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Canada Border
Services Agency

Agence des services
frontaliers du Canada

Single Window Framework

E-COMMERCE SOLUTIONS
AND PARTNERSHIPS TO
FACILITATE SECURE TRADE



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Overview

The Other Government Department (OGD) Single Window Initiative aims to implement a streamlined, Government of Canada approach for the electronic collection, use and dissemination of commercial trade data required to support the mandates of participating partners.

The OGD Single Window Initiative seeks to deliver a more efficient, effective and integrated approach to collecting and consolidating advance commercial information.

This document was presented to the [Border Commercial Consultative Committee](#) on February 26, 2008.

Purpose of Document

The Single Window Framework document represents the collaborative vision of the Canada Border Services Agency (CBSA) and its OGD and Agency partners in support of the OGD Single Window Initiative. It describes the long-term goals of Canadian border management relating to the processes required to meet and enforce regulatory requirements for commercial shipments in an electronic commerce world. The document is a compilation of input prepared by members of the OGD Single Window Working Group and signifies a combined commitment to this initiative.

Key Drivers of Change

Through the use of efficient technology, a single window approach addresses needs identified by the trade industry as well as governmental authorities.

Often, federal authorities require traders to submit an extensive range of information and documentation to several departments or agencies in order to comply with import, export and transit-related regulations. Requirements often include submitting paper documents in order for a shipment to be authorized for transport or entry.

As the current situation constitutes a serious burden for the government and the trade community, both parties recognize the need for a single window approach to facilitate compliant trade reporting.

Expanding our Framework and Partnerships

The CBSA first implemented an initial single window framework in 1997. Five OGDs currently participate; however, there are many other programs that the CBSA administers on behalf of its OGD partners through the collection and verification of paper permits and certificates, detention of regulated goods for inspection and/or the supply of statistical and historical data to OGDs. The move to advance electronic reporting in all transportation modes provides the impetus for the review and further expansion of the single window framework in support of all of our partners' needs.

At the time of publishing, the following departments and agencies were participating in the Single Window Initiative, collectively representing approximately 40 programs:

- [Canada Border Services Agency](#)
- [Canadian Food Inspection Agency](#)

- Canadian Nuclear Safety Commission
- Department of Fisheries and Oceans
- Foreign Affairs and International Trade Canada
- Environment Canada
- Health Canada
- Industry Canada
- Natural Resources Canada
- Public Health Agency of Canada
- Transport Canada

The 2005 Federal Budget allocated funding to the CBSA for the Advance Interdepartmental Reporting Initiative to complete the analysis of data requirements, the harmonization of data elements with the [World Customs Organization \(WCO\)](#) and its member states, and the development of business models and interface solutions needed to facilitate the implementation of full mandatory [Electronic Data Interchange \(EDI\)](#) reporting. The OGD Single Window Initiative falls under the umbrella of the Advance Interdepartmental Reporting Initiative.

Overall Benefits of a Single Window Approach

- Allows traders to fulfill all import, export and transit-related regulatory requirements through one interface.
- Provides vastly improved service to business, increases competitiveness, reduces trade chain burden, and coordinates and streamlines government operations.¹
- Assists the CBSA and OGDs in meeting their international obligations. International harmonization will complement our compliance goals and mutual recognition of secure trading frameworks between countries.
- Provides more timely access to information, which will assist CBSA and OGDs in fulfilling their mandates.

¹ IT06 Report – Report On IT06 for the Government Information Technology Services Working Group (GITS) of the National Information Infrastructure Task Force (NII), p.2

Stakeholder Benefits

Benefits from a Trade Perspective

A Single Window from a trade perspective offers:

- Lower administrative costs by reducing delays
- Faster clearance and release times
- Consistent application and explanation of regulatory requirements
- Improved identification techniques of illegally operating competitors
- Easier trader compliance
- More effective and efficient deployment of resources
- Increased transparency and predictability of government processes

The basic concept of a single window focuses on data standardization and process simplification, and as such, it also fosters the adoption of common business-to-government communication and interoperability in the context of international trade. These improvements result in appreciable gains in productivity and competitiveness.

Greater efficiencies and lower business costs

The *Canadian Supply Chain Efficiency Smart Border Study*² reports that more than 70% of Canadian firms rated efficient border crossings as very important. Sixty-one percent of the firms studied reported a financial loss due to these delays, and only 18% reported that they were not affected by border delays. Continually evolving regulations and information requirements place a serious burden on traders³ and lessen their competitive edge.

Domestically, our trade chain partners have identified the need for a complete single window framework as a priority for their competitiveness. As well, to fully implement advance electronic reporting, to which the CBSA is committed, the trade community has highlighted the need to address OGD requirements.

The *Coalition for Secure and Trade-Efficient Borders*, composed of 55 Canadian business associations and companies, interacts with the federal government on North American trade and border issues. The group's study, *Rethinking our Borders: A New North American Partnership*, served to highlight the concerns Canadian traders have expressed regarding commercial border processes. The report points to the increasing complexity of border logistics since September 11th, 2001, and resulting obstructions for North American business. According to the Ontario Chamber of Commerce, delays at the Canada-U.S. border cost North American businesses CDN \$13.6 billion annually.⁴ Paperwork and reporting requirements needed for border inspections are increasingly cumbersome. Furthermore, the large number of federal agencies monitoring goods crossing the border demands a more streamlined and efficient process.⁵

2 The *Canadian Supply Chain Efficiency Smart Border Study*, Supply Chain & Logistics Canada (SCL) and Industry Canada, March 2004

3 *North American Competitiveness via Seamless e-Logistics and Smart Border Solutions*, Industry Canada, January 2006, p.1

4 *Cost of Border Delays to Ontario*, Ontario Chamber of Commerce, May 2004, p. 4

5 *Rethinking our Borders: A New North American Partnership*, Coalition for Secure and Trade-Efficient Borders, July 2005

The trade community sees a single window as a response to inefficiencies and lengthy manual processes. The demanding North American Just-In-Time (JIT) economy requires that goods cross the border on schedule.⁶ A single window, coupled with the timely application of new technologies, is a step toward alleviating the unpredictable, costly and time-consuming processes that slow down the supply chain.

