

# Retail display sign requirement under the *Farm Products Grades and Sales Act*: what you should know if you are involved in selling produce to consumers in Ontario

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## Infosheet

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Ontario's fruit and vegetable industries have a reputation for producing safe, high quality food for consumers. Providing accurate information to buyers as required by law is an important part of upholding this reputation.

Requirements are outlined in the *Farm Products Grades and Sales Act* (FPGSA), and Regulation 378 (Grades – Fruit and Vegetables), which is administered by the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA).

### What is the FPGSA?

The FPGSA and Regulation 378 (Grades – Fruit and Vegetables) regulate the quality, labelling, packaging and food safety issues for fresh fruits and vegetables in the province of Ontario.

The regulation also sets out the requirements for:

- labelling and marking of packages/master containers;
- grade standards;
- retail display signage; and
- advertisements of fresh fruits and vegetables.

### General signage requirements

Section 15 of Regulation 378 deals with signage requirements for produce (any fruit, vegetable or sweet corn). All produce that can be grown in Canada and that is on display and being offered for sale to consumers must have a sign directly adjacent to where the produce is being offered for sale.

The sign must have the following information:

#### 1. Origin requirement

For produce imported from outside Canada and repacked within Canada, the country of origin stated as “Product of” followed by the name of the country. For example: Product of U.S.A.

For Canadian grown produce, the words “Product of” followed by “Canada” **OR** the province name. For example:

Product of Canada  
**OR**  
Product of Ontario

Section 17 of Regulation 378 states that the country or province of origin shall be immediately above, beside or below the grade name and in the same size lettering.

## 2. Grade requirement

Where a grade standard exists, the grade of the produce must be indicated. More information on grade standards can be found on the OMAFRA website at:  
[http://www.omafra.gov.on.ca/english/food/inspection/fs\\_food\\_plant.htm](http://www.omafra.gov.on.ca/english/food/inspection/fs_food_plant.htm)

Section 17 of Regulation 378 states that the grade name shall be immediately above, beside or below the country or province of origin and in the same size lettering.

## 3. Weight requirement

If the produce is sold by weight, the price per unit of weight must be stated.

## 4. Variety name requirements

Variety name for apples and pears must be included.

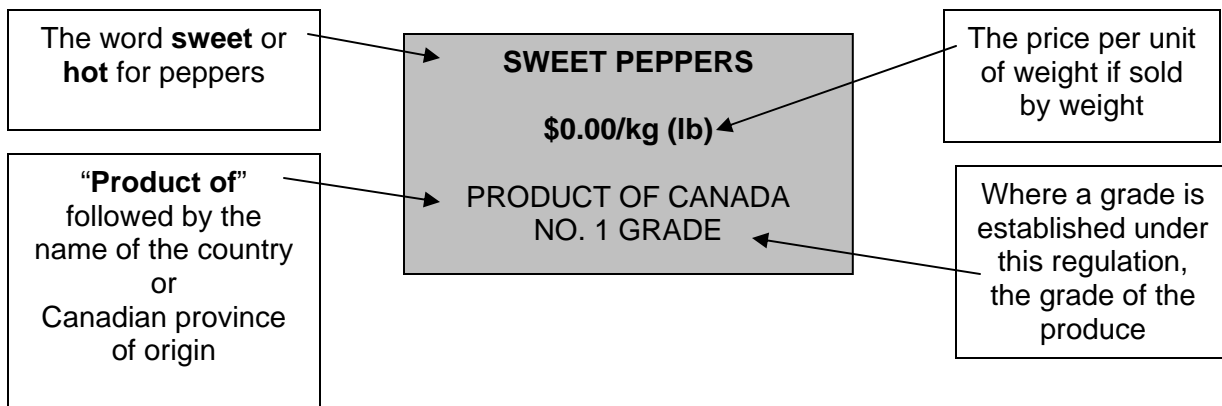
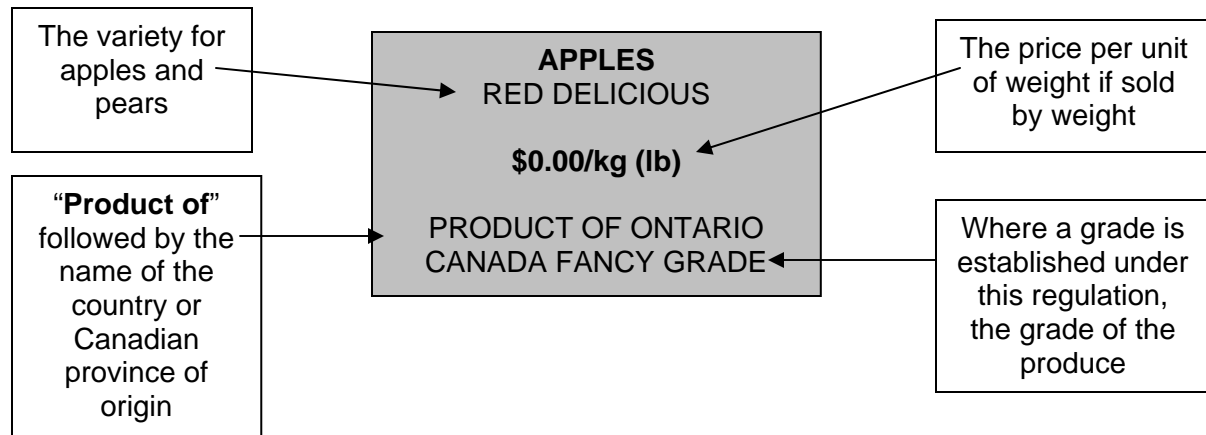
## 5. Peppers, “sweet” or “hot” requirement

For peppers, the word “Sweet” or “Hot” must be specified.

Markings on the retail display signs as per section 22 (1) of Regulation 378 should be:

- easy to read;
- of a permanent nature;
- of a size reasonable in proportion to the retail display sign; and
- at least one-quarter inch (1/4”) in height.

Here are two examples of the specific signage requirements and how they may be applied:



**Note:** Failure to adhere to regulatory requirements is a violation of the FPGSA and may be a ticketable offence, subject to fines or formal prosecution. More than one ticket may be issued at one location where multiple offences have occurred.

### **Where can I get more information?**

*Farm Products Grades and Sales Act* available at:

[http://www.e-laws.gov.on.ca/html/statutes/english/elaws\\_statutes\\_90f08\\_e.htm](http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90f08_e.htm)

**Regulation 378 (Grades—Fruit and Vegetables)** available at:

[http://www.e-laws.gov.on.ca/html/regs/english/elaws\\_regs\\_900378\\_e.htm](http://www.e-laws.gov.on.ca/html/regs/english/elaws_regs_900378_e.htm)

For information regarding OMAFRA's enforcement options and a list of ticketable offences under the FPGSA refer to the infosheet titled, **Ticketable Offences Under the Farm Products Grades and Sales Act.**

[http://www.omafra.gov.on.ca/english/food/inspection/fs\\_food\\_plant.htm](http://www.omafra.gov.on.ca/english/food/inspection/fs_food_plant.htm)

For access to complete statutes and regulations, please refer to the **Ontario statutes and regulations website.**

<http://www.e-laws.gov.on.ca/navigation?file=browseStatutes&reset=yes&menu=browse&lang=en>

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