes to Canada's seed regulations.

Before you respond to the [CFIA pre-consultation survey](#), we wanted to **share how we are responding to the survey and why**. Below, please find our responses to key questions with brief explanations. While there was strong alignment between the Task Team recommendations and CSGA's vision for a next-generation seed system, we need to keep working together to ensure that the seed sector and Canadian agriculture will continue to thrive and prosper.

### 1. Variety Registration

#### **Background:**

This task team did a deep dive into our national variety registration system and potential pathways for heterogeneous and heritage varieties. Of note, this Task Team did not reach consensus on whether Canada should have a variety registration system – even though 16 of 20 representatives supported it, including CSGA. The complete final report is available [here](#).

#### Survey Q1: Should Canada continue to have a national variety registration system?

- **CSGA Response:** Yes!
- **Here's Why:** Canada has an international reputation for seed and grain quality, and our variety registration system is a major reason why by providing an unbiased, third-party assessment of new varieties to let producers know how a variety will perform. The variety registration system continues to evolve and provides flexibility to the value chain to decide how varieties are assessed and approved. As a grain exporting country, Canada's variety registration system also helps maintain market access and streamlines bulk grain handling.
- **Task Team Recommendation:** No consensus, although 16 out of 20 representatives supported a national variety registration system – including CSGA.

#### Survey Q2: Should CFIA seek a regulatory pathway for heritage and heirloom varieties in Canada?

- **CSGA Response:** Yes, But!
- **Here's Why:** Producers should have the ability to market and sell heritage or heterogeneous varieties. However, we need to avoid potential harm to other producers and our grain handling system due to things like disease. New varieties of most crop kinds coming through the variety registration process are screened for susceptibility to plant diseases of

#### HERITAGE & HEIRLOOM

- **Heritage Variety:** Registration cancelled 50 years or more.
- **Heirloom Variety:** Grown in Canada prior to 1970 but never registered.

concern. As producers continue to lose access to seed treatments, we need to ensure continuous improvement in genetic resistance to plant diseases.

- We would like to see heritage and heirloom varieties incorporated into the current registration system, adjusting the Part II tier if required.
- **Task Team Recommendation:** There was qualified consensus that Canada’s system can already accommodate heterogeneous material and alternatively bred varieties. There was no consensus on heritage or heirloom varieties, although two options were equally supported.

### Survey Q3: Should Schedule III be removed from the Seeds Regulations and instead rely on ‘Incorporation by Reference’?

- **CSGA Response:** Yes, But!
- **Here’s Why:** If a crop value chain wants to opt into or out of variety registration, they currently need to go through the entire federal regulatory process. This takes time, resources, and political will. By taking Schedule III out of the regulations and putting it into a document that can be “incorporated by reference,” the CFIA, with value chain consensus, could update the Schedule in a more efficient manner.
- Incorporation by reference entails clear guidelines around how a change can be made and what protocols must be followed.
- *However,* we also need to consider the unintended consequences of a crop kind opting out of variety registration, specifically around the legal risk and challenges that this would pose to certifying seed lots of these varieties and our international obligations.
- **Task Team Recommendation:** Schedule III should be Incorporated by Reference.

#### WHAT IS INCORPORATION BY REFERENCE?

- Doug Miller explains IBR [here](#).

### Survey Q4a: Do you support Regional Recommending Committees having the authority to recommend placing a regional restriction on a variety registration in their specific region?

- **CSGA’s Response:** Yes
- **Here’s Why:** There is tremendous value to our national approach to variety registration, which ensures a consistent framework from coast-to-coast. However, certain situations warrant taking a localized approach. The regional recommending committees, which represent the value chain for that crop or crop grouping or geographic area, are best placed to determine the impacts of a new variety in their geographic area. As seed can move between geographic regions, there needs to be open and transparent communication between the regional recommending committees when outliers occur.
- **Task Team Recommendation:** There was qualified consensus to allow for regional restrictions and develop a process for how it would be applied.

### Survey Q4b: Should CFIA lead a consultation to modernize the stakeholder-driven process for applying regional restrictions on the sale of seed?

- **CSGA Response:** Yes
- **Here’s Why:** The CFIA is best positioned to consult and negotiate a policy with broad public good in mind.
- **Task Team Recommendation:** The process for applying regional restrictions should be reviewed so that there is additional clarity regarding which crops this may apply to, and also to ensure that the criteria used for placing a regional restriction is transparent and consistently applied to make it as fair as possible.

### Survey Question 5: Please provide any additional feedback you would like CFIA to consider on variety registration.

- **Here’s Our Feedback:** Variety registration is a foundational element of Canada’s seed system and key to the success of the Canadian agriculture and agri-food sector over the past century.