The Government of Canada Perspective

Reducing the paper burden

Launched in February 2005, the [Paperwork Burden Reduction Initiative](#) (PBRI) involves measuring the costs and impact of regulatory compliance on small business and pursuing opportunities to reduce, rationalize and simplify regulatory requirements across federal departments and agencies. The PBRI builds on the recommendation of the [External Advisory Committee on Smart Regulation](#) (EACSR) presented in *Smart Regulation: A Regulatory Strategy for Canada*, released in September 2004.⁷ A single window approach would directly support this strategy and assist the CBSA and OGDs in reaching the Government of Canada's goal of reducing the administrative and paper burden on small businesses by 20%, as identified in the 2007 Federal Budget.⁸

The reduction of paper-based processes and the elimination of duplicate reporting address the needs of the trade community and offer tangible benefits for participating departments and agencies. Having electronic technology solutions to support program requirements presents new opportunities for OGDs to oversee their respective program commodities crossing the border. OGDs see an opportunity for greater and more efficient information sharing between their departments and the CBSA. Most, if not all, can benefit from valuable, integrated risk assessment and targeting. Technology and advance reporting can help OGDs play an active role in monitoring border activities involving the commodities that fall under their mandate.

Strengthening relationships

In support of the Government of Canada's security and prosperity agenda, the Canada Border Services Agency's new strategic goal is to support strong relationships with other government departments.⁹ This goal requires increased data gathering, improved information-sharing techniques and strong relationships with all border stakeholders. The CBSA's vision of a smart border involves the increased use of evidence-based decision-making, modern technologies and innovative approaches¹⁰ in order to facilitate increased security and economic prosperity.

Recognizing the increased emphasis on security and risk analysis, the [United Nations Centre for Trade Facilitation and Electronic Business](#) (UN/CEFACT), in [Recommendation No. 33](#), recommends a single window approach to border management. Through harmonization and simplification of information exchange, UN/CEFACT has expressed that real benefits to both government and trade can be had using a single window.¹¹

6 *North American Competitiveness via Seamless e-Logistics and Smart Border Solutions*, Industry Canada, January 2006

7 "Paperwork Burden Reduction Initiative" see www.reducingpaperburden.gc.ca

8 For more information see www.budget.gc.ca

9 *Report on Plans and Priorities 2007-2008*, Canada Border Services Agency, p. 14

10 *Ibid.*, p. 13

11 "Recommendation and Guidelines on Establishing a Single Window" Economic Commission for Europe, United Nations Centre for Trade Facilitation and Electronic Business (UN/CEFACT)

Creating a strengthened, smart border of the future requires domestic, transcontinental and international coordination. The OGD Single Window Initiative is directly aligned with international efforts to streamline communication between traders and government through the use of electronic data. Harnessing the potential of information technology as a means to effective border management, a single window approach will provide benefits for the public, the Government of Canada and the trade community.

The Government of Canada is committed to protecting the privacy of involved parties and will ensure that provisions of the *Privacy Act* are respected at all times.

Prerequisites for Success

To successfully establish a single window, the UN/CEFACT Commission recommends a commanding lead agency. This agency must be “strong, resourceful and empowered...have the appropriate political support, legal authority, human and financial resources, and links with the business community.”¹²

The CBSA as the lead agency

The CBSA is uniquely positioned to collect data on behalf of OGDs and to administer and enforce their requirements at the border. In fact, it already collects approximately 80% of the data required by participating OGD programs. As well, the CBSA has been conducting business electronically for over 20 years, currently processes approximately 80% of commercial reporting by electronic means, and can assist OGDs in making the transition to conducting business electronically. It is estimated that roughly 30% of the 12 million import release transactions processed annually have one or more OGD requirements.

The UN/CEFACT Commission identifies “political will” and “commitment to the project” as “critical factors for [a single window’s] successful introduction.”¹³ A strong commitment to a single window approach by both government and the trade industry will result in expedient and effective implementation of the Single Window Initiative.

A strong governance structure is required to support the Single Window Initiative. The CBSA and OGDs have created a network of sub-committees, including an interdepartmental working group, a legislative and regulatory working group, as well as a trade sub-committee under the direction of the Border Commercial Consultative Committee. These subcommittees support a cross-departmental executive advisory structure that ensures the necessary coordination and collaboration across multiple departments and agencies and addresses any constraints in a timely manner. Effective governance will ensure that the initiative will address key aspects such as the required modifications to legislation, policy development and the implementation of the supporting technology in an organized fashion.

A key factor for the Single Window Initiative is the availability of resources to support the needs of all participating government departments. CBSA and OGD executive management is actively working to secure the financial and operational resources needed.

