

# Alternative Service Delivery of Pedigreed Seed Crop Inspection

Information Package #2  
for potential Licensees under  
ss.4.2 (1) of the *Seeds Act*

Applications for becoming licensed to be an ASCIS or LSCI  
are requested by **April 22<sup>nd</sup>, 2013.**

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## Introduction

The Canadian Food Inspection Agency (CFIA) is working with industry to transfer seed crop inspection services to an alternate delivery mechanism as one of the Government of Canada's decisions under Budget 2012. This initiative focuses on the direct delivery of seed crop inspection by the private sector. The CFIA will maintain its role as Canada's national seed authority and will continue to be involved in activities in support of seed crop inspection and certification, including licensing and oversight of private sector delivery of seed crop inspection.

### Purpose of this information package

This second information package builds on most of the information presented in the first information package (November 15, 2012), and provides additional information to encourage individuals to come forward for Licensed Seed Crop Inspector (LSCI) training in the summer of 2013 and for entities to prepare the Quality Management System (QMS) documentation required to become licensed as an Authorized Seed Crop Inspection Service (ASCIS).

As part of the process moving toward implementation of Alternative Service Delivery (ASD) for seed crop inspection, potential ASCIS and LSCI are asked, within this document, to submit their applications to the CFIA within a short timeframe. This formal indication of individuals and organizations interested in providing service will assist CFIA in planning training for the summer of 2013, and will help potential ASCIS and LSCI to organize themselves and make business planning decisions. It will also make public the number of ASCIS seeking licensing within each region.

It is expected that some current seasonal CFIA official seed crop inspectors will be interested in continuing to provide crop inspection services to seed growers after their employment term with CFIA ends. The information in this package will help this important group determine how they can best fit into the new delivery structure.

The CFIA and the Canadian Seed Growers' Association (CSGA) are interested in hearing your feedback as the industry moves toward alternative service delivery of seed crop inspection.

Your questions and feedback can be directed to:

The CFIA at: [SeedSemence@inspection.gc.ca](mailto:SeedSemence@inspection.gc.ca)

The CSGA at: [ASCIS@seedgrowers.ca](mailto:ASCIS@seedgrowers.ca)

Applications for licensing as an ASCIS or LSCI  
are requested by **April 22<sup>nd</sup>, 2013.**

## Policy Evolution since the First Information Package

The design of the national framework for ASD of seed crop inspection has evolved since the first information package as a result of feedback received by the Seed Industry Government Working Group (IGWG). The expressions of interest received following the distribution of the first information package gave the IGWG information on the number of ASCIS, the crop types they would like to cover and the geographic regions in which they are able to provide this service. The IGWG members have heard stakeholder comments and concerns at numerous industry meetings including meetings of the Canadian Seed Trade Association, the Canadian Seed Institute (CSI) and the Canadian Seed Growers' Association (CSGA) Boards of Directors, annual meetings of the seed growers' provincial associations and through individual interviews with members of the Seed Sector Advisory Group (a group of companies and individuals with interest in pedigreed seed production).

While most of the information in this package builds on the information given in the first package there are key changes to note with regards to the development of the ASD model.

The ASD model for 2014 is described in the *Overview of the Authorized Seed Crop Inspection Program* on pages 6 - 9 of this package. It describes the third-party/arm's length relationship that all ASCIS must have with their clients for the transition period. It also describes how the model would initially divide the country geographically and requires a commitment from the ASCIS to deliver seed crop inspection services to all the seed growers within the region(s) chosen, keeping in mind that there are likely to be several ASCIS in most regions.

Note that, although the first information package requested 'expressions of interest' from parties interested in becoming ASCIS regardless of whether they had a first party, second party or third party relationship to the seed grower, only ASCIS with a third party relationship will now be considered for licensing. Another change affecting ASCIS that is different from the first information package is the regional model; ASCIS will have to be large enough to commit to a minimum number of inspections before being able to reject an inspection due to capacity limitations.

Following the initial implementation of ASD of seed crop inspection, the industry, with CSGA leadership, will assume responsibility for the ongoing viability of Canada's seed crop inspection regime.

## Scope

Training will be a major focus of the CFIA's efforts in 2013, targeting those crop kinds listed in Sections 2 and 3 of the CSGA's Circular 6 (cereals and pulses including soybeans). With this training, private inspectors can be licensed to deliver inspections of Foundation, Registered and Certified status crops of these kinds in 2014. Those inspectors trained previously on other crop kinds can inspect a broader list of crop kinds in 2014. In addition, existing hybrid corn and hybrid canola licensees who have operated under previous ASD arrangements can continue.

## Further Information

If you or your company/organization would like to receive further information on ASD of seed crop inspection as details become available, please send an e-mail indicating your interest to:

[SeedSemence@inspection.gc.ca](mailto:SeedSemence@inspection.gc.ca)

Applications for becoming licensed to be an ASCIS or LSCI are requested by April 22<sup>nd</sup>, 2013.

Applications can be submitted to:

National Manager, Seed Section  
Canadian Food Inspection Agency  
59 Camelot Drive  
Ottawa ON K1A 0Y9  
Fax: 613-773-7261  
Email: [SeedSemence@inspection.gc.ca](mailto:SeedSemence@inspection.gc.ca)

Interested parties may submit an application for licensing as either an ASCIS or LSCI at any time. Applications received before April 22, 2013 will be considered in the next phase of implementation, and candidates will be eligible for training in 2013. Applicants may opt out of the licensing process at any time.

## Overview of the Authorized Seed Crop Inspection Program

The Seed Industry Government Working Group (IGWG) has been working together to design a national framework to assist the seed sector to move towards Alternative Service Delivery (ASD) for seed crop inspection. Given the tight transition timelines, one of the main goals of the IGWG was to design a model that would best allow the sector to transition to ASD by April of 2014. A review of ASD for seed crop inspection will be conducted following the transition period, allowing for adjustments to be made where required.

The goal is to establish an ASD model that will initially engage the industry and provide service to growers during transition, but then to allow industry and market forces to lead the future evolution of the model and provide for ongoing service levels.

After April 1, 2014, the majority of seed crop inspection will be completed by Licensed Seed Crop Inspectors (LSCI). LSCI are individuals licensed by the CFIA to perform seed crop inspections and report inspection results to the Canadian Seed Growers' Association (CSGA). These individual LSCI will form the workforce that provides Canada's seed growers with crop inspection services in the future.

LSCI will operate within the Quality Management System (QMS) of an Authorized Seed Crop Inspection Service (ASCIS). These ASCIS may take several forms: they may be existing third party agronomic service providers, existing agricultural businesses, or groups of LSCI joining together to create their own ASCIS. Both the CFIA and the CSGA will communicate with LSCI primarily through their ASCIS.

With the support of the IGWG, the CSGA and the CFIA are implementing a regional model that will focus on ASCIS with an arm's length relationship to the producer of the seed crop being inspected. This model was designed to address the three main goals of the IGWG:

### **1. Maintain the integrity and reputation of Canada's seed certification system.**

The model addresses this concern by focussing on an arm's length relationship between the ASCIS and the producer of the seed crop being inspected. Arm's length/third party inspection reduces the potential for conflict of interest and provides independent quality assurance. Current first and second party ASCIS that have been operating prior to implementation of this model would be allowed to continue for the transition period. No expansion of first or second party delivery will be considered in this period.

### **2. Foster a competitive environment and a choice of ASCIS for seed growers.**

The model is intended to allow for multiple ASCIS in each region and grower choice where there are multiple service providers.

The model divides the country geographically and facilitates service to all growers within those regions during the initial transition. The establishment of regions allows an ASCIS to become licensed for one or more regions without having to commit to the entire country. In each region for which an ASCIS is licensed, the ASCIS will be assigned a minimum number of inspections (total number of inspections within the region divided by the number of licensed ASCIS). An ASCIS can only refuse a seed grower's request for inspection if the ASCIS is above its minimum number of inspections OR for the following documented reasons:

- seed grower history of non-payment for services
- ASCIS inability to provide a LSCI without a conflict of interest with the seed grower
- the ASCIS lacks the competence or capability to conduct the inspection of crop types (other than Section 2 or Section 3 crop types).

The division of the country into nine seed crop regions allows for small and medium sized regional enterprises to establish.

### **3. Create an environment in which seed crop inspection services are available to all growers.**

The minimum number of inspections is set so that at least one ASCIS would be required to provide seed crop inspection services to each and every seed grower. The calculation of minimums includes a ten percent buffer, increasing the likelihood that at least one ASCIS in the region is below its minimum number of inspections resulting in at least one offer of service for each seed grower.

This arm's length, regional model is being implemented for the transition period for the above mentioned reasons as well as to provide a more defined market for all ASCIS. Once ASD is implemented, the requirements of ASCIS will be reviewed as the industry takes on responsibility and leadership, and market forces provide for assurances of service delivery to growers. Although first and second party ASCIS are not being expanded at this time, they will be reconsidered as part of the ASD review following the transition period.

#### **Third Party/Arm's Length Definition**

In order to apply as either as an ASCIS or a LSCI, an applicant must agree that it will only offer to perform or carry out inspections in relation to seed crops for which it is not the seed grower or the assignee and for persons or entities with which it has an arm's length relationship. "Arm's length" in this context has the same meaning attributed to the term under section 251 of the *Income Tax Act*, R.S.C., 1985, c.1 (5<sup>th</sup> Supp.). Applicants should refer to that definition for an accurate interpretation of arm's length, but summarized at a very high level, it is as follows:

### **Arm's length criteria:**

- Related persons do not deal with each other at arm's length. This is the case regardless of how they actually conduct their mutual business transactions.
- Corporations can be considered 'related persons'. A corporation can be related to another person if that person is in control of the corporation. Corporations can be related to each other if two corporations are controlled by the same person (or group of persons) or the persons (or individuals in a group of persons) controlling the corporations are related.
  - Individual shareholders who do not control the corporation, or are not otherwise related to the corporation can deal with that corporation at arm's length. However, if a sufficient number of minority shareholders act together to direct the affairs of a corporation they may be considered to not be at arm's length with that corporation.

