

Discussion Paper:
Potential Changes to
Provincial Maple Requirements under
the *Food Safety and Quality Act, 2001*

Introduction

The maple industry in Ontario is a vital part of the province's heritage and culture. The industry also makes a significant contribution to the economy, adding over \$53 million to Canada's GDP annually. The ministry recognizes that the maple sector has an ambitious plan to expand even further and wants to help the sector continue to succeed.

There are approximately 2,500 maple producers in Ontario. Of these, roughly 30 operations distribute product outside the province or outside Canada and are subject to the federal Maple Products Regulations under the *Canada Agricultural Products Act*, with oversight provided by the Canadian Food Inspection Agency (CFIA).

The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) regulates maple operations that distribute maple products, including syrup, maple sugar and maple taffy, only within the province. These businesses are subject to the Produce, Honey and Maple Products Regulation (O. Reg. 119/11) under the *Food Safety and Quality Act, 2001*. OMAFRA is considering making changes to provincial maple requirements within O. Reg. 119/11. The ministry is looking for input from producers on the types of changes that would benefit and support the maple sector. Potential amendments could:

- Make provincial grading, labelling and colour classification standards consistent with current federal requirements
- Strengthen food safety
- Enhance maple syrup quality
- Support innovative products

Why Consider Changes Now?

International Standards

An international model developed by industry provides standards for maple syrup, product quality and marketing.

The federal government recently amended the Maple Products Regulations under the *Canada Agricultural Products Act*, incorporating many of the grading, colour classification and labelling standards in the international model. The changes came into effect on December 31, 2014, with a two-year implementation period.

Growing the Industry

Provincial maple operations produce safe, high quality maple products. The current regulation could be strengthened, however, to improve food safety and quality standards to support Ontario's reputation in the maple sector.

Consumers are increasingly interested in specialty goods, including many niche maple-related products such as sap drinks, flavoured maple syrup and other innovative products. Updates to the regulation could put in place food safety standards and labelling requirements for new products. New labelling information would also improve consumers' ability to make informed buying decisions.

What Changes are Being Considered?

The following table outlines the changes the ministry is considering with respect to grading, colour classification and labelling. These changes reflect many of the amendments recently made to the federal maple regulation. Appendix 1 provides additional details on the recent federal amendments and how they compare to the current provincial regulation.

Maple Syrup Grading, Colour Classification and Labelling

	Potential Changes	Why This is Important
Grading, Colour Classification and Taste	<p>Maple syrup that is suitable for sale to consumers would be labelled as "Ontario Grade A", replacing the current "Ontario No. 1" grade.</p> <p>There would be four colour classifications for Ontario Grade A maple syrup, replacing the five current colour classifications. The four colour classifications are paired with four taste descriptors.</p> <ol style="list-style-type: none">1. Golden colour and delicate taste,2. Amber colour and rich taste,3. Dark colour and robust taste and4. Very dark colour and strong taste. <p>Maple syrup that does not meet the grade standards for Ontario Grade A will continue to be classified as "Ontario</p>	<p>An updated retail grade name would provide consumers with name and colour classification information consistent with maple syrup produced at federally registered operations.</p> <p>The new standard associates colour classifications with taste descriptors which may help consumers identify their preferred syrup taste.</p>

	Potential Changes	Why This is Important
	<p>Processing Grade". Colour and taste classifications would not apply to Ontario Processing Grade maple syrup.</p> <p>See Appendix 1 for more information.</p>	
Sugar Content	<p>Sugar content in maple syrup is measured by the amount of soluble solids (Brix). There is currently a minimum requirement for sugar content (66.0° Brix).</p> <p>The minimum sugar level could be increased from 66.0° Brix to 66.9° Brix. At the same time, a maximum sugar standard of 68.9° Brix could be included.</p> <p>With both changes in place, maple syrup would be required to fall within the range of 66.9° - 68.9° Brix.</p>	<p>Maple syrup with higher sugar levels has a thicker consistency and is generally considered to be of higher quality. However, when the sugar content is too high, sugar crystals may form and settle to the bottom of the container. Setting a range for the level of sugar in maple syrup may address potential crystallization quality issues and provide for a more uniform maple syrup product across the province.</p>
Labelling	<p>A production code and the country or province of origin would be required on every label.</p>	<p>Products are more easily traced back when a product code (i.e. lot code, batch code) is assigned to each production batch. Along with associated records, production codes assist producers in identifying production practices when there are food safety or quality issues. They also assist producers in inventory management. In the event of a food safety issue, defining production lots generally narrows the amount of product being recalled or destroyed.</p> <p>With country or province of origin on the label, buyers can more easily make informed decisions regarding product origin (e.g. local product would be more easily identifiable).</p>