¹² “Recommendation and Guidelines on establishing a Single Window” Economic Commission for Europe, United Nations Centre for Trade Facilitation and Electronic Business (UN/CEFACT), p. 15

¹³ Ibid., p.15

Supporting Efficient and Effective Border Management

Canada has participated actively in the World Customs Organization (WCO) since 1971. It continually consults with Canadian trade partners to support the successful implementation of the [WCO Framework of Standards to Secure and Facilitate Global Trade](#).¹⁴ The CBSA is committed to creating a compatible set of requirements for the exchange of data with business and government trade partners worldwide. This work will allow seamless integration of import, export and in-transit data between partner organizations. In addition to its commitment to streamlining customs processes for OGDs, the Agency is consulting with the WCO to determine how to integrate the various departmental program requirements into an internationally recognized and harmonized data set.

The WCO recognizes the need to incorporate all data elements required in support of effective border management. The WCO is now focused on the identification of international requirements in support of Other Government Departments and Agencies. The initial focus of its data model is on the agriculture, health and hazardous waste sectors. To support this activity, the CBSA and Canadian OGDs have begun to identify and analyze data requirements for WCO data activities. The CBSA continues to promote data harmonization and consistent data practices with OGDs. Through the work of the WCO, the CBSA and OGD partners further benefit from modern supply chain processes and integrated border management practices.

The CBSA supports the international move towards efficient and effective border management. Having import data in advance of arrival allows authorities to efficiently and effectively risk assess cargo before it arrives at Canada's border. The CBSA is increasing the use of programs like the Advance Commercial Information program, in order to identify high-risk goods using automated risk assessment solutions and intelligence-based analysis, while at the same time expediting the flow of low-risk goods.

Examples of effective border management

In April 2000, the CBSA launched the Customs Action Plan (CAP), which included the [Advance Commercial Information](#) (ACI) Initiative. ACI requires all trade-chain partners to submit all information electronically in advance of arrival. CAP's approach is based on risk management and the recognition that all goods and people entering Canada pose varying levels of risk. This initiative has already been implemented in both the marine and air transport modes. The CBSA is now working with partners to implement ACI in the highway and rail modes.

The OGD Single Window Initiative also presents an opportunity to begin applying modern risk assessment tools to OGD programs. Sophisticated risk scoring, data inventorying and data mining, trend analysis, and intelligent systems analysis can substantially increase the CBSA's ability to separate the low-risk goods from the high- and unknown-risk goods. Quality information, collected electronically and received prior to arrival, will augment the CBSA's ability to identify high-risk goods, while expediting the flow of low-risk goods. In addition, the chance that a shipment that does not meet OGD requirements will be overlooked during customs processing will be minimized.

The CBSA's goal of eliminating paper reporting faces a number of obstacles, including the methods used by stakeholders to meet various OGD requirements. Many OGDs continue to rely on paper reporting or verification methods, which, in many cases, are required by law. To the greatest extent possible, the OGD Single Window Initiative aims to implement fully paperless solutions for OGD requirements within three years.

¹⁴ "The Canada Border Services Agency and the World Customs Organization" see www.cbsa-asfc.gc.ca

Supporting Initiatives

As a key member in the [Security and Prosperity Partnership](#) (SPP) of North America, Canada has taken a lead role in enhancing security and encouraging economic prosperity with our trade partners. Under the CBSA's ACI program, the eManifest initiative will allow transporters, importers and agents to transmit to the CBSA advance data about cargo shipments to identify high-risk shipments before their arrival by rail or at the land border.¹⁵

The CBSA's eManifest Initiative

The [eManifest](#) initiative will enable the Canada Border Services Agency (CBSA) to increase security and prosperity by harmonizing trans-border commercial processes between Canada, the United States (U.S.) and Mexico. Using electronic reporting technology as a foundation, eManifest will enable the electronic pre-arrival submission of cargo, conveyance and crew data in the rail and highway modes, as well as the receipt of importer admissibility information for all modes of transportation. eManifest will risk assess electronic cargo and crew data in support of more informed decisions as to whether to allow entry of goods and people. More efficient border processing of commercial shipments using sophisticated technologies will mean fast, secure and intelligent border management.

Under the eManifest initiative, all of the CBSA's technical architecture is being reviewed, and modernized as required. Because processing requirements will increase significantly, processing and storage systems will need to be updated. eManifest's electronic notification system will keep traders up to date on the status of shipments and provide information on when to proceed to the border. As well, an accessible and easy-to-use Internet portal will provide trade partners with an effective way to communicate with the CBSA.

The CBSA's Partners in Protection Program

[Partners in Protection](#) (PIP) enlists private industry in efforts to enhance border security, combat organized crime and terrorism, increase awareness of customs compliance issues and help detect and prevent contraband smuggling.¹⁶ Cooperating organizations can be "fast-tracked" at the border. The CBSA works with these organizations to review their security and suggest improvements, which means a learning process for all partners. PIP identifies secure trade-chain partners, risk assesses those who wish to participate, and designates qualifying organizations as official PIP participants. The program allows the CBSA to work closely with traders, prepare a cooperative plan of action and consult with stakeholders on a regular basis.

The Government of Canada is committed to protecting the privacy of involved parties and will ensure that provisions of the [Privacy Act](#) are respected at all times.

The Single Window Vision

Intelligent Technology, Informed Decisions

Using standardized technologies provides the opportunity for greater analysis and intelligence-based targeting. The business models that are being considered by the OGD Single Window Initiative will allow participating OGDs to use trend analysis techniques to identify low-risk traders and expedite their border processing. Trend analysis is also a central component in the creation of a graduated targeting system.

¹⁵ *Report on Plans and Priorities 2006-2007*, Canada Border Services Agency, p.11

¹⁶ www.cbsa-asfc.gc.ca/general/enforcement/partners/menu-eng.html

Through the mining of information collected and shared by the OGD Single Window Initiative, OGDs will be able to generate automated risk assessments. The implementation of a risk assessment system through the Single Window will allow OGDs to better identify threats and permit rapid responses to emerging threats.