### **Seed Sector Interpretations:**

#### **Seed Grower**

A seed grower (as defined in CSGA's Circular 6\*) who, acts as an ASCIS or LSCI, cannot inspect its own seed crops. This is considered to be a "first party" relationship and the business transaction is not at arm's length.

#### **Seed Company**

A company that acts as an ASCIS cannot inspect seed crops assigned to it. This is considered to be a "second party" relationship and the business transaction is not at arm's length.

#### **Unrelated Persons**

An ASCIS or LSCI that inspects seed crops for a seed grower or seed company to whom the service provider is not related (as a corporation or as an individual) is considered to be in a "third party" relationship and the transaction is at arm's length.

\***Seed grower** (pedigreed) – An applicant for the inspection of a crop offered for pedigree status and the person who grows the crop in accordance with the *Canadian Regulations and Procedures for Pedigreed Seed Crop Production* of the CSGA and the person accepting full responsibility for the production and management of the seed crop and all related financial obligations.



## **Determination of the Minimum Number of Inspections per ASCIS**

ASCIS applying for a licence will be required to allow the CFIA to make their intentions public. As a result, the number of ASCIS potentially being licensed for a region, and consequently their shared minimum, will be public information. In this way, each ASCIS should be able to approximate the number of LSCI they will require and thus identify the correct number of persons to receive training and/or enlist the services of former CFIA seasonal staff who are already trained and experienced.

When the number of potential ASCIS per region is first published, it may result in some revisions to ASCIS intentions. The CFIA and the CSGA will update the published list of ASCIS applicants with any revisions as they become known in order to provide the most current information to all parties.

The number of ASCIS operating within each region, for the 2014 crop inspection season, will be finalized by Dec 31, 2013. At that time, the calculation of the minimum number of inspections per ASCIS will also be finalized.

### **Example of the Minimum Number of Inspections for ASCIS:**

**Number of ASCIS licensed for “Region A”: 4**  
**Historical average of number of inspections in “Region A” plus 10% buffer: 4000**  
**Minimum number of inspections per ASCIS:  $4000/4 = 1000$**

In this example, “Region A” has four ASCIS operating within the region and there are a total of 4000 inspections required. The minimum number of inspections for each ASCIS is 1000 inspections, which means that an individual ASCIS cannot refuse an application for seed crop inspection if it has previously accepted fewer than 1000 applications for seed crop inspections.

It is important to note that the minimum number of inspections is NOT a quota. There is no ‘penalty’ to the ASCIS for not achieving its minimum, provided they have not refused any requests for inspection. Alternatively, an ASCIS may conduct as many inspections as they have the capacity to complete.

## Description of Seed Crop Regions

For the purposes of licensing under the *Seeds Act* ss 4.2(1), pedigreed seed production fields within Canada are divided into the regions described below.

<p><b>Region 1 – Atlantic Canada</b> The provinces of P.E.I., Nova Scotia and New Brunswick</p>
<p><b>Region 2- East of Quebec</b> Generally East of St-François River, including RCM Shawinigan and Trois-Rivières and Saguenay-Lac St-Jean</p>
<p><b>Region 3 - West Of Quebec</b> Generally West of St-François river, including RCM Maskinongé</p>
<p><b>Region 4 – Ontario East and Northeast</b> The area of Ontario east of Regional Road 12 (Whitby) including the parts of northern Ontario east of Sault Ste.Marie plus the Abitibi Témiscaningue region of north western Quebec.</p>
<p><b>Region 5 – Ontario Southwest</b> The area of Ontario west and south of Regional Road 12 (Whitby).</p>
<p><b>Region 6 – Manitoba</b> The province of Manitoba, plus the area of Ontario west of Sault Ste. Marie.</p>
<p><b>Region 7 – Saskatchewan</b> The province of Saskatchewan</p>
<p><b>Region 8 – Northern Alberta and Northern B.C.</b> The province of Alberta north of Highway 27 plus the province of British Columbia north of Highway 27.</p>
<p><b>Region 9 – Southern Alberta and Southern B.C.</b> The province of Alberta south of Highway 27 plus the province of British Columbia south of Highway 27.</p>

## Estimated Volume of Seed Crop Inspections

Region	Estimated # of Total Inspections	Estimated # of Acres for Inspection
R1- Atlantic Canada	400	8,500
R2- Quebec East	1350	33,000
R3- Quebec West	1550	52,000
R4- Ontario East	650	19,000
R5- Ontario West	4000	180,000
R6- Manitoba	2300	230,000
R7- Saskatchewan	2500	264,000
R8- Alberta B.C. South	1200	96,000
R9- Alberta B.C. North	775	74000

There may be situations where individual seed growers have seed fields just across a regional border. The seed grower does not need to seek the services of a different ASCIS for these fields.

The CFIA and CSGA will accept feedback from potential ASCIS and other interested stakeholders regarding the regional boundaries presented above. The CFIA, in consultation with ASCIS and seed growers, reserves the right to adjust the regions and the corresponding estimated number of total inspections based on feedback received.

## Application Process for Authorized Seed Crop Inspection Services (ASCIS)

### Application and Licensing Process

1. Applicant should review the regions (and associated number of inspections) to decide the regions in which it would like to offer its services.
2. Applicant should review and complete the application form and submit the application by email or fax, followed by hard copy by mail, **by April 22, 2013**, to:

National Manager, Seed Section  
Canadian Food Inspection Agency  
59 Camelot Drive  
Ottawa ON K1A 0Y9  
Fax: 613-773-7261  
Email: [SeedSemence@inspection.gc.ca](mailto:SeedSemence@inspection.gc.ca)

3. Applicants will receive a communication from the CFIA, by April 30, 2013, describing:
  - a. the number of applicants who have also applied to service the same region(s) as the applicant; and,
  - b. The minimum number of inspections that the applicant will be expected to provide (the total number of inspections for the region divided by the total number of applicants for that region). In a region with only one applicant, the applicant would be required to commit to all of the inspections within the region.
4. Applicants must respond to the communication from the CFIA to confirm their interest and to agree to the established minimum number of inspections by **May 15, 2013**.
5. If one or more of the applicants for the region(s) in question withdraws its application, thus changing the minimum number, the remaining applicants in the region will be advised of the new minimum number and will need to re-confirm their agreement to the CFIA. This process will continue until the number of applicants within each region is stable (but will not continue beyond **December 31, 2013**).
6. Applicants must submit a quality management system (QMS) manual to CFIA.
7. The applicant will receive feed back from the CFIA on any modifications to be made to the QMS manual. The CFIA will approve the QMS manual once it satisfies the requirements described in 142.2<sup>1</sup>.
8. Successful applicants will be issued a licence.
9. The applicant will provide the CFIA with a list of licensed seed crop inspectors (LSCI) that it will engage to conduct its minimum number of seed crop inspections.

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<sup>1</sup> Currently under revision

## Application Process for Licensed Seed Crop Inspectors (LSCI)

### Application and Licensing Process

1. Applicant should review the CSGA's Circular 6 document and the CFIA's QSP 142.1 and SWI 142 series, for the crops that are of interest.
2. Applicant should review and complete the application form and submit the application by email or fax, followed by the original hard copy by mail, by **April 22, 2013**, to:  
  
National Manager, Seed Section  
Canadian Food Inspection Agency  
59 Camelot Drive  
Ottawa ON K1A 0Y9  
Fax: 613-773-7261  
Email: [SeedSemence@inspection.gc.ca](mailto:SeedSemence@inspection.gc.ca)
3. Applicants will receive a communication from the CFIA, by **April 30, 2013**, with information such as:
  - a. the potential dates and locations for the theory and practical training and evaluations;
  - b. details on the pre-study training material and all supporting documents; and
  - c. the list of ASCIS that have applied for licensing by geographic region.
4. Applicants must respond to the CFIA as soon as possible and no later than **May 15, 2013**, confirming their interest to be an LSCI and selecting the location where they would like to complete their LSCI training and evaluation.
5. After successfully completing training and the theory and practical evaluations, the CFIA will issue a "Licensed Seed Crop Inspector (LSCI)" licence to the applicant.
6. The applicant should, before or after licensing, enter into a relationship with an ASCIS through which they will submit completed Reports of Seed Crop Inspection to the CSGA.
7. The applicant should ensure that they and/or their ASCIS have adequate insurance coverage to engage in this activity.

## Seed Crop Inspection Statistics

### Seed Crop Inspection Statistics

The CFIA inspected approximately 16,000 fields and one million acres of pedigreed seed crops annually on average over the past three years (2009-2011). The distribution of pedigreed seed crops varies across the country as do the CFIA resources allocated to inspect these crops.

Each year, the CFIA hires approximately 120 seasonal (casual) inspectors to assist about 80 full time CFIA inspectors during the crop inspection season. The following summary is intended to provide prospective service providers with information on the human resources that CFIA has employed to deliver seed crop inspection in recent years.

**Table 1 – Summary of Seed Crop Inspection in Canada for 2009-2011**

Province	# of fields*	# of Acres*	# Full Time Staff (2011)	# Seasonal Staff (2011)	# of seed growers by province (2011)	Top crops
Prince Edward Island	146	3,353	3	0	14	Soybean Cereals
Nova Scotia	9	128	1	0	2	
New Brunswick	252	5,073	4	0	23	
Quebec	2,742	83,626	23	8	598	Oats Barley Wheat Soybeans
Ontario	3,906	175,932	27	47	960	Soybean Wheat Hybrid corn Barley Field Beans
Manitoba	2,362	253,019	5	22	597	Wheat Soybean Ryegrass
Saskatchewan	2,456	302,091	10	17	522	Wheat Barley Lentils Peas
Alberta	2,203	227,254	12	19	721	Wheat Barley Canola
BC	74	6,349	5	0	28	Timothy Barley Fescue

\*Data does not include Breeder/Select/Foundation plots and hybrid canola, hybrid corn or soybeans inspected under pilot projects

**Atlantic** - Pedigreed seed production is largely confined to PEI and NB with just a few fields in NS. PEI produces soybeans and cereals (wheat, barley and oats), averaging 146 fields and 3,353 acres annually over the past three years. Soybeans make up more than 50% of the fields/acres. In NB, most of the 252 fields and 5,073 acres were cereals.