Questions for Consideration

- 1. Do you support the proposed grade name change, colour classifications and taste descriptors? Why or why not?*
- 2. Do you support increasing the minimum Brix to 66.9° and introducing a maximum Brix of 68.9°? Why or why not?*
- 3. What concerns, if any, do you have in ensuring that maple syrup produced at your operation stays within the range of 66.9° – 68.9° Brix?*
- 4. Do you already use production or lot codes?*
- 5. Do you currently indicate province or country of origin on every label of maple syrup?*

Food Safety & Quality

The provincial maple regulation (O. Reg. 119/11) includes requirements related to food safety and quality. The amendments the ministry is considering would strengthen the current requirements by setting out additional food safety measures while minimizing the impact on producers. Other changes are being explored that may lead to more consistent, higher quality maple syrup across the province.

The ministry is requesting your feedback on the following items:

Good manufacturing practices (GMPs): GMPs (sometimes called Best Practices) are a preventative approach to food safety that address food handling practices and the environment in which the food is produced. While many operators voluntarily follow comprehensive GMP programs to achieve food safety objectives, the provincial regulation could be strengthened to clarify the existing outcome-based requirements. For example, requirements could be included for:

- A written sanitation program for maple packing operations. This typically requires information on the procedures and chemicals used for cleaning and sanitation of equipment, utensils, rooms, and the frequency of those activities be recorded.
- The construction and maintenance of equipment and utensils at maple processing and packing operations. Utensils and food contact surfaces would be required to be suitable for use and not likely to contaminate the maple products.
- Basic personnel hygiene practices. For example, clothing worn in packing areas must not contaminate the product.

Containers: The current regulation requires that containers used for maple syrup (both bulk and consumer containers) must be suitable for the purpose, clean, sound and safe for food. The ministry is considering including a specific requirement that all containers must be food-grade. Food-grade containers are made of material that can be kept free from corrosion, able to withstand repeated cleaning and sanitation, non-toxic and non-absorbent, smooth and free of crevices and cracks. Stainless steel and suitable plastics are examples of food-grade materials.

Packaging processes: The highest quality syrup is heated to a minimum temperature prior to packaging then packed while hot in heat tolerant containers. Hot packing enhances flavour and reduces the risk of mould and/or yeast growth, thus improving product quality. While the current provincial regulation allows cold packing of maple syrup, the regulation could be amended to allow hot packing only.

Questions for Consideration

- 1. How would putting additional good manufacturing practices in place benefit the industry (e.g. written sanitation program, equipment and utensil design and maintenance, and personnel practices)?***
- 2. Do you voluntarily follow a GMP program already (e.g. as outlined in the OMSPA Best Practices Manual)?***
- 3. Do you currently use food-grade containers in your operation? If so, what type do you use (stainless steel, food-grade plastic, etc.)?***
- 4. Do you use a hot-packing process for your maple syrup? If no, what are the reasons why you have not implemented hot-packing at your operation?***
- 5. Are you supportive of the ministry revising the regulation to have hot packing as a required practice?***

Identification of Operations

It is estimated there are more than 2,500 maple producers in Ontario. Operations that sell to consumers or producers in other provinces or countries are identified through registration with the Canadian Food Inspection Agency (CFIA). If an operation is not federally registered, they are not required to identify themselves.

Requiring that maple operations identify themselves to OMAFRA (those not already federally registered) would allow for the collection of information to gain further knowledge of the industry. This information is useful in making informed decisions that affect the maple sector and will also facilitate communication with producers. This is especially critical when changes to the regulation or program are being considered, and in the case of food safety issues (e.g. notification that contaminated tin containers are being offered for sale). In addition, producers will be able to receive regulatory, food safety and production guidance.

To identify the business, basic information would be submitted, for example, the name and address of the business, the owners and partners, information on the type of business (e.g. partnership, corporation etc.) and the type of activities carried out at the business. This information would be collected and used under the authority of *the Food Safety and Quality Act, 2001*. The collection, use and administration of this information (including disclosure, should it be required) will be consistent with requirements of the *Freedom of Information and Protection of Privacy Act*. An administration fee for processing of the business information may be required.