Automated risk assessment of goods prior to their arrival in Canada allows shipments of interest to be held at the first point of operational intervention. In the near future, data mining on historical data and trend analysis will be incorporated into the CBSA's enhanced border management and risk management strategies. Through participation in the OGD Single Window Initiative, OGDs will benefit from increased levels of information and improved communication between programs, thus allowing for more coordinated activities and the optimized use of resources.

The single window framework encourages collaboration on strategic investments in new technologies. The trade industry will also create cost savings through automation and the elimination of paper and duplicate reporting.

Next Steps

In order to share commercial reporting information, the CBSA and its OGD partners are now examining their technological capacities. Business models, with different options for electronic communication between the CBSA and OGDs, are being developed. Throughout the analysis and design phases, CBSA-OGD interface requirements will be further refined to ensure that they are both scalable and flexible, and can meet both today's needs and any potential future requirements. Receiving advance information will allow the CBSA and OGDs to perform the necessary steps for admissibility or referral decisions before shipments reach the border. The business models can be used individually or in combination to suit OGD needs.

Finally, to ensure the project's success, the government is conducting ongoing consultations with the trade community.

Glossary

ACI	Advance Commercial Information (ACI) – This initiative, a major part of the Customs Action Plan, introduces more effective risk management processes and tools for identifying threats to our health, safety, and security prior to the arrival of cargo and conveyances in Canada.
AIRI	Advance Interdepartmental Reporting Initiative – This initiative is meant to facilitate the seamless transfer of electronic data among various government departments, including the exchange of any results of risk-scoring analysis.
BSO	Border Services Officer – A front-line officer who is the first point of contact for goods and people travelling to Canada.
CAP	Customs Action Plan – A high level interim evaluation meant to assess the comprehensive risk management model of program delivery based on the principles of self-assessment, advance information and pre approval.
Cargo	Cargo describes a collection of goods or a shipment. It consists of a grouping of related goods (e.g. on a container ship, each container could be cargo). The cargo is detailed on the waybill, the manifest or a Cargo Control Document.
Carrier	A person who, pursuant to the <i>Transportation of Goods Regulations</i> , is authorized to transport goods or to cause goods to be transported.
CITES	<i>Convention on International Trade in Endangered Species of Wild Fauna and Flora</i> – This is an international agreement between governments aimed at ensuring international trade in various specimens does not threaten their existence.
Conveyance	Any vehicle, aircraft or water-borne craft or any other contrivance that is used to move persons or goods.

EDI	Electronic Data Interchange – The CBSA’s Electronic Data Interchange (EDI) systems allow clients to electronically transmit their import or export data, as well as their accounting documents, to the CBSA. These systems facilitate the CBSA’s ability to quickly process low-risk goods, focusing resources on identifying potential threats to Canada’s safety and security.
In-transit	The movement of conveyance or goods through Canada, without disposing of goods or people.
Target	A specific person, conveyance or goods that has been identified through the complex screening of available data against established criteria as being the most likely to be in imminent contravention of legislation or regulations, deemed to be the highest priority.
UN/CEFACT	United Nations Centre for Trade Facilitation and Electronic Business
WCO Data Model	Based on the G7 Data Sets, the WCO Data Model is a standard, international, harmonized data set and data model (message structure) to support international cross-border trade. It also includes the development of business process models to identify (for each data element) the stage of the trade chain it is collected and the trading party with which the data originates.

Appendix

Programs and Participants Overview

Other Government Department border processes are noticeably consistent among participating programs. Departments rely heavily on paper permits and forms containing much of the same information already collected by the CBSA. OGDs look to a single window framework as a way to curb reliance on paper and steer toward more functional, reliable and expedient processing.

OGDs also foresee increased compliance by the trade community under a single window framework. Those crossing the border will be able to fulfill export, import and in-transit requirements through an easier, quicker and more streamlined process. It will be easier for OGDs to fulfill international obligations relating to their commodities. The trade community will benefit from the reduction in the number of unsafe, illicit and counterfeit goods entering Canada, while at the same time benefiting from increased efficiencies.

This section provides overviews of the specific programs of the departments or agencies participating in the OGD Single Window Initiative at time of publishing. Each program overview highlights the current relationship with the CBSA and the administration of the individual program requirements.

Canada Border Services Agency

The Canada Border Services Agency (CBSA) administers or assists in the administration of numerous pieces of legislation that fall under the responsibility of OGDs. Section 101 of the *Customs Act* provides the CBSA with the legislative authority to control and detain goods on behalf of other government departments.

Goods that have been imported or are about to be exported may be detained by an officer until he is satisfied that the goods have been dealt with in accordance with this Act, and any other Act of Parliament that prohibits, controls or regulates the importation or exportation of goods, and any regulations made hereunder.

Section 107 (5, 5b & 5c) of the *Customs Act* allows the CBSA to share information collected for customs purposes with its OGD partners.

- (5) An official may provide, allow to be provided or provide access to customs information to following persons:
- b) a person that is otherwise legally entitled to the information by reason of an Act of Parliament, solely for the purposes for which that person is entitled to the information;
 - c) an official solely for the purposes of developing, administering or enforcing an Act of Parliament or developing or implementing a policy related to an Act of Parliament if the information relates to
 - (i) goods, the importation, exportation, or in-transit movement of which is or may be prohibited, controlled or regulated under that Act

In certain cases, memoranda of understanding specify the role that the CBSA plays in the administration of these various pieces of legislation. In other cases, a combination of standard operating procedures and D-memoranda governs the relationship. The CBSA plays a variety of roles for its OGD partners; its activities include the collection and verification of permits, the detention of regulated or restricted goods, the collection and supply of statistical data, and the seizure and destruction of prohibited goods.

