

# Vendor Operating Standards & Guidance Document

Produce - Version 1





# **VENDOR OPERATING STANDARDS & GUIDANCE DOCUMENT**

## **Produce Version 1**

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Loblaw Companies Limited 2015

<b>Document: Produce VOS &amp; Guidance Document</b>	<i>Document#: GD0030</i>
<i>Issue Date: Jan 1, 2015</i>	<i>Origin: Loblaw Quality Assurance</i>
<i>Effective Date: Jan 1, 2015</i>	<i>Written by: S. Butler, N. Foote, R. Scarlato, E. Deogracias</i>
<i>Supersedes: : New</i>	<i>Approved by: J. Shirodker, J. Bouch</i>

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## **LOBLAW VENDOR OPERATING STANDARDS & GUIDANCE DOCUMENT**

### **Produce: Version 1**

Loblaw Companies Ltd. (hereinafter referred to as “Loblaw”) is committed to providing food products that are safe and of consistent, exceptional quality. Loblaw will take all the necessary steps to ensure that any risk that may compromise food safety or pose a threat to the public is identified and eliminated/prevented.

***We believe that the expectations described in the Loblaw Vendor Operating Standards & Guidance Document are essential for the effective management of food safety, quality and regulatory compliance by all Loblaw produce vendors.***

#### **PURPOSE**

The Loblaw Produce Vendor Operating Standards (VOS) & Guidance Document was created to help support vendors who supply national brand and control brand produce in meeting food safety, quality and regulatory requirements.

#### **SCOPE**

This document is intended for vendors, co-packers, importers, distributors, re-packers and brokers (hereinafter referred to as “vendors”) that supply produce to Loblaw Companies Limited. This includes all fresh produce commodities, fresh juices, nuts and minimally processed foods for ready-to-eat consumption such as packaged salads, baby cut carrots and sliced/diced vegetables. This document does not cover canned or frozen produce products.

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#### **VENDOR OBLIGATIONS**

Vendors must adhere to the following requirements:

- Products shall be safe, of consistent high quality and meet all the current applicable Canadian regulatory requirements.
- Must have a valid food safety program that meets the requirements outlined in this document.
- Must have a process to monitor product quality to ensure it meets Loblaw quality requirements.

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- Shall be technically competent within their specific product area and shall operate well-managed and hygienic primary production, pack house and processing facilities applying Good Agricultural Practices (GAP) and due diligence to ensure food safety, regulatory compliance and consistent high quality.

#### **Additional requirements for control brand vendors include:**

- Vendors shall consistently meet Loblaw corporate brand values, which consist of quality, safety, value, service, innovation and trust, and any specific product brand values such as, but not limited to, *President's Choice®*, *no name®*, *President's Choice® Blue Menu®* and *Farmers Market™*.
- Loblaw Central Quality Assurance (CQA) and the applicable Quality Assurance Specialist (QAS) must be notified immediately of any issue that could affect the safety, quality and regulatory compliance of any Loblaw control brand product.

#### **KEY VENDOR REQUIREMENTS**

- Vendors should have food safety, quality and regulatory representation at board-level governing corporate accountabilities.
- Vendors shall have in place an effective and verifiable traceability and recall system.
- An effective Incident Management program shall be in place, and as appropriate, in accordance with any applicable regulations.
- Vendors shall ensure that product meets Loblaw specifications prior to shipment.
- Vendors shall be committed to the continuous improvement of their Food Safety and Quality Programs.
- Vendors shall have a system in place to ensure that they are kept informed of all regulatory, food safety, scientific and technical developments relevant to their specific product area.
- Vendors are responsible for all costs and expenses they may incur in complying with the Loblaw Produce VOS.
- Vendors shall ensure conformance to Industry Standards/Codes of Practice, Canadian Food and Drugs Act and Regulations, Canada Agricultural Products Act, Canadian Plant Protection Act, the Canadian Weights and Measures Act, Good Importing Practices (GIP) and any other appropriate regulation or government guideline specific to the product being supplied to Loblaw.



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### **Additional requirements for control brand vendors include:**

- A proprietary agreement for control brand products manufactured for, or supplied to Loblaw is required. The agreement will vary depending on the product.
- Product specifications that are product-specific for Loblaw control brand products are mandatory, and shall be maintained up-to-date by the vendor, agreed to by the applicable Loblaw QAS and Product Developer (PD), and housed in the Loblaw Product Lifecycle Management (PLM) System and/or the Loblaw Produce Vendor Portal.
- Vendors are responsible for ensuring that all product information is entered into the Loblaw PLM System as required. Product information must be accurate, relevant and up-to-date at all times. Vendor personnel shall be trained to use the Loblaw PLM System accordingly.

### **KEY VENDOR FACILITY REQUIREMENTS**

All vendors shall adhere to the following requirements:

- Shall meet the food safety requirements based on the risk criteria provided in this document. Any audit failure shall be communicated to the applicable Loblaw Category Manager immediately. Vendors that supply control brand product must keep all GFSI/other food safety Audit Corrective Action Reports and Audit Non-conformance Reports on file and available for review upon Loblaw request.
- Shall have a valid food safety certificate based on risk category at all times while supplying Loblaw product. Expired certificates are not acceptable regardless of the scheme owner's process e.g., audit scheduled after expiration date. In the event that GFSI/other audit certification is expired and/or revoked, vendor shall notify Loblaw immediately.
- Shall employ trained and competent technical and quality management personnel to reflect the size and complexity of their business.
- Shall adhere to all Loblaw policies which relate to all aspects of the produce business, ensuring compliance to the most recently updated versions of said policies.

### **KEY VENDOR BEHAVIOURS**

- **Customers Matter Most:** Understand and anticipate customer requirements and needs.



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- **Communication:** Use open, honest and direct communication at all times. Full transparency is required.
- **Performance:** “Do things right the first time” while managing commitments, striving to be industry leaders and taking ownership of product and/or compliance issues, followed by immediate resolution.
- **Commitment:** Collaborate as respectful and committed partners, understanding Loblaw initiatives and visions, while taking ownership of the products supplied to Loblaw.

The above obligations and requirements are applicable to all vendors that supply produce products to Loblaw which includes both national brand and control brand. This VOS is meant to be used in conjunction with the Loblaw Supplier Terms and Conditions, the Vendor Buying Agreement (VBA) and Standard Operating Procedures that form the foundation of conducting business with Loblaw.

## **SECTION 1 – MANAGEMENT RESPONSIBILITY**

### **1.1 MANAGEMENT RESPONSIBILITY**

Vendors are responsible for establishing an effective management structure with the appropriate policies and systems in place to reflect Loblaw requirements. A member of the vendors’ Senior Management team must be responsible for maintaining Loblaw Quality and Food Safety requirements and ensuring Canadian regulatory compliance.

Senior Management shall demonstrate a commitment to food safety, quality and regulatory compliance. It is Loblaw’s expectation that Senior Management lead by example and act positively to achieve safe production and packaging processes and the highest standards of quality, regulatory compliance and trust that our customers expect.

Senior Management shall provide the financial support, adequate training and qualified personnel required to adhere to food safety and quality management systems.

Food safety should be an agenda topic at all Senior Management meetings. Food safety issues/actions must be discussed with the appropriate resolution (corrective action). These activities shall be well documented.

### **1.2 ORGANIZATIONAL STRUCTURE**

Vendors should have an organizational chart that clearly defines the job function, responsibility and reporting structure of employees whose activities have the potential to affect food safety, quality and regulatory compliance.

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### **1.3 PERSONNEL TRAINING**

A training policy and training program should be in place that covers all personnel who come in contact with food or food areas and/or whose work affects product safety, quality or regulatory compliance. Training shall be appropriate for the specific job activity and should cover Good Agricultural Practices, GMP, Food Safety, Quality Management and Regulatory responsibilities including labelling compliance. All new personnel shall be trained prior to commencing work. Competencies of personnel shall be reviewed on a regular basis and training is refreshed at a minimum annually or more frequently if required.

Vendors are responsible for ensuring that temporary staff and contractors receive adequate training prior to commencing work.

## **SECTION 2 – FOOD SAFETY**

To help ensure a safe supply of produce for our customers, all vendors that supply product to Loblaw are required to have a food safety program. All costs associated with food safety programs are the responsibility of the vendor.

With new Canadian regulations forthcoming under the Safe Food for Canadians Act all persons growing, harvesting, packing or processing fresh fruit and vegetables will require a written Food Safety Preventative Plan.

Loblaw has defined two crop risk levels based on various risk factors, outlining the food safety program requirements for each (see section 2.1 below).

### **Additional requirements for control brand vendors include:**

All GFSI/food safety program non-conformance and/or corrective action reports shall be made available to Loblaw upon request.

### **2.1 COMMODITY CROP RISK CLASSIFICATION**

There are two risk classifications for product crops. The criteria used to determine crop risk are listed below.

#### **LEVEL 1 RISK CROPS**

Level 1 risk crops are those that meet one or more of the following criteria:

- 1) grown close to the ground;
- 2) harvested from the ground (e.g., in-shell nuts);
- 3) can be eaten raw;

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- 4) minimally processed for ready-to-use/ready-to-eat consumption (e.g., packaged salads, baby cut carrots, sliced/diced vegetables/fruits);
- 5) water (treated/untreated) is introduced into the packaging process (e.g., fluming, washing, hydro-cooling, de-fuzzing);
- 6) have a significant risk or history of pathogen contamination.

## LEVEL 2 RISK CROPS

Level 2 risk crops are those that meet one or more of the following criteria:

- 1) always cooked by the consumer;
- 2) not grown close to the ground or harvested from the ground and have a protective skin that is removed before eating.

Listed below are the various crops and their risk category and commodity classifications:

<b>Level 1 Risk Crops</b>	<b>Level 2 Risk Crops</b>
Apples	Artichoke
Asparagus	Bananas
Avocado	Bamboo Shoots
Beans	Brussels Sprouts
Berries	Citrus Fruit
Beetroot	Cranberries
Broccoli/ Broccoli flower/Broccolini	Eggplant
Cabbage	Leeks
Carrots	Okra / Sin Qua
Cauliflower	Olives
Celery / Celery Hearts / Celeriac	Parsnip
Chinese Vegetables	Potatoes
Cucumber	Pumpkin
Cut/ Minimally Processed Fruits/Vegetables	Rhubarb
Dragon Fruit	Roots
Fiddleheads*	Runner Beans
Figs/Dates/Currants	Rutabaga/Turnip
Garlic	Squash
Ginger	Sugar Cane
Grapes	Sweet Corn / Baby Corn
Herbs	Tropical Fruit (except avocado, dragon fruit and mango)
Horseradish	Yam
Hydroponically Grown	
Kohlrabi	
Leafy Greens	
Lettuces	
Mango	
Melons	
Mushrooms	

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Onions (red/white/sweet) / Shallots Packaged Salads Peanuts / Tree Nuts Peas Pears Peppers Quince Radishes Stone Fruit Sprouted Seeds* Tomatoes Zucchini / Vegetable Marrow	
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*\*Sprouted Seeds and Fiddleheads are not permitted for Loblaw control brand and white label products.*

