



Canadian Food Inspection Agency

Agence canadienne d'inspection des aliments



CANADIAN SEED INSTITUTE / INSTITUT CANADIEN DES SEMENCES



# Industry – Government Working Group on Seed Certification in Canada Communications Document

This document is intended to give regulators and industry information related to the Industry – Government Working Group (IGWG) established to review Canada’s seed certification system.

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## Section 1: Industry - Government Working Group Terms of Reference:

### Background:

Through the new Government Expenditure Management System (previously the Strategic Review) a number of projects, which could either reallocate government spending or provide enhanced program efficiency and effectiveness, were identified. One project that has been selected for further investigation is Alternative Service Delivery (ASD) mechanisms for seed certification.

The CFIA recognizes that the seed sector is capable of taking on greater responsibility related to the seed certification process through a leadership role in the delivery of certification activities. An Industry - Government Working Group (IGWG) was established to oversee a comprehensive review of the seed certification system and provide options for change. It was/is made up of the Canadian Seed Growers’ Association (CSGA – Dale Adolphe & Randy Preater), the Canadian Seed Institute (CSI – Roy van Wyk), the Canadian Seed Trade Association (CSTA – Bill Leask), and CFIA (Mike Scheffel in the lead).

This working group brings together expertise from key parts of the seed sector to review the seed certification system in support of the CFIA’s commitment to continually improving service delivery and maximizing the effectiveness of its programs. Any options or recommendations developed by this working group will be used to guide further discussions related to the seed certification program.

The members of the working group include representatives of the major national seed sector organizations and the CFIA. While the original CFIA focus was on ASD for seed crop inspection, industry representatives requested a more holistic approach. Having said that, seed sector representatives have cautiously agreed to co-operate with the CFIA to expand ASD mechanisms for seed crop inspection provided it is done well; with adequate oversight and monitoring; and is phased in over time.

### Scope of Review:

This review will encompass all segments of the seed certification system in order to establish criteria for acceptance of ASD. It will also review the certification system for opportunities other than ASD to enhance and increase the efficiency of program delivery. The CFIA will remain the designated national authority for seed certification in Canada and continue to provide an oversight function in any ASD

system that is proposed. This review shall not include crop inspection of potato seed crops nor will it include confined field trial inspection for Plants with Novel Traits (PNTs).

**Objectives:**

- Ensure a complete understanding of the current seed certification system through the documents provided in Key Reference Material (below);
- Explore, review and analyze ASD currently used in other commodities as appropriate;
- Identify opportunities to enhance seed certification efficiency and effectiveness; and
- Identify options for ASD mechanisms for seed certification.

**Annual Work Plans, Objectives and Deliverables:**

The annual work plans, annual objectives and expected deliverables in each year are outlined in Section 3.

**Governance:**

a) Frequency of meeting;

The frequency and timing of working group meetings will be determined by members of the working group.

b) The Role of the CFIA:

Seed Section, CFIA will chair the IGWG and will maintain the financial responsibility for the group. Seed Section will actively provide technical advice and analysis of IGWG proposals and will make recommendations to CFIA senior management based on the advice provided by the IGWG and CFIA Operations staff involved in administering proposed changes.

In making recommendations to senior management, Seed Section will, to the extent possible, select options that have minimal negative impact on the seed industry and that comply with stakeholders' desires for a phased in approach to ASD as well as for adequate government oversight.

c) Secretariat:

Seed Section, CFIA will provide secretariat services.

d) Reporting Responsibilities:

The IGWG will propose options to Seed Section who will report to CFIA senior management and make recommendations based on its analysis of the options.

e) IGWG Structure:

The following group of stakeholders will make up the working group and, where appropriate, establish sub-working groups that may involve other subject matter experts to address specific issues. The IGWG will contribute to the completion of the designated work and also identify subject matter experts, as appropriate, to attend sub-working group meetings as necessary to contribute to the project. The IGWG will be responsible for determining the location and date of the sub-working group meetings as well as function as the primary contact for any consultation/facilitation services that are required.

- Canadian Seed Growers' Association;
- Canadian Seed Institute;
- Canadian Seed Trade Association; and
- CFIA (Seed Section, Policy Branch, Operations Branch).