Canadian Food Inspection Agency

Food, Agricultural Inputs, and Animal and Plant Materials Controls

The Canadian Food Inspection Agency (CFIA) is Canada's largest science-based regulatory agency. It depends on sound science and comprehensive laboratory testing to identify chemical, microbiological and physical impurities in foods, and to diagnose diseases, viruses and pests that can threaten plants and animals. The CFIA administers 13 acts in whole or in part, including the *Health of Animals Act*, the *Plant Protection Act*, the *Canada Agricultural Products Act*, and regulates more than 15 groups of commodities that are divided in three business lines: plants, animals and food products. The commodities range from plants, to feeds, seeds and live animals, to fresh, processed and packaged foods.

The CFIA, in collaboration with the CBSA, regulates and monitors the safety and quality of food, agricultural inputs and animal and plant material that are imported into Canada from more than 200 countries. The CFIA has implemented import controls to prevent foreign diseases and pests from getting into Canada. Introduction of a disease or a pest could cost billions of dollars to control and could result in the loss of significant international trade of agricultural, fish and forest products.

The CFIA and the CBSA currently exchange information electronically. The importer/broker electronically submits import data to the CBSA and indicates that the submission first needs to be sent to the CFIA for approval. A CFIA officer reviews the information and approves or rejects the request based on CFIA import requirements, and sends the decision to the CBSA for a final decision on admissibility.

(Program website: www.inspection.gc.ca)

Canadian Nuclear Safety Commission

Export and Import of Nuclear Substances, Equipment and Information

The Canadian Nuclear Safety Commission (CNSC) is an independent federal government agency that operates and enforces regulations under the *Nuclear Safety and Control Act*. The goal of the CNSC is to regulate the use of nuclear energy and material to protect health, safety, security and the environment and to respect Canada's international commitments on the peaceful use of nuclear energy.

The CNSC regulates, through licensing and compliance programs, the export and import of nuclear substances, prescribed equipment and prescribed information. Regulatory controls are also applied to the packaging and transport of nuclear substances. Requirements for licensing vary depending on the type of nuclear substance being transported, as well as the origin and destination of the shipment.

The CBSA assists the CNSC in export and import compliance programs through licence verification of shipments at border points. CBSA officials may also detain shipments when the goods do not conform to those described on the licence (any tolerance allowed will be shown in the licence); or a valid licence does not accompany the goods as part of the shipping documentation. CBSA also supplies statistical data to the CNSC on a periodic basis.

(Program website: www.nuclearsafety.gc.ca)

Department of Fisheries and Oceans

Aquatic Invasive Species

Aquatic Invasive Species (AIS) are a major threat to Canada's fisheries and aquaculture industry. Alien species establish themselves in our coastal or inland waters and can spread rapidly, radically altering habitat resulting in reductions or outright extinction of indigenous fish and local fisheries. The most effective approach to

dealing with the hundreds of species that are (or could become) established in Canada involves managing the pathways through which invasive species enter and spread through Canadian waters. For aquatic species, these pathways are shipping, recreational and commercial boating, the use of live bait, the aquarium/ water garden trade, live food fish, unauthorized introductions and transfers, and canals and water diversions. The Department of Fisheries and Oceans (DFO) leads many initiatives that aim to minimize the threats that AIS pose to the Canadian ecosystem.

The CBSA is working jointly with the DFO to compile and inventory a list of live fish species imported into Canada over a one-year period. This data, which is being accessed through the CBSA's import database, will be used by the DFO to identify pathways and species that represent a high risk to Canadian freshwater and marine ecosystems.

(Program website: www.dfo-mpo.gc.ca)

Biotechnology

The DFO contributes to the regulation of products of aquatic animal biotechnology by conducting regulatory research and by assisting Environment Canada and Health Canada with risk assessments and the administration of the *Canadian Environmental Protection Act, 1999 (CEPA) New Substances Notification Regulations (Organisms)*. The CEPA requires that new substances be identified (through advance notification) and assessed prior to their introduction (including import) into Canada. This assessment is to determine whether the new substances are toxic or are capable of becoming toxic. DFO is working to develop new regulations under the *Fisheries Act* that would transfer authority for regulating products of aquatic animal biotechnology to the Minister of Fisheries and Oceans.

The CBSA does not currently have any involvement with the DFO's biotechnology program as regulatory authority, including responsibility for compliance and enforcement activities, currently resides with Environment Canada under CEPA.

(Program website: www.dfo-mpo.gc.ca)

Foreign Affairs and International Trade Canada

Export and Import Controls

Foreign Affairs and International Trade Canada (FAITC) is responsible for the administration of the *Export and Import Permits Act (EIPA)*, which gives the Minister wide discretionary powers to control the flow of goods through three specified lists provided for under the Act. The Import Control List regulates the importation of such goods as textiles, clothing, and agricultural products. The Export Control List controls the exportation of such goods as high-tech products and armaments. The Area Control List controls all exports to listed countries.

The *Export and Import Permits Act (EIPA)* states that before permitting the exportation or importation of any goods controlled under the EIPA all officers, as defined in the *Customs Act*, must satisfy themselves that the exporter or importer, as the case may be, has not contravened any of the provisions of the EIPA or its regulations. Border services officers have the same powers of search, detention, seizure, and forfeiture as defined under the *Customs Act* with respect to goods regulated under the EIPA. These officers may search, detain and/or seize a shipment should they find it to be in violation of any of the above control lists.