<b>Commodity</b>	<b>Classification</b>
Beans	Edamame, Green, Long, Romano, Runner Wax
Berries	Blueberries, Blackberries, Raspberries, Strawberries
Citrus	Grapefruit, Kumquat, Lemons, Limes, Mandarins, Oranges, Pumello, Ponkan, Tangelos, Ugli Fruit, Clementines
Chinese Vegetables	A-Choi, Bok Choy, Choy Sum, Gai Lon, Napa, Yu Choy, Sher Li Hon, Shanghai Bok Choy Shen Choy
Eggplants	Chinese, Indian, Italian, Thai
Herbs	Anise, Basil, Bay Leaves, Chives, Cilantro, Curly Mustard, Dill, Dill Weed, Lemon Balm, Marjoram, Methi Leaf (Fenugreek), Mint, Oregano, Parsley, Rosemary, Sage, Sorrel, Tarragon, Thyme, Edible Flowers
Leafy Greens	Arugula, Collard Greens, Dandelion, Endive, Escarole, Green Onion, Kale, Rapini, Spinach, Spring Mix, Swiss Chard, Watercress
Lettuces	Green Leaf, Red Leaf, Baby Leaf, Butter, Iceberg, Romaine, Romaine Hearts, Radicchio
Melons	Cantaloupes, Honeydews, Watermelons
Peas	Snap, Sugar, Sugar Snap
Peppers	Anaheim, Chili, Cubanelle, Fresno, Green, Habanero, Sheppard, Sweet (Red, Yellow, Orange), Jalapeno, Pasilla, Scotch Bonnet, Serrano, Thai, Yellow Hungarian Hot
Radish	Daikon, European, Lo Bok (Asian Radish)
Roots	Taro, Eddoe, Arrowroot, Lotus Root
Sprouted Seeds	Bean Sprouts
Squashes	Bitter Melon, Chayote, Don Qua, Fuzzy Squash, Opo Squash, Karela
Stone Fruit	Apricots, Cherries, Peaches, Plums, Plumcots, Prunes, Nectarines
Tropical Fruit	Atemoya, Cherimoya, Coconut, Durian, Guava, Kiwi, Lychee, Longan, Mangosteen, Passion Fruit, Papaya, Prickly Pears, Persimmons, Physallis,

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	Pineapple, Pomegranate, Rambutan, Starfruit, Tamarillo (excludes Avocado, Dragon Fruit and Mango)
Yams	Batata, Jicama, Sweet Potato, Yucca (Cassava, Manioc)

*Note: Above list does not include all commodities.*

## 2.2 ACCEPTABLE FOOD SAFETY STANDARDS

### RISK LEVEL 1

For Risk Level 1 commodities, the packhouse/processing facilities where product is packaged must be certified to a Global Food Safety Initiative (GFSI) scheme. For Risk Level 1 primary production where product is both harvested and packaged, a GFSI scheme or USDA GAP program will be accepted.

Primary production where there is no packing on site must have a food safety program in place. It is the responsibility of the packhouse/processing operation to ensure that all farms that supply their operation have a food safety certification. We would recommend one of the primary production programs as stated under Primary Production Requirements below.

### Packing and/or Processing Facility Requirements

**L1:** The acceptable schemes for Risk Level 1 products are as follows:

**L1PPF:** Primary Production where product is packaged in the field

- PrimusGFS ([www.primusgfs.com](http://www.primusgfs.com))
- SQF Code 7<sup>th</sup> Edition Level 2 or 3 ([www.swfi.com](http://www.swfi.com))
- GlobalGAP Integrated Farm Assurance (IFA) Scheme 4 ([www.GlobalGAP.org](http://www.GlobalGAP.org))
- CanadaGAP, Option B or C ([www.CanadaGAP.ca](http://www.CanadaGAP.ca))
- USDA Harmonized GAP ([www.ams.usda.gov/AMSV1.0/HarmonizedGAP](http://www.ams.usda.gov/AMSV1.0/HarmonizedGAP))
- USDA Good Agricultural Practices ([www.ams.usda.gov/AMSV1.0/gapghp](http://www.ams.usda.gov/AMSV1.0/gapghp))

**L1PH:** Pack House

- PrimusGFS ([www.primusgfs.com](http://www.primusgfs.com))
- SQF Code 7<sup>th</sup> Edition Level 2 or 3 ([www.swfi.com](http://www.swfi.com))
- GlobalGAP Integrated Farm Assurance (IFA) Scheme 4 ([www.GlobalGAP.org](http://www.GlobalGAP.org))
- CanadaGAP, Option B or C ([www.CanadaGAP.ca](http://www.CanadaGAP.ca))
- BRC Global Standard for Food Safety Issue 6 ([www.brcdirectory.com](http://www.brcdirectory.com))
- IFS Food Standard ([www.ifs-certification.com](http://www.ifs-certification.com))
- FSSC 22000 ([www.synergy-gss.com](http://www.synergy-gss.com))

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### **L1MP: Minimally Processed Facility**

- PrimusGFS ([www.primusgfs.com](http://www.primusgfs.com))
- SQF Code 7<sup>th</sup> Edition Level 2 or 3 ([www.swfi.com](http://www.swfi.com))
- BRC Global Standard for Food Safety Issue 6 ([www.brcdirectory.com](http://www.brcdirectory.com))
- IFS Food Standard ([www.ifs-certification.com](http://www.ifs-certification.com))
- FSSC 22000 ([www.synergy-gss.com](http://www.synergy-gss.com))

### **L1RW: Re-packers and Wholesalers**

- PrimusGFS ([www.primusgfs.com](http://www.primusgfs.com))
- SQF Code 7<sup>th</sup> Edition Level 2 or 3 ([www.swfi.com](http://www.swfi.com))
- BRC Global Standard for Food Safety Issue 6 ([www.brcdirectory.com](http://www.brcdirectory.com))
- IFS Food Standard ([www.ifs-certification.com](http://www.ifs-certification.com))
- FSSC 22000 ([www.synergy-gss.com](http://www.synergy-gss.com))
- CanadaGAP Option D ([www.CanadaGAP.ca](http://www.CanadaGAP.ca))

## **RISK LEVEL 2**

For Risk Level 2 commodities, the packhouse(s)/farm(s) where product is packaged must have one of the food safety programs listed below.

Primary production where there is no packing on site must have a food safety program in place. It is the responsibility of the packhouse operation to ensure that all farms that supply their operation have a food safety certification. We would recommend one of the primary production programs as stated under Risk Level 1 or Level 2 below.

**L2:** The acceptable programs for Risk Level 2 products are as follows:

### **L2PPF: Primary Production where product is packaged in the field**

- Any GFSI benchmarked scheme for primary production
- CanadaGAP A1, A2, A3 ([www.CanadaGAP.ca](http://www.CanadaGAP.ca))
- Primus Labs Standard Ranch, Greenhouse or Harvest Crew Audit ([www.primuslabs.com](http://www.primuslabs.com))
- NSF Agriculture Fresh Ranch, Greenhouse or Harvest Crew Audit ([www.nsf.org](http://www.nsf.org))
- GFTC GAP Produce Requirements ([www.gftc.ca](http://www.gftc.ca))
- USDA Harmonized GAP ([www.ams.usda.gov/AMSV1.0/HarmonizedGAP](http://www.ams.usda.gov/AMSV1.0/HarmonizedGAP))
- USDA Good Agricultural Practices ([www.ams.usda.gov/AMSV1.0/gapghp](http://www.ams.usda.gov/AMSV1.0/gapghp))

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## **L2PH: Pack House**

- Any GFSI benchmarked scheme for primary production
- CanadaGAP A1, A2, A3 ([www.CanadaGAP.ca](http://www.CanadaGAP.ca))
- Primus Labs Standard Pack House (or Cooling/Cold Storage) Audit with HACCP ([www.primuslabs.com](http://www.primuslabs.com))
- NSF Agriculture Fresh Pack House or Cooling Audit ([www.nsf.org](http://www.nsf.org))
- GFTC Food Safety Packinghouse Requirements ([www.gftc.ca](http://www.gftc.ca))
- GFTC GAP Combined Requirements ([www.gftc.ca](http://www.gftc.ca))
- USDA Harmonized GAP ([www.ams.usda.gov/AMSV1.0/HarmonizedGAP](http://www.ams.usda.gov/AMSV1.0/HarmonizedGAP))
- USDA Good Agricultural Practices ([www.ams.usda.gov/AMSV1.0/gapghp](http://www.ams.usda.gov/AMSV1.0/gapghp))

## **L2RW: Re-packers and Wholesalers (whole commodity fruit only; does not include other classifications listed above)**

- PrimusGFS ([www.primusgfs.com](http://www.primusgfs.com))
- SQF Code 7<sup>th</sup> Edition Level 2 or Level 3 ([www.swfi.com](http://www.swfi.com))
- BRC Global Standard for Food Safety Issue 6 ([www.brcdirectory.com](http://www.brcdirectory.com))
- IFS Food Standard ([www.ifs-certification.com](http://www.ifs-certification.com))
- FSSC 22000 ([www.synergy-gss.com](http://www.synergy-gss.com))
- CanadaGAP Option D ([www.CanadaGAP.ca](http://www.CanadaGAP.ca))
- USDA Harmonized GAP ([www.ams.usda.gov/AMSV1.0/HarmonizedGAP](http://www.ams.usda.gov/AMSV1.0/HarmonizedGAP))
- USDA Good Agricultural Practices ([www.ams.usda.gov/AMSV1.0/gapghp](http://www.ams.usda.gov/AMSV1.0/gapghp))
- HACCP with Prerequisite Programs

## **PRIMARY PRODUCTION REQUIREMENTS (GROWING & HARVESTING ONLY)**

For primary production where products are grown and harvested only (e.g., apples, stone fruit, potatoes, etc.) and then further packaged in a packhouse or minimally processed in a manufacturing facility it is the responsibility of the packhouse/processing operation to ensure that all farms that supply their operation have a food safety program in place. Loblaw recommends one of the primary production programs as stated under Risk Level 1 or Level 2 (below).

**L1:** The recommended food safety programs for Risk Level 1 products are as follows:

### **L1PP: Primary Production**

- PrimusGFS ([www.primusgfs.com](http://www.primusgfs.com))
- SQF Code 7<sup>th</sup> Edition Level 2 or Level 3 ([www.swfi.com](http://www.swfi.com))
- GlobalGAP Integrated Farm Assurance (IFA) Scheme 4 ([www.GlobalGAP.org](http://www.GlobalGAP.org))
- CanadaGAP, Option B or C ([www.CanadaGAP.ca](http://www.CanadaGAP.ca))
- USDA Harmonized GAP ([www.ams.usda.gov/AMSV1.0/HarmonizedGAP](http://www.ams.usda.gov/AMSV1.0/HarmonizedGAP))



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- USDA Good Agricultural Practices ([www.ams.usda.gov/AMSV1.0/gapghp](http://www.ams.usda.gov/AMSV1.0/gapghp))

**L2:** The recommended food safety programs for Risk Level 2 products are as follows:

**L2PP: Primary Production**

- Any GFSI benchmarked scheme for primary production
- CanadaGAP A1, A2, A3 ([www.CanadaGAP.ca](http://www.CanadaGAP.ca))
- Primus Labs Standard Ranch, Greenhouse or Harvest Crew Audit ([www.primuslabs.com](http://www.primuslabs.com))
- NSF Agriculture Fresh Ranch, Greenhouse or Harvest Crew Audit ([www.nsf.org](http://www.nsf.org))
- GFTC GAP Produce Requirements ([www.gftc.ca](http://www.gftc.ca))
- USDA Harmonized GAP ([www.ams.usda.gov/AMSV1.0/HarmonizedGAP](http://www.ams.usda.gov/AMSV1.0/HarmonizedGAP))
- USDA Good Agricultural Practices ([www.ams.usda.gov/AMSV1.0/gapghp](http://www.ams.usda.gov/AMSV1.0/gapghp))

Any food safety audit not on the above list will require a review by Loblaw QAS. This can be coordinated by reaching out to the Category Manager and he/she will make arrangements for review by Loblaw QA.

