

Attention: Kathy Twardek, A/Director  
Canadian Food Inspection Agency  
Consumer Protection Division  
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Ottawa, Ontario K1A 0Y9  
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November 27, 2011

RE: Guidelines on Natural, Naturally Raised, Feed, Antibiotic and Hormone Claims

Dear Ms. Twardek,

On behalf of the members of the Canada Organic Trade Association (COTA), I am pleased to provide you with comment and perspective on CFIA's proposed Guidelines on natural claims for meat products.

COTA represents the Canadian organic sector, including producers, manufacturers, retailers, and traders of organic products. Our members are representative of the full value chain of the organic industry in Canada, and are active in domestic and international markets. The domestic consumer market in organic goods is valued at approximately \$2.6 billion per year, and has weathered the turbulent markets of the last two years with a 60% increase in sales.

Consumers appreciate the verification and accountability of the organic claim under the Organic Products Regulations and are increasingly choosing products which provide them with this sort of transparency and oversight. Unfortunately, there are many other claims in the marketplace which do not uphold a similar level of accountability.

COTA is grateful for the opportunity to provide comment and engage with CFIA on the development of claims which will provide truthful information while also protecting consumers. COTA is pleased to see CFIA scrutinizing the issue of natural claims on meat products. It is our opinion that consumers are being confused by these claims that are, at best, imprecise and inconsistently used or, at worst, severely misleading consumers. We also feel such claims provide an unfair commercial advantage to

"natural" products in the marketplace, which are frequently portrayed as similar to or synonymous with organic products, without meeting comparable production systems, requirements or verification protocols in place.

Specific to the Guidelines, we have the following comments and observations:

I. Natural claims. COTA supports the position taken by CFIA on the use of "natural" claims on meat and livestock products. We note that the Canadian Organic Standards (CAN.CGSB 32.310) require that animals are able to follow their natural patterns and meet behavioural needs, including access to pasture and open air at all times: "Under a system of organic production, livestock are provided with living conditions and space allowances appropriate to their behavioural requirements, and organically produced feed. These practices strive to minimize stress, promote good health and prevent disease."

II. Feed claims. In general, COTA is supportive of the CFIA Guidelines on feed claims. We find the distinction of "macro feed ingredients" for positive-claims relating to grain-fed or vegetable-fed diets as opposed to the negative-claims for "fed no..." to be somewhat arbitrary. We recognize this is to dissuade operators from using broad negative claims that make absolute statements, but do feel confident that the consumer does not consider vitamin D from sheep lanolin sources on par with animal by-products which may be present as macro feed ingredients. The organic sector find the current Guidelines acceptable but would also welcome a more reasonable approach or acceptable claim for the "fed no..." category. Further, COTA feels the absence of guidance on "grass fed" claims is an oversight that should be rectified in these Guidelines. Increasingly, consumers are being offered "grass-fed" meat products, and some provinces are currently investigating regulations, marketing and production methods relating to "grass fed". There is nothing, however, to stop operators from claiming their meat is "grass fed" without declaring that it has also been grain finished, although this may be what the consumer is seeking to avoid. COTA believes clearer guidance on "grass fed" claims are warranted in these Guidelines.

III. Antibiotic claims. In general, COTA supports CFIA's Guidelines. With regard to "direct-fed microbials" including Interbac, we feel a claim such as "raised without antibiotics" becomes extremely misleading if it allows for such practices. It is clear that it is now common practice to provide livestock with significant amounts of preventative antibiotics through feed, and many management systems now use feed as their primary source of antibiotic application. Organic forbids this practice, and consumers choosing a product labelled as "raised without antibiotics" will also assume that this practice has been forbidden. We strongly recommend that CFIA close this loophole to antibiotic administration through feed. Products which wish to make a claim such as "raised without antibiotics" should ultimately be truthful.

Additionally, we feel it is important to establish measurable parameters for the origin of the animals in question, when establishing that they were raised without the use of antibiotics. The Guidelines currently state that the mother must not have received antibiotics "in any manner which would result in antibiotic residue in the animal"—CFIA should better define this statement, which is open to interpretation. As precedent, and for guidance, the Canadian Organic Standards (CAN.CGSB 32.310) establish the following parameters for the origin of livestock (cf. section 6.2.2), ensuring animals and their mothers have not had antibiotics within a timeframe that would affect the animal (we draw your attention in particular to subsections d)i) and d)iii) respectively, which specify the life-stage of the animal and species in question). COTA would support a similar approach in the CFIA Guidelines.

6.2.2 Livestock used for organic livestock products shall:

- a. be born or hatched on production units conforming to this standard;
- b. have been the offspring of parents raised under the conditions specified in this standard;
- c. be raised under this system throughout their life;
- d. exceptions to the requirements in par. 6.2.2 a., b. and c. are allowed for poultry and for herds or individual animals that are being converted to organic production:
  - i. Poultry used for edible poultry products shall be poultry that have been under continuous organic management, in accordance with this standard, beginning no later than the second day of life; birds shall not have been given medication other than vaccines.
  - ii. Animals used for milk production shall have been under continuous organic management, in accordance with this standard, for at least one year.
  - iii. Animals used for meat shall have been under continuous organic management, in accordance with this standard, from the beginning of the last third of the gestation period (of the dam).

IV. Hormone claims. Organic production does not allow hormone applications except in very specific applications (such as birthing) as CFIA has detailed in these Guidelines. We support the current Guidelines.

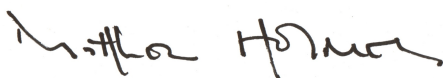
V. Recognition of verification methods and organic certification. Having reviewed the CFIA Guidelines, we are confident that organic livestock products would meet CFIA's Guidelines for the claims "raised without the use of antibiotics" or "raised without the use of added hormones". Due to the fact that there is very little consistency to how such claims are verified, COTA urges CFIA to include organic certification under the Organic Products Regulations (i.e. by a body accredited under CFIA's oversight) to be

sufficient to make such a claim. Our operators constantly strive to educate their consumers on the commitments and methods of organic production, and at times may wish to communicate their production systems which produce livestock without the use of antibiotics or added hormones. We expect that CFIA will support them in making such truthful claims, and will recognize certification under Canadian organic standards as one way of verifying that. Additionally, COTA feels that these Guidelines should be part of a verification and certification protocol such as that used by the organic sector, rather than a voluntary claim subject to complaint-based enforcement. The risk for the consumer and the buyer is too high to allow the ongoing misleading of consumers with such claims: third-party verification methods work for such voluntary claims, and we encourage CFIA to use organic as a model for future systems based on quality standards.

To conclude, COTA observes that the use of "natural" claims on a wide variety of food products, well beyond the scope of those covered by these Guidelines, is rampant in the Canadian marketplace. In the opinion of the organic sector, most if not all of these products fail to meet CFIA's general guidelines on the meaning of the word "natural". We hope to see further work done to clarify and provide guidance on the appropriate use of such claims in the marketplace, or to enforce CFIA's definition of natural more comprehensively. In particular, we highly recommend a review be conducted on the use of "natural" on processed food products. We note that "Natural Health Products" are a separate category covered by distinct regulatory definitions and guidelines.

Many thanks for your invitation to provide comment, we look forward to seeing the conclusions of your review and are always willing to provide you with the organic sector's perspective on such matters.

best regards,

A handwritten signature in black ink, appearing to read "Matthew Holmes". The signature is written in a cursive, slightly slanted style.

Matthew Holmes, Executive Director  
Canada Organic Trade Association