**Key Reference Material:**

- Seeds Act and Regulations;
- SPRA 141 – Requirements For Delivery of The Pedigreed Seed Crop Inspection Program;
- CFIA's [QSP 142.2 - Authorized Seed Crop Inspection Program](#);
- CFIA's [QSP 142.3 - Authorized Seed Crop Inspection Service Monitoring and Auditing](#);
- CFIA's [QSP 142.4 - Official Crop Inspector Certification Procedures](#);
- CFIA's Overview of the Seed Certification System;

- CSGA's Crop Certification Regulations (Circular 6);
  - CSGA's [Application for Crop Inspection and Membership in the CSGA](#);
  - CSGA's [Fee schedule for the current crop year](#);
  - OECD's [Guidelines for the Authorization of some Certification Activities under the OECD Seed Schemes](#);
  - AOSCA's Seed Certification Handbook; and
  - Options for Alternative Delivery of Seed Certification in Canada (June 2010 version).
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## Section 2: Work Plans for 2009-10 through 2011-12:

### 2009-10:

#### Scope:

This review will encompass all segments of the seed certification system in order to establish criteria for acceptance of ASD. It will also review the certification system for opportunities other than ASD to enhance and increase the efficiency of program delivery.

#### Objectives:

- Ensure a complete understanding of the current seed certification system through the documents provided in Key Reference Material (above);
- Explore, review and analyze ASD currently used in other commodities as appropriate;
- Identify opportunities to enhance seed certification efficiency and effectiveness; and
- Identify options for ASD for seed certification.

#### Deliverables:

- An "options document" was delivered to the CFIA for consideration consisting of potential changes to the seed certification system. The document was prepared by an external consultant and subsequently revised by the IGWG describing the seed certification system and identifying options for change and improvement.
- A licensing agreement to permit accredited seed plants to produce their own tags is in final stages. The first few licensing agreements were put in place in 2009. There are still other areas of this review that have not been addressed, for example, the use of bar codes and the information permitted on the bar code.
- For the review of the *Weeds Seeds Order*, considerable work is still required on the placement of species within the *Weed Seeds Order* and on the alignment of classes and definitions with the International Plant Protection Convention (IPPC). Further consultation is anticipated.
- Several options are being reviewed to modernizing and streamlining the grading system within the Grade Tables. CFIA is working on the development of a presentation that explains the general options and their respective implications for seed production and marketing. Further work is required on the Grade Tables to flesh out the options and to undertake a wider consultation with crop sectors and producer organizations.

### 2010-11:

#### Scope:

The scope of the review is on the entire seed certification system with a particular emphasis on pedigreed seed crop inspection and other crop inspection services provided by the CFIA including land use, ecovar and official verification of isolation corrective action inspections.

#### Objectives:

- Ensure a complete understanding of the current seed certification system through the documents provided in Key Reference Material (above);
- Identify opportunities to enhance seed certification efficiency and effectiveness; and
  - to explore other mechanisms to increase the efficiency of seed certification

- Identify options for ASD for seed certification.
  - to establish guidelines by which ASD proposals will be considered for expansion into new crop kinds beginning in 2011.

**Deliverables:**

- a project plan for expanding ASD mechanisms for seed crop inspection where the industry has expressed interest beginning in 2011;
- communication plans and tools targeted at seed companies, seed producers and commodity producers as well as parties who may be interested in participating in ASD systems;
- mechanisms for administration and oversight of ASD mechanisms as well as administrative tools; and
- clear criteria for acceptance of ASD proposals for seed crop inspection and evaluation of candidate crops (e.g., soybeans and/or forages) and geographic regions.

**2011-12:**

**Scope:**

The scope of the review is on the entire seed certification system with a particular emphasis on pedigreed seed crop inspection and other crop inspection services provided by the CFIA.

**Objectives:**

- Identify opportunities to enhance seed certification efficiency and effectiveness; and
  - to explore other mechanisms to increase the efficiency of seed certification.
- Identify options for ASD for seed certification.

**Deliverables:**

- analysis of the 2011 ASD initiative to validate revised guidelines for the further consideration of other crop kinds in 2012;
  - analysis of risks relating to maintenance of technical expertise, succession planning and other human resource matters; and
  - prioritization of other mechanisms to improve the efficiency and effectiveness of seed certification in consultation with stakeholders.
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### **Section 3: Outline of the Alternative Service Delivery (ASD) Pilot Project for Seed Crop Inspection:**

There are currently five authorized service providers under CFIA provisions for companies to provide seed crop inspection services. These authorizations relate to one independent, third party service provider for inspection of hybrid canola seed crops and four companies authorized for first party service delivery of their own hybrid seed corn inspection. In both of these hybrid seed crop situations, unlike the 2011 pilot project with soybean crops, the variety developer/distributor is recognized by CSGA as the (first party) grower responsible for production and files the application for crop inspection to CSGA. However, for non-hybrid crops such as soybeans, applicants for crop inspection will continue to be the individual producers, not the second party variety developer/distributors with assigned crop certificates nor the authorized seed crop inspection service (ASCIS).