Below are some examples that demonstrate the food safety requirements.

Product	Crop Risk Level	Field Pack (Yes/No)	Minimally Processed (Yes/No)	Primary Production/ Field Pack	Packhouse/ Processing Facility	Re-Pack/ Wholesaler
Apples	Level 1	No	No	L1PP	L1PH	N/A
Lettuce	Level 1	Yes	No	L1PPF	N/A	N/A
Potatoes	Level 2	No	No	L2PP	L2PH	N/A
Packaged Salad	Level 1	No	Yes	L1PP	L1MP	N/A
Wholesale High Risk	Level 1	No	No	L1PP	L1PH	L1RW

Given all the impacting factors, Loblaw reserves the right to make changes to the risk categories and crops that fall under them.

### 2.3 SAI GLOBAL-FOOD SAFETY CERTIFICATE/AUDIT REPORT

Synergy/SAI Global On-Line (SAIGOL) is our Loblaw Vendor Communication and Compliance tool. This portal delivers intuitive, quick and easy, 2-way communication between vendors and Loblaw, and provides access to key documents and other resources. The system automatically reminds vendors when updates or responses are required. Vendors are required to complete the Loblaw Vendor Questionnaire (LVQ) online.

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Vendors are also required to upload the food safety audit report and certificate for their main packhouse(s), farm(s) or processing plant(s) where product is packaged for Loblaw. It is the responsibility of the packhouse/processing operation to ensure that all farms that supply their operation have a food safety certification. Vendors must be able to provide farm certificates & audits within 24 hours at the request of Loblaw.

If you have any questions or require support, contact the SAI Global support team at 1-800-465-3717 ext. 8737.

## **2.4 ENVIRONMENTAL MONITORING**

This section applies to products that fall under the Health Canada Policy on *Listeria monocytogenes* for Ready-to-Eat (RTE) Foods.

The policy provides guidance to industry and regulatory authorities regarding the verification and control of *Listeria monocytogenes* in a ready-to-eat plant environment. The foundation of this policy consists of manufacturing verification and control measures, environmental sampling and end-product testing, in addition to regulatory oversight. Guidance for environmental sampling/programs can be found in Health Canada's Compendium of Analytical Methods under MFLP-41 (Health Canada, 2010e).  
<http://www.hc-sc.gc.ca/index-eng.php>

It is the responsibility of the vendor/processor to react to all unsatisfactory/positive results in a timely manner.

When food contact surfaces (FCS) and/or finished products are tested for pathogens and contaminants, the products processed on those FCS should be held and not released for sale until testing is completed and verified that pathogenic bacteria and/or contaminants are absent.

For more information on *Listeria monocytogenes* in Ready-to-Eat (RTE) Foods, visit Health Canada's website and ensure compliance to the Loblaw *Listeria monocytogenes* Policy.  
[http://www.hc-sc.gc.ca/fn-an/legislation/pol/policy\\_listeria\\_monocytogenes\\_2011-eng.php](http://www.hc-sc.gc.ca/fn-an/legislation/pol/policy_listeria_monocytogenes_2011-eng.php)

### **Additional requirements for control brand vendors include:**

Environmental monitoring is vital to ensure that Loblaw control brand products are free from harmful pathogens and contaminants. An environmental monitoring program shall be developed based on product risk and category type and will assess the effectiveness of sanitation, GMPs and the potential for product contamination.

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When food contact surfaces (FCS) and/or finished products are tested for pathogens and contaminants, the products processed on those FCS should be held and not released for sale until testing is complete and verifies that pathogenic bacteria and/or contaminants are absent. For any control brand product it is mandatory to have a positive release program such that no product will be released to market until test results have been deemed acceptable to the regulatory requirements.

## **2.5 ALLERGEN MANAGEMENT**

This section only applies when products that contain allergens as defined by the Canadian Food Inspection Agency (CFIA) Allergen Policy are processed within the vendor's operation.

Each year, an undetermined number of Canadians experience adverse reactions to foods they have consumed. An allergic reaction may vary from minor to life-threatening in nature and may occasionally result in hospitalization or death. These adverse reactions can be avoided if the offending food is manufactured in a facility with a robust allergen management system, and the product is appropriately labelled.

It is Loblaw's expectation that vendors implement an allergen control program that effectively manages allergens which may include, but is not limited to, an effective sanitation program. An allergen management program shall ensure any risk of contamination/cross-contamination of food products with allergens is eliminated or prevented. Ingredients in food products known to cause food allergies shall be clearly identified and all product containing allergens sold at retail level shall be clearly labelled. For more information refer to the CFIA Allergen Policy at:

<http://www.inspection.gc.ca/food/labelling/food-labelling-for-industry/list-of-ingredients-and-allergens/eng/1383612857522/1383612932341>

Vendors should conduct a thorough allergen risk assessment of their raw material supply and facility to identify all potential sources of allergens and apply the appropriate corrective action.

### **Additional requirements for control brand vendors include:**

Vendors must also comply with the Loblaw Allergen Policy and shall notify the applicable Loblaw QAS or CQA immediately of any change in the process, product or facility that may affect the safety of the product. The precautionary statement '*May contain xxx*' cannot be used in place of an allergen management program.

Vendors shall ensure the correct packaging/label is used at all times. This is achieved by conducting line checks following a product changeover to ensure the proper label is

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applied to the product to be packed. Vendors must conduct a label/packaging review at a minimum annually, or as required e.g., when there is a change to a label, to ensure compliance.

Personnel must have allergen awareness training/allergen education and shall adhere to the company's allergen management program.

Loblaw Allergen Data in the Loblaw PLM system has a one-year expiry. It is the vendors' responsibility to ensure their allergen data is reviewed and updated on an annual basis or when there is any change in raw materials, the manufacturing process, product or facility that may affect the accuracy of the allergen data. Updated allergen data must be housed in the Loblaw PLM system at all times.

## **ALLERGEN LABELLING**

On August 4, 2012, Health Canada's new allergen labelling regulations came into effect. In view of these new regulations, specific allergen labelling terms and preferences have been implemented to ensure allergens are clearly identified on our Loblaw control brand products in a consistent manner. Our approach to food allergies and ingredient sensitivities is designed to address the special needs of our customers and help them make informed purchase decisions.

Loblaw expectation is that the allergen programs, and/or allergen statements are reviewed and validated on an annual basis or as required when there is a change in the process, raw materials, introduction of a new product, etc.

For more information on Allergen Management and Allergen Labelling refer to the Loblaw Allergen Policy.

## **2.6 TRACEABILITY**

All vendors must have a traceability system that enables the tracking and identification of product to specific lots of product. An effective traceability system is able to trace product one step forward and one step backward. As part of the food safety program, vendors shall conduct a test on their traceability system to ensure it is working according to expectation. A traceability system must effectively trace:

- Forward: from farm to end point distribution of finished product;
- Backward: from finished product end point distribution to farm;
- From a finished product to our Loblaw distribution center or distribution end point.

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To aid in traceability all vendors must include a clearly identifiable lot code on each shipping case in the lot. Where product is packaged as a consumer package it is recommended that a lot code be included on each unit.

### **Additional requirements for control brand vendors include:**

For traceability purposes, the following information for each ingredient used to manufacture Loblaw control brand products shall be in the Loblaw PLM system.

- Name of ingredient;
- Name of company manufacturing/supplying the ingredient;
- Country of origin of the ingredient.

## **2.7 FOREIGN MATTER**

This section applies to products that are minimally processed in a manufacturing facility (e.g., RTE salads, sliced/diced fruit and vegetables, fresh fruit juices, etc.) where there is a risk of foreign material contamination.

A Foreign Matter Control program that includes preventative measures, control measures and a detection/rejection system shall be in place to prevent/eliminate foreign matter contamination. Vendors shall retain records demonstrating the effectiveness of their Foreign Matter Control program and provide these records to Loblaw upon request.

### **METAL DETECTION**

A metal detection program shall be in place. The program shall be based on a risk assessment, GMP and HACCP and shall ensure all products produced for Loblaw are free from metal and metal objects.

### **GLASS AND HARD PLASTICS**

A glass and hard plastics program shall be in place. The program shall be based on a risk assessment, GMP and HACCP, and shall ensure that products are free from glass and hard plastics.

## **2.8 NON-CONFORMING PRODUCT**

A system shall be in place to clearly identify and manage non-conforming product, raw materials, packaging material, processing equipment and product in-process. Corrective action shall be taken immediately to prevent the reoccurrence of such non-conformances. Actions may include: conducting a full investigation of the non-conformance, identification of the root cause and implementation of corrective action(s) including validation.

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## **2.9 Food Defense**

A Food Defense Plan must be in place to ensure measures are taken to prevent/reduce the likelihood that a product is intentionally contaminated or altered with a chemical, biological agent or any other harmful substance. A food defense plan must be documented and must include, but not limited to, measures taken to minimize risk, procedure for emergencies/crisis situations, employee training and identification of potential individuals that may want to contaminate or alter a product such as, disgruntled current/former employees, members of terrorist or activist groups, contractors/temporary employees, visitors, etc.

## **SECTION 3 – QUALITY MANAGEMENT**

### **3.1 FINISHED PRODUCT**

Produce products shall:

- Be safe, of the highest quality and suitable for the intended purpose;
- Meet Loblaw produce specifications;
- Conform to the Canadian Food and Drugs Act and Regulations, Canada Agricultural Products Act and Regulations, Codes of Practice and industry standards and/or other applicable legislation;
- Be accurately represented on the package/label.

### **3.2 PRODUCT QUALITY MANAGEMENT**

Loblaw strives to offer products of exceptional and consistent quality to its customers. Vendors shall have an effective product quality management system in place to ensure the following criteria are met on a continuous basis:

- Vendors shall ensure the final product meets the requirements outlined in the Loblaw product specification.
- Vendors shall have documented verification against all the requirements defined in the Loblaw specification. This includes defects, sizing, color, weight, pulp temperature, packing requirements, etc.
- Vendors shall have a weight verification program to ensure product meets the net weight requirement on the shipping case and consumer packages. Shrink must be considered such that the net declared weight of the consumer packages will be maintained while out in the market.

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- It is the vendor's responsibility to verify that all products meet the shipping pulp temperature in the Loblaw specification at time of loading. The vendor is also responsible to ensure the truck temperature at time of loading meets the Loblaw specification and the box temperature of the trailer is adequately maintained for all loads. Any exceptions to this must be approved by Loblaw.
- In the event that weather condition or other factors have an impact on meeting the Loblaw specification the vendor is responsible for notifying the Loblaw Category Manager to determine if a temporary spec is required. **Product shall not be shipped out of specification until a temporary spec has been issued.**
- Product received at Loblaw Distribution Centers will be evaluated against the requirements in the specification.