The CFIA does not hire any seasonal staff to conduct crop inspections in the Atlantic. In total, eight inspectors working out of five offices recorded approximately 1,500 hours for seed crop inspection in 2011.

**Quebec** - CFIA delivers pedigreed seed crop inspection from its offices in Quebec City and St. Hyacinthe. The Quebec district has a lot of oats (516 fields in 2011) and barley (354 fields in 2011) as well as wheat (167 fields in 2011) and soybeans (301 fields in 2011). The St. Hyacinthe district has more soybeans (962 fields in 2011) than cereals (just over 600 fields).

The Quebec district used 12 inspectors and the St. Hyacinthe district 19 inspectors in 2011. Twenty three inspectors were full time CFIA employees and eight were seasonal. Approximately 4,500 hours were allocated to the direct delivery of seed crop inspection in Quebec in 2011.

**Ontario** - had over 4,500 fields and 186,000 acres inspected for pedigreed seed production in 2011. The vast majority of fields and acres are in the London (1,410/64,558) and Chatham (1,362/63,570) districts. The Guelph (742/14,421) and Nepean (639/19,416) districts are also significant seed production areas. Soybean is the largest crop (125,000 acres), wheat is the second largest seed crop (28,000 acres) followed by hybrid corn, barley (4,000 acres) and field beans (3,400 acres).

The CFIA had 36 full time employees and 52 seasonal employees conducting crop inspections in Ontario in 2011. Chatham had 6 full time employees and 18 seasonal staff while London had 13 and 17, Guelph had 3 and 9 and Nepean had 5 and 3, respectively. Approximately 8,700 hours of crop inspection time were recorded by CFIA inspectors in 2011.

**Manitoba** - has averaged 2,362 fields and 253,019 acres of pedigreed seed crop production annually over the past three years. The largest crops are wheat (90,000 acres), soy (46,000 acres and rising year after year) and ryegrass (22,000 acres). Cereals and pulses (including soybeans) comprise approximately 75% of the fields/acres.

The CFIA employed five full time and 22 seasonal inspectors for crop inspection in 2011 in Manitoba and recorded nearly 6,000 hours of crop inspection time.

**Saskatchewan** - has averaged 2,456 fields and 302,091 acres of seed production annually over the past three years. The largest crop is wheat (144,000 acres) followed by barley (35,000 acres), lentils (27,000 acres) and peas (23,000 acres). Cereals and pulses make up about 80% of pedigreed seed crop fields/acres.

The CFIA had 10 full time inspectors and 17 seasonal inspectors in 2011 in Saskatchewan, recording nearly 7,000 hours of crop inspection time.

**Alberta** – has averaged 2,203 fields and 227,254 acres of pedigreed seed production annually in 2009-11. The largest crops are wheat (90,000 acres), barley (20,000 acres) and canola (nearly 60,000 acres). Most of the hybrid canola production is inspected privately under official supervision. Cereals and pulses make up approximately 70% of the fields/acres.

The CFIA had 12 full time and 19 seasonal inspectors in 2011 in Alberta. Nearly 3,500 hours of crop inspection time were recorded in Alberta.

**BC** – has averaged 74 fields and 6,349 acres annually over the past three years. The largest crops are timothy (2,500 acres), barley (1,000 acres) and fescue (1,000 acres). Only 11% of the fields but 34% of the acres are cereals or pulses. BC had five full time seed crop inspectors on staff in 2011 and recorded less than 500 hours of inspection time.

**Note:** crop inspection time refers to hands on, direct delivery of seed crop inspection and does not include travel time, training or leave. Travel time, training and leave associated with the seed crop inspection activity varies from region to region but is approximately equal to the inspection time.



## Training Information for 2013

The CFIA will plan training in 2013 based on LSCI applications received by April 22, 2013. Based on these numbers, the locations and dates will be established and communicated to applicants. In the event that the requests for training exceed CFIA's capacity to provide training, the CFIA will clearly communicate to applicants the criteria used to determine who will be offered training in 2013 and who will be offered training in 2014.

The fees for training will be as outlined in the *CFIA Fees Notice* and will range from \$50 to \$100 per day, depending on class sizes.

### **1) Individuals who have not been previously trained or accredited as a seed crop inspector should:**

- a) Review the information in this package.
- b) Complete and submit Appendix D, Licensed Seed Crop Inspector Application by **April 22, 2013**. The submission of the application form will also serve as an application for training.
- c) Review CSGA's Circular 6, and CFIA's QSP 142.1 and SWI 142 series, for the crops in which you are interested.
- d) Proceed through CFIA training, as follows:
  - i) Independent pre-study modules (approx. 4 to 8 hours to complete)
  - ii) Classroom training (2.5 to 3.0 days and may require travel to the training location)
  - iii) Practical in-field training (1 to 2 days and may require travel to the training location)
- e) Successfully complete the CFIA theory exam. The exam is administered as part of classroom training.
- f) Successfully complete the CFIA practical in-field evaluation. Practical evaluation is administered as part of practical in-field training (travel may be required depending on the applicant's proximity to the location of the practical examination).

### **2) Individuals who were previously employed as an official seed crop inspector by the CFIA and have submitted reports of seed crop inspection to the CSGA within the last two years, should:**

- a) Review the information in this package.
- b) Review CSGA's Circular 6 and CFIA's QSP 142.1 and SWI 142 series to ensure that you are familiar with current requirements.
- c) Complete Appendix D – Licensed Seed Crop Inspector Application and forward it to CFIA

### **3) Individuals who are a private seed crop inspector wishing to continue to conduct seed crop inspections, should:**

- a) Review the information in this package.
- b) Complete Appendix D – Licensed Seed Crop Inspector Application and forward it to the CFIA.

- c) Review CSGA's Circular 6 document and CFIA's QSP 142.1 and SWI 142 series to ensure that you are familiar with current requirements.
- d) If you wish to expand the crop-type scope of your licence to include Section 2 and Section 3 crop-types, please proceed through CFIA training, as follows:
  - i) Independent pre-study modules (approx. 4 to 8 hours to complete)
  - ii) Classroom training (2.5 to 3.0 days and may require travel to the training location)
  - iii) Practical in-field training (1 to 2 days and may require travel to the training location)
- e) Successfully complete the CFIA theory exam. The exam is administered as part of classroom training.
- f) Successfully complete the CFIA practical in-field evaluation. Practical evaluation is administered as part of practical in-field training (travel may be required depending on the applicant's proximity to the location of the practical examination).

## **Frequently Asked Questions for Alternative Service Delivery of Seed Crop Inspection**

### **Q 1. Why is the Canadian Food Inspection Agency (CFIA) getting out of the direct delivery of most seed crop inspection?**

**A 1.** The CFIA is committed to its core mandate of food safety, consumer protection, and animal and plant health. This means that in the future there will be less emphasis on activities such as seed crop inspection which can be delivered efficiently and effectively by the private sector. As a result, the CFIA will begin reducing direct delivery of seed crop inspection services as of April 1, 2014.

### **Q 2. If seed growers were to agree to pay more for CFIA's crop inspection services, would the CFIA continue to deliver the services?**

**A 2.** No. The purpose of this initiative is to shift the direct delivery of the seed crop inspection activities to the private sector as this activity is not considered to be part of the CFIA's core mandate. The CFIA will continue in its role as Canada's seed certification authority and will be involved in training, licensing, oversight and audit of seed crop inspection.

### **Q 3. Is it possible that some seed crop inspection activities will still be conducted by the CFIA?**

**A 3.** Yes, it is possible. The CFIA may, on an exceptional basis only, be required to continue to perform direct delivery of seed crop inspections in those cases where an authorized service provider (ASP) is not available or where it is not possible to use private inspectors. Examples include: where necessary, to meet international requirements for the export of seed; and for contentious crop types such as industrial hemp or in situations where there is a risk associated with a specific variety (e.g., a variety developed for industrial purposes grown under contract registration).

### **Q 4. Could some seed growers end up paying less for seed crop inspection than others because the CFIA fees do not reflect the cost of delivering the service?**

**A 4.** Private providers of seed crop inspection services will each set their own fees; therefore, it is not expected that costs for seed crop inspections will be uniform. As part of this proposal the CFIA will examine its seed crop inspection fees and review its approach to delivering seed crop inspection services in those situations where such services are required on an exceptional basis. The Agency will also ensure that the CFIA is not an impediment to alternative service delivery (ASD) mechanisms that reflect the principles stated in the Notice to Stakeholders.

### **Q 5. What if an acceptable service provider is not available in my area?**

**A 5.** There is a reasonable expectation that there will be private sector interest in providing seed crop inspection services. Over the next two years, the CFIA will work with seed growers and the seed trade to design and develop a national framework for ASD of seed crop inspection. In 2014, the CFIA will only be providing seed crop inspection activities on an exceptional basis as described in question 3. The long-term intent, however, is to continue

working with the industry and other partners to minimize the CFIA's involvement in all seed crop inspection activities. It is recognized, however, that it may take several years to fully realize this objective.

**Q 6. What will the CFIA's role be in seed crop inspection?**

**A 6.** Although its role in the direct delivery of seed crop inspection will be reduced to providing services on an exceptional basis only, the CFIA will continue to be involved in numerous activities in support of seed crop inspection, including training and licensing, as well as oversight of seed crop inspection and the performance standards that licensed seed crop inspectors will have to achieve.