When initially considering Alternative Service Delivery (ASD) systems that could be conducted on a trial basis, the IGWG considered how the current ASD providers could have their scope broadened beyond hybrid canola, in the one case, and beyond hybrid corn in the other four cases. Soybeans crop inspection in the London and Chatham districts of Ontario was considered to be a good possibility.

Discussions and consultations with the respective companies and other stakeholders took place in September 2010. Although there was considerable interest in a pilot project for ASD mechanisms for seed crop inspection, only one company was prepared to proceed with (second party) inspections in 2011 of

soybean fields that had crop certificates assigned to it. Two other companies needed to assess their capacity to undertake inspections of soybean seed fields with crop certificates assigned to them. The other companies consulted wished to defer for a year and would perhaps participate in 2012 if a second year to the pilot program was offered at that time.

In a subsequent conference call discussion with the ASCIS companies, it appeared one hybrid corn company was prepared to undertake second party inspections of up to 100% of the Certified soybean fields with crop certificates assigned to it, one hybrid corn company was prepared to hire a couple of inspectors to do some of the Certified soybean fields with crop certificates assigned to it and the hybrid canola third party ASCIS company was prepared to do up to 100 fields in two blocks of 50 with one in the Chatham area and one in the London area. Two hybrid corn ASCIS companies were not prepared to enter the second party soybean inspection pilot in 2011.

The IGWG is proposing two Certified soybean pilots in southern Ontario in 2011 – both involving only the currently existing authorized service providers. The one pilot would involve second party inspections of soybeans fields by the developer/distributor of the variety to whom crop certificates are assigned. The second pilot would involve the hybrid canola independent, 3<sup>rd</sup> party inspection service provider inspecting soybean seed crop fields.

Unlike hybrid corn and hybrid canola crops, the applicants to CSGA for inspection of non-hybrid crops, such as soybeans, are the individual growers responsible for production not the variety developer/distributor as with hybrid crops. This requirement and grower definition maintains pedigree traceability and provides CSGA with front end quality control of input data credibility.

Seed crop fields inspected under ASD systems will only be granted Certified status. Thus, only crops planted with Registered status seed will be considered for the pilot project. The CSGA will not reinstate crops planted with seed that is voluntarily demoted to Registered status and inspected by ASCISs, regardless of whether or not the seed crop meets the standards for a higher pedigree level.

Several details on how the pilots will be conducted, audited and assessed are still required. Discussions, consultations and meetings planned for the winter of 2010-11 are expected to finalize those details. To-date, discussions have involved limiting the number of fields to a maximum of 100 per ASCIS. It is also apparent that an ASCIS can not provide the service at current inspection fee levels – unless, as in the one case, ASCIS staff are already visiting the fields for other purposes. Making the pilot financially feasible for the ASCIS is an area requiring further IGWG consideration.

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## **Section 4: Pilot Project Requirements for Service Providers:**

The focus of this pilot project is the expansion, on a trial basis, of authorization of existing Authorized Seed Crop Inspection Services (ASCISs) to include soybeans in southern Ontario. For purposes of comparing alternative models, it is anticipated that two service provision models will be included in the pilot project. The requirements for authorization of service providers for the inspection of pedigreed seed crops are outlined in a series of CFIA documents. These documents are identified below and are available at <http://www.inspection.gc.ca/english/plaveg/seesem/man/swi-autappe.shtml>.

Pedigreed seed crop inspection is directed by quality system procedures (QSPs) and specific work instructions (SWIs). Under an audited management system, it is possible to have an inspection service operating under the authorization of the CFIA. This authorized seed crop inspection service will employ inspectors who are licensed by the CFIA to conduct pedigreed seed crop inspections. QSP 142.2 *Authorized Seed Crop Inspection Program* outlines the principles and requirements for the implementation of an ASCIS. The purpose of the ASCIS program is the recognition of private companies, and individuals employed by them to provide pedigreed seed crop inspection services. The administration of the program provides consistency in delivery quality between authorized and official seed crop inspection.