- Time and time again, producers, seed growers, grain handlers and end users have confirmed their support for variety registration, while some interests argue that it is an unnecessary regulatory burden. CSGA supports a modern, efficient, and effective variety registration system that supports Canada’s “crop quality” advantage and distinguishes us from some of our international competitors in the global grains, oilseeds, and pulse markets.

## 2. Seed Certification

**Background:** The Seed Certification Task Team did a deep dive into seed certification, crop inspection, crop certificates and new technology. CSGA supports all of the recommendations coming out of this task team. The complete final report is available [here](#).

Survey Q1: Should Canada continue to have one national body establishing and determining the seed crop varietal purity standards to issue a seed crop certificate?

- **CSGAs Response:** Strongly Agree
- **Here’s Why:** One of Canada’s advantages in seed certification is that we have a single organization with a laser focus on seed crop certification. CSGA has delegated authority under the federal *Seeds Regulations* to set varietal purity standards and certify seed crops and has delivered this public good service for over 100 years.
- Separating standards and service delivery not only worsens current inefficiencies but it also risks lower standards and higher costs. It will also transfer more risk to the seed producer, reduce transparency, and erodes trust in both the process and the production of Certified seed.
- CSGA has the size, scale and proven track record to administer our program cost-effectively (certification costs less than 1% of the value of seed) and ensures that no producer or crop kind is left behind. Compared to the United States, where each state has a different seed law and seed certification services, CSGA delivers a national seed crop certification program at a fraction of the cost.
- **Task Team Recommendation:** Canada should continue to have one national body establishing seed crop standards and issuing crop certificates, and that organization should be CSGA. CSGA should also continue to expand its standard development consultation process.

Survey Q2: To provide additional training options for licenced seed crop inspectors (LSCI), do you support the delivery of training by a non-CFIA party?"

- **CSGA Response:** Yes
- **Here’s Why:** We may not have an inspector shortage, but we do have a training shortage. For the last ten (10) years, the vast majority of Canada’s seed crop inspections have been done by private inspectors, and that is where the majority of experience lies. However, we need to eliminate bottlenecks when it comes to access to training, especially in forages, hemp, and niche crop kinds. Inspection services should be able to train their inspectors and then work with CFIA to get tested and accredited. CSGA is willing to explore adding inspector training to our CSGA Learn platform if it would help ensure consistent training across the country and equal access for all inspection services, regardless of size.
- **Task Team Recommendation:** The CFIA should explore options for inspector (LSCI) training delivery.

Survey Q3: Once tools and standards are developed for the use of Biochemical and molecular Techniques (BMTs), do you have any concerns with their use in supporting seed certification in the future?

- **CSGA Response:** No, But!
- **Here's Why:** In seed certification, the international seed certification community has been exploring BMTs for the past 20 years and still relies on crop inspection as its primary assessment tool. This means that genetic testing and drones are not currently acceptable and arguably not ready technology-wise, and defaulting to new technology before our international counterparts puts our international compliance at risk.
- However, we do need access to all the tools in the toolbox, and that includes the use of BMTs and modern technology like drones – which we are already starting to use in the Canadian system. It's a question of when, not if, and we need to ensure we are ready to adopt these new supporting technologies with pilot projects and developing standards for use.
- **Task Team Recommendation:** The use of BMTs could be an additional tool to confirm the varietal identity and/or the presence of off-types and variants in the field during crop inspection.

Survey Q4: Please provide any additional feedback you would like CFIA to consider related to seed crop certification.

- **Here's our feedback:** CSGA's 119-year track record proves that it's the most effective and efficient body to manage certification standards and services across all seed classes, providing seed producers and processors with a simpler, more transparent certification process from beginning to end - removing information gaps, prioritizing user experience, reinforcing continuous improvement, and providing flexibility to adopt new technologies – all while retaining the trust and global reputation for reliable genetic identity assurance that comes with government oversight.
- We would like to continue the dialogue with CFIA and through SRM on CSGA becoming the main administrator of Canada's seed certification system – similar to what is done in other mature seed sectors globally.

## 2A. Seed Harvesting, Cleaning, and Conditioning

Survey Q1: Do you support removing the prescriptive portion of Part IV of the *Seeds Regulations* and Incorporating by Reference this information?

