



Meat Inspection

Why Can't We Have One System?

In her editorial in last month's *Food in Canada*, editor Sandra Eagle suggested, "maybe it's time to rethink the whole provincial v. federal meat inspection system... maybe the time has come to implement a one tier meat inspection system from coast-to-coast." Her remarks were prompted by the latest meat inspection scandal in Ontario arising from allegations of inspection irregularities at a provincially licenced meat processing plant. The case gained notoriety in the recent Ontario provincial election when the Liberals promised to establish an inquiry into the allegations at Aylmer Meat Packers Inc.

Many Canadians continue to be baffled about why we have multiple systems of food inspection. Why can't we have one system?

The constitutional law of food inspection is a little complicated. Put simply, under our constitution trade and commerce within a province is primarily a provincial responsibility. With a few exceptions, the federal government only has jurisdiction to legislate in relation to products that cross provincial or international boundaries. So trade and commerce based statutes like the federal *Meat Inspection Act* can only apply to inter-provincial or international commerce and have no jurisdiction over businesses that trade solely within a province.

Federally regulated meat plants must strictly adhere to the thousands of rules contained in the hundreds of pages of the *Meat Inspection Regulations*. Every plant is overseen by a Canadian Food Inspection Agency (CFIA) veterinarian and several inspectors. These large plants account for 95% by volume of the meat produced in Canada. But these plants are only 5% of the plants in Canada; all the others fall under the exclusive jurisdiction of the provinces and here we have a messy regulatory patchwork.

Some provinces have virtually no mandatory meat inspection. Animals can be slaughtered, processed and meat sold with no regulatory oversight at all. Some provinces have impressive laws with no enforcement. When confronted with these regulatory gaps in the past, many provinces replied that there was no evidence that meat coming from provincial plants is any less safe and argued that it was completely unnecessary to apply the level of federal regulations (driven by the need to be equivalent to the international trading system) to plants that might process fewer animals in a year than some federal plants slaughter in an hour.

Nine years ago federal and provincial officials were man-

dated by their Ministers to try to bring some harmonization to the national system. A blueprint was to be implemented by the Canadian Food Inspection System Implementation Group. I was the co-chair of this group for several years. We made considerable progress on a National Meat Code but the mid '90s was not a good time for officials to get new money for food inspection. In Ontario, for example, while officials were working to harmonize standards, their government was laying off inspectors, hiving off laboratories and much of the meat inspection system was being privatized. (Leaving aside the food safety issue, many governments continue to fundamentally misunderstand the relationship of regulations to competitiveness).

So, is a single tier system likely? The short answer is no. The constitution is not likely to be amended soon. Provincial governments do not want to close small plants. The federal government has no interest in assuming the regulatory and legal responsibility for thousands of small provincial plants. The dual system is here to stay. But there is nevertheless a lot to be done to improve the system and that is why the Ontario situation holds such promise.

In his first public statement after being sworn in, the new Agriculture Minister, Steve Peters declared that he's in a hurry to restore consumer confidence in Ontario's meat industry. But he wants a full briefing on how food safety issues have been handled by the province before proceeding to a public inquiry. When asked whether Ontario should have a provincial level of inspection or whether one national standard should apply, he was quoted as telling reporters: "It's a very valuable question that needs to be explored. If nothing else, we need to ensure our meat is safe and that consumers are confident of that. Does that mean national standards? Let's ask the question."

With that kind of open mind and political commitment, the Ontario inquiry should go well beyond the narrow issue of what has gone wrong at a single meat plant and bring some political will and intellectual rigour to this important issue. Ontario consumers will be watching Peters closely. So, too, should the rest of the country.

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