(Program website: www.international.gc.ca)

Environment Canada

CITES and WAPPRIITA

The *Convention on International Trade in Endangered Species of Wild Fauna and Flora* (CITES) is administered by Environment Canada. There are over 30,000 species of wild animals and plants that are protected under CITES. Live specimens, as well as products made from such species (for example, belts and handbags) are regulated. Species such as monkeys, whales, bears, cats, elephants, birds of prey, parrots, turtles and tortoises, crocodiles, many lizards, boas and pythons, some butterflies, corals, shells, sturgeon and caviar, American ginseng, orchids, and cacti are regulated and require permits to enter Canada.

CITES came into force in Canada on July 3, 1975, but because CITES is an international agreement, signatory countries needed to pass domestic legislation. The Canadian legislation is the *Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act* (WAPPRIITA). Section 6 of the WAPPRIITA controls the importation and exportation of CITES-controlled species, their parts, and derivatives by means of a permit system. WAPPRIITA also controls the importation of species that may be harmful to Canadian ecosystems (for example: invasive species). The WAPPRIITA and the *Wild Animal and Plant Trade Regulations* establish Environment Canada's own permit system for animals and plants protected by CITES and by Canadian and foreign laws.

The CBSA assists Environment Canada by ensuring that the appropriate documentation is presented when CITES-controlled goods are imported and exported. Where goods (including live animals) are controlled under CITES, the permit requirements apply regardless of any diplomatic immunity or privilege extended to the person importing the goods. The border services officer (BSO) must verify the following: the permit quantity and description against the goods themselves or the customs documents, the effective date and expiry date of the permit, the fact that the permit is an original and not a copy, and the signing of the document by the appropriate government authority. If everything is in order, the BSO validates the permit, and forwards it to Environment Canada. If the BSO has any doubts as to the validity of the permit or as to whether the permit matches the goods, or no permit has been presented and the BSO suspects that one is required, the goods are detained and Environment Canada is contacted.

(Program website: www.cites.ec.gc.ca)

Waste Reduction and Management

The Waste Reduction and Management Division (WRMD) is responsible for implementing the terms of international agreements aimed at the monitoring and control of transboundary movements of hazardous and non-hazardous wastes and hazardous recyclable materials. These agreements are legally binding for Canada and are implemented through the *Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations* (EIHWHRMR).

The premise of the WRMD program is based on the protection of human health and the environment from the adverse effects of hazardous waste and hazardous recyclable material through the environmentally sound management of these wastes and materials. As such, a permit and movement document as prescribed in the EIHWHRMR must accompany all international movements of hazardous wastes or hazardous recyclable materials transiting, leaving or entering Canada.

The CBSA assists Environment Canada through the verification of permits and movement documents accompanying the hazardous waste or hazardous recyclable material shipments as they cross the border to ensure that all required information is provided. Shipments are accompanied by two documents – an Import,

Export or Transit Permit, and a Movement Document. A border services officer reviews these documents, validates and collects them. All hazardous waste related documents collected by the CBSA are forwarded to Environment Canada on a weekly basis.

(Program website: www.ec.gc.ca)

Environmental Enforcement

The Environmental Enforcement Directorate (EED) of Environment Canada operates a national Environment Law Enforcement Program in order to ensure that all provisions of the *Canadian Environmental Protection Act*, its associated regulations and the pollution prevention provisions of the *Fisheries Act* are upheld in Canada.

EED environmental enforcement officers conduct a variety of enforcement activities including, but not limited to, inspections to verify compliance, investigations of suspected violations, the collection of information and intelligence analysis, and the pursuit of measures designed to elicit compliance.

The CBSA assists Environment Canada in administering various regulations, such as the EIHWHRMR, through monitoring at the border. When shipments are suspected of non-compliance or inconsistencies are detected in the documentation, the CBSA contacts Environment Canada and may assist inspectors with post-release verification. CBSA also detains shipments in a suitable location on behalf of EED personnel, in those cases where the shipment may be suspect, is missing required information or is targeted by Environment Canada. The EED has taken an active role at the border with the CBSA to conduct on-site border inspections of various commodities of targeted shipments and cargo.

(Program website: www.ec.gc.ca)

Health Canada

Controlled Substances and Precursor Chemicals

Health Canada's Office of Controlled Substances is responsible for the administration of the *Controlled Drugs and Substances Act* and its associated regulations, including the *Precursor Control Regulations*, *Narcotic Control Regulations*, Parts J and G of the *Food and Drug Regulations*, and the *Industrial Hemp Regulations*. Together, these pieces of legislation control activities, including, but not limited to, the importation and exportation of all controlled substances, including precursor chemicals, to ensure that these substances remain in legal distribution channels. Only businesses or individuals that have been licensed by Health Canada may import narcotics, controlled and restricted drugs, precursor chemicals or industrial hemp. Generally, the licensed dealer must have a valid permit issued by Health Canada's Office of Controlled Substances for each shipment.

Health Canada's Office of Controlled Substances also deals with transshipment situations where valid documents need to be obtained by the licensed dealer and attached to the shipment.

The CBSA assists Health Canada with the administration of the *Controlled Drugs and Substances Act* and its regulations as they relate to importations. Border services officers detain suspected controlled drugs and substances, for determination of admissibility by Health Canada. Unauthorized importations are subject to seizure by the CBSA. Following a program review, the CBSA ceased the collection of paper permits on behalf of Health Canada in 2004 (with the exception of permits for precursor substances). Importers, however, are still required to possess a valid import permit to bring in goods subject to the *Controlled Drugs and Substances Act*.