Questions for Consideration

- 1. What would be the benefits of OMAFRA collecting business information to be able to identify maple operations across the province?***
- 2. Should providing business information for the purposes of identifying their operation be required by regulation or should this be voluntary? Why?***
- 3. If this is required by regulation, should it be based on the size of the operation or based on distribution (e.g. exemption for operations producing maple products only for their own use)?***

Positioning Ontario for Growth

Ontario is the second-largest maple producing province in Canada after Quebec, producing, on average, more than 1.5 million litres of syrup and grossing more than \$32 million in maple product sales annually. While these contributions are impressive, there is significant additional economic potential in the maple industry.

In an effort to support this potential, the ministry is considering changes that could help protect the reputation of Ontario products and provide additional marketing opportunities for the

province's maple products. The ministry is looking for your input on the following opportunities to enhance the industry's competitiveness and sustainability:

Emerging Products

Maple producers must adhere to a number of federal and provincial regulations. The provincial maple regulation (O. Reg. 119/11) addresses food safety requirements and product standards for maple products which are made exclusively from the concentration of maple sap and include products like maple syrup, taffy, butter and sugar. However, the regulation does not include complete standards or requirements for products outside of this definition.

Establishing food safety and naming standards for new products and variations on existing products could strengthen the maple industry and allow producers to more easily grow their businesses in Ontario.

Value Added Maple

Over the past few years, a number of innovative maple syrup-based products have appeared (e.g. maple syrup infused with blueberry juice). These products are not made exclusively from the concentration of maple sap and therefore, under the current regulation, are considered maple substitutes. As a maple substitute, these products cannot use the grades assigned to pure maple syrup and the word "maple" cannot be associated with the product name. Allowing producers of these new products to indicate that the product is made with maple syrup could grow the market share for these innovative products.

Stabilizers in food serve many functions, and are permitted to be used to extend shelf-life of certain food products. For example, its use in maple prevents the solid sugar from returning to its liquid form. Under provincial regulations, once added, the maple sugar product is no longer considered a "maple product" and cannot be associated with maple in any way. This may limit the appeal of this product in the market place.

These changes could, however mean that products from Ontario maple operations may be labelled differently than product from federal maple operations and differently than some imported maple products.

Questions for Consideration

- 1. What would be your concerns with allowing the words “maple syrup” to be used on the label of products like maple syrup infused with blueberry juice (e.g. Maple Syrup with Blueberry Juice). Do you have any concerns with packing this type of product in maple-leaf shaped containers? In what way would these changes benefit the industry?***
- 2. Should products like maple sugar with stabilizers be considered a maple product? If so, should the stabilizer ingredient be shown with the product name or would it be sufficient to only include the stabilizer name in the list of ingredients?***
- 3. Do you have any concerns about potential differences in the labelling of imported, federal and provincial products as a result of these changes?***

New Product Categories

Beverages with potential health benefits are gaining popularity and there is an increased interest in products which are minimally processed. There has been a recent emergence in commercial production of maple sap drinks which are commonly labelled “maple sap drink” or “maple sweet water”. Because of the nature of the product – high moisture content and available nutrients – the product can provide an ideal environment for microbial growth. No specific naming conventions exist for this product; therefore, product names and product composition are not consistent in the market.

In a similar way, the current regulation addresses only maple syrup and does not address syrup made from other species of trees (e.g. birch, walnut). No food safety or labelling requirements are in place that specifically address this type of product.

Questions for Consideration

To help the ministry determine the best path forward to support emerging products in the province we are interested in your comments on the following questions:

- 1. Do new product categories like maple sap drinks and birch syrup need specific food safety regulatory requirements?***
- 2. Should product composition and labelling standards be developed for these new product categories?***

3. What other changes be made to help support the development of new product categories to assist the growth of your business?

Comments and Feedback

This document outlines the changes that the province is considering, related to Ontario Regulation 119/11 - Produce, Honey and Maple Products and poses questions for your consideration. The ministry seeks your input, advice, views and suggestions before changes are finalized. Should the decision be made to proceed with one or all of the changes, the comments received will be considered during final preparations. Your input, advice, views, and suggestions are important to ensuring that appropriate measures are considered.

