



Ottawa, February 2, 2010

CUSTOMS NOTICE 10-001

Strengthening of the Canada Border Services Agency's Procedure Respecting the Importation of Goods Contaminated With Soil

1. This notice announces that the Canada Border Services Agency (CBSA) will be strengthening its commercial importation process respecting goods contaminated with soil.

2. Goods contaminated with soil are not admissible into Canada. The Canadian Food Inspection Agency (CFIA) is responsible for establishing the policy regarding the importation of goods contaminated with soil. The CBSA is responsible for administering and enforcing that policy to the extent it applies at the border.

3. Beginning February 1, 2011, non-compliant goods, i.e. goods contaminated with soil, arriving at the Canadian border will be restricted to a CBSA-controlled area and may be cleaned on-site by a mobile wash facility approved by the CFIA, provided certain conditions can be met, e.g. there is no risk of soil dislodgement during transport, operational capacity exists, availability of a CFIA-approved mobile wash facility. If a CFIA-approved mobile wash facility is not available, or if other conditions listed above are not met, the contaminated goods will be refused entry into Canada under the authority of the *Plant Protection Act* and the *Health of Animals Act*.

4. The costs associated with cleaning or removal from Canada will be paid for by the importer.

5. This strengthened approach is in line with the CBSA's existing commercial processes and procedures, as well as the CFIA's policy regarding the importation of foreign soil. It will further ensure that the CBSA maintains appropriate control over the contaminated goods, thereby preserving the safety and security of Canada and Canadians.

6. February 1, 2010 marks the launch of a twelve-month transition period culminating with the full implementation and enforcement of the strengthened process in 2011. This period will allow industry an opportunity to adjust their operations and ensure that goods arriving in Canada are clean and free of soil.

7. Under the current process, the CBSA may allow contaminated goods to be transported to either a stationary or mobile CFIA-approved treatment facility. However, treatment may only occur if certain conditions can be met, e.g. there is no risk of soil dislodgement during transport, operational capacity exists, availability of a CFIA-approved stationary or mobile wash facility. If the conditions listed above cannot be met, the shipment is refused entry into Canada and ordered removed at the importer's expense.

8. Inquiries and comments about this notice should be directed to:

Food, Plant and Animal Programs
Admissibility Branch
Canada Border Services Agency

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