

Fact Sheet: Understanding Seed Import and Export Rules



The Canadian Food Inspection Agency (CFIA) is currently leading a Seed Regulatory Modernization (Seed-RM) process to review our Seed Regulations. As part of the consultation process for the Seed Regulatory Modernization review, the CFIA conducted a survey in Winter 2023 to gather input from farmers and others in the seed sector to inform their recommendations for the future of our seed system. The CFIA has put out a new survey for Winter 2024 with a new set of questions, including some that touch on issues of seed imports and seed exports. The NFU has prepared this fact sheet on rules and regulations for seed imports and exports to help inform your responses to the CFIA survey.

Canadian Seed Import and Export Background

For major field crops grown in Canada, Canadian farmers and seed growers produce the majority of the seed required. The available data shows that total Canadian seed exports were approximately \$646 million in 2017-18 and our seed imports were approximately \$609 million. Below is a table showing Statistics Canada seed imports data from 2019. Canada is a significant importer of soya bean seeds, rapeseed (canola), and vegetable seeds. Canada is a comparably smaller importer of cereal seeds, such as durum, wheat, rye, and oats.

For vegetable seed, Canada is heavily dependent on imported seed purchased directly from seed companies in the USA, or resold by seed companies in Canada. While there is a small domestic vegetable seed sector, including many seed growers who focus on open-pollinated, heirloom and locally adapted varieties, this sector does not yet serve commercial vegetable farmers in Canada. These seed growers are doing important work to provide Canadians with locally adapted vegetable seed. However, there are many varieties of vegetable seed that are only offered from small-scale, specialty seed growers internationally; these crops are of particular importance to farmers who are providing culturally important foods to communities seeking to continue their food traditions and enrich Canada's culinary diversity.

Type of seed for sowing	Import Value (\$ CAD)
Durum wheat	19,579
Wheat and meslin, other than durum	4,310,043
Rye	298,599
Oats	78,519
Soya beans	28,183,642
Canola	46,417,567
Vegetable - small lots (under 500g)	6,820,960
Vegetable - other seed lots (over 500g)	51,696,408

Source: Statistics Canada, 2019

Canadian Seed Import Process

All seed imports are handled by the Canadian Border Services Agency (CBSA), and all imported seed must provide information on the kind of crop, name of the exporter, name of the importer, variety name for crops requiring variety registration, country in which the seed was produced and the intended purpose of the imported seed.

Under the *Seeds Regulations*, there are five purposes for imported seed: sale, conditioning, research, own use for seeding by the importer, and sale for the purpose of producing seed or crops undergoing variety registration trials.¹

Three forms are required by the CBSA at the border: *CFIA Import Declaration Form (CFIA/ACIA 4560)*; *Request for*

¹ This only applies to crop kinds included in [Schedule III](#) of the *Seeds Regulations* (i.e. wheat, durum, rye, barley, oat, vetch, flax, sorghum, corn, mustard, rapeseed, etc.)

Documentation Review (CFIA/ACIA 5272); and an acceptable seed analysis certificate (SAC). The SAC must be completed by seed laboratories that are either: under the supervision of a Senior or Associate member of the Commercial Seed Analysts' Association of Canada; under the supervision of a Registered Seed Technologist registered by the Society of Commercial Seed Technologists; under the authority of a national or state government of a foreign country; or accredited by the International Seed Testing Association. The SAC must provide information on purity and germination to demonstrate that the shipment meets minimum import standards. SAC must also demonstrate that the lot was tested to Canadian standards for the presence of prohibited noxious weed seeds

If the CBSA receives the proper paperwork, the shipment will be admitted into Canada **but must be kept separate from all other seeds and intact in its packaging** until a "notice of import conformity" is granted by the CFIA.

Pre-clearance vs. post-clearance

Under the *Seeds Regulations*, there are two types of import clearances under the *Seeds Act*: pre-clearance and post-clearance. [Pre-clearance can be completed by anyone importing seeds to Canada](#) but is mostly done by registered seed establishments (RSE) (licensed by Seeds Canada under audit from the CFIA) that have been accredited as authorized importers (AI) (accredited by Seeds Canada under the CFIA). Pre-cleared seed has met the requirements to be imported under the *Seed Act* at the time of arrival and can be planted or repackaged immediately. AIs are allowed to ship to and complete pre-clearance for non-authorized locations under certain conditions. Post-clearance follows the normal flow of importation - seed requires proper documentation for release by the CBSA, but must be kept separate and intact until a notice of import conformity is sent by the CFIA.

Small Lots

A "seed lot" refers to the quantity of seeds for each uniquely identified package. Lots under a certain weight may be considered a "small lot." In most cases this is 5kg or less for large seeded crops (i.e. peas, wheat, corn, soy) or 500g or less for small seeded crops (i.e. alfalfa, tomato, canola). If the lot is designated as a "small lot" then it does not require an import declaration or the SAC. The importer is still responsible for making sure the small lots meet all regulatory requirements, including freedom from prohibited noxious weed seeds. Lot exemptions also apply to: "onion or garlic sets, tree seeds, shrub seeds, ginseng seeds, aquatic plant seeds, and true potato seeds or flower seeds, except wildflower seed mixtures."

Export Process

Similar to the rules that the *Seeds Regulations* and *Seeds Act* applies to seeds that are imported to Canada, seeds being exported must meet the regulatory requirements of other countries. This would require the certification and inspection of exported seed, including testing by an accredited laboratory in the same manner required by SAC for seed imports. In an effort to support seed exports from Canada, the CFIA currently runs a voluntary Authorized Seed Exporter program which audits the sampling, testing, and varietal tagging of private seed exporters in Canada

Upholding Quality and Seed Diversity

Canada's regulations for importing and exporting seed uphold the quality standards that exist for domestically produced seed and protecting farmers and the public interest. The existing system also provides flexibility to accommodate the import of small quantities of seed, or seed from emerging seed companies, that have positive contributions to Canada's seed diversity. It is important that we uphold our existing quality standards, while still retaining the flexibility in our existing system that enables important seed diversity to enter into our system."

Questions?

Please do not hesitate to reach out for more information about Canada's seed regulations.

Visit <https://www.nfu.ca/campaigns/save-our-seed/> or email nfu@nfu.ca with "Seed Regulations" in the subject line.

