



## Regulation of biosolids in Canada under the federal *Fertilizers Act* and *Regulations*

Canadian Food Inspection Agency  
November, 2021

### 1. Federal *Fertilizers Act* and *Regulations*

Commercial fertilizers and supplements (products that are imported or sold in Canada) are regulated under the federal [Fertilizers Act](#) and [Regulations](#) administered by the Canadian Food Inspection Agency (CFIA). Other aspects of the product's life cycle including: manufacture, storage, transport and land applications are regulated by Provincial and/or municipal jurisdictions. The provincial requirements vary in scope and coverage across Canada and can include additional or stricter standards than those administered by the CFIA.

Biosolids that are regulated under the *Fertilizer Regulations* include those that are represented as sources of plant nutrients (fertilizers) or to improve the physical condition of the soil or aid plant growth and crop yield (supplements).

#### 1.1 Registration under the *Fertilizers Act*

Biosolids that meet the term "municipal biosolids" and the compositional criteria prescribed on the [List of Fertilizer and Supplement Materials](#) are exempt from registration and pre-market assessment, and can be imported or sold in Canada without CFIA pre-approval:

##### Definition:

*"Solid, semi-solid or liquid material comprised of septage or municipal sewage sludge, or both, freed from grit and coarse solids, which have been subjected to physical, chemical or biological treatment, or a combination of these treatments, sufficient to mitigate against the presence and effect of generally detrimental or serious injurious substances that may be associated with untreated forms of this material."*

Products exempt from registration must still meet all the prescribed safety and labelling standards and are subject to CFIA inspections and compliance verification once in the marketplace

The treatments can include but are not limited to: alkaline treatment, a thermophilic aerobic or anaerobic process, heat drying treatment etc.

The exemption from registration also applies to mixtures containing exempt municipal biosolids mixed with other fertilizer or supplement materials, as long as all active components of the mixture are either exempt or registered for the intended purpose of the mixture.

#### 1.2 Safety and Labelling standards

The CFIA administers safety standards to minimize any risks of harm to human, plant, animal health or the environment when the product is used as directed. These standards include limits for pathogens indicators (*Salmonella* and Faecal coliforms), trace metals, dioxins and furans and pesticide residues and are outlined in the [Trade Memorandum T-4-93](#).



Detailed minimum labeling requirements under the federal *Fertilizers Regulations* are presented in [Trade Memorandum T-4-130](#). In general, a label must be accurate and include the following information in both official languages (English and French):

- **Product identity and description**, such as name of product and manufacturer (generator), weight, lot number, grade designation (N-P-K),
- **Guaranteed analysis** of nutrients and pH adjusters that are considered active ingredients
- **Directions for use** (e.g. a complete recommendation, including the intended crop type, the rate, the frequency, and the timing of application, or a statement indicating that the user should seek the advice a qualified professional. Restriction period).
- **Precautionary statements** (e.g. keep out of reach of children, domestic and farm animals)

In cases of bulk sale of fertilizers or supplements, the labelling requirements may be included on an invoice, shipping bill, or statement as this documentation is considered a “label” under the *Fertilizers Act*.

*Label* includes any legend, word, mark, symbol or design applied or attached to, included in, belonging to or accompanying any fertilizer, supplement or package.

Labels are reviewed for compliance during a pre-market assessment of a product that requires registration, or during marketplace monitoring and inspections conducted by the CFIA. Anyone who is packaging a fertilizer or supplement, in bag or in bulk, for sale or import, must ensure that labels meet the requirements of the *Fertilizers Regulations*.

