

## **CANADA**

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### **D- 96-03: Plant Protection Import Requirements for *Cannabis sativa***

**Effective Date: July 24, 2014  
(6th Revision)**

#### **Subject**

This directive states the import requirements for *Cannabis sativa* plants and seed.

This directive has been revised to update the review date, as well as minor administrative changes. The content of this directive has not changed.

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## Review

This directive will be updated as required. For further information or clarification, please contact the Canadian Food Inspection Agency (CFIA).

## Endorsement

Approved by:

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Chief Plant Health Officer

## Amendment Record

Amendments of this directive will be dated and distributed as outlined in the distribution below.

## Distribution

1. Directive mail list (Regions, Plant Health Risk Assessment Unit, United States Department of Agriculture)
2. Provincial Governments, Industry (determined by Author)
3. National Industry Organizations (determined by Author)
4. Internet

## Introduction

The CFIA regulates *Cannabis sativa* because of the risk of introducing potential quarantine pests to Canadian agriculture. A number of bacteria and fungi have been identified as associated with *Cannabis sativa*, which may have the potential to be quarantine pests.

All seed must be cleaned prior to importation (free of soil peds, plant debris and related matter) and accompanied by a Phytosanitary Certificate as a minimum requirement to reduce the probability of introducing regulated pests to Canada.

*Cannabis sativa* plants for planting are regulated for the same bacterial and fungal pathogens as for seed but are also subject to the import requirements specified in D-08-04 to prevent the entry and spread of regulated plant pests associated with the plants for planting pathway.

In addition to phytosanitary import requirements importers of *Cannabis sativa* plants and seed from all countries must obtain appropriate licenses and permits from [Health Canada's Office of Controlled Substances](#). Health Canada requirements must be met before Permits to Import can be issued by the CFIA.

## Scope

This directive is intended for the use of CFIA and Canada Border Services Agency personnel to prevent the introduction and spread of regulated pests into Canada. It is also a guide to Canadian import requirements for use by importers, shippers, customs and brokers and others involved in importing hemp to Canada.

## References

- [List of Pests Regulated by Canada](#)
- [Plant and Plant Products Import Primer](#)

- Importers are also advised to consult the [Automated Import Reference System \(AIRS\)](#)
- [International Plant Protection Convention](#)
- Canada Border Services Agency (CBSA) [Harmonized System Compliance](#)
- [D-97-04: Application, procedures, issuance and use of a Permit to Import under the \*Plant Protection Act\*](#)
- [D-01-06: Canadian Phytosanitary Policy for the Notification of Non-compliance and Emergency Action](#)
- [D-08-04: Plant Protection Import Requirements for Plants and Plant Parts for Planting](#): Preventing the Entry and Spread of Regulated Plant Pests Associated with the Plants for Planting Pathway
- All other directives relating to phytosanitary requirements for field crop commodities may be found at: Plant Protection Policy Directives - [Grains and Field Crops](#)

**This directive supersedes D-96-03 (5<sup>th</sup> Revision)**

### **Definitions, Abbreviations and Acronyms**

Definitions for terms used in the present document can be found in the [Plant Health Glossary of Terms](#).

## **1.0 General Requirements**

### **1.1 Legislative Authority**

The legislative documents listed below are available at the [Department of Justice Canada](#) Website:

- [Canadian Food Inspection Agency Act](#), (S.C. 1997, c. 6)
- [The Plant Protection Act](#), S.C. 1990, c. 22
- [The Plant Protection Regulations](#), SOR/95-212
- [Canadian Food Inspection Agency Fees Notice, Canada Gazette: Part I](#) (as amended from time to time)

### **1.2 Fees**

The CFIA is charging fees in accordance with the *Canadian Food Inspection Agency Fees Notice*. For information regarding fees associated with imported product, please contact the [Import Service Centre \(ISC\)](#). Anyone requiring other information regarding fees may contact any [local CFIA office](#) or visit our [Fees Notice Web Site](#).

### **1.3 Regulated Pests**

Based on the pest risk assessment, the following pests are not known to be present in Canada but are associated with hemp and may be of potential economic importance.