(Program website: www.hc-sc.gc.ca)

Drugs, Medical Devices and Health Products

The Health Products and Food Branch Inspectorate (the Inspectorate) is responsible for the delivery of a national compliance and enforcement program for health products. These products include drugs (human and veterinary), medical devices, natural health products, blood and donor semen, and cells, tissues and organs for transplantation. Health products commercially imported into Canada must meet all applicable requirements of the *Food and Drugs Act* and its associated regulations, including, but not limited to, labelling and marketing authorization requirements, establishment or site licensing requirements and Good Manufacturing Practices requirements.

The CBSA assists the Inspectorate in the administration of the *Food and Drugs Act* and its regulations as they apply to the importation of drugs and medical devices into Canada. The CBSA detains drugs and medical devices that are suspected of not meeting the regulatory requirements for a determination of admissibility by the Inspectorate. Border services officers will also detain shipments or products on a targeted basis when requested to do so by the Inspectorate.

(Program website: www.hc-sc.gc.ca)

Consumer Product Safety

Health Canada's Product Safety Programme (PSP) protects Canadians by researching, assessing and collaborating in the management of health and safety hazards associated with issues such as: cosmetics; children's products; household consumer products; radiation emitting devices; and workplace chemicals. PSP derives its mandate from the following legislation: the *Hazardous Products Act* (HPA), the *Food and Drugs Act* (FDA) and the *Radiation Emitting Devices Act* (REDA).

In accordance with the HPA, the sale, advertising and importation of hazardous products, materials or substances in Canada is regulated and controlled by the PSP. Included in this category are poisonous, flammable, explosive, corrosive or infectious products, as well as a variety of consumer products such as children's sleepwear, hockey helmets, lighters and matches. The importation of cosmetics for sale is controlled and regulated by the FDA and the *Cosmetic Regulations* and the REDA regulates and controls the importation, sale, or lease of radiation emitting devices. Examples of radiation emitting devices include CRT televisions and displays, lasers, microwave ovens, X-ray equipment, sun lamps, ultrasonic devices and UV equipment.

The CBSA assists the PSP in the administration of the HPA, REDA (including their respective regulations) and the *Cosmetic Regulations* as they apply to the importation of consumer products into Canada. The CBSA detains consumer products that are suspected of not meeting the regulatory requirements for a determination of admissibility by PSP. CBSA will also detain shipments or products on a targeted basis when requested to do so by PSP, and refers the suspected non-compliant or targeted shipment(s) to PSP for follow-up activities.

(Program websites: www.hc-sc.gc.ca)

Pesticides

Health Canada, through its Pest Management Regulatory Agency (PMRA), administers the *Pest Control Products Act* (PCPA) and the related *Pest Control Products Regulations* (PCPR). The primary objective of the PCPA is to prevent unacceptable risks to people and the environment from the use of pest control products. "Pest control product" and "pesticide" are general terms used interchangeably to refer to a wide variety of chemicals, organisms and devices designed to control, destroy, attract or repel pests. Examples of regulated commodities include, but are not limited to, herbicides, insecticides, wood preservatives, swimming pool chemicals and electronic repellents.

The *Pest Control Products Regulations* require that a valid *Declaration of Importation of Pest Control Products* accompany all imported pest control products. In 2004, following a review of the program, the CBSA ceased the validation and collection of these forms. The CBSA currently assists the PMRA with the administration of the PCPA by detaining goods suspected of non-compliance or goods specifically targeted by the PMRA, and may refer the suspected non-compliant or targeted shipment(s) to the PMRA.

(Program website: www.pmra-arla.gc.ca)

Industry Canada

Radiocommunication and Telecommunication Equipment

Industry Canada, and more specifically the Spectrum, Information Technology and Telecommunications Sector (SITT), are responsible for the administration of the *Radiocommunication Act* and the *Telecommunications Act*, which control several types of goods such as telephones, facsimile machines, citizen band (CB) radios, amateur radios, walkie-talkies, cellular phones, and direct to home (DTH) satellite receivers. These acts also regulate equipment that might emit radio frequencies unintentionally, such as computers and spark ignition systems.

There are provisions in the *Radiocommunication Act* and the *Telecommunications Act* that deal with the importation of radiocommunication and telecommunications equipment. As a general rule, certification to Industry Canada's standards is required for radiocommunication equipment in Canada. Equipment registration is required to connect telecommunications equipment to Canadian networks; this authorization is based on the principle that the equipment will not cause harm to the network or network personnel.

(Program website: www.ic.gc.ca)

Natural Resources Canada

Energy Efficient Products

Canada's *Energy Efficiency Act* gives the government the authority to make and enforce regulations concerning the performance and labelling of energy-using products that are imported into Canada or shipped across provincial or territorial boundaries. The *Energy Efficiency Regulations* are administered by Natural Resources Canada (NRCan) and apply to dealers of specified energy-using products that are being imported or shipped across provincial or territorial boundaries for the purposes of sale or lease in Canada. These regulations currently regulate more than 30 products including, but not limited to, water heaters, major household appliances, certain lighting products, and snack and beverage vending machines.

The CBSA assists NRCan in the administration of the *Energy Efficiency Regulations* by monitoring the importation of regulated products. In the event that a non-compliant or suspected non-compliant shipment is discovered, the goods may be detained and NRCan is contacted. Should the submitted data be incomplete (e.g. not all elements for an energy-using product are submitted to the CBSA at the time of import) the CBSA will not release the shipment. In addition, certain data collected by the CBSA at the time of import are regularly forwarded to NRCan to help it monitor the import of regulated products.