## 2. Modernization of the *Fertilizers Regulations*.

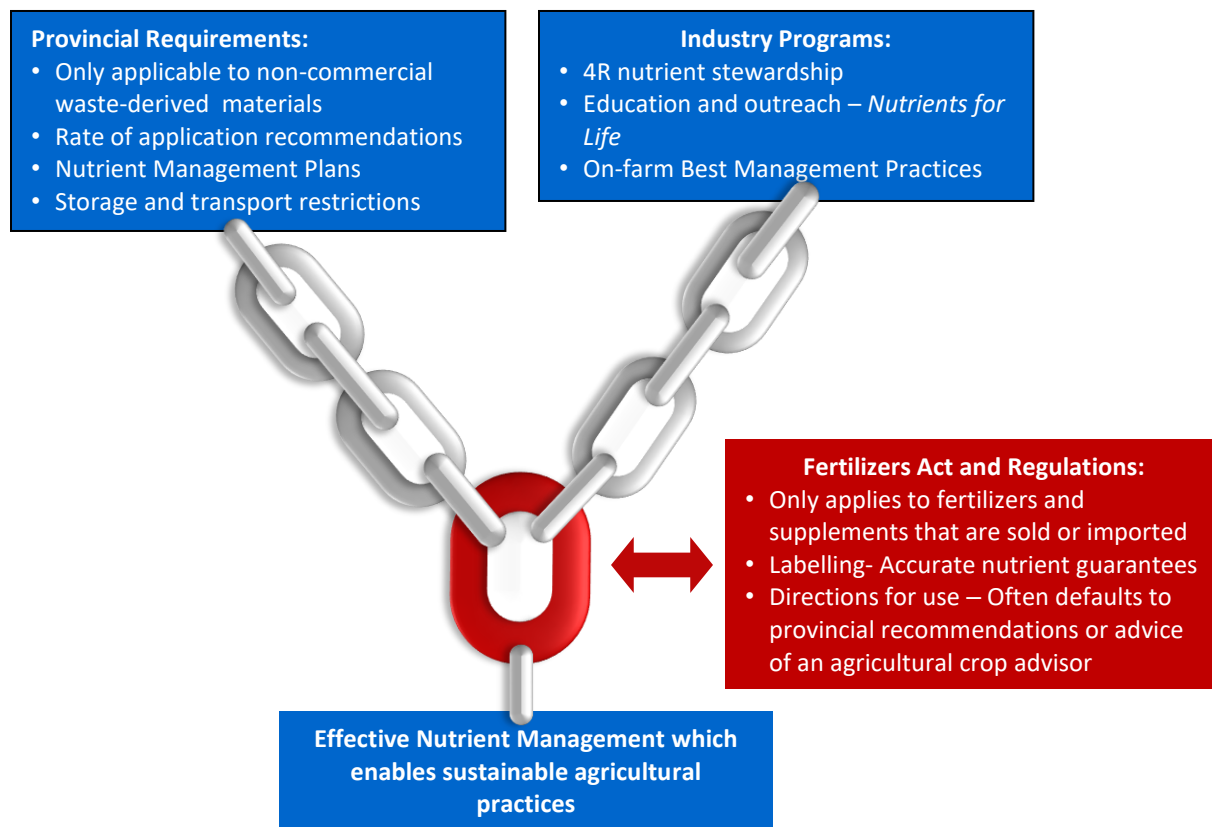
The CFIA has recently amended its *Fertilizers Regulations* (October 26, 2020). The changes made to the regulations reduce red tape and provide more flexibility to industry through a risk-based approach that focuses on product safety and environmental protection. They also address issues related to business competitiveness, administrative burden on regulated parties and labelling. The regulations contain a transitional provision whereby industry can comply with either the “old” or “new” regulations for a period of three years. The regulated industry has until October 26, 2023 (end of the transitional period where both set of regulations, former and current, are in force) to meet the requirements of the amended *Fertilizers Regulations*. These changes for most existing biosolid products on the market, refers to having bilingual labels. No other major changes to regulatory requirements for municipal biosolids were introduced by the amendments.

## 3. Land application of biosolids that are commercial fertilizers

The CFIA does not control use (including application to agricultural land) of regulated fertilizers and supplements including municipal biosolids. Even though commercial fertilizer labels contain directions for use, these are not enforced at the farm level by the CFIA. Best Management Practices (BMPS) and Nutrient Management Plans are mandated by some Provinces and not others. In addition, the fertilizer industry plays a pivotal role through their the [4R Nutrient](#)



[Stewardship program](#), which refers to applying the 'Right Source' of nutrients, at the 'Right Rate', at the 'Right Time' and in the 'Right Place' to meet crop nutrient requirements while minimizing nutrient losses into the environment through volatilization and leaching. In this respect, enabling sustainable agriculture and promoting effective nutrient management is a joint responsibility of federal government, provincial and territorial jurisdictions, the fertilizer industry and agricultural producers themselves.



#### 4. Contact Information:

Fertilizer Safety Section  
c/o Pre-market Application Submissions Office (PASO)  
Canadian Food Inspection Agency  
[cfia.paso-bpdpm.acia@canada.ca](mailto:cfia.paso-bpdpm.acia@canada.ca)