Applicants who meet the requirements of QSP 142.2, and candidates who meet the requirements of QSP 142.2 and QSP 142.1 *Pedigreed Seed Crop Inspection Procedures* may be authorized and licensed, respectively. Upon formal written CFIA authorization, an ASCIS can engage licensed seed crop inspectors whose crop inspection reports will be recognized by the Canadian Seed Growers' Association (CSGA). Under the Organisation for Economic Co-operation and Development (OECD) Seed Schemes, ASCISs may only be recognized for the inspection of crops producing Certified status seed.

As QSP 142.2 is designed for the authorization of ASCIS operating in the context of a permanent program and has so far operated with hybrid canola and hybrid corn crops, some modifications are required to accommodate a pilot project for soybean crops. The following points are offered as clarification.

- Only companies who are currently operating as ASCISs will be considered as candidates for the pilot project.
- Candidates will be required to submit applications to participate. If candidates wish to operate in both applicable Ontario districts, only one application need be submitted. Applications will be submitted by February 1, 2011 to the seed program officer in Chatham.
- The application must include the company's quality manual for soybean inspection as well as the draft crop inspection report. The soybean quality manual may be provided as an appendix to an existing crop inspection quality manual or as a separate stand-alone document.
- The pilot project will be for the 2011 crop season.
- Some acreage, or field, restrictions may apply.
- ASCISs may be required to provide GPS coordinates for field entry points.
- Candidates will be required to meet crop inspection application and reporting requirements of CSGA and CFIA.
- Candidates will be required to provide resource requirement and performance information at the end of the pilot project to assist in the analysis of the pilot project and to facilitate the establishment of a permanent program should a future decision be made to do so (this information will be retained as confidential business information).
- Candidates/ASCISs are responsible for communicating with growers the monitoring activities that CFIA may undertake on their premises during crop inspection and for ensuring that CFIA is allowed to conduct monitoring inspections as required.
- Upon successful completion of the application for authorization to inspect soybean crops, the ACSIS will be required to enter into an authorization agreement with the CFIA.
- Licensed private crop inspectors must report the occurrence of prohibited noxious weeds in inspected crops to the seed program officer in Chatham within 24 hours of observation.
- Candidates who do not require written or practical evaluation will require training in the requirements of the authorized seed crop inspection program as well as inspection reporting.
- The written evaluation for private crop inspectors will be open book, as is the case for official crop inspectors. A minimum mark of 80% is required for both the written and practical evaluations in order for the candidate to be considered successful.
- Candidates are not obligated to use CFIA training for pedigreed seed crop inspections, soybean inspections, weed identification, and/or inspection reporting.
- Where the CSGA appraises a report of seed crop inspection submitted by an ASCIS and determines that the crop does not meet the requirements of a Certified crop, the CSGA will request a reinspection by CFIA. Reinspection fees will be submitted by the CSGA.
- Candidates will be required, in addition to their application, to submit the following information to the seed program officer in Chatham:
  - a) Post-planting** (by July 10)
    - approximate number of Certified acres they intend to inspect;
    - a list of the inspectors who are planned to provide inspection services for the season including the specific Certified crops they will be inspecting and the acreage of each crop;

- an overlay map showing all Certified crops they will inspect; and
  - the number of inspectors who will require evaluation for licensing.
- b) Pre-inspection** (by August 15)
- a complete set of detailed maps for all crops being inspected by the ASCIS (second party ASCIS only);
  - a list of specific crops that each licensed inspector will be inspecting (revisions may be required to the July 10 list due to cancellations); and
  - the location and acreage of any crops whose inspection is cancelled.

**c) During Crop Inspection**

ASCISs must communicate daily inspection schedules of all licensed inspectors in their employ to the seed program officer in Chatham at least 48 hours prior to the scheduled inspection in order to facilitate monitoring inspections.

ASCISs must communicate to seed program officer in Chatham the location and pertinent information of crops that have been sprayed with a pesticide and the date the crop can safely be reentered as well as the location and pertinent information on any crop that will be sprayed with a pesticide prior to harvest. This requirement applies to all models of authorized seed crop inspection delivery.

**d) Post Inspection** (within 24 hours of inspection)

ASCISs must submit a copy of the completed seed crop inspection report, the completed application and all rough notes for each inspected field. A second copy must be submitted to the CSGA.