- **CSGA's Response:** Yes
- **Here's Why:** Part IV of the *Seeds Regulations* addresses the procedures for registration of a seed establishment and the licensing of operators, as well as the conditions for suspension or cancellation of these "permissions." Part IV also addresses registered seed establishment scope of authority, evaluation marks for licensing operators, and references lists and documents that must be on hand. Creating a CFIA document referenced by the Regulations would enable a more user-friendly description of the requirements that the CFIA needs to delegate authority for seed certification and seed import activities.
- **Task Team Recommendation:** That the Registered Seed Establishment (RSE) system works well but could be improved to enhance flexibility, which could be achieved by Incorporation by Reference.

Survey Q2: Please provide any additional feedback you would like CFIA to consider related to the harvesting, cleaning, and conditioning of seed.

- **Here's Our Feedback:** CSGA's position is that seed certification records should be digital and accessible by the regulator to ensure compliance and trust within the system. Availability of digital seed certification data would result in greater transparency, understanding, and program efficiencies.
- For example, if seed certification data is available, we could streamline the Registered Seed Establishment (RSE) audit process and enable more data driven, risk management approaches to regulatory oversight. CSGA's SeedCert platform can be easily expanded to provide this value-added service.

### 3. Seed Standards

**Background:** This Task Team did a deep dive into seed quality standards, the Grade Tables, and seed mixtures. Of note, CSGA supports all of the recommendations coming out of this task team. The complete final report is available [here](#).

Survey Q1: Should the purity standards for No.1 and No.2 grades be the same?

- **CSGA's Response:** Yes
- **Here's Why:** The seed quality standards set out in the Grade Tables are minimum requirements for importing seed into Canada or selling seed in Canada and had minimal change in 40 years. In the meantime, seed processing equipment has improved, and higher quality standards are achievable. As a result, we should continue to maintain these baseline quality standards. Farmers expect Certified seed to be practically free from contaminants, and the No. 2 grade is rarely if ever, used.
- **Task Team Recommendation:** Adopt the No. 1 standards for purity and disease for No. 2 pedigreed grades.

Survey Q2: Which recommendation for purity and germination testing of seed mixtures do you most support moving forward?

- **CSGA's Response:** Seed destined for a Certified Mixture should be certified prior to mixing and blending.
- **Here's Why:** It is important when dealing with certified mixtures that all the individual components are tested and certified separately – the adage 'quality in, quality out.' This allows for a 'paper trail' to be established and ensures the Certified Mixture meets the specifications. It is virtually impossible to get a truly representative sample of a seed mixture, so individual components should be sampled and tested prior to mixing.
- **Task Team Recommendation:** Nine (9) recommendations were made with respect to mixtures and can be viewed in the task team report.

Survey Q3: Do you support removing the text found in the grade tables from the Seed Regulations and Incorporating by Reference this information?

- **CSGA's Response:** Yes
- **Here's Why:** Currently, if changes are required to the grade tables, the CFIA would need to go through the entire federal regulatory process. This takes time, resources, and political will. By taking the grade tables out of the regulations and putting them into a document that can be 'incorporated by reference,' the CFIA, with value chain consensus, can update the grade tables in a more efficient manner.

- Additionally, using incorporation by reference could improve the usability of the grade tables as restrictive government drafting techniques and requirements are not required. Incorporation by reference entails clear guidance around how a change can be made and what protocols must be followed.
- **Task Team Recommendation:** The grade tables should be Incorporated by Reference and be administered by CFIA with predetermined expert recommending/technical committees providing advice and recommendations.

Survey Q4: In an effort to allow more flexibility to promote sustainability and address environmental pressures, do you support eliminating the varietal blend standards?

- **CSGA's Response:** Yes, But!
- **Here's Why:** Provided the seed lots have been previously certified, the seed mixture is made by an approved conditioner registered pursuant to Part IV of the *Seeds Regulations*, and proper records of the mixing operation are maintained, sellers should be able to market certified varietal blends and buyers should have confidence in them.
- **Task Team Recommendation:** Remove the restriction on varietal blends (VBs) that currently only allow for varietal blends for plant pest tolerance management purposes (e.g., Midge Tolerant varietal blends and Bt corn.)

Survey Q5: Please provide any additional feedback you would like CFIA to consider related to the sampling, testing, and grading of seed.

- **Here's our Feedback:** CSGA's position is that seed grading records should be digital and made available to the regulator to streamline oversight and administration of the seed certification system. CSGA's SeedCert platform can be easily expanded to provide this value-added service.

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## Get Involved!

**Participate** in CFIA's consultation and express your views on seed regulations. Share what you value most in Canada's seed system. The consultation is open for comments from February 15 until May 1, 2023.

**Reach out** to [us](#) or your Branch if you have questions about the recommendations or if you would like to discuss CSGA's positions on SRM.

**Volunteer** on an upcoming CFIA SRM Task Team on Import, Export and Information (records and labelling). Reach out to [us](#) to express interest.