#### **Additional requirements for control brand vendors include:**

- In addition to the Loblaw Product Testing requirements, additional microbiological, chemical, physical and nutritional testing (as appropriate) at a frequency acceptable by the applicable Loblaw QAS may be required, based on product risk and target consumer.
- The shelf life of Loblaw control brand product shall be determined for products that require a BIUB (best if used by) date. The vendor shall use the protocol that best suits the product and shall conduct shelf life studies to ensure product quality, food safety, and nutritional value are maintained throughout the product shelf life. Microbiological and analytical testing (as applicable) shall be conducted by an accredited 3rd party laboratory to validate the product shelf life. Shelf-life studies shall be conducted prior to commercialization of product and the shelf life of a product shall be re-evaluated if the product is changed in any way. For more information on shelf life see the Loblaw Shelf Life Determination Policy.
- Loblaw will carry out periodical quality benchmarking. Vendors shall react to issues and comments from the Loblaw quality monitoring activities and follow up with the applicable Loblaw QAS accordingly.

### **3.3 SPECIFICATION MANAGEMENT/PRODUCE VENDOR PORTAL**

Loblaw has created a Produce Vendor Portal for the purpose of housing all relevant business information to suit a variety of needs to support our vendor relationships. A primary feature of this Produce Vendor Portal is that it houses all product specifications including both national and control brand. Tolerances have been built for all commodities and are a valuable tool for vendors to review, print off and to ensure their operation can meet the requirements as prescribed by Loblaw. All product specifications are built by our



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Product Technologists and are based on consultations with category teams, Loblaw Produce International VDM's, industry publications and our vendor partners.

Beyond specifications, this Produce Vendor Portal serves to provide a variety of information as it relates to compliance within our business. This includes information on temperature guidelines, code date requirements, food safety requirements, shipping expectations and Industry links to help support vendors shipping product into Canada. Information will also be shared for upcoming industry events that Loblaw will be attending.

There is also a communication board that will highlight updates and changes to any existing specifications. Vendors are encouraged to frequently visit this site and review content and material to ensure they are compliant in all areas for shipping product to Loblaw.

All vendors have access to this Produce Vendor Portal and will be granted visibility to information based on the commodities they supply Loblaw. It is a secure, web-based internet site and can be found at: <https://produce.pcvendorportal.com/login>. Should any vendor not have a valid login account they can contact Loblaw Product Technologists who will set up a profile for the vendor.

The portal is a user-friendly site that supports the primary needs of our business and will allow vendors to excel and deliver on Loblaw expectations.

### **3.4 TEMPERATURE CONTROL**

Vendors shall have an appropriate temperature control program in place to ensure product meets Loblaw specifications & requirements.

- Vendors shall ensure products are adequately pre-cooled prior to packing and shall have documented verification of product pulp temperatures to demonstrate the effectiveness of the cooling process(es) used.
- Vendors shall ensure ideal temperatures are maintained in packing/processing, storage and shipping/receiving zones or ensure that product dwell times outside of ideal temperatures is limited such that there will be no impact on product quality and expected shelf life.
- Vendors shall have a system in place to monitor temperature of the above-mentioned zones. Pulp temperatures of product and ambient temperatures of controlled-temp zones should be obtained & documented regularly to verify effectiveness of temperature controls. Vendors shall have a corrective action plan in the event that verifications reveal an issue with temperature control systems.

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Vendors shall ensure loads shipped to Loblaw meet Temperature Recording Device requirements and Cold-chain & Shipping requirements. Temperature Recording Device requirements can be found on the Loblaw Produce Vendor Portal at: <https://produce.pcvendorportal.com/login>. The Cold-chain & Shipping requirements can be found in Appendix 1.

### **3.5 EQUIPMENT CALIBRATION**

Vendors should have programs in place outlining equipment calibration & should have appropriate verification procedures to ensure effective operation.

#### **THERMOMETERS**

- Temperature monitoring/measuring devices should be calibrated in-house to a reference thermometer at a defined frequency to ensure effective operation. In addition, it is recommended that a third party certify the reference thermometer annually or as recommended by the manufacturer.

#### **SIZING/GRADING EQUIPMENT**

- Sizing/Grading equipment should be calibrated at shift start-up to Loblaw specification requirements.
- The accuracy of the equipment should also be verified through manual sampling of final product to ensure expected tolerances are met.

#### **WEIGHT SCALES**

- Weight scales should be calibrated in-house at a defined frequency to ensure effective operation, using the appropriate standard weights.
- Scales should be certified by a third party annually.
- Weight scales used to verify finished product net weight must be appropriate for the unit of measure corresponding to the desired net weight of the product.
  - Automated check weighers should be verified through manual weighing of samples of final product to ensure net weight compliance.
  - Please refer to Weights & Measures section below for additional requirements on declared net weight products.

Vendors should have corrective action plans in place in the event that non-compliant product is identified.

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### **3.6 ROOT CAUSE AND CORRECTIVE ACTION**

Vendors may be asked by Loblaw to submit a root cause and corrective action for non-conforming product. This could be for quality, food safety and/or regulatory non-compliance. It is expected that the vendor submit in writing the root cause of the non-compliance and the corrective action that will be implemented to prevent reoccurrence.

#### **Additional requirements for control brand vendors include:**

Vendors shall complete a Root Cause Analysis and Corrective Action Report in the event of an incident and/or withdrawal and/or recall.

Vendors shall work with the applicable Loblaw QAS and/or CQA to resolve all incidents. It is the responsibility of the vendor Incident Management team to ensure a full Root Cause Analysis is conducted and a Corrective Action Report is submitted to the applicable Loblaw QAS/CQA upon resolution of the incident.

Corrective and preventative actions must be revisited, validated and documented within a specified timeframe following implementation. Continuous follow up may also be required as deemed necessary by the applicable Loblaw QAS.

### **3.7 PRODUCT PACKAGING**

All packaging material in direct contact with food products must be constructed of food grade materials that do not contain any components that will migrate into, contaminate or taint the food.

Vendors are responsible for ensuring that food contact packaging materials comply with Division 23 of the Canadian Food and Drugs Regulations, and any other applicable regulatory or legal requirements.

When Modified Atmosphere Packaging (MAP) is used, a documented monitoring program must be in place to ensure that the appropriate concentrations of gas are achieved within the package for the maintenance of shelf life.

External packaging/shipper cartons shall be constructed to withstand the rigors of normal transportation, shipping and handling, while protecting the inner contents from damage.

Labelling and markings must comply with all applicable legal and regulatory requirements and must not infringe on any existing trademarks.

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A change control program must be in place ensuring the correct packaging is being used at all times, this includes regular packaging validation checks during production. In addition, printed packaging must be validated to ensure that it is correctly printed.

### **Additional requirements for control brand vendors include:**

Changes to packaging material are not permitted without the prior consent of the applicable Loblaw QAS and Loblaw PD.

### **3.8 REUSABLE PLASTIC CONTAINERS (RPC)**

Vendors shall ship all converted items to Loblaw in Reusable Plastic Containers (RPCs) on all Purchase Orders. Vendors shall comply with all requirements under the RPC section of the Loblaw produce specification for converted items.

In the event that a vendor must substitute cardboard boxes for RPCs on any of the converted items, vendor must notify Loblaw as per the process outlined in Appendix 2. For additional information on RPC requirements refer to Appendix 2.

### **3.9 REJECTION PROCESS**

Vendors shall ensure all product shipped to Loblaw complies with the applicable Loblaw Produce Specification(s). Product found to be non-compliant during Loblaw's QA Inspection process will be subject to rejection and/or compensation claim.

- For rejected lots, vendors will be charged a handling fee of 65 cents per rejected case and \$20 per rejected bin (to a maximum of \$1000.00).
- Vendors shall communicate only through their category management team regarding rejected product.

Note: Loblaw reserves the right to make changes to this program.

### **3.10 INVENTORY CONTROL**

Vendors are responsible for implementing and maintaining an inventory control program that ensures Loblaw receives the freshest product possible. Out-of-code or close-to-code (insufficient shelf life to sell through the supply chain) product will not be accepted by Loblaw.

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## SECTION 4 – REGULATORY COMPLIANCE

### 4.1 WEIGHTS AND MEASURES

Vendors shall comply with the Average System of Net Quantity Determination as defined by the CFIA and with the Weights and Measures Act (R.S.C., 1985, c. W-6). It is Loblaw's expectation that product meets these regulations.

The net weight of shipping cases/consumer packages must be verified by a checkweigher or manual weight scales. Manual weight checks should be documented at a defined frequency to ensure the regulatory requirements are being met. For checkweigher systems a validation should be done at start-up and changeover to ensure the correct weights are being met.

Tare weights have the potential to change; hence, "tares" shall be re-established when there is any change to the product's packaging and/or packaging system and/or as required.

Applicable regulations and requirements can be found at:

- **Weights and Measures Act:** <http://laws-lois.justice.gc.ca/eng/acts/W-6/>
- **Average System of Net Quantity Determination:**  
<http://www.inspection.gc.ca/food/retail-food/information-bulletins/net-quantity-average/eng/1331653851477/1331654463555>

### 4.2 PESTICIDE USE

The use of pesticides is regulated by the Pest Control Products Act. The objective is to prevent unacceptable risks to people and the environment resulting from the use of pest control products. It is the responsibility of the vendor to ensure they are compliant with the regulations. More information on the requirements can be found at <http://laws-lois.justice.gc.ca/eng/acts/P-9.01/>.

The Government of Canada uses compliance and enforcement activities to make sure producers properly use and apply pesticides and respect established residue limits. The CFIA monitors and enforces residue limits in both domestic and imported foods.

It is expected that Vendors ensure that they are using pesticides that are approved for use on produce products grown/sold in Canada and that they are compliant with the maximum residue limits.

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### **4.3 PLANT PROTECTION**

The purpose of the Plant Protection Act is to protect plant life and the agricultural and forestry sectors of the Canadian economy by preventing the importation, exportation and spread of pests and by controlling or eradicating pests in Canada.

The CFIA performs random inspections on product to ensure compliance to the act and regulations. Products found to be non-complaint can be detained by the CFIA and requisitioned for disposal.

It is the vendor's responsibility to follow-up with CFIA to coordinate all activities associated with the regulatory non-compliance. Vendors are responsible for all costs and expenses they may incur as a result of the regulatory non-compliance.

### **4.4 BASIC CANADIAN LABELLING REQUIREMENTS**

Vendors who supply fresh fruit and vegetables to Loblaw must have a good working knowledge/understanding of Canadian Labelling regulations and requirements that apply to their specific product category.

Vendors who cannot comply with the above requirements shall use a qualified 3rd party resource to ensure they fulfill their regulatory obligations. Labels found to be non-compliant will require immediate resolution and/or may be detained and ordered destroyed by the CFIA.

For additional information on Canadian labelling requirements for produce products refer to Appendix 3.

## **SECTION 5 – INCIDENT MANAGEMENT**

### **5.1 INCIDENT MANAGEMENT**

An Incident Management System includes incident reporting, product recall and product withdrawal procedures. Vendor shall have an effective Incident Management system in place to manage incidents/risks. The system shall include clear procedures and trained personnel to manage and execute recalls/withdrawals effectively. The system shall be reviewed, tested and verified for effectiveness at a minimum annually, including at least one annual mock recall forward and backward through the production system.

A vendor's emergency contact list must be available. The emergency contacts must be available 24 hours a day, 7 days a week. The contact list must include the position and responsibilities of each contact during the recall/withdrawal. The contact list must include

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out-of-house contact information for suppliers and the CFIA (regional office) in order to facilitate two-way communication if required.

Vendors shall immediately communicate issues concerning product safety, quality and regulatory compliance to the Loblaw CQA Incident Management team. Vendors will work with the Loblaw CQA Incident Management team to resolve all incidents/risks. It is the responsibility of the vendor Incident Management team to ensure a full Corrective Action Report (CAR) of the incident/risk is submitted to the Incident Management team upon resolution of the incident.