(Program website: www.oee.nrcan.gc.ca)

Ammunition and Explosives

The importation and in-transit movement of explosives, including ammunition, is governed by the *Explosives Act* and regulations administered by NRCan. Commodities regulated under the *Explosives Act* and regulations, with a few exceptions, require an import permit issued by the Explosives Regulatory Division of Natural Resources Canada.

The CBSA helps NRCan administer this Act through the verification of paper explosives importation permits at the border, prior to releasing the shipment. Shipments that are found to be non-compliant are detained pending NRCan's determination of admissibility.

(Program website: www.nrcan-rncan.gc.ca/com)

Rough Diamonds

Canada participates in the Kimberley Process Certification Scheme for the trade in rough diamonds. The Kimberley Process is an international certification scheme that tightens controls over the diamond trade and aims to prevent conflict diamonds from entering legitimate markets. There are currently 47 participants in the Kimberley Process, including the European Community, which has 27 member states.

On January 1, 2003, the provisions of the *Export and Import of Rough Diamonds Act* (EIRDA) and its associated regulations became law. This legislation is the responsibility of NRCan, which is assisted in the border enforcement aspects of the program by both the CBSA and the Royal Canadian Mounted Police.

Under EIRDA, a valid **Kimberley Process Certificate** must accompany each importation and exportation of rough diamonds. Each shipment containing rough diamonds must also be packaged in a tamper-proof and sealed container. The certificates are forgery-resistant and each country has a unique format. Border services officers (BSOs) verify the authenticity of the certificate, and verify that the data on the certificate match the import declaration that is being made, and that the shipping containers have not been tampered with. In the event of a non-compliant or suspected non-compliant shipment, the BSOs detain the goods and contact the Kimberley Process Office at NRCan for guidance.

(Program website: www.nrcan-rncan.gc.ca/com)

Public Health Agency of Canada

Human Pathogens

The CBSA helps the Public Health Agency of Canada (PHAC) administer the *Human Pathogens Importation Regulations*. Human pathogens are infectious substances, toxins of infectious substances, or any diagnostic specimens or other materials containing or believed to contain infectious substances or toxins of infectious substances. These pathogens are classified according to the risk they pose to individual and community health. Risk Group 2 pathogens pose a moderate individual risk and a limited community risk. Risk Group 3 pathogens pose a high individual risk and a low community risk. Risk Group 4 pathogens include viruses only and pose a high individual and community risk. All importations of human pathogens – commercial or personal – belonging to Risk Group 2, 3 or 4 require an **import permit** issued by PHAC.

Prior to 2004, the CBSA collected paper import permits on behalf of the PHAC. Following a review of border activities, the CBSA stopped its collection of these permits. Importers are, however, still required to have a valid permit and to attach the import permit to the shipment. If, in the normal course of their duties, BSOs come across possible contraventions of the *Human Pathogens Importation Regulations*, they contact the Office of Laboratory Security at PHAC for advice.

(Program website: www.phac-aspc.gc.ca)

Transport Canada

Transportation of Dangerous Goods

Transport Canada administers the *Transportation of Dangerous Goods Act 1992* and its associated regulations. The purpose of these regulations is to protect the public from the potential hazards of transporting dangerous goods by establishing and regulating safety standards, safety marks, and safety requirements for these products. Hazardous wastes, explosives, and radioactive materials are examples of products that are classified as dangerous goods, and that pose a hazard or risk to human health or the environment. These goods are regulated and require special handling while being transported.

The CBSA's role includes the verification of shipping documents to ensure that required information is provided, as well as determining if there are safety marks on containers and transport units. These marks must be consistent with certain information on the shipping document. The CBSA releases products suspected of non-compliance and provides information to Transport Canada to assist them with post-release verification. The CBSA will, however, detain on behalf of Transport Canada any dangerous good that appears to be leaking.

(Program website: www.tc.gc.ca)

Road Safety and Motor Vehicles

Transport Canada administers the *Motor Vehicle Safety Act* (MVSA) and the *Motor Vehicle Safety Regulations*, which control the conditions under which new and used vehicles and tires may be imported. The MVSA regulates the importation of vehicles and tires in order to reduce the risk of death, injury, and damage to property and the environment.

The CBSA assists Transport Canada by ensuring that all vehicles imported into Canada meet current Transport Canada requirements. Companies authorized by Transport Canada to import new vehicles manufactured for the Canadian market are not required to present the Transport Canada *Vehicle Import Form* to a BSO at the time of importation. Commercial importers identified in the Transport Canada's *Preclearance List of Recognized Vehicle Importers* are however, required to present the *Vehicle Import Form* to a BSO at the time of importation. Other commercial importers of vehicles less than 15 years old and buses manufactured on or after January 1, 1971, are also required to present the *Vehicle Import Form* or the *Vehicle Imported for Parts Form*, as well as the vehicle title and the proof of export from the U.S. at the time of importation. The BSO verifies the form, the title and the proof of export, and then examines the vehicle. If everything is in order, the BSO validates the *Vehicle Import Form*. Inadmissible vehicles and tires are either refused entry or detained by the CBSA pending a decision from Transport Canada.

(Program website: www.tc.gc.ca)

Economic Analysis

Transport Canada collects data on transportation entities and their activities under s. 50 of the *Canada Transportation Act*. Detailed domestic and international marine traffic data, rail and trucking traffic data and air operating data are collected. Carriers currently submit air operating data to Transport Canada electronically using the **Electronic Collection of Air Transportation Statistics** (ECATS) program. The data collected are used to support a variety of initiatives or areas such as national transportation policy development, operational planning and infrastructure requirement determination.

The CBSA currently shares selected data with Transport Canada on a post-release basis.

(For selected Economic Analysis projects see: www.tc.gc.ca)