**Q7. When an ASCIS submits its application, is there the potential that it will have to commit to providing all of the inspections in the region or regions it selects?**

**A7.** Yes, if only one ASCIS is licensed in a region, it will be responsible for conducting all of the inspections for cereals and pulses within that region in 2014. After all applications are received, CFIA will notify all applicants of the number of applicants within each region as well as their minimum number of inspections. Once all the applicants have this information, they will be asked to notify CFIA whether they would like to modify/continue with their application for licensing. In each future year, additional ASCIS can become licensed or expand their licence to offer service within this region.

**Q8. How do the minimums work?**

**A8.** In 2014 the minimums are based on the total number of cereal and pulse inspections within each region. By providing a minimum number of inspections that have to be conducted before an ASCIS can reject an inspection, it is designed to create an environment in which each cereal and pulse seed crop should have at least one offer of service. This will be reconsidered as part of the model review.

**Q9. Can an ASCIS conduct more than its minimum number of inspections?**

**A9.** Yes, there is no 'penalty' for an ASCIS exceeding their minimum number of inspections.

**Q10. What if an ASCIS is not able to conduct its minimum number of inspections?**

**A10.** There is no 'penalty' if the ASCIS is not able to conduct its minimum number of inspections. However, it will be a requirement (condition) of an ASCIS licence that it not refuse a request for service until it has conducted its assigned minimum.

**Q11. If ASD of seed crop inspection does not start until April 1, 2014, why should I get trained as an LSCI in 2013?**

**A11.** If you are interested in becoming an LSCI, then there are several reasons why it is advisable for you to get trained in 2013. First, the number of inspectors to be trained in both 2013 and 2014 will be limited by the CFIA's training capacity and the growing season. Persons not trained in 2013 may not be able to be trained in 2014 if the CFIA is over capacity. Also, it would allow for a full season of inspections in 2014 without having to wait for completion of the in-season practical training and evaluation.

**Q12. I'm currently working as a licensed seed crop inspector for corn, will I continue to be allowed to do this?**

**A12.** Individuals who have been conducting seed crop inspections of hybrid corn, hybrid canola or soybeans (pilot project), as employees of an ASCIS, will be licensed by the CFIA for those specific crop kinds upon application.

**Q13. I am a certified seed crop inspector who is working for the CFIA inspecting crops in 2013. How do I get licensed for 2014?**

**A13.** Former and current CFIA seasonal inspectors are encouraged to submit an application to become a LSCI. Once licensed, they can then seek employment for 2014 with an ASCIS in their area. Lists of **potential** ASCIS in each region for 2014 will be made public after May 31, 2013. Lists of LSCI will be published after licences have been granted.

**Q14. In 2014 will LSCI who are former CFIA seasonal seed crop inspectors be able to conduct inspection for crops other than those in Sections 2 and 3 of Circular 6 (cereals and pulses) if they are already trained in those crops?**

**A14.** Yes. Training of private inspectors will be limited to cereals and pulses in 2013. However, LSCI who were previously trained and evaluated to inspect other crop types and higher generation crops will be allowed to do so in 2014, but must still report to the CSGA through an ASCIS.

**Q15. Will inspections for seed crops other than cereals and pulses count towards the minimum number of inspections that an ASCIS must conduct before refusing an inspection due to capacity limitations?**

**A15.** NO. The minimum number of inspections is based on the number of cereal and pulse inspections in each region. Any inspections for other crop types are not counted towards reaching this minimum.

**Q16. Can an LSCI work for more than one ASCIS?**

**A16.** The CFIA and CSGA will not restrict an LSCI to work for only one ASCIS. Each ASCIS will have its own business/employment practices.

**Q17. How will seed crop growers find an ASCIS or LSCI to inspect their fields?**

**A17.** Seed crop growers will be able to find lists of ASCIS in their region through the CSGA web site. Seed growers are encouraged to contact ASCIS directly to make business arrangements prior to submission of their application for seed crop inspection to the CSGA.

**Q18. How will the cost of crop inspection be determined in 2014?**

**A18.** The price for seed crop inspection service will be arranged between the grower and the ASCIS.

**Q19. Can a seed company or group of seed growers set up an arm's length company to become an ASCIS and provide seed crop inspection?**

**A19.** All applicants need to ensure that they agree to the conflict of interest terms and conditions in the application and subsequent licence. A corporation will not be considered to operate at arm's length to another person (including a corporation) if: (a) the other person controls the corporation; (b) the other person is a member of a related group that controls the corporation; (c) or the other person is related to a person described in (a) or (b). It is recommended that independent legal advice be sought to ensure that any particular situation/relationship is consistent with this obligation.

**Q20. I am a small company that is interested in becoming an ASCIS. I cannot commit to a large number of inspections. Under this new model am I excluded from providing seed crop inspection services?**

**A20.** Entities that are not able to commit to the minimum number of inspections required before an inspection can be rejected based on capacity limitations are encouraged to contact ASCIS in their region to see if there is a possibility that they could make arrangements to work with them.

**Q21. How will fees be paid to the ASCIS? Will CSGA provide this service?**

**A21.** ASCIS will be responsible for the establishment and collection of fees from their seed grower clients.

**Q22. What assistance will be provided to help an ASCIS develop a Quality Manual?**

**A22.** Information on how to develop an ASCIS Quality Manual can be found in CFIA's QSP 142.2. The most recent version of QSP 142.2 will be sent to ASCIS applicants.

**Q23. I am not associated with an ASCIS but I would still like to become a LSCI. Can I still apply for training in 2013?**

**A23.** Yes, a person does not need to be associated with an ASCIS to apply, become trained or subsequently become licensed as a LSCI. However, it is necessary for a LSCI to be associated with an ASCIS in 2014 in order to submit crop inspection reports to the CSGA.



## Appendix A - Authorized Seed Crop Inspection Service Application Information

### 1.1 Legal Capacity and Eligibility of the Applicant

An application for licensing as an Authorized Seed Crop Inspection Service (ASCIS) can only be submitted by an organization with the legal capacity to contract and that is in good standing.

The applicant must provide, if requested by the CFIA, any relevant supporting documentation confirming the legal status of the applicant (that may include documentation confirming the laws under which it is registered or incorporated, its registered or corporate name and place of business).

For the purpose of this document, an applicant will NOT be considered to be in good standing if:

- at any time within a period of two (2) years prior to the date of the submission of the application, it has been in contravention of the *Seeds Act* and/or the *Seeds Regulations*, as applicable.

### 1.2 Responsibility of the Applicant

It is the applicant's responsibility to obtain clarification of the applicable requirements, if necessary, before submitting an application to the CFIA. Enquiries and other communications must be directed only to the CFIA at:

National Manager, Seed Section  
Canadian Food Inspection Agency  
59 Camelot Drive  
Ottawa ON K1A 0Y9

Or by email to: [SeedSemence@inspection.gc.ca](mailto:SeedSemence@inspection.gc.ca)

In order for the CFIA to perform a complete review and evaluation of the application, it is the applicant's responsibility to prepare its application and all supporting documents (referred to as the "application package") in accordance with all applicable requirements, as further detailed in this document, and to comply with any request or instructions of the CFIA that may be made or issued with respect to this document.

### 1.3 Application Criteria

Applicants wishing to be licensed as an ASCIS must:

- A. Commit to a minimum number of inspections for each region they are applying for licensing,



- B. Be prepared to provide inspections throughout each region they are applying for licensing in the case where no other ASCIS obtains a licence in that region.
- C. Agree to not refuse an inspection within the region(s) the applicant is applying for (other than for reasons listed within the draft licence, see page 24 of this package) prior to a minimum number of inspections being met. After the minimum number of inspections has been met, an ASCIS may refuse on the basis that it does not have the capacity to conduct the inspection.
- D. Applicants must review and be willing to agree to comply with the terms and conditions of the application and the resulting Licence for Delivery of Seed Crop Inspection Services.
- E. In the case of a non-individual, ensure that the Application is signed by a representative of the applicant that has the legal authority to bind the applicant. The signature will be presumed to have such binding effect.
- F. Submit its QMS manual as specified in the Application Process;

The application package for licensing as an Authorized Seed Crop Inspection Service shall be submitted to the CFIA as indicated in section 1.2 of the Application Process.

#### **1.4 Evaluation**

The CFIA will review the application package to determine if the applicant meets all the applicable requirements. The application must be completed in full and the applicant's QMS manual must demonstrate that the applicant meets the minimum requirements set out in QSP 142.2. The CFIA shall review the application package against the prescribed requirements and shall prepare a record of evaluation indicating the extent of fulfillment of the requirements that will be provided to the applicant upon completion of the review.

Where this evaluation indicates fulfillment of the requirements, the CFIA will issue a licence to the applicant.

In conducting its evaluation of the application and all supporting documents, the CFIA may in writing request the following:

- seek clarification or verification from the applicant regarding any or all information provided by it;
- take any other appropriate action to validate any information submitted by the applicant.

In the event that the CFIA issues a request to an applicant related to any of the items listed above, the applicant will have a number of days specified in the request to comply with the request. Failure to comply with the request of the CFIA may delay the processing of the application and may result in the closure of the applicant's file.

In the event that an applicant's file is closed, the CFIA will inform the applicant and provide an explanation. There could be cases where the CFIA intends to close an





applicant's file but is prepared to provide to the applicant an opportunity to make corrections to its original application package or to make representations before making a final decision.

An applicant may contact the CFIA to review or verify the status of its application.

## **1.5 Granting of a Licence**

The CFIA will license the applicant as an Authorized Seed Crop Inspection Service pursuant to subsection 4.2(1) of the *Seeds Act* once it has determined that the technical requirements set out in this document have been met.

## **1.6 Rights of the CFIA**

By submitting an application package, the applicant acknowledges that it is within the CFIA's sole discretion to make final determination on the licensing of the applicant as an Authorized Seed Crop Inspection Service.

The application may be rejected and the resulting licence cancelled if it is determined that the applicant has provided any false or misleading information.

## **2.0 Specific Requirements**

### **2.1 Technical Requirement**

The applicant's QMS manual must be presented in a clear and concise manner and in sufficient detail to permit the CFIA to assess and evaluate the ability of the applicant's quality management system to fulfill the minimum technical requirements.