The Loblaw Incident Management team can be contacted 24 hours a day, 7 days a week at:

**416-418-9382**  
**Email: nqaqual@loblaw.ca**

#### **Additional Control Brand Requirements Include:**

In order to facilitate the timely resolution of issues vendors shall provide consent for Loblaw to communicate with CFIA and/or any other government agency regarding any Loblaw control brand product the vendor manufactures for and/or supplies to Loblaw. Consent will be requested when signing the VOS Intent to comply via Synergy.

Vendors shall be responsible for the travel costs incurred by Loblaw in the event of an escalated issue on any control brand product that requires the applicable Loblaw QAS to conduct a vendor facility visit.

As the brand owner, responsibility to notify government authorities regarding a control brand product safety incident falls to Loblaw and not the vendor. Vendors shall inform Loblaw when the CFIA, MAPAQ (Ministere de l'Agriculture, des Pecheries et de l'Alimentation du Quebec) and/or any other government agency is investigating an issue that is related to any Loblaw control brand product.

It is Loblaw's expectation that control brand vendors will not disclose any information relating to, or implicating Loblaw to any third party (e.g., media, government and non-government organizations or enforcement agencies) unless specifically agreed to by the Loblaw Incident Management team.

It is Loblaw's expectation that vendors immediately notify Loblaw and disclose complete information in the event of an issue that may affect the safety, quality, regulatory compliance or brand values of any of our Loblaw control brand products that may result in government or media attention. Vendors shall notify Loblaw in the event of any government investigation relating to any of our control brand products.



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In the event of product recall/withdrawal the completion of the Loblaw Recall/Withdrawal Execution Report is required within 30 minutes following receipt of the report.

A vendor's emergency contact list must be posted in Synergy and the Loblaw PLM system for vendors that supply minimally processed products. The vendor shall ensure this information is accurate and up-to-date at all times.

## **SECTION 6 – ADDITIONAL REQUIREMENTS & SYSTEMS**

### **6.1 DOCUMENT AND RECORD RETENTION**

Records that outline the implementation and effectiveness of food safety systems shall be current, accessible, in good condition, legible and maintained. Records shall be retained for a minimum of 2 years or longer if mandated by legal requirements (e.g., organic products). Records include, but are not limited to, records relating to matters of food safety, quality, and regulatory requirements. Note: Loblaw SQMS documents can be found in the Produce Vendor Portal and in the Synergy Document Library.

#### **Additional requirements for control brand vendors include:**

Vendors will be notified by Loblaw of any new or updated SQMS document. It is the vendor's responsibility to ensure that they have the most up-to-date Loblaw SQMS documents, and that all Loblaw SQMS documents are made available to the appropriate personnel to ensure compliance. All processing and food safety records pertaining to legal issues shall be quarantined for future reference until disposition is communicated by Loblaw.

### **6.2 LOBLAW SUPPLIER TERMS AND CONDITIONS**

The Supplier Terms and Conditions document shall be signed and on file before commencement of business with Loblaw. This document contains:

1. Supplier Terms and Conditions
2. Supplier Code of Conduct
3. Domestic Vendor Buying Agreement
4. Import Vendor Buying Agreement
5. Summary of Financial Terms
6. Offshore Vendor/Factory Information schedule
7. Change Form Vendor Buying Agreement

Please read all the documentation carefully, print a copy of the required schedules, sign and return to Loblaw.

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The Supplier Terms and Conditions can be accessed at [www.spscommerce.net](http://www.spscommerce.net) (see downloading instructions below). To download the document the following applications are required: Internet Access, Adobe Acrobat Reader and Microsoft Applications.

Loblaw will not sign any individual vendor legal agreements. In place, the Loblaw Supplier Terms and Conditions and Vendor Buying Agreements address all legal and confidentiality concerns. The requirement is that all vendors complete these documents prior to commencing business with Loblaw.

### **6.3 IMPORTED PRODUCT**

Imported food (offshore) products are held to the same high level of quality as domestically produced food products, and every aspect of this VOS is applicable to offshore manufacturing facilities.

Imported products must comply with all applicable Canadian regulatory requirements including the Food and Drugs Act and Regulations, the Consumer Packaging and Labelling Act and Regulations and/or other applicable legislation. It is the responsibility of vendors and/or its agents to be aware of product specific requirements and keep abreast of new and changing Canadian legislation and regulatory provisions governing the products they produce/supply Loblaw.

Offshore vendors must have a full understanding of all aspects of Good Importing Practices (GIP) outlined by the CFIA, and have policies, procedures and practices in place at their manufacturing facilities to adequately address those aspects of the Good Importing Practices (GIP) guidelines and Canadian regulations that are applicable. Offshore vendors must be in a position to demonstrate at any moment of time, through access to records or their facilities, that all the necessary controls are in place to ensure the safety, quality and regulatory compliance of the food products they produce/supply Loblaw. Import records shall be available to Loblaw immediately upon request.

Offshore vendors must be aware of the restrictions placed on wood packaging materials entering Canada from all countries. Vendors must ensure that pallets, skids and straps made of wood that are used to ship product to Loblaw meet all the requirements, including heat treatment and fumigation endorsed by the exporting country's National Plant Protecting Organization. Please consult CFIA's Wood Packaging Imports website at: (<http://www.inspection.gc.ca/english/plaveg/for/cwpc/wdpkge.shtml>).

In addition to routine pest control procedures, for product that is prone to pest infestation preventative/control measures must be effectively managed. Such measures include, but are not limited to, sanitation, integrated pest management and fumigation (during storage and in-transit to Canada).

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Vendors shall provide evidence of the effectiveness of their control/preventative measures to Loblaw upon request. The program shall ensure continued supply of infestation-free product to Loblaw.

Vendors supplying product that is susceptible to adulteration in the trade may be asked to provide evidence to support the authenticity of the product involved. This may take the form of a routine testing program or spot checks by recognized third party authorities.

#### **Additional reference information for offshore vendors:**

- Guide to Food Safety (<http://www.inspection.gc.ca/english/fssa/gui/guide.shtml>)
- Standards and Guidelines for Microbiological Safety of Food – An Interpretative Summary <http://www.hc-sc.gc.ca/fn-an/res-rech/analy-meth/microbio/volume1-eng.php>
- Canadian Standards (“Maximum Levels”) for Various Chemical Contaminants in Foods (<http://www.hc-sc.gc.ca/fn-an/securit/chem-chim/contaminants-guidelines-directives-eng.php>)
- List of Maximum Residue Limits Regulated under the Pest Control Products Act ([http://www.hc-sc.gc.ca/cps-spc/pubs/pest/\\_decisions/index-eng.php#mrl-lmr](http://www.hc-sc.gc.ca/cps-spc/pubs/pest/_decisions/index-eng.php#mrl-lmr))
- Guidelines for the General Cleanliness of Food ([http://www.hc-sc.gc.ca/fn-an/alt\\_formats/hpfb-dgpsa/pdf/res-rech/emo-mea-eng.pdf](http://www.hc-sc.gc.ca/fn-an/alt_formats/hpfb-dgpsa/pdf/res-rech/emo-mea-eng.pdf))
- CFIA – Food Labelling for Industry (<http://www.inspection.gc.ca/food/labelling/food-labelling-for-industry/eng/1383607266489/1383607344939>)

#### **6.4 CORPORATE SOCIAL RESPONSIBILITY (CSR) AUDIT**

Where Loblaw is the Importer of Record outside of the USA and Canada, the Loblaw-directed Corporate Social Responsibility (CSR) Audit is required prior to the vendor set-up at the origin source e.g., plant/facility, growers, packing houses, manufacturing and/or mills.

#### **6.5 GS1**

Loblaw supports and uses the GS1 Canada Product Recall module. This online communication tool accelerates recalls and withdrawals by simplifying the exchange of information between Loblaw and vendors. Recall communications are received via a single, standardized source that will enhance the ability to manage the critical information needed to execute recalls in an effective and efficient manner. Loblaw’s expectation is that all

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vendors register and participate in this program. For more information visit:  
<http://www.gs1ca.org/pages/n/home/index.asp>.

## **6.6 PALLET REQUIREMENTS**

All vendors/suppliers must ship their product to Loblaw on approved pallet platforms which are in good condition and safe for use within our supply chain. “Whiteboards” or standard GMA pallets are unacceptable platforms for product shipments into Loblaw Companies Ltd. sites. Product shipments on these platforms are subject to rejection at point of delivery into our Distribution Centers or will be re-palletized on acceptable pallet platforms at vendor cost. As of March 24<sup>th</sup>, 2013, Loblaw no longer exchanges/returns CPC pallets received from vendors. All product shipments into our supply chain on CPC pallets will be treated as “one way” pallet transactions. Loblaw accepts both CHEP & PECO pallets.

## **SECTION 7 – ADDITIONAL REQUIREMENTS FOR CONTROL BRAND VENDORS**

In addition to the previous sections of this Produce VOS, requirements outlined in this section apply to all vendors, co-packers, importers and brokers (hereinafter referred to as “vendors”) that manufacture/supply food products to Loblaw under any of our Loblaw control brand labels.

### **7.1 MANAGEMENT RESPONSIBILITY**

#### **LOBLAW ACADEMY**

The Loblaw Academy is a Food Safety and Regulatory distance education program that provides vendors with an opportunity to engage in comprehensive and interactive training that covers critical areas of food safety, risk analysis and Canadian regulatory requirements. The program format (100 % conducted on-line) offers flexibility to learn at the participant’s own convenience while networking with food industry professionals.

This program was developed by, and is offered through, the University of Guelph – educational and technical leaders in food science and food safety. Participation in the Loblaw Academy is mandatory; each control brand manufacturing facility must participate.

Participation in the program will:

- Increase food quality, food safety and regulatory knowledge;
- Ensure a comprehensive understanding of Loblaw’s technical requirements, standards, systems and their effective implementation;
- Encourage engagement in challenging activities and will provide assistance in the development of facility food safety practices and policies;
- Help develop mitigation strategies to address specific food safety needs;

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- Provide opportunities to share experiences and best practices with industry and colleagues, while fostering industry networking.

## 7.2 FOOD SAFETY

### RAW MATERIALS

Vendors are responsible for the management and assessment of all raw materials, including packaging material, which they use for Loblaw control brand products. A thorough risk-assessment shall be conducted for all raw materials and packaging material to confirm they are safe and meet specifications. It is a criminal offence to sell adulterated food and beverages.

Raw ingredients/materials shall be acceptable for use in Canada and shall comply with the Canadian Food and Drugs Act and Regulations, and/or any other applicable regulation; this includes, but is not limited to, Canadian standards of identity.

It is Loblaw's expectation that vendors implement a risk-based raw material/supplier assessment program that will ensure that all raw materials used in Loblaw control brand products meet the required food safety, regulatory and quality standards. This includes, but is not limited to, an ingredient audit program, a supplier approval program and a testing/inspection program. It is the vendors' responsibility to audit/review their suppliers on a regular basis. The frequency of the audit/review is based on risk.

Specifications shall be available for every raw material used, including processing aids and packaging material. Specifications must clearly identify the ingredient(s), key processes and/or conditions needed to ensure the quality and safety of the raw material, chemical/physical and microbiological attributes, allergens, ideal storage conditions to support shelf life, and any other attribute that may affect the safety or quality of the ingredient.

The raw material specifications applicable to Loblaw control brand products shall be current and housed in the Loblaw PLM system as required.