#### **Pests Associated with *Cannabis sativa***

- *Cuscuta* spp., dodder
- *Eriochloa villosa*, woolly cupgrass
- *Fusarium oxysporum* f.sp. *cannabis*
- *Orobanche* spp., broomrape

- *Pseudoperonospora cannabina*, downy mildew of hemp
- *Pseudomonas syringae* pv. *cannabina* , bacteriosis of hemp
- *Striga* spp., witchweed
- *Trogoderma granarium* Everts, khapra beetle
- Soil borne quarantine pests
- *Xanthomonas campestris* pv. *cannabis*, (leaf spot of hemp)

More pests may be added to the list as Pest Risk Analyses are completed.

In addition to the pests listed above, which could be associated with the regulated commodities, consignments must be free from the other pests on the [List of Pests Regulated by Canada](#).

#### 1.4 Regulated Commodities

Viable plants and seed of *Cannabis sativa* for propagation.

#### 1.5 Commodities Exempt

The following products from all origins, are exempt from phytosanitary requirements:

- Processed and semi-processed hemp fibre and fibre products, e.g. cordage, crude fibre, textiles containing a percentage of hemp;
- Hemp grain (seeds imported for uses other than planting (e.g. bird feed, processing or human consumption etc.)) The intended use must be clearly evident to an inspector (e.g. stated on the shipping documents, destination is a processing plant etc.) Material must be clean and free from soil and regulated pests and regulated weeds;
- Raw hemp material for industrial processing.

**Note:** Although exempt from plant protection requirements, the above commodities may be subject to other regulatory requirements (see Section 2.4).

#### 1.6 Regulated Areas

All countries.

### 2.0 Specific Requirements

#### 2.1 Import Requirements

**Note:** All importers of *Cannabis sativa* plants and seeds for propagation must first obtain a license to grow **and** a permit to import from Health Canada's Office of Controlled Substances.

Once licenses and permits have been issued by Health Canada importers may then complete an [Application for Permit to Import Plants and Other Things Under the Plant Protection Act - PDF \(430 kb\)](#).

**Table 1: The Canadian phytosanitary requirements for the import of *Cannabis sativa* plants and seed for propagation from the Continental U.S. and all other origins.**

Commodity	Originating from the Continental U.S.	Originating from outside the Continental U.S.
Rooted plants without soil, related	Phytosanitary Certificate	Permit to Import; Phytosanitary

matter or growing media		Certificate with appropriate additional declarations for soil pests
Rooted plants with soil or related matter or with soil-free growing media and not imported under the Canadian Growing Media Program	Phytosanitary Certificate with appropriate additional declarations for soil-borne pests	<b>Prohibited</b>
Rooted plants with soil-free growing media imported under the Canadian Growing Media Program	N/A	Permit to Import; Phytosanitary Certificate
Seed (must be clean (free from soil, regulated weeds and regulated pests))	Phytosanitary Certificate	Permit to Import; Phytosanitary Certificate

## 2.2 Inspection Requirements

### 2.2.1 Document Verification

Permits to Import and Phytosanitary Certificates required for importation of hemp must be verified as valid prior to release of the material to the importer.

### 2.2.2 Product Examination

All shipments of imported hemp are subject to inspection by an authorized CFIA inspector at the first point of entry or at a place in Canada determined by the inspector. Samples may be taken to verify the absence of quarantine pests.

### 2.2.3 Phytosanitary Measures

If the inspection of a shipment results in the detection of a quarantine pest or there are reasonable grounds to believe such a pest is present, the infested shipment may be refused entry, returned to origin, treated or destroyed, at the importer's expense, as determined by the inspector.

## 2.3 Non-Compliance

Please consult "How does the CFIA respond to non-compliance?" in the [Plant and Plant Products Import Primer](#),

Notifications of non-compliance will be issued in accordance with D-01-06: Canadian Phytosanitary Policy for the Notification of Non-compliance and Emergency Action.

## 2.4 Other Requirements

The importation and production of all *Cannabis sativa* products, including plants and seed for propagation, are regulated under the [Controlled Drugs and Substances Act](#), [Marihuana for Medical Purposes Regulations](#) and [Industrial Hemp Regulations](#) as administered by Health Canada.

The importation of *Cannabis sativa* seed for propagation is also regulated under the *Seeds Act and Regulations* as administered by CFIA.

Any importer wishing to know about the requirements under the above Acts and Regulations should contact Health Canada or their local CFIA offices.

Import requirements in this directive pertain to the *Plant Protection Act* and *Plant Protection Regulations* only. It is the importer's responsibility to ensure that imported hemp commodities covered by this directive also comply with the requirements of other acts and regulations.

Date modified: 2014-08-14