## Appendix B – Application for Licensing as an Authorized Seed Crop Inspection Service (ASCIS)

Pursuant to ss. 4.2(1) of the *Seeds Act*

Please submit the completed application to CFIA. Please type or print clearly in ink. The signature of the applicant’s representative is required in Section C.

### A. To be completed by Applicant

<b>Company Name :</b>					
Mailing Address:					
City:		Province:		Postal Code:	
Tel:		Email address:			
Incorporated under the laws of (if applicable):					
<b>Quality Manager Name:</b>					
<b>Email Address:</b>					
<b>Application for the following geographic area(s):</b>					
	Seed Crop Region	average # of inspections		Seed Crop Region	average # of inspections
	R1- Atlantic Canada			R5- Ontario West	
	R2- Quebec East			R6- Manitoba	
	R3- Quebec West			R7- Saskatchewan	
	R4- Ontario East			R8- Alberta B.C. South	
				R9- Alberta B.C. North	

Note 1: Failure to provide complete information on this Application may delay the processing of your application and may result in a closure of your file. Furthermore, a licence will only be issued once the CFIA has approved the applicant’s quality management system manual, and the applicant has confirmed that it agrees to provide inspection services for a minimum number of fields, as determined by the CFIA.

Note 2: The CFIA, in consultation with ASCIS and seed growers, reserves the right to adjust the regions and the corresponding estimated number of total inspections based on feedback received.

**B. Terms and Conditions**

Publication of Applicant Information	The applicant hereby authorizes the CFIA and the CSGA to publish, or otherwise communicate its name, address, email address and telephone number for the purposes of making publicly available and informing interested persons of the filing of its application and any resulting licence, its affiliation with an LSCI, and the geographic scope of its licence.	<b>Applicant Initial</b>
Conflict of Interest	<p>The applicant understands and acknowledges that should a licence be issued to it, it will only be permitted to offer to perform and carry out inspections in relation to seed crops for which it is not the seed grower, variety developer or the assignee and for persons or entities with which it has an arm's length relationship.</p> <p>The applicant understands that it will have an ongoing obligation under any resulting licence to ensure that it carries out the activities under a licence without any real, potential or apparent conflict of interest.</p> <p>The applicant represents and warrants that no bribe, gift, benefit, nor other inducement has been nor shall be paid, given, promised or offered directly or indirectly to any official or employee of Canada or to a member of the family of such a person, with a view to influencing the granting of this licence or in the administration of this licence.</p> <p>The applicant understands and acknowledges that individuals who are subject to the provisions of the <i>Conflict of Interest Act</i>, 2006, c. 9, s. 2, the Conflict of Interest Code for Members of the House of Commons, the Values and Ethics Code for the Public Service or all other codes of values and ethics applicable within specific organizations cannot derive any direct benefit resulting from the licence.</p>	
Practical training and evaluation	If required by the CFIA, the applicant will arrange for access to seed crop fields for the practical training and evaluation by the CFIA of the LSCI under their supervision and any associated costs or related requirements.	
Theory training and evaluation	If required by the CFIA, the applicant will arrange for a location for the theory training and evaluation by the CFIA of the LSCI under their supervision and any associated costs or related requirements.	

**C. Acceptance and Declaration**

I, \_\_\_\_\_,  
 [Name in print of the applicant's representative]

declare and certify that the information provided in (or that accompanies) this Application Form is true, accurate and complete.

Further, I, on behalf of the applicant, have read and agree to the terms and conditions or representations and warranties set out in section B above. I have also read and **initialed** the first condition listed in section B.

Signature of the Applicant's Representative: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Date: \_\_\_\_\_

**D. To be completed by the CFIA**

Condition	Yes/No/#	DATE	Signature of a CFIA Official
Quality Management System Manual Approved			
Minimum Number of seed crop inspections Accepted by Applicant	#		
LSCI list provided			

The information you provide on this document is collected by (for) the Canadian Food Inspection Agency under the authority of the *Seeds Act* for the purpose of licensing under the Authorized Seed Crop Inspection Program. Personal information will be dealt with under the provisions of the *Privacy Act* and will be stored in Personal Information Bank CFIA PPU 100. Information may be accessible or protected as required under the provisions of the *Access to Information Act*.

## Appendix C – Draft Licence for Delivery of Seed Crop Inspection Services (ASCIS)

Pursuant to ss. 4.2(1) of the *Seeds Act*

The Model Licence portion of this documentation is provided in draft to inform applicants of the potential format and content of the resulting licence that may be issued. This licence may be subject to change in advance of actual issuance. Any such amendments will be communicated at a later date. The CFIA is not responsible for any lost business opportunities, reliance or decisions made on the basis of this draft documentation.

### ASCIS Licence Number    XXXX

*Granted by:* The Canadian Food Inspection Agency, a body corporate established pursuant to section 3 of the *Canadian Food Inspection Agency Act (Canada)*, with its headquarters located at 1400 Merivale Road, Ottawa, Ontario, Canada K1A 0Y9; hereinafter referred to as the "CFIA".

*Granted to:*

#### **Applicant Information**

Company Name:

Mailing Address:

Tel:

Email:

Incorporated under the laws of: (if applicable)

Quality Manager Name:

- Licence for:
- R1- Atlantic Canada
  - R2- Quebec East
  - R3- Quebec West
  - R4- Ontario East
  - R5- Ontario West
  - R6- Manitoba
  - R7- Saskatchewan
  - R8- Alberta B.C. South
  - R9- Alberta B.C. North

Referred to as the "Authorized Seed Crop Inspection Service" or "ASCIS".

-----  
Authority: *Seeds Act* ss. 4.2 (1)

- 4.2** (1) The President of the Canadian Food Inspection Agency may, subject to the regulations, issue a licence authorizing any person to perform any activity specified in the licence that is related to controlling or assuring the quality of seeds or seed crops, including the sampling, testing, grading or labelling of seeds.
- (2) The President may, subject to the regulations, make the licence subject to any condition that he or she considers appropriate.
- (3) The licence is not transferable.
- (4) The President may, subject to the regulations, amend, suspend or revoke the licence.

-----  
The CFIA hereby licenses the above-mentioned entity to provide seed crop inspection services for official seed certification purposes in accordance with the terms and conditions of this licence.

To maintain this licence, the licensee is obliged to comply with the terms and conditions of this licence outlined on the following pages.

This licence comes into force on the date of signature of the National Manager of the Seed Section of the CFIA and remains in force, unless otherwise terminated, until March 31, 2015.

Signed this xxth day of xx, 20xx  
For the CANADIAN FOOD INSPECTION AGENCY:

-----  
Michael Scheffel  
National Manager, Seed Section  
59 Camelot Drive  
Ottawa ON K1A 0Y9  
Email: [SeedSemence@inspection.gc.ca](mailto:SeedSemence@inspection.gc.ca)

<p>Licensee and LSCI relationship</p>	<p>The licensee has an ongoing obligation to provide the CFIA with an up-to-date list of the LSCI submitting Reports of Seed Crop Inspection to the CSGA under its supervision.</p> <p>The licensee is responsible for informing the CFIA immediately if there is any change in its roster of LSCI.</p> <p>The licensee shall assign specific fields (CSGA sequence numbers) for inspection to a specific LSCI and inform CSGA of this assignment prior to commencement of any seed crop inspection activities.</p>
<p>Notice of planned inspection schedules</p>	<p>The licensee shall provide notice to the CFIA of the daily inspection schedules of its LSCI at least forty-eight (48) hours prior to the scheduled inspection.</p>
<p>Obligations</p>	<p>The licensee shall comply and is responsible for ensuring that any LSCI submitting Reports of Seed Crop Inspection to the CSGA on its behalf complies with all the requirements of the following documents:</p> <ol style="list-style-type: none"> <li>1. its Quality Management System manual;</li> <li>2. this licence;</li> <li>3. QSP 142.1;</li> <li>4. SWI 142.1.2-6;</li> <li>5. QSP142.2;</li> <li>6. the OECD Seed Schemes, where applicable;</li> <li>7. CSGA Circular 6</li> </ol> <p>each as amended from time to time.</p> <p>The licensee shall only accept applications for seed crop inspection in the geographic region for which this licence has been granted.</p> <p>The licensee shall not refuse an application for seed crop inspection, unless it has accepted the minimum number of applications for inspection assigned to it by the CFIA in each geographic region for which this licence has been granted. Permitted exceptions to this requirement are:</p> <ul style="list-style-type: none"> <li>• seed grower history of non-payment for services;</li> <li>• ASCIS inability to provide a LSCI without a conflict of interest to the seed grower; or</li> <li>• the ASCIS lacks the competence or capability to conduct the inspection of crop types (other than Section 2 or Section 3 crop types).</li> </ul>
<p>Conflict of Interest</p>	<p>The licensee must only offer to perform and carry out inspections in relation to seed crops for which it is not the seed grower, the variety developer or the assignee and for persons or entities with which it has an arm's length relationship.</p> <p>The licensee has an ongoing obligation to ensure that it carries out the activities under this licence without any real, potential or apparent conflict of interest.</p>