Your responses to the questions posed (refer to complete list in Appendix 2) and any other feedback must be received by **July 13, 2015** and may be submitted either to the ministry contact information identified below or through the Ontario Regulatory Registry at:

www.ontariocanada.com/registry/

Potential Changes to Provincial Maple Requirements under the

Food Safety and Quality Act, 2001

Ministry of Agriculture, Food and Rural Affairs

Food Safety and Environmental Policy Branch

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Electronic versions of this document and legislation referred to in this document may be found on the Regulatory Registry or on the OMAFRA website at:

www.ontario.ca

Appendix 1

Federal Maple Regulation Amendments Vs Provincial Regulatory Requirements

	Recent Federal Maple Regulation Changes	Current O. Reg. 119/11 Requirements
Grading, Colour Classification and Taste	<p>There are two grade standards provided in the regulation: Canada Grade A Canada Processing Grade</p> <p>There are four colour classifications provided in the regulation. They are paired with four taste descriptors: Golden colour and delicate taste, Amber colour and rich taste, Dark colour and robust taste and Very dark colour and strong taste.</p>	<p>There are two grade standards provided in the regulation: Ontario No. 1 Ontario Processing Grade</p> <p>There are five colour classifications provided in the regulation (no taste descriptors): Extra light Light Medium Amber Dark</p>
Maple Syrup Standards	<p>The definition of maple syrup now states that maple syrup must be produced <i>exclusively</i> from concentration of maple sap or from the dilution of maple products (<i>other than maple sap</i>) in water.</p> <p>A standard for maximum soluble solids (68.9%) is included. The requirement for a minimum soluble solid content of 66.0% remains.</p>	<p>The definition states that maple syrup must be produced from the concentration of maple sap or by the dilution of maple products.</p> <p>No maximum soluble solids level prescribed (minimum soluble solid content of 66.0%).</p>
Labelling	<p>A production code is required on every label.</p> <p>The country or province of origin must also be shown on every label.</p>	<p>A production code is not required; however, many operators already voluntarily include this information.</p> <p>The origin must be identified only when the product is imported and repacked or if the product is blended with Ontario maple syrup.</p>

Appendix 2

Detach and mail using the self-addressed stamped envelope provided.

Contact Information *(optional)*

Name:

Business Name:

Address:

Email and/or phone number:

Are you a federally-registered maple operation under the Canadian Agricultural Products Act (Canadian Food Inspection Agency)?

How many maple taps did you have in the 2015 season?

Maple Syrup Grading, Colour Classification and Labelling

- 1. Do you support the potential grade name change, colour classifications and taste descriptors? Why or why not?*
- 2. Do you support increasing the minimum Brix to 66.9° and introducing a maximum Brix of 68.9°? Why or why not?*
- 3. What any concerns, if any, do you have in ensuring that maple syrup produced at your operation stays within the range of 66.9° – 68.9° Brix?*
- 4. Do you already use production or lot codes?*

5. Do you currently indicate province or country of origin on every label of maple syrup?

Food Safety & Quality

6. How would putting additional good manufacturing practices in place benefit the industry (e.g. written sanitation program, equipment and utensil design and maintenance, and personnel practices)?

7. Do you voluntarily follow a GMP program already (e.g. as outlined in the OMSPA Best Practices Manual)?

8. Do you currently use food-grade containers in your operation? If so, what type do you use (stainless steel, food-grade plastic, etc.)?

9. Do you use a hot-packing process for your maple syrup? If no, what are the reasons why you have not implemented hot-packing at your operation?

10. Are you supportive of the ministry revising the regulation to have hot packing as a required practice?

Identification of Operations

- 11. What would be the benefits of OMAFRA collecting business information to be able to identify maple operations across the province?***
- 12. Should providing business information for the purposes of identifying their operation be required by regulation or should this be voluntary? Why?***
- 13. If this is required by regulation, should it be based on the size of the operation or based on distribution (e.g. exemption for operations producing maple products only for their own use)?***

Emerging Products

- 14. What would be your concerns with allowing the words “maple syrup” to be used on the label of products like maple syrup infused with blueberry juice (e.g. Maple Syrup with Blueberry Juice). Do you have any concerns with packing this type of product in maple-leaf shaped containers? In what way would these changes benefit the industry?***
- 15. Should products like maple sugar with stabilizers be considered a maple product? If so, should the stabilizer ingredient be shown with the product name or would it be sufficient to only include the stabilizer name in the list of ingredients?***
- 16. Do you have any concerns about potential differences in the labelling of imported, federal and provincial products as a result of these changes?***

17. Do new product categories like maple sap drinks and birch syrup need specific food safety regulatory requirements?

18. Should product composition and labelling standards be developed for these new product categories?

19. What other changes be made to help support the development of new product categories to assist the growth of your business?

Additional Questions

1. Please comment on how the potential changes would impact your operation. Are there some that would have a more significant impact?

2. If implemented, how long would it take for each of these changes to be in place in your operation?

a. Grading, colour classification and labelling changes

b. Brix range of 66.9° – 68.9 °

c. Additional good manufacturing practices, use of food-grade containers, hot-packing process.

3. Are there any other changes that could be made to support your business (e.g. additional changes related to food safety, quality or product innovation)?