NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

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| **1.** | **Notifying Member:** Canada  **If applicable, name of local government involved (Article 3.2 and 7.2):** |
| **2.** | **Agency responsible:** Canadian Food Inspection Agency (CFIA)  **Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:**  Canada's SPS & TBT Notification Authority and Enquiry Point  Foreign Affairs, Trade and Development Canada  Technical Barriers and Regulations Division  111 Sussex Drive  Ottawa, ON K1A 0G2  Canada  Telephone: (343)203-4273  Fax: (613)943-0346  E-mail: enquirypoint@international.gc.ca |
| **3.** | **Notified under Article 2.9.2 [X], 2.10.1 [ ], 5.6.2 [ ], 5.7.1 [ ], other:** |
| **4.** | **Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):** Fertilizers and Supplements imported under HS codes: 25 - Salt; Sulphur; Earths and Stone; Plastering Materials, Lime and Cement; 30 - Pharmaceutical Products; 31 – Fertilizers; 38 - Miscellaneous chemical products; ICS: 65.080 |
| **5.** | **Title, number of pages and language(s) of the notified document:** Proposed regulations to amend the Fertilizers Regulations (56 pages, available in English and French) |
| **6.** | **Description of content:** Fertilizers (substances containing plant nutrients) and supplements (substances other than fertilizers, intended to improve the physical condition of soils, or aid plant growth or crop yields) imported into or sold in Canada are regulated by the Canadian Food Inspection Agency under the *Fertilizers Regulations*. Regulated products include farm fertilizers, micronutrients, lawn and garden products as well as supplements such as water holding polymers, microbial inoculants, plant growth regulators, liming materials, and waste-derived materials such as composts and municipal biosolids.  The *Fertilizers Regulations* requires that all regulated fertilizer and supplement products be safe for humans, plants, animals, and the environment. They must also be properly labelled to ensure safe and appropriate use.  Certain fertilizers and most supplements are subject to registration and require a comprehensive pre-market assessment prior to their import or sale in Canada. The pre-market assessment consists of a detailed, science-based evaluation of product safety information and labelling, which focuses on the evaluation of product safety towards humans, plants, animals and the environment.  All regulated fertilizer and supplement products submitted to the Canadian Food Inspection Agency for registration or approval must undergo a thorough label verification to ensure that displayed information is in compliance with the criteria prescribed by the *Fertilizers Regulations*.  Products that are exempt from registration are still subject to regulation and must meet all the prescribed standards at the time of sale or import.  The Canadian Food Inspection Agency is proposing amendments to the *Fertilizers Regulations*. The proposed amendments include:   * Regulatory changes including:   + changes to definitions and terminologies;     - Certain product definitions would be amended, added, or removed to align with current science, industry trends and international standards;   + general exemptions from the fertilizers framework;   + exemption from registration and pre-market assessments;   + registration requirements;   + labelling and record keeping requirements;   + extension of the registration period from 3 to 5 years; and   + incorporation by reference of a List of Primary fertilizer and supplement materials exempt from registration.   Additional non-regulatory changes are also proposed in a shift towards more risk-based approaches including policy and administrative refinements to streamline the product registration process and reduce burden on regulated parties. A fundamental component of these non-regulatory changes is the implementation of a risk-based tiered registration process. |
| **7.** | **Objective and rationale, including the nature of urgent problems where applicable:** The *Fertilizers Regulations* are designed to safeguard Canada's food supply, protect the health of animals and plants and enhance the well-being of Canada's people, environment and economy.  The proposed amendments to the *Fertilizers Regulations* are the result of a systematic review conducted by the Canadian Food Inspection Agency, which identified the need to align pre-market oversight, eliminate inconsistencies, reduce unnecessary burden and increase international harmonization and alignment. The proposed amendments will better reflect modern science, current manufacturing practises, and industry trends. They will address emerging risks associated with fertilizer and supplements by enabling the Canadian Food Inspection Agency to undertake risk - based regulatory approaches and pre-market oversight based on the risk profile and exposure pattern of these products. |
| **8.** | **Relevant documents:**   * Canada Gazette, Part I, 8 December 2018, Pages 4350-4405 (Available in English and French) |
| **9.** | **Proposed date of adoption:**Early 2020  **Proposed date of entry into force:**On the day in which the amendments to the Fertilizers Regulations are adopted, with a 3-year phase in period. |
| **10.** | **Final date for comments:** 21 February 2019 |
| **11.** | **Texts available from: National enquiry point [****X] or address, telephone and fax numbers and email and website addresses, if available, of other body:**  The electronic version of the proposed policy document can be found at:  <http://www.gazette.gc.ca/rp-pr/p1/2018/2018-12-08/html/reg1-eng.html>  <http://www.gazette.gc.ca/rp-pr/p1/2018/2018-12-08/html/reg1-fra.html> |