CSGA Additional Requirements	The granting of this licence and/or the fulfillment of the terms and conditions of this licence does not guarantee the acceptance of Reports of Seed Crop Inspection by the CSGA. The CSGA has the authority at its sole and unfettered discretion to impose additional requirements on the licensee.
Amending the Quality Assurance Manual	<p>The licensee must notify the CFIA of any intention to amend its Quality Management System (QMS) manual.</p> <p>The licensee must not amend its QMS manual without the written approval of the CFIA.</p>
Performance of seed crop inspection	Only LSCI may perform seed crop inspections under this licence. The licensee will ensure the LSCI are properly trained, licensed and maintain their competency.
Format of Reporting	The licensee shall report the results of crop inspection in accordance with QSP 142.1 and SWI 142.1.2-6 and on a form or in a format approved by the CSGA.
Reporting of Prohibited Noxious Weeds	Within 72 hours of having completed a seed crop inspection in which a finding has been made of any prohibited noxious weed, the licensee shall ensure that it provides to the CFIA and the CSGA, a copy of the completed Report of Seed Crop Inspection detailing the occurrence of the prohibited noxious weed.
Change of Status	<p>This licence is issued on the basis of information provided by the licensee to the CFIA. The licensee must immediately notify the CFIA if the status of the licensee changes throughout the period of the licence, such as in the event of changes in respect of ownership or majority control, technical or financial competence, location of the workplace or any other way.</p> <p>The licensee shall immediately notify CFIA if proceedings for bankruptcy or insolvency are brought by or against the licensee under applicable bankruptcy or insolvency laws.</p> <p>The licensee's notice shall include a detailed description of the change and its implications for this licence.</p>
Providing Notice	<p>Where any notice, reporting, or request is made under or required by this licence, it shall be in writing and shall be effectively given if personally served on, sent by confirmed facsimile transmission, sent by registered mail or courier or sent by any electronic means, including facsimile and email to:</p> <p>National Manager, Seed Section          Canadian Food Inspection Agency          59 Camelot Drive, Ottawa, ON K1A 0Y9          Email: <a href="mailto:SeedSemence@inspection.gc.ca">SeedSemence@inspection.gc.ca</a>          Fax: 613 773 7261</p> <p>Any such notice, reporting or request is deemed effective at the time it is sent provided the sender receives confirmation of delivery of the email or facsimile.</p>





Audits and Check Inspections	<p>The CFIA, or its representatives, may audit the licensee and/or check inspect the inspected seed crops covered by this licence to verify, among other things, the performance of the licensee of its obligations under this agreement, the results obtained by the licensee, the accuracy of the licensee's reportings, and that the licensee has and can continue to comply with the terms and conditions of this licence.</p> <p>The licensee will provide the CFIA access to the premises of the licensee and/or to any location, property or premises where any part of activities under this licence are being carried out to verify compliance with the terms and conditions of this licence and the licensee shall provide all reasonable assistance in this regard.</p>
Reporting the Application of Pest Control Products	<p>To protect the health and safety of the LSCI and the check inspectors, the licensee will contact the seed grower to obtain information on the application schedule for pest control products in advance of crop inspection by the LSCI or check inspection by the CFIA, or its representative, and report this information to the LSCI and CFIA as appropriate.</p> <p>When a pest control product with a Pest Management Regulatory Agency (PMRA) re-entry period has been applied to a seed crop in the seventy two (72) hours before or after the seed crop inspection, where the licensee is aware of such application, the licensee shall communicate to the CFIA the chemical name or commercial name of the product applied, the location where the product was applied, the date where the product was applied, the date when the field can safely be re-entered and any other pertinent information. This information will be supplied with consideration that it is obtained from the seed grower and based entirely upon the reliability of the source.</p>
Record-keeping	<p>The licensee shall maintain a documented quality management system (QMS), approved by the CFIA, which results in accurate and complete records and supporting documentation relating to its activities and obligations under this licence, including, but not limited to proof of training and the inspections performed under this licence.</p> <p>The licensee shall not, without the prior written consent of the CFIA, dispose of any such accounts, records, and documentation until the expiration of seven (7) years after expiration or early termination of this licence, or until the settlement of all outstanding claims and disputes, whichever is later.</p> <p>All such accounts, records, documents and the QMS manual shall at all times during the retention period referred to above be made available to audit, inspection and examination by an authorized representative of the CFIA, who may make copies and take extracts thereof. The licensee shall provide all facilities and equipment for such audits and inspections and shall furnish all such information as the representatives of the CFIA may from time to time require with respect to such accounts, records, and documents.</p> <p>The licensee shall, upon request by the CFIA, provide such records or any</p>

	copies thereof, to verify compliance with the terms and conditions of this licence.
Fees	<p>The licensee is required to pay for check inspections by the CFIA in accordance with the fee set out in the <i>CFIA Fees Notice</i>.</p> <p>Neither the CFIA nor the CSGA are liable for fees unpaid by seed growers to the licensee.</p>
Confidentiality	The licensee shall use confidential information only for the purposes outlined in this licence. Except as required by law, the licensee shall not disclose any confidential information without first obtaining the prior written approval for the disclosure from the relevant party.
Cancellation	<p>The CFIA may, upon giving written notice to the licensee, immediately cancel the whole or any part of this licence where:</p> <ul style="list-style-type: none"> <li>• the licensee fails to comply with any provision of this licence, or</li> <li>• the licensee has provided false or misleading information in the application for the licence or in the performance of its duties under this licence.</li> </ul>
Communication with Seed Grower	<p>The licensee shall not provide a Report of Seed Crop Inspection to a seed grower until the report has been reviewed by a lead inspector or the quality manager responsible for the ASCIS licence.</p> <p>The licensee shall not communicate to the seed grower an opinion as to the decision of the CSGA with respect to the results of an inspection.</p>
Regulatory Action	Nothing in this licence affects the authority of the CFIA to take regulatory action under any or all of the Acts it administers and/or enforces or under any other applicable law on the basis of any information which the CFIA or its employees may receive or obtain by any means and that such action may be taken by or on behalf of the CFIA.
Indemnity	The licensee shall indemnify and save harmless Canada, the CFIA and their servants and agents from and against any claim, action, suit or other proceeding or any loss or damage for which they or any of them may be liable to another person arising out of the licensee's fault in carrying out its obligations under this licence or any failure to comply with the terms of this licence, except that Canada and the CFIA shall not claim such indemnity to the extent that the loss or damage has been caused by Canada.
Insurance	<p>The licensee must maintain insurance coverage for the duration of the licence and for 24 months after the end or cancellation of this licence. The licensee is responsible for deciding the level of insurance coverage that is necessary to fulfill its obligations under the licence.</p> <p>Compliance with the insurance requirements does not release the licensee from or reduce its liability under the licence.</p>

<p>Relationship</p>	<p>Neither the licensee nor any of its personnel are engaged as employees or agents of the CFIA. Nothing contained in this licence and the parties' relationships or actions is intended to create, or shall be considered or construed as creating, a partnership or the relationship of principal and agent, lessor and lessee, or of employer and employee between the parties.</p> <p>The licensee or its personnel shall at no time portray or otherwise represent themselves as employees or agents of the CFIA.</p>
<p>Survival</p>	<p>All obligations of confidentiality and all of the provisions concerning indemnity against third party claims, insurance requirements, and accounts and audits shall survive the expiration or cancellation of this licence, as shall any other terms of the licence, which by the nature of the rights or obligations set out therein, might reasonably be expected to be intended to so survive.</p>
<p>Assignment</p>	<p>This licence shall not be assigned, in whole or in part.</p>

## Appendix D – Licensed Seed Crop Inspection Application

Pursuant to ss.4.2 (1) of the *Seeds Act*

**Please submit the completed application to CFIA. Please type or print clearly in ink. The applicant's signature is required in Section C.**

### A. To be completed by Applicant

<b>Full Given Name :</b>		<b>Surname:</b>	
Name to appear on licence, if different than above:			
Mailing Address:			
City:	Province:	Postal code:	
Tel:	Email address:		
<b>Language:</b> English or French			
<b>Application for the following licence (check appropriate box):</b>			
<input type="checkbox"/>	New seed crop inspector licence		
<input type="checkbox"/>	Official seed crop inspector who has submitted Reports of Seed Crop Inspection to the CSGA within the past 2 years. <b>Inspector Number:</b> _____		
<input type="checkbox"/>	Licensed (private) seed crop inspector who submitted Reports of Seed Crop Inspection within the past 2 years. <b>Inspector Number:</b> _____		

**Note:** Failure to provide complete information on this application may delay the processing of your application and may result in a closure of your file. Furthermore, a licence will only be issued once the applicant has successfully completed the necessary training and evaluations and has paid the fee set out in the *Canadian Food Inspection Agency Fees Notice*.

### B. Terms and Conditions

Publication of Applicant information	<p>The applicant hereby authorizes the CFIA and the CSGA to publish, or otherwise communicate their name, address, email address and telephone number for the purposes of making publicly available and informing interested persons of any resulting licence, its affiliation with an ASCIS, and the geographic scope of its licence.</p> <p>The applicant may further consent to the publication or communication of this information for the purposes of making publicly available and informing interested persons of the filing of this application by checking the box in Section C of this application form indicating its consent.</p>
Conflict of interest	<p>The applicant understands and acknowledges that should a licence be issued to it, it will only be permitted to offer to perform and carry out inspections in relation to seed crops for which it is not the seed grower, variety developer or the assignee and for persons or entities with which it has an arm's length relationship.</p> <p>The applicant understands that it will have an ongoing obligation under any resulting licence</p>



## Appendix E – Draft Licence for Seed Crop Inspection

Pursuant to ss. 4.2 (1) of the *Seeds Act*

The Model Licence portion of this documentation is provided in draft to inform applicants of the potential format and content of the resulting licence that may be issued. This licence may be subject to change in advance of actual issuance. Any such amendments will be communicated at a later date. The CFIA is not responsible for any lost business opportunities, reliance or decisions made on the basis of this draft documentation.

LSCI Number = XXXX

*Granted by:* The Canadian Food Inspection Agency, a body corporate established pursuant to section 3 of the *Canadian Food Inspection Agency Act* (Canada), with its headquarters located at 1400 Merivale Road, Ottawa, Ontario, Canada K1A 0Y9; hereinafter referred to as the "CFIA".

*Granted to:*

Applicant information here.

*Is hereby licensed for:*

- Level I (CSGA Circular 6, Sections 2 & 3 crop types)
- Level II (CSGA Circular 6, Sections 4,6,7, 8-10 crop types)
- Hybrid Canola (CSGA Circular 6, Section 5 crop type)
- Hybrid Corn (CSGA Circular 6, Section 8 crop type)
- Level III (CSGA Circular 6, Sections 11-19 crop types)

Referred to as the "Licensed Seed Crop Inspector" or "LSCI".

