

FREQUENTLY ASKED QUESTIONS ABOUT THE FARM PRODUCTS GRADES AND SALES ACT

What is the *Farm Products Grades and Sales Act*?

The main focus of the act is quality assurance and setting quality and grade standards for numerous commodities. The statute and regulations provide for the inspection, grading, labelling, packaging and marketing of designated farm products.

What information is required on produce display signs?

Signs must have the following information:

- origin
- grade (where grade standards exist)
- weight per unit
- variety name (for pears and apples)
- sweet or hot information (only for peppers).

For more information about produce display signs, please refer to the fact sheet titled, *Retail Display Sign Requirements Under the Farm Products Grades and Sales Act* (IS-04-02).

What is the minimum font size for mandatory information on produce display signs?

The font size must be in reasonable proportion to the retail display sign. Specifically, font size for signs must be at least one-quarter inch (1/4") in height.

What is the minimum font size for mandatory information on produce labels?

The font size must be in reasonable proportion to the package. Specifically, label font size must be:

- at least one-eighth inch (1/8") in height on tags or tomato tubes
- at least three-sixteenth inches (3/16") in height on bags containing less than ten pounds

- at least one-half inch (1/2") in height for baskets and bushels
- in all other cases, one-quarter inch (1/4") in height.

What produce is not covered by Regulation 378 (Grades—Fruit and Vegetables) under the *Farm Products Grades and Sales Act*?

Regulation 378 defines produce as any fruit, vegetable or sweet corn that can be grown in Canada. Commodities that cannot be grown in Canada are not covered by Regulation 378.

Is the use of “Product of the Tropics” acceptable for products, such as bananas, that can’t be grown in Canada?

Bananas are not covered under Regulation 378 because they cannot be grown in Canada. Therefore, display signs are not regulated and, in this specific case, “Product of the Tropics” would not be incorrect.

Under what circumstances can produce be labelled or signed as a product of a country other than that where the product was actually grown?

Produce signs and labels for produce covered by the regulations must declare the country where the product was grown, regardless of where it was packed into retail containers.

Under what circumstances can a processed product be labelled with a country of origin other than that where the ingredients were grown?

The Canadian Food Inspection Agency’s (CFIA) Fair Labelling Practices Program regulates this matter. Please refer to the *2003 Guide to Food Labelling and Advertising* on the CFIA web site (www.inspection.gc.ca). Alternatively, call

CFIA at 1-800-667-2657 for more information.

Are all processed fruit and vegetable products covered under the act and regulations?

Regulation 378 under the act contains standards for specific products processed in Ontario, including grade standards for produce being used for processing. The regulation contains a complete list of applicable produce grades.

Regulation 378 also requires that the appropriate grade information appear on containers before any person can pack, transport, ship, advertise, sell, or offer a processed product for sale. The regulation contains a complete list of applicable processed products, which are mainly canned or frozen produce.

Processes or activities related to presentation or quality enhancements of whole fruits and vegetables (e.g. washing), including packaging or other processes intended to maintain or improve quality, do not exempt produce from any requirements for fresh produce.

Some specific products, such as trays of sliced fruit, are not covered by the *Farm Products Grades and Sales Act*.

What do advertisements have to do with the act?

Misleading claims of origin or grade in an advertisement are not permitted under the act.

Regulation 378 requires advertising to include the country or Canadian province of origin, the grade of the produce (where applicable), and the measure, weight or size of the package in every advertisement.

Regulation 386 (Maple Products) requires an advertisement for maple syrup that

quotes a price to also state the grade and volume of the maple syrup as prominently as the price.

Regulation 384 (Honey) prohibits advertising that misrepresents the origin of honey.

Are produce display signs required for pre-packaged produce that already have labels (e.g. clamshell packages)?

Yes. Regulation 378 requires a display sign with all the information as specified in the regulation.

Is produce offered for sale on discount counters or carts required to follow product display signage requirements?

Yes. Discounted product offered for sale must comply with the act and Regulation 378.

Are written reports provided to stores or other points of sale when an advisory visit is conducted?

At this time, OMAF does not provide any written report to notify the store or corporate headquarters that an advisory or enforcement visit was made.

Can Foodland Ontario symbols be used to indicate product origin?

No. Foodland Ontario symbols are not considered an acceptable replacement for proper product origin display signs.

Where can I get more information?

For a list of ticketable offences under the *Farm Products Grades and Sales Act* refer to fact sheet titled, *Ticketable Offences Under the Farm Products Grades and Sales Act* (IS-04-01).

For information about retail display sign requirements, refer to fact sheet titled, *Retail Display Sign Requirements Under the Farm Products Grades and Sales Act* (IS-04-02).

For additional information, please contact:

Food Inspection Branch
Ministry of Agriculture and Food
1 Stone Road West, 5th Floor
Guelph, Ontario N1G 4Y2
Telephone: (519) 826-4180
fpo@omaf.gov.on.ca
www.omaf.gov.on.ca

For access to complete statutes and regulations, please refer to the Ontario Statutes and Regulations web site at:
www.e-laws.gov.on.ca