

## Legislation – Food Packaging - Canada

In [Canada](#), there is no official positive list of substances or additives that are permitted for use in manufacturing food contact materials or articles, and there is no mandatory food contact notification or testing requirement. If you place food contact materials on the Canadian market, you will need to assure your customers that they are compliant with relevant food contact regulations. Food packaging materials are governed by the Section B.23.001 of the Canadian Food and Drugs Act and Regulations. Under this legislation, it is the responsibility of the food seller (manufacturer, distributor) to ensure the safety of packaging material and compliance with Section B.23.001. Manufacturers and suppliers of food packaging materials or additives do not have direct compliance responsibility. However, they can request, on a voluntary basis, a pre-market assessment of their products from Health Canada and get a letter of no objection (LONO) to show compliance. It should be noted that there is a mandatory requirement for Health Canada to review food contact materials used to package infant formula, foods for special dietary use and novel foods.

In order to apply for the pre-market assessment, suppliers of a formulated product or a finished packaging article shall submit [information](#) on the product identity and proposed usage, including dimensions, surface area to weight/volume ratio, time/temperature conditions, etc. More data is required for assessment of specific constituents, including simulated migration testing and toxicological data. The request for pre-market assessment and the letter of no objection is submitted on a voluntary basis. It is not necessary if you are confident that the food contact material is safe for its intended use. Health Canada maintains positive lists of polymers for which letters of no objection have been issued for use in food packaging and other food contact applications. Suppliers do not need the letter of no objection for listed polymers if they can demonstrate equivalence. Compliance with the Canadian food contact regulations can be demonstrated by reference to authorisations for use in specific food contact materials (FCMs) in the EU or USA. Food packaging or food companies are advised to request adequate product information from the supplier of the FCMs, including a declaration of compliance (DoC), and to conduct migration testing to verify compliance if necessary.

The information contained herein is based on data believed to be up-to-date and correct at the time writing. It is provided to our customers in order that they are able to comply with all applicable health and safety laws, regulations, and orders. In particular, customers are under an obligation to carry out a risk assessment under relevant Good Manufacturing Practices (GMP) in line with legislation and as a result take adequate measures to protect consumers.