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Authority: *Seeds Act* ss. 4.2 (1)

- 4.2** (1) The President of the Canadian Food Inspection Agency may, subject to the regulations, issue a licence authorizing any person to perform any activity specified in the licence that is related to controlling or assuring the quality of seeds or seed crops, including the sampling, testing, grading or labelling of seeds.
- (2) The President may, subject to the regulations, make the licence subject to any condition that he or she considers appropriate.
- (3) The licence is not transferable.
- (4) The President may, subject to the regulations, amend, suspend or revoke the licence.
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-

The CFIA hereby licenses the above-mentioned individual to inspect pedigreed seed crops for official seed certification purposes in accordance with the terms and conditions of this licence.

To maintain this licence, the Licensee is obliged to comply with the conditions outlined in the following pages.

This licence comes into force on the date of signature of the National Manager of the Seed Section of the CFIA and remains in force, unless otherwise terminated, until March 31, 2015.

Signed in duplicate on this xxth day of xx, 20xx

For the CANADIAN FOOD INSPECTION AGENCY:

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Michael Scheffel  
 National Manager, Seed Section  
 59 Camelot Drive  
 Ottawa ON K1A 0Y9  
 Email: [SeedSemence@inspection.gc.ca](mailto:SeedSemence@inspection.gc.ca)

Competency	<p>The licensee has successfully completed CFIA training and evaluation for this licence and is expected to maintain competency throughout the period of this licence.</p> <p>The licensee will only inspect seed crops within the scope of this licence and for which the licensee feels competent to do so.</p>
Duties and Obligations	<p>The licensee will submit Reports of Seed Crop Inspection, in a format and manner prescribed by the CSGA, through an ASCIS to the CSGA and shall comply with all of the requirements of the following documents:</p> <ol style="list-style-type: none"> <li>1) this licence;</li> <li>2) QSP 142.1;</li> <li>3) SWI 142.1.2-6</li> <li>4) QSP142.2;</li> <li>5) the OECD Seed Schemes, where applicable; and</li> <li>6) CSGA Circular 6</li> </ol> <p>each as amended from time to time.</p> <p>The licensee shall conduct seed crop inspections in an un-biased manner, following the Quality Management System (QMS) manual of the ASCIS, through which Reports of Seed Crop Inspection are submitted to the CSGA.</p> <p>The licensee shall provide a Report of Seed Crop Inspection to a seed</p>

	<p>grower but not until the report has been reviewed by the lead inspector/quality manager at the ASCIS.</p> <p>The licensee shall not communicate to the seed grower an opinion as to the decision of the CSGA with respect to the results of an inspection.</p> <p>The licensee shall schedule crop inspections at least forty-eight (48) hours ahead and inform their ASCIS of scheduled inspections.</p> <p>The licensee shall inspect the specific fields (CSGA sequence numbers) assigned to them by their ASCIS.</p>
Conflict of Interest	<p>The licensee must only offer to perform and carry out inspections in relation to seed crops for which it is not the seed grower, the variety developer or the assignee and for persons or entities with which it has an arm's length relationship.</p> <p>The licensee has an ongoing obligation to ensure that it carries out the activities under this licence without any real, potential or apparent conflict of interest.</p> <p>The licensee is acting in the public interest and is required to conduct his/her self with personal integrity, ethics, honesty and diligence in performing the duties of this licence.</p>
CSGA Additional Requirements	<p>The granting of this licence and/or the fulfillment of the terms and conditions of this licence does not guarantee the acceptance of Reports of Seed Crop Inspection by the CSGA. The CSGA has the authority at its sole and unfettered discretion to impose additional requirements on the licensee.</p>
Reporting of Prohibited Noxious Weeds	<p>Within 72 hours of having completed a seed crop inspection in which a finding has been made of any prohibited noxious weed, the licensee shall provide to the CFIA and the CSGA, a copy of the completed Report of seed crop inspection detailing the occurrence of the prohibited noxious weed.</p>
Format of Reporting	<p>The licensee shall report the results of seed crop inspection in accordance with QSP 142.1 and SWI 142.1.2-6 and on a form or in a format approved by the CSGA.</p>
Audits and Check Inspections	<p>The CFIA, or its representatives, may complete check inspections of a seed crop before or after the licensee carries out the crop inspection of the same field to verify the results obtained by the licensee, the accuracy of the licensee reports, and that the licensee has and can continue to comply with the terms and conditions of this licence.</p> <p>The licensee shall, upon request by the CFIA, provide any records or information or any copies thereof, to verify compliance with the terms and conditions of this licence.</p>
Unpaid Grower Fees	<p>Neither the CFIA nor the CSGA are liable in any way for fees unpaid to the licensee by the seed growers.</p>



Confidential Information	The licensee shall use confidential information only for the purposes outlined in this licence. Except as required by law, the licensee shall not disclose any confidential information without first obtaining the prior written approval for the disclosure from the relevant party
Cancellation	<p>The CFIA may, upon giving written notice to the licensee, immediately cancel this licence where:</p> <ul style="list-style-type: none"> <li>• The licensee fails to comply with any provision of this licence.</li> <li>• The CFIA determines that the Reports of Seed Crop Inspection of the licensee are not consistent with the observations made during the CFIA check inspections, except where the CFIA considers that there is reasonable explanation for the difference, such as, the differences are the result of crop management by the seed grower during the interval between the licensee inspection and the CFIA check inspection.</li> <li>• The licensee has provided false or misleading information in the application for the licence or in the performance of its duties under this licence.</li> </ul>
Relationship	<p>The licensee is not engaged as an employee or agent of the CFIA. Nothing contained in this licence is intended to create, or shall be considered or construed as creating, a partnership or the relationship of principal and agent, lessor and lessee, or of employer and employee between the parties.</p> <p>The licensee shall at no time portray or otherwise represent themselves as an employee or agent of the CFIA.</p>
Regulatory Action	Nothing in this licence affects the authority of the CFIA to take regulatory action under any or all of the Acts it administers and/or enforces or under any other applicable law on the basis of any information which the CFIA or its employees may receive or obtain by any means and that such action may be taken by or on behalf of the CFIA.
Change of Status	<p>This licence is issued on the basis of the information provided by the licensee to the CFIA. The licensee must notify the CFIA immediately if the status of the licensee changes throughout the period of the licence, such as in the event of bankruptcy, change of address, technical competence, location of the work place or any other way which prejudices this licence.</p> <p>The licensee notice shall include a detailed description of the change and its implications for this licence.</p>
Amending the terms of the Licence	The CFIA may amend the terms of the licence at any time by notice in writing to the licensee. The amendment becomes effective as of the date indicated on such notice.
Indemnity	The licensee shall indemnify and save harmless Canada, the CFIA and their servants and agents from and against any claim, action, suit or

	<p>other proceeding or any loss or damage for which they or any of them may be liable to another person arising out of the licensee's fault in carrying out its obligations under this licence or any failure to comply with the terms of this licence, except that Canada and the CFIA shall not claim such indemnity to the extent that the loss or damage has been caused by Canada.</p>
Survival	<p>All obligations of confidentiality and all of the provisions concerning indemnity against third party claims shall survive the expiration or cancellation of this licence, as shall any other terms of the licence, which by the nature of the rights or obligations set out therein, might reasonably be expected to be intended to so survive.</p>
No Assignment or Subcontracting	<p>This licence shall not be transferred or assigned, in whole or in part.</p> <p>The licensee must not subcontract out any of the crop inspection duties outlined in this licence.</p>
Waiver	<p>No condoning, excusing or overlooking of any default by the licensee at any time or times in performing or observing its obligations and/or responsibilities under this licence will operate as a waiver, renunciation, surrender or otherwise affect the rights of the CFIA in respect of any continuing or subsequent default.</p>
Providing Notice	<p>Where any notice, reporting, or request is made under or required by this licence to the CFIA, it shall be in writing and shall be effectively given if personally served on, sent by confirmed facsimile transmission, sent by registered mail or courier or sent by any electronic means, including facsimile and email to:</p> <p>National Manager, Seed Section          Canadian Food Inspection Agency          59 Camelot Drive, Ottawa, ON K1A 0Y9  <a href="mailto:SeedSemence@inspection.gc.ca">SeedSemence@inspection.gc.ca</a>          Fax: 613 773 7261</p> <p>Any such notice, reporting or request is deemed effective at the time it is sent provided the sender receives confirmation of delivery of the email or facsimile.</p>

## Appendix F – Definitions

“Assignee” means the party to whom a seed grower has assigned a crop certificate in accordance with Circular 6 of the CSGA.

“Arm’s Length” has the same meaning as found in section 251 of the *Income Tax Act* R.S.C. 1985. c1 (5<sup>th</sup> Supp.).

“Authorized Seed Crop Inspection Service” or “ASCIS” means an entity that has been issued a licence by the President of the CFIA under subsection 4.2(1) of the *Seeds Act* to administer seed crop inspection services for official seed certification purposes.

“Canadian Seed Growers’ Association” or “CSGA” refers to a body corporate established pursuant to the *Canada Corporations Act - Part II*, having its head office at 240 Catherine St., Suite 202, Ottawa ON K2P 2G8, bearing the Corporation Number: 035030-3.

“Check Inspection” means an inspection of a seed crop by a CFIA inspector, normally within 24-72 hours of the licensed seed crop inspector’s inspection of the same field.

“Circular 6” means the *Canadian Regulations and Procedures for Pedigreed Seed Crop Production*, published by the CSGA, as amended from time to time.

“Lead Inspector” means a Licensed Seed Crop Inspector (LSCI) responsible for supervision of other LSCI of the ASCIS.

“Licensed Seed Crop Inspector” or “LSCI” means an individual who has been issued a licence by the President of the CFIA under subsection 4.2(1) of the *Seeds Act* to conduct pedigreed seed crop inspection.