- Inspectors will not be required to undergo written and practical assessments prior to licensing when:
  - the inspectors were employed as crop inspectors by the CFIA in 2009 or 2010;
  - the inspectors were certified as official crop inspectors at the basic level (as a minimum); and
  - the inspectors have experience in pedigreed soybean crop inspection.
- Licensed inspectors who were formerly employed by CFIA will be issued new inspector numbers. CFIA inspector numbers may not be used by licensed crop inspectors;
- CFIA may not provide blank CFIA Report of Seed Crop Inspection Forms to ASCISs for their use. ASCISs must provide crop inspection reports in a visual format that is as close to the CFIA reporting format as practical to facilitate monitoring by CFIA and appraisal by CSGA. All information to be provided on the Report of Seed Crop inspection must be provided on the ASCIS crop inspection report.
- Any information being reported that does not conform to the reporting requirements of the CFIA Report of Seed Crop Inspection must be supplied on a supplementary report or in an area below the inspector signature.
- Once the pilot is in operation, grower applications for crop inspection must be submitted to the CSGA for appraisal by July 10. Growers are requested to submit separate applications for soybean seed crop inspection.
- Unlike hybrid corn and hybrid canola crops, the applicants to CSGA for inspection of non-hybrid crops, such as soybeans, are the individual growers responsible for production not the variety developer/distributor as with hybrid crops.
- Crops planted with seed of a generation higher than Registered status will not be inspected by the ASCIS. If the seed planted has been demoted to Registered status, the parent seed pedigreed status may not be reinstated for the purposes of elevating the progeny status if the progeny has been inspected by an ASCIS.
- Private crop inspectors who encounter suspicious plants may send samples to the Seed Science Unit of the Ottawa Plant Laboratories (Fallowfield) for identification, at no cost.

Further details on pilot project requirements will be communicated as they are finalized.

## **Auditing and Monitoring**

- Audit fees will be waived for the pilot project including inspector monitoring fees.
- A “complete system” audit of soybean inspection will be required prior to authorization.
- Surveillance audits of the ASCIS and licensed inspector monitoring will be required.
- Check inspections will be required at the following levels:
  - Where the inspector is inspecting 1- 15 soybean crops, 100% of the fields will be check inspected
  - Where the inspector is inspecting 16-150 soybean crops, 15 fields will be check inspected
  - Where the inspector is inspecting 150 fields, one additional check inspection is required for every additional field, e.g., where an inspector is inspecting 152 fields, the check inspection rate is 15 +2.

Check inspections will be conducted immediately prior or immediately following inspection by the licensed crop inspector. To the extent possible, check inspections will be conducted prior to ASCIS inspection. Check inspections will be conducted by CFIA inspectors who are certified at least at the basic level. Reports of check inspections are for internal use only and are not provided to the seed grower. Reports of check inspections will be supplied to the CSGA within 24 h. CSGA will communicate with the growers regarding any identified conditions that may result in the crop being declined pedigreed status.

Where an inspector is licensed to inspect more than one crop kind, the check inspection frequency for each crop kind is calculated separately. However, if an inspector is found to have performed any of the following non-conformances, the check inspection frequency will be immediately tightened for all crop kinds:

- inability to identify the crop kind, or
- provision of any false or misleading information on a crop inspection report.

Unlike hybrid corn and hybrid canola, soybean crop inspection takes place at maturity. As a result, the ASCIS will try to ensure that soybean crops are inspected at least 48 hours before harvest to facilitate check inspections.

The ASCIS is responsible for advising growers to retain a 500 g sample of seed from every soybean field inspected by the ASCIS and the ASCIS is responsible for collecting and submitting these samples for variety verification testing upon request of the CFIA. There are no fees charged for this testing.

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## **Section 5: Path Forward Beyond 2011**

The work plan for 2011-12 is outlined in Section 2 of this document. As outlined in that 2011-12 work plan, one of the primary activities beyond 2011 will be the assessment of the 2011 pilots. Among other things, the pilots will be assessed in terms of the associated system costs and benefits – costs and benefits to growers, the CSGA, CFIA and the ASCIS. Until the 2011 pilots have been undertaken and assessed, it is premature to suggest a precise path forward. The assessment may recommend additional pilots or an extension to the term of the 2011 pilot. The assessment could also result in dropping the concept or in rolling the pilot out on a broader scale.

If the pilots appear to be manageable and effective, and in an effort to provide time for the assessment of the 2011 pilot and make the necessary business adjustments for both regulators and industry, the 2011 pilot could be extended for a second year.

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