Loblaw QAS and Product Developer (PD) approval must be received prior to making any change to any raw material including the sourcing of the raw material or any change in the product specification. Written notification must be submitted to the applicable Loblaw QAS, and must include a copy of both the existing and proposed raw material specification and samples for sensory evaluation and performance verification. Vendor shall ensure information in the Loblaw PLM system is updated as required.

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## **RE-PACKED/RE-GRADED PRODUCE**

The mishandling of re-packed/re-graded produce may result in potential hazards; hence the use of re-packed/re-graded product in any Loblaw control brand product is not permitted without prior approval from the applicable Loblaw QAS. Any permitted re-packed/re-graded product usage must have a definitive lot cut-off period into a finished product.

## **THERMALLY PROCESSED FOODS**

Food requiring the application of heat to render it free from microorganisms of public health significance such as *Clostridium botulinum*, shall be processed according to an approved schedule designed by a recognized thermal process authority. The processing of such food shall be done under the supervision of personnel trained in the technical requirements of thermal processing. All aspects of the approved scheduled process shall be met before the food is delivered to Loblaw.

Relevant documentation concerning Loblaw control brand thermally processed products shall be available for evaluation by an independent recognized thermal process authority to validate the approved schedule. This validation may include a visit to the manufacturing facility to observe the thermal process.

## **PRODUCT LABELLING**

Loblaw control brand product labels shall be accurate and validated. Vendors are responsible for providing accurate raw material and final product specifications. The specifications shall include, but are not limited to, a complete ingredient declaration, including sub-components, processing aids, additives and allergens. This ensures all potential allergens are identified and an accurate ingredient list can be created and applied to the label in accordance with Canadian regulations. Please refer to the Regulatory Affairs Guidance Document for more information on label requirements.

In addition to the annual verification of claims conducted by Siliker Canada, the vendor is also responsible for the verification of claims on Loblaw control brand product labels on an ongoing basis. Verification of claims shall be well documented and available to Loblaw upon request. The frequency of claim verification shall be conducted as appropriate based on the risk of the claim or as requested by the applicable Loblaw QAS.

Vendors are not permitted under any circumstance to make any change to any Loblaw control brand label/packaging. Any change to the label/packaging must be done by Loblaw.

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## **DATE CODING**

The Loblaw Date Coding Policy requires open and clear product code dating. This provides our customers with the information they need to make informed choices about the products they purchase. Our requirements for date coding must be adhered to and are outlined in the Loblaw Date Coding Policy and Guidance Document. Both documents can be found in Synergy and on the Produce Vendor Portal at:

*<https://produce.pcvendorportal.com/login>. Note: this requirement is category specific.*

Loblaw will not accept product that is past code or does not permit Loblaw enough time to inventory, transport, sell and move through to customer consumption.

## **DISPOSITION, DESTRUCTION & DONATIONS**

When non-conforming disposed product is approved for use by Loblaw for another application or purpose all Loblaw branding must be completely removed prior to use.

If product is being disposed of, all branding must be removed prior to disposal. Donation of produce is not permitted.

Product branded as a Loblaw control brand product can only be sold to, or in, a Loblaw retail establishment.

## **CUSTOMER COMPLAINTS**

Customer complaints received by Loblaw will be sent to the applicable vendor on a regular basis by the Loblaw QAS. It is the vendor's responsibility to effectively review customer comments and complaints based on a frequency defined by the Loblaw QAS in order to monitor trends and respond to issues related to food safety, quality and regulatory compliance. Trends identified via this monitoring program shall be brought to the attention of the applicable Loblaw QAS.

All customer complaints shall be subjected to a full investigation, in a timely manner. In the case of a serious or life-threatening complaint, e.g., a product contamination with a foreign material, such as glass, further laboratory analysis of the foreign material will be required in order to identify the source of the contaminant, and to aid in the investigation. Non-serious or non-life threatening cases shall undergo a full facility investigation and testing as required. Complaints shall be recorded, investigated and resolved. The root cause of the issue along with a thorough corrective action report is required and shall be available to the applicable Loblaw QAS upon request.



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All costs incurred by Loblaw to compensate customers and/or secure and handle complaint samples as a result of quality, safety, regulatory, or specification non-compliance issues will be the responsibility of the vendor.

## **7.3 PRODUCT**

### **FINISHED PRODUCT**

Loblaw control brand finished products shall:

- Be safe, of the highest quality and suitable for the intended purpose;
- Meet product specification and brand standards;
- Conform to the Canadian Food and Drugs Act and Regulations, Codes of Practice and industry standards and/or other applicable legislation;
- Be accurately represented on the package/label;
- Have a complete and accurate finished product specification in the Loblaw PLM System;
- Meet the prescribed sensory attributes that shall be verified after each production run (e.g., meets the prescribed sensory attributes as defined in the PLM specification).

### **BRAND STANDARDS**

Vendors shall follow the brand standards that detail brand definition and hierarchy as well as targeted ingredient standards. The ingredient standards apply to both primary ingredients, subcomponents and processing aids. For more information on specific product brand standards contact the applicable Loblaw PD or QAS.

### **PRODUCT SPECIFICATION**

A product specification must be available for all Loblaw control brand products. Loblaw control brand product specifications must be reviewed and deemed acceptable by the vendor and the Loblaw QAS and PD prior to the launch of the product.

It is the vendor's responsibility to ensure Loblaw product specifications for value added produce (e.g., packaged salad, cut vegetables) in the PLM System are relevant and accurate at all times. Agreed written and visual Safety and Quality Standards are to be detailed in the specifications. The use of photographs is required as applicable.

Vendors shall advise the applicable Loblaw QAS and PD immediately of any proposed changes/deviation to the Loblaw control brand product specification. Any change to the product including, but not limited to, the formulation/recipe, raw materials, packaging/artwork, and manufacturing process must be approved by the applicable

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Loblaw QAS and PD. Failure to do so will result in a \$5000.00 fee. In addition, the PLM System must be updated accordingly.

## **PRODUCT TESTING**

This section is applicable to the following, but not limited to;

- minimally processed ready-to-eat product;
- value add products as required;
- processed products such as fresh juice.

### **First Production Product Testing**

Vendors are responsible for the submission of samples and the cost of first production product testing. Vendors shall complete and sign the Silliker Client Information Sheet found at the following link: <http://info.silliker.com/SillikerLoblaws2011/>

As part of the program it is mandatory that Loblaw have access to all testing information related to control brand products generated by Silliker and that vendors allow Silliker to forward copies of the Certificate of Analysis (COA) directly to Loblaw. This will help to ensure prompt QA Clearing and facilitate the timely release of product for sale.

### **Product Testing Program & Nutrition Verification Program**

Existing control brand product as defined above are subjected to the Loblaw Product Testing Program (annual testing of product to specification, which includes, but is not limited to, label verification, claim verification, chemical and physical attributes) and the Nutrition Verification Program (analytical testing of product to validate current nutrition facts table values and label claims conducted at a minimum every 2 years). Both programs are administered by Silliker Canada Co., and all costs associated with these programs are the responsibility of the vendor.

Retesting or additional testing as a result of out-of-specification results will be commissioned and paid for by the vendor until the issue is resolved. Results of such testing must be reported to both Loblaw CQA and the applicable QAS.

Products that are subject to a recall and/or CFIA investigation may be subject to retesting at the vendors expense and all results must be communicated to both Loblaw CQA and the applicable QAS.

In-house laboratory testing can be used for in-process and day-to-day product monitoring; however, in-house testing results shall be supported/validated by testing conducted by an accredited 3rd party laboratory. Validation or type of testing is based on product type and product risk determined by the applicable Loblaw QAS. The appropriate frequency of

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testing conducted on raw materials and finished product shall be determined based on product risk and the target consumer, approved by the applicable Loblaw QAS.

Vendors are required to notify the applicable Loblaw QAS of any out-of-specification test result if the product has been released for sale. The appropriate corrective action must be taken following such results. This action will be agreed upon by the vendor and the applicable Loblaw QAS.

## **PRODUCT DEVELOPMENT**

In developing new Loblaw control brand products or improving/reformulating existing control brand products, it is essential that all raw materials, process, finished product and packaging material standards are agreed upon by the applicable Loblaw QAS and PD. In addition, the product shall continue to meet any applicable brand standards.

### **7.4 ACCESS TO VENDOR FACILITY**

Loblaw, its agents or designates shall have the right to enter the premises of the vendor facility, its agents, subcontractors or assignees, as the case may be, and inspect the vendor's Quality Assurance and manufacturing records for the purposes of assessing the facility, property and/or environment in which the Loblaw control brand product is manufactured, produced and/or stored, as well as confirming compliance with Loblaw requirements, including, without limitation, food safety systems.

Loblaw shall visit vendors as part of business management to confirm that vendors continue to meet the required standards.

### **7.5 PRODUCT SPECIFIC CLAIMS**

#### **ORGANIC**

Loblaw organic control brand products must meet the organic standards of the Canadian Organic Regulations (COR). Products certified under the National Organic Program (NOP) and Products certified in accordance with EU standards (Council Regulation (EC) No 834/2007, Commission Regulation (EC) No 889/2008, and Commission Regulation (EC) No 1235/2008) are also acceptable with some exceptions.

Loblaw organic control brand products must be certified by an organic certifying agency that is acceptable to COR. For a complete list of acceptable certifying agencies and certification services under the Canadian Organic Regime go to:

- <http://www.inspection.gc.ca/english/fssa/orgbio/cbliste.shtml>

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- <http://www.inspection.gc.ca/food/organic-products/certification-and-verification/certification-bodies/eng/1327860541218/1327860730201>

Per the Canadian Organic Standard, records pertaining to the organic product shall be maintained for a minimum of 5 years and shall be available to Loblaw upon request.

Loblaw's expectation is that all ingredients in our Loblaw organic control brand products that can be organic shall be organic. Our goal is to achieve 100% organic ingredients. Product containing less than 95% organic ingredients shall not be branded as President's Choice® Organic. For more information refer to our Loblaw Organic Policy.

Vendors shall ensure a valid organic certificate is available in Synergy at all times.

## **NUTRITION INFORMATION**

The accuracy of nutrition information on our labels is important to us both in our commitment to providing accurate information to our consumers and in meeting our regulatory obligations. It is the vendor's responsibility to ensure that the nutrition information stated on Loblaw control brand labels or in advertising, accurately reflect the actual nutrient content of the product. If a product is found to be out-of-compliance, the item will be subject to enforcement action at the discretion of the CFIA and/or Loblaw.

In addition to the analytical testing requirement outlined in section 3.5 Product Testing vendors shall ensure Nutrition Facts Table (NFT) values, nutrient content claims and/or health claims and/or comparison claims continue to be accurate by conducting internal and/or external validation testing. Frequency of validation is based on product risk, product type and should be pre-determined. Type of validation includes full analytical nutrition or key nutrients. Both the frequency and type of validation is determined by the vendor with approval from the applicable Loblaw QAS and Regulatory Affairs Specialist (RAS).

Assessment of product risk includes, but is not limited to, the variability of raw materials, processing variations and type of nutritional data used (analytical vs. database). A high risk product includes, but is not limited to, products with a standard of identity, products that carry a claim (nutrient content claim, health claim, comparison claims, etc) and products that are subject to variability. If deemed necessary the label will be updated by Loblaw when out of tolerance values are identified through the re-testing of the product. Vendors are not permitted to make any changes to Loblaw control brand labels. For more information, see the Loblaw Nutrition Policy.