“OECD Seed Schemes” means the *Organisation for Economic Co-operation and Development Schemes for the Varietal Certification or the Control of Seed Moving in International Trade*, as amended from time to time.

“Pedigreed seed” means the seed derived from a crop for which the CSGA, based on a Report of Seed Crop Inspection, has issued a crop certificate which indicates that the crop has been granted Breeder, Select, Foundation, Registered or Certified crop status, provided this seed continues to meet the requirements of the *Seeds Regulations* for that specific crop kind and pedigree status level.

“Pest Control Product” has the same meaning as found in the *Pest Control Products Act*, S.C. 2002, c. 28, as amended from time to time.

“Prohibited Noxious Weeds” means any plant listed in Class 1 of the *Weed Seeds Order*, 2005, SOR/2005-220, as amended from time to time.

“Quality Management System (QMS) manual” means a document that sets out the organizational structure, procedures, processes and resources engaged in the provision of products and services of the organization.

“Quality Manager” means an individual designated by the management of the ASCIS as responsible for the QMS of the ASCIS.

“QSP 142.1” means the Quality System Procedure 142.1 *Pedigreed Seed Crop Inspection Procedures*

“QSP 142.2” means the Quality System Procedure 142.2 *Authorized Seed Crop Inspection,*

“QSP 142.3” means the Quality System Procedure 142.3 *Authorized Seed Crop Inspection Oversight.*

“Records” includes but is not limited to any of the following: documents, electronic files, reports of seed crop inspection, training records, samples, and photos.

“Seed Grower” means an applicant for the inspection of a crop offered for pedigree status, and the person who grows the crop in accordance with Circular 6 of the CSGA and the person accepting full responsibility for the production and management of the seed crop and all related financial obligations.

“SWI 142.1.2” means the Specific Work Instructions 142.1.2 Series

## **Canadian Seed Growers' Association**

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## **Association canadienne des producteurs de semences**

### **Appendix G – CSGA Reporting Requirements**

#### **For Authorized Seed Crop Inspection Services (ASCIS):**

1. The ASCIS must notify CSGA annually, by December 31st that it will be accepting seed crop inspection applications for the following year and its region(s) of operation. The ASCIS must then complete an agreement with CSGA to meet CSGA reporting requirements and pay applicable fees\*.
2. The ASCIS must have a licence granted by the CFIA under the *Seeds Act* ss 4.1(2), adequate liability insurance, a Canadian residence and be legally identifiable.
3. The ASCIS must treat all information obtained or created during seed crop inspections as confidential and not for further distribution without the prior written consent of CSGA.
4. The ASCIS must appoint a lead inspector or quality manager, who is qualified and experienced in the operation of an inspection service and who has overall responsibility to ensure that the inspection activities are carried out in accordance with CSGA Reporting Requirements. The lead inspector or quality manager will be the main point of contact with the CSGA. An alternative lead inspector or quality manager should also be identified.
5. The ASCIS must annually notify CSGA, by an applicable application deadline date, of the Licensed Seed Crop Inspectors (LSCI) who will be inspecting seed crops for it that year and its corresponding region(s) of operation. The ASCIS should have a sufficient number of LSCI with a range of expertise to carry out normal inspection operations. The CFIA will have assigned an inspector number and issued a licence to each LSCI.
6. The ASCIS must ensure that the LSCI reporting to it have appropriate qualifications, training, experience and a satisfactory knowledge of the requirements of the inspections to be conducted.
7. The ASCIS will receive crop inspection application data electronically, through a process approved by CSGA. The ASCIS must “accept” or “reject” fields to be inspected within three (3) business days of receiving the application data from CSGA.

When “accepting” an application, the ASCIS must ensure that the inspections being undertaken are within its expertise and that the ASCIS has adequate resources to meet the inspection requirements.

The ASCIS must make its crop inspection services accessible to all seed growers whose activities fall within its region(s) of operation. An ASCIS can “reject” an application from a seed grower only for the following documented reasons:

- a. seed grower history of repeated non-conformances;
- b. seed grower history of non-payment for services;

- c. ASCIS inability to provide a LSCI without a conflict of interest to the seed grower; and/or
- d. the ASCIS lacks the competence or capability to conduct the inspection of crop types other than Section 2 or Section 3 crop types.

If an application is to be “rejected” the ASCIS must provide written reasons to CSGA and CFIA through a pre-approved process.

If the ASCIS does not “accept” or “reject” an application within five (5) business days, then it could lead to the suspension or cancellation of the ASCIS agreement with the CSGA and ultimately affect the ASCIS’ eligibility to submit Reports of Seed Crop Inspection to the CSGA. The seed grower will also be notified electronically that they must now designate another ASCIS.

8. For CFIA oversight purposes, the ASCIS must provide the CFIA with maps and directions for fields being inspected. The ASCIS must also identify the inspector and estimated inspection date. The above information must be provided through a pre-approved process.
9. The ASCIS will receive all crop inspection application data electronically from CSGA to conduct seed crop inspections. The ASCIS must not receive crop inspection applications directly from the grower or assignee.
10. Reports of Seed Crop Inspection will be completed by LSCI using a remote data collection (RDC) technology and a crop inspection report approved by CSGA. The ASCIS must ensure that the LSCI is competent and authorized to conduct the inspection.  
  
The LSCI may inform seed growers of potential non-conformances with seed crop inspections but these should be confirmed by CSGA prior to seed growers taking corrective actions. The LSCI must not inform seed growers that seed crops meet or do not meet certification requirements. The LSCI must abide by the CSGA Code of Ethics for LSCI.
11. All Reports of Seed Crop Inspection must be reviewed and approved by the ASCIS lead inspector or quality manager before submission to CSGA, through a process pre-approved by CSGA, within two (2) business days of inspection.
12. The LSCI, whenever possible, will submit to CSGA, through a pre-approved process, a copy of parent seed tags or identification.

\*ASCIS Fees: CSGA has computer system development costs and on-going implementation costs associated directly with Authorized Seed Crop Inspection. CSGA is seeking recovery of these costs from the Government of Canada but, to the degree that CSGA is unsuccessful, these costs will be passed along to ASCIS. Incremental costs related to ASCIS, that CSGA is presently aware of, include annual software licence fees, software development and integration costs and hardware requirements that will be either incurred by, or passed along to, ASCIS and their inspectors. The costs will likely vary with the ASCIS in terms of the number of inspectors and number of inspections.

**For the Grower / Applicant for Crop Inspection:**

1. Growers may submit online or hard-copy crop inspection applications to the CSGA. Submission of crop inspection applications to CSGA is the responsibility of the grower/applicant and must conform to any applicable application deadlines.
2. Crop inspection applications must clearly indicate the ASCIS designated to conduct the inspection. Growers should confirm all details/arrangements regarding inspections, including fees and payment, with the ASCIS prior to submitting applications to CSGA or risk not getting their crops inspected.
3. All crop inspection applications must be signed by the grower or the grower must accept the terms and conditions of inspection through the CSGA website Members' Area.
4. Maps and directions must be submitted to the ASCIS. Maps and directions are not submitted to CSGA. Growers should still provide CSGA with the legal land locations and/or GPS coordinates for each field to be inspected.
5. Payment of applicable CSGA fees (pursuant to current online CSGA Fee Worksheets) must be submitted at the time of application. Growers may pay via credit card, cheque or online through their bank.
6. Growers must provide CSGA with their email address or fax number. Failure to provide this information to CSGA will result in additional service fees and delays in receiving Reports of Seed Crop Inspection, corrective action requests, notifications and crop certificates.
7. CSGA will notify growers and assignees of fields that require a seed sample for post-control variety verification testing by the CFIA. Growers must retain these samples and submit them directly to the CFIA.
8. If a re-inspection is required, growers will contact the ASCIS to request a re-inspection.



## **Appendix H - CSGA Code of Ethics for Licensed Seed Crop Inspector (LSCI)**

1. Inspectors agree to abide by this Licensed Seed Crop Inspector (LSCI) Code of Ethics and abide by all confidentiality agreements pertaining to their work as seed crop inspectors.
2. Inspectors may be members of, employees of, and or certified by, regional, federal, or international certification bodies, but shall maintain a clear separation from their seed crop inspection responsibilities and duties.
3. Inspectors shall avoid situations of conflict of interest.
4. Inspectors must refuse to make final decisions, even when requested by growers, regarding the certification status of seed crops that they inspect. Inspectors may inform growers of potential non-conformances in seed crop inspections.
5. Inspectors must have a sound working knowledge of the policies, regulations, and standards related to seed crop certification.
6. Inspectors should be sensitive to social, political and environmental variables of the regions when inspecting.
7. Inspectors should maintain the highest possible standards of integrity.

### **CSGA Code of Conduct for Licensed Seed Crop Inspectors (LSCI)**

1. Inspectors shall make available to inspected parties, upon request, copies of signed confidentiality agreements, the Licensed Seed Crop Inspector (LSCI) Code of Ethics and the Licensed Seed Crop Inspector (LSCI) Code of Conduct. Inspectors shall abide by confidentiality agreements with CSGA, and their respective ASCIS. All proprietary information is to be held in strict confidence.
2. Inspectors shall not make final decisions pertaining to the certification status of seed crops that they inspect.
3. Regarding conflict of interest, inspectors:
  - a. Shall not have had any undisclosed financial/consulting relationships with the inspected party during at least the year prior and the year following inspection;
  - b. Shall not inspect the seed crops of close associates or competitors;
  - c. Shall not receive any remuneration as a result of information gained or shared during seed crop inspections;



- d. May purchase goods from inspected parties, but these purchases are to be solely for personal use and not for re-sale, and must not impinge on the professional relationship; and
  - e. Shall politely refuse gifts.
- 4. Inspection reports should be accurate, thorough and assess compliance with certification requirements. Inspection reports do not constitute certification.
- 5. Inspectors should refuse work which is beyond their realm of competence/training.
- 6. Inspectors should notify the CFIA when they are going to inspect a new crop kind for the first time.