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## **SECTION 8 – REFERENCES**

### **8.1 REFERENCE DOCUMENTS**

Loblaw Policies, Guidance Documents and Produce Vendor Operating Standard & Guidance Document are housed in the Produce Vendor Portal and the Loblaw Document Library in Synergy. Control brand vendors have access to these documents and our expectation is that documents are reviewed on a regular basis to ensure compliance. In addition, some documents may also be available via the Loblaw Brands Vendor portal.

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## APPENDIX 1

### A1.1. COLD CHAIN & SHIPPING REQUIREMENTS

Vendors shall ensure loads shipped to Loblaw meet the following cold-chain requirements:

- The vendor/shipper shall clearly show the carrier driver the required Loblaw temperature for the reefer setting on the BOL upon arrival at the loading facility (found under the Temperature section on the Loblaw Produce Vendor Portal, indicated as “Transport Temperature” for each commodity).
- The vendor/shipper shall confirm the reefer temperature set by the carrier and will initial the BOL. The vendor/shipper shall also ensure that the trailer has been pre-cooled to the required Loblaw temperature as stated in the Loblaw product specification.
- The vendor/shipper shall have the product ready to load at the correct pulp temperature as mandated on the BOL. If the product pulp temperature does not meet the “ship pulp temp” requirement outlined in the Loblaw produce specification, the vendor/shipper will not ship product and will notify the appropriate Loblaw category manager or merchant in Canada.
- The vendor/shipper shall take random pulp temperatures throughout the load and record them on the BOL.
- The vendor/shipper shall allow carrier drivers onto their docks to witness loading, placement of Temperature Recording Device(s) and pulp temperature measurements.
- The vendor/shipper shall not load the trailer if issues are discovered regarding the trailer and will contact the appropriate Loblaw category manager or merchant in Canada for direction. Trailer issues may include but are not limited to visible chute damage, the absence of a chute, incorrect placement of the chute, dirty floors, obstruction of floor grooves, holes in the trailer’s walls or floor, and any other issues that would possibly damage the product.

For **vendor delivered loads**, the vendor is also responsible for complying with carrier cold-chain requirements as the vendor is acting as both shipper & carrier:

- The carrier shall pre-cool their trailer, prior to loading, to the required Loblaw temperature.

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- The carrier shall maintain the required Loblaw temperature indicated in the BOL in the trailer for the duration of the trip.
- The carrier shall set the reefer temperature setting appropriately to maintain the required Loblaw temperature range indicated on the BOL.
- The carrier shall initial the BOL to confirm that the required Loblaw temperature is set appropriately.
- The carrier shall set the reefer to run at **continuous** mode for the entirety of the trip.

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## APPENDIX 2

### A2.1. REUSABLE PLASTIC CONTAINERS (RPCs)

In the event that a vendor must substitute cardboard boxes for RPCs on any of the converted items, the vendor must notify Loblaw through the following process:

- Prior to shipping, phone 1 519 653 3311 ext 3233 or 3587 (use the table below to find the appropriate extension depending on the product(s) in question). Please give the supplier name, reason for using cardboard and the P.O. number. If the extension is not answered, leave a message with this information along with a contact number.

<b>Group A</b>	<b>Group B</b>
<b>519-653-3311 ext 3233</b>	<b>519-653 -3311 ext 3587</b>
Lettuces	Sprouts
Cabbages	Packaged Salads
Bunched Salad Vegetables	Berries
Celery	Cherries
Grapes	Apples
Broccoli	Pears
Cauliflower	Bananas
Asparagus	Potatoes
Cooking Greens	Carrots
Eggplant	Root Veg Other
Beans / Peas	Onions
Pumpkin	Squash
Soft Citrus	Tropical
Brussel Sprouts	Ethnic
Italian Vegetables	Pineapples
Melons	Dressings
Cucumbers	Fruit Cup
Stone Fruit	Dips
Zucchini	Juice
Tomatoes	Mushrooms
Peppers	Pomegranates
Oranges	Watermelons
Grapefruit	Dried Fruit
Lemons	Value Added Vegetables
Corn	Value Added Fruit
Seasonal Specialty Fruit	Herbs
Limes	



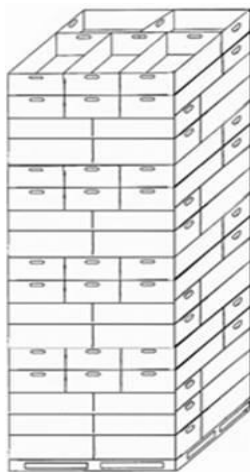
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Vendors shall comply with RPC shipping requirements when shipping product in RPCs to Loblaw:

- Pallets are to be loaded side by side (48" x 48") as this method prevents product damage due to pallet shifting. Single pallets should be loaded sideways (48") in the center of the trailer with "Big Foot" (6' x 4') airbags, inflated / positioned between the pallet and the trailer side wall. Single pallets should never be loaded at tail end of trailer.

Vendors shall ensure pallets of RPCs are built in the appropriate configuration:

- RPCs should be cross stacked every 2 layers, while the 3 bottom layers should be column stacked when the RPC pallet exceeds 80 inches high (see image below).
- Pallet configuration may change depending on the item shipped. Corner boards, straps and/or shrink wrap may be required.



Vendors shall comply with the following RPC labelling requirements:

- "Pack Date" is a requirement on all cases and RPCs shipped to Loblaw. Pack Date is not required for "packaged" products that have a "Sell By" date.
- Pack Date month should be alpha abbreviated as Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec. Day should be numeric from 1 – 31.
- "Commodity/Variety" should be abbreviated if necessary to fit one line of text in CAPITALIZED 24 point Arial Bold font and should correspond to your product description as ordered by Loblaw. Variety is only required for Apples.

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- “Pack/Weight” should reflect item size and quantity (e.g., “88 ct/40 lb.”, or “8 / 1 lb. clamshells”) and in a minimum of 1.6mm point Arial Bold.
- “Grade” should be included where appropriate, also in 16 point Arial Bold.
- “Product of Country” must be included in 1.6mm point Arial Bold.
- Use the bottom three lines to list any regulatory requirements applying to shipments of the product.
- Companies who are PTI compliant should include GS1 128 barcode and voice-pick code. If your company is not yet PTI compliant, leave barcode and voice-pick code as white space.
- Label placement should be on the short wall of the RPC, to the left of the hand hole. Pallets should be stacked so that all labels face outward.



- The nominal label size is 4” x 2”. DRG’s template width of 3.875” allows use of handheld label applicator, and is acceptable.

### **Loblaw RPC Label Standard:**

Loblaw requires use of adhesive labels on RPCs. Non-adhesive card stock is not accepted.

Synthetic pressure sensitive labels with only approved face-stocks (Vinyl, Polypropylene, Polyester, and Polystyrene, etc.) and an acrylic adhesive shall be used on all RPC labels. Absolutely no paper labels or rubber based adhesives shall be used on an RPC label without prior written approval from Loblaw. Use of virtually all paper labels regardless of adhesive combination will damage the RPC cleaning process and potentially effect food safety.

- Labels for RPC use must meet FDA Food Contact requirement 21 CFR 175.105 for containers transporting fresh produce. Also reference Food and Drugs Act and Food and Drug Regulations (Canada) – Division 23 for additional information.

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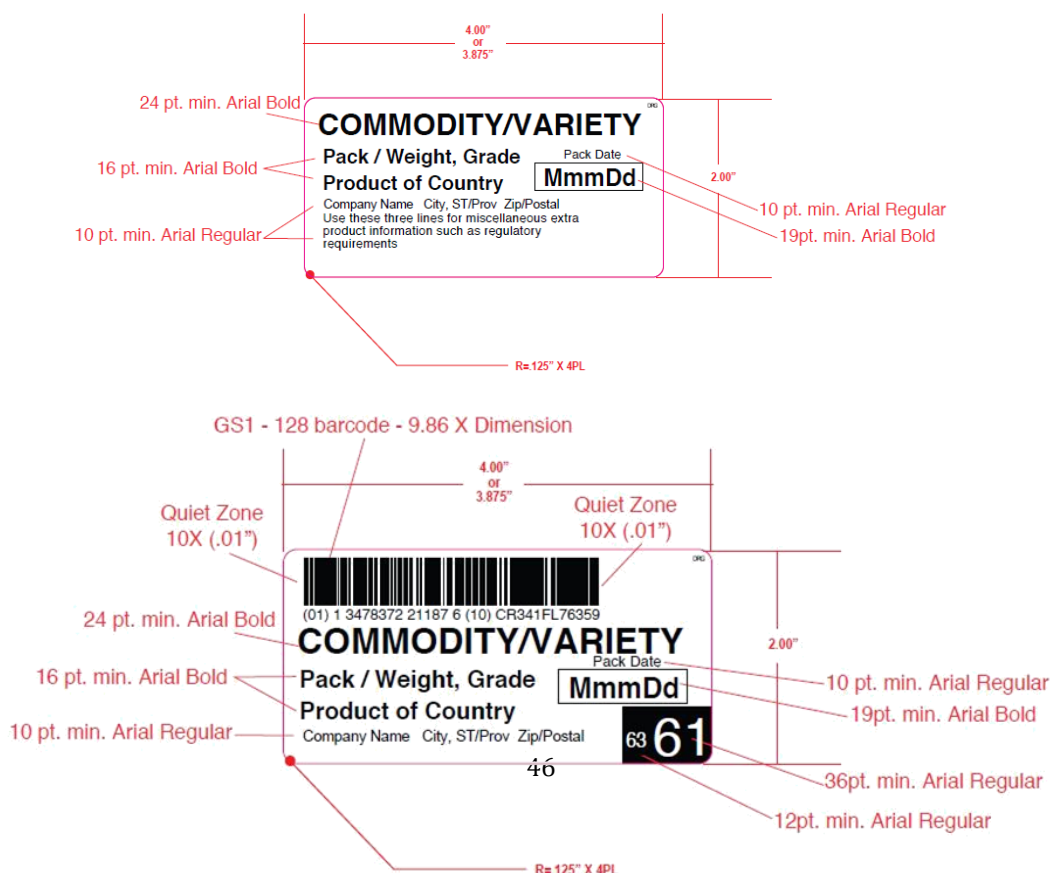
- No paper labels - regardless of adhesive combination. Approved vendors shall sell RPC labels that have been proven to adhere adequately to an RPC and leave zero residues after cleaning.
- No rubber based adhesives as they will not remove adequately from RPC's.
- No card stock.
- Water Soluble Labels are also available for use on select commodities.

Below you will find 4 versions of RPC Label. Please choose one model that currently fits your business model and the regulatory requirements for your region. We will accept any of these 4 label versions.

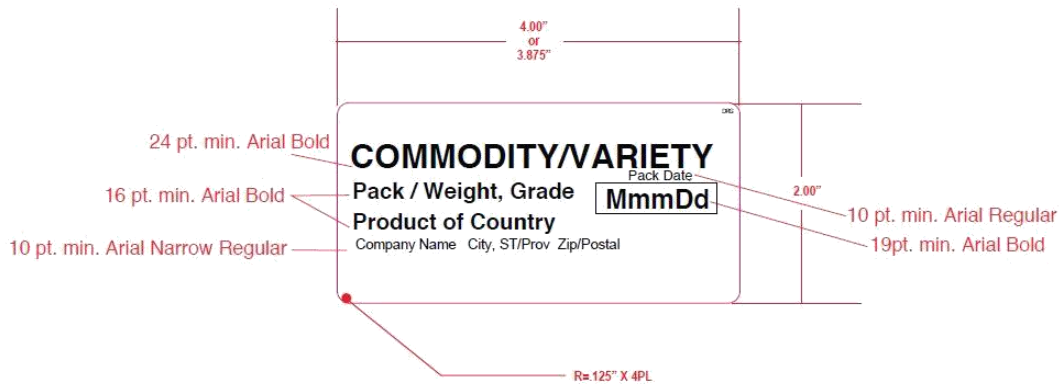
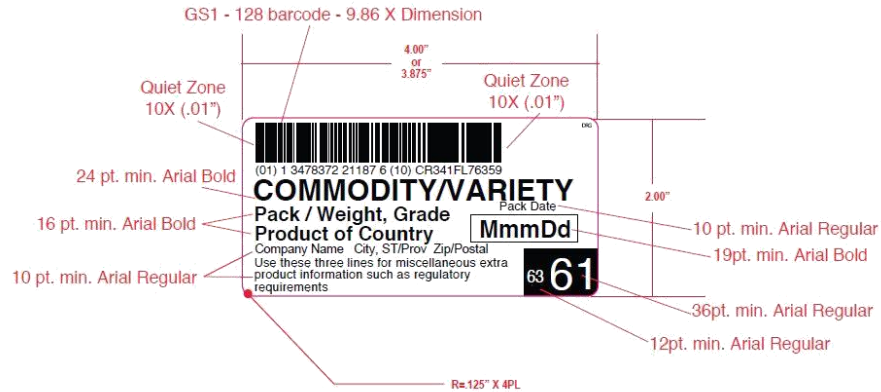
Please transition to this new label as you deplete inventory of your old label stock. Contact one of our approved label providers for new stock;

- DRG – 1 800 718 2509
- Label and Bar Code Inc. – 1 800 469 4176
- Genecomm Technologies/Tech Labels Inc. – 1 888 378 8308

For further information from Loblaw, please contact your Loblaw category manager.



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## APPENDIX 3

### BASIC CANADIAN LABELLING REQUIREMENTS/GUIDANCE FOR PRODUCE

The following labelling information serves as guidance for fresh fruit and vegetable vendors to help support them in complying with Canadian labelling regulations. For more detailed information on Canadian Labelling Requirements please refer to the applicable regulation listed below.

Vendors who cannot comply with the below requirements shall use a qualified 3rd party resource to ensure they fulfill their regulatory obligations. Labels found to be out of compliance will require immediate resolution and/or may be detained and ordered destroyed by the Canadian Food Inspection Agency (CFIA).

Labelling requirements to fresh fruit and vegetables are subject to the following acts and regulations:

1. Fresh Fruit and Vegetable Regulations (FFVR)
2. Canadian Agricultural Products Act (CAPA)
3. Food and Drugs Act and Regulations (FDA/FDR)
4. Consumer Packaging and Labelling Act and Regulations (CPLA/CPLR)
5. Organic Products Regulations (OPR)

**Scope:** Pre-packaged, master case and shipping containers (including bulk containers).

All information hereinafter is based on the FFVR, CAPA, FDR, CPLA and OPR. This guidance document acts as an overview of basic Canadian labelling requirements for fresh fruit and vegetables. For more information on each topic covered refer to the aforementioned documents.

#### A3.1 LANGUAGE – BILINGUAL LABELLING

In Canada, labelling information on pre-packaged containers (produce that is packaged in a container that it is ordinarily sold to, or used or purchased by a consumer without being re-packaged- FFVR) must be bilingual – displayed in both English and French.

Master and shipping containers are exempt from bilingual labelling provided the containers and contents of the containers are not resold as a single pre-packaged unit to a consumer at the retail level. Information on master and shipping containers can be displayed in either French or English. If the master or shipping container is sold as a single unit (e.g., a case of fresh figs) all wording must be displayed in English and French. Some labelling requirements per the Fresh Fruit and Vegetable Regulations (FFVR) are exempt. Please refer to the “exemption” section of the CFIA Fresh Fruit and Vegetable Labelling Requirements for more information.

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Language requirements will be highlighted below in each specific labelling section.

Note: pre-packaged product in a wrapper or confining band of less than 13 mm (1/2 inch) is exempt from regulatory labelling, however, if displayed, information must be in English and French [FFVR Section 6, 6.1].

### **A3.2 COMMON NAME**

Every container (pre-packaged/master case/shipping container) of fresh fruit and vegetables must be labelled with a common name (the name by which the food is commonly known [B01.001, B.01.006 Food and Drugs Regulations (FDR)]).

#### **Labelling Requirements for the Common Name:**

- Must be shown on the Principle Display Panel (PDP).
- Type size - in letters at least 1.6 mm (1/16" inch) based on the lower case "o".
- Must be displayed in English and French on pre-packaged containers.
- Can be displayed in English and/or French on master cases and shipping containers.

#### **Exemptions:**

- When the product is visible and identifiable in the package;
- When the common name on the pre-packaged container inside the master case is easily and clearly visible without opening the master case;
- When the shipping container is an open container or is transparent.

### **A3.3 NET QUANTITY DECLARATION**

Every container of pre-packaged fresh fruit and vegetables and every shipping container of fresh fruit and vegetables must be labelled with a Net Quantity declaration [CPLR Section 12(9)].

#### **Labelling Requirements for Net Quantity:**

- Pre-packaged containers - must be displayed on the PDP.
- Master cases & shipping container - may be shown on any part of the label except the bottom.
- Type size – letters and/or numerical quantities must be shown in proportion to the principal display surface in bold face type -see Appendix 1.
- Bilingual symbols for Canadian units must be shown in lower case letters, in singular format, without brackets or periods.
- Net Quantity on master cases and shipping containers can be displayed in English and/or French.

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The declaration of net quantity shall be displayed in metric units in the decimal system to three figures. When the net quantity is less than 100 it may be displayed to two figures. Displaying imperial units following the metric units is also permitted.

The declaration of net quantity on a pre-packaged container can be displayed as a numerical count. e.g., 8 Mini Cucumbers.

Phrases such as "net", "net weight", "net contents" or "net quantity" as part of the net quantity declaration are not required, however, if displayed must be shown in both English and French.

### Net Weight Declaration

<b>Unit</b>	<b>Net Weight Declaration Compliance</b>
<b>Lb</b>	correct unit declaration for pounds
Lbs	incorrect unit declaration for pounds
<b>Oz</b>	correct unit declaration for ounces
OZ	incorrect unit declaration for ounces

### Exemptions

- Master containers are exempt from the Net Quantity declaration provided the Net Quantity is displayed on the inner pre-packaged container; otherwise, the same requirements that apply to the shipper containers must be followed.

### A3.4 VARIETY OF APPLES AND DIAMETER SIZE RANGE

Every container of apples (unless transparent) must display the name of the variety of the apples. In addition, the diameter size ranges for apples must also be displayed as shown in Part 1, Schedule 1 of the FFVR.

<http://www.inspection.gc.ca/food/labelling/food-labelling-for-industry/fresh-fruits-and-vegetables/eng/1393800946775/1393801047506?chap=14>

#### Labelling Requirements for Variety of Apples:

- Must be displayed on any part of the label except the bottom.
- May be shown on a tag that is attached to the pre-packaged bag of apples.
- Type size - in letters at least 1.6 mm (1/16" inch) based on the lower case "o".
- Must be displayed in English and French on pre-packaged containers and can be displayed in English and/or French on master cases and shipping containers.

#### Labelling Requirements for Diameter Size Range of Apples:

- Must be shown immediately adjacent to the grade name.
- Type size - in the same type size of the grade name.

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### **A3.5 PRINCIPLE PLACE OF BUSINESS/IDENTITY OF RESPONSIBLE PARTY**

The identity and principle place of business of the person by, or for whom, the product was manufactured or produced for resale must be shown on the label [B.01.007 FDR].

#### **Labelling Requirements Principle Place of Business:**

- Must be complete in order to allow for written communication with the responsible party.
- May be displayed anywhere on the label except the bottom.
- Type size - in letters at least 1.6 mm (1/16" inch) based on the lower case "o".
- Can be shown in English and/or French.

Required Information for mailing purposes:

1. Name (name of person by, or for whom the product is produced\*)

Street Name & Number

City & Province/State

Postal Code/Zip Code

Country (optional)

Other Acceptable Formats:

2. Vendor Name\*

City & Province/State

Postal Code/Zip Code

3. Vendor Name\*

Street Name & Number

City & Province/State

"Packed for" or "Packed by" are optional statements, however, if displayed on a pre-packaged container must be bilingual. If "Packed for" or "Packed by" appears on a master case or shipping container, it may appear in English and/or French.

The telephone number, email address, website address of responsible part are optional statements.

### **A3.6 BEST BEFORE/DURABLE LIFE DATE**

Pre-packaged containers of fresh fruit and vegetable do not require the declaration of a Best Before/Durable Life Date, however, if displayed, must be declared as outlined in [B.01.007(6) FDR].

e.g.,

"packed on" - may appear anywhere on the container except the bottom.

"best before" may appear anywhere on the container, including the bottom, provided the location is indicated elsewhere on the label, e.g., "Best if consumed by the date indicated on the bottom".



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Master cases and shipping containers that are not sold at retail level do not require the declaration of a Best Before/Durable Life Date, however, if displayed it does not have to be declared per the requirement of the FDR.

**Labelling Requirements for Best Before/Durable Life Date:**

- The words “best before” and “meilleur avant” must be displayed, grouped together with the durable life date.
- When displayed the year must be shown first, expressed by at least the last two numbers of the year.
- The month must be displayed in words after the year (see bilingual abbreviations below).
- The day of the month must be displayed after the month expressed in numbers.
- Can be displayed anywhere on the label.

e.g., product with a best before date of Jan 10, 2016 is displayed as:

Best Before/Meilleur Avant 2016 JA 10

**Bilingual Abbreviations for Months of the Year**

Month	English & French Abbreviation
January	JA
February	FE
March	MR
April	AL
May	MA
June	JN
July	JL
August	AU
September	SE
October	OC
November	NO
December	DE

### A3.7 STORAGE INSTRUCTIONS

Storage instructions such as “keep refrigerated” are not mandatory on containers of fresh fruit and vegetables, however, if displayed may be displayed anywhere on the label/container except the bottom. Storage instructions for product packaged in clamshells can be displayed under the lid.

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Storage instructions and the Best Before/Durable life are mandatory on Modified Atmosphere Product (MAP) e.g., Salad Mixes.

### **A3.8 INGREDIENT LIST**

Single ingredient foods such as fresh fruit and vegetable do not require the declaration of an ingredient list. Pre-packaged product consisting of more than one ingredient such as a mixture of fresh cut fruit or vegetables, such as bagged mixed salad and coleslaw require the declaration of an ingredient list in descending order of proportion by weight [FFVR/B01.010 FDR].

#### **Labelling Requirements for Ingredient list:**

- May be displayed on any part of the label except the bottom.
- Type size - in letters at least 1.6 mm (1/16" inch) based on the lower case "o".
- Must be displayed in English and French [B01.008, B01.010 FDR].
- Ingredient list on master cases and shipping containers can be displayed in English and/or French.

### **A3.9 PRICE LOOK UP (PLU) STICKERS**

PLU stickers are considered labels and are subject to the same labelling requirements as pre-packaged containers. A PLU sticker may be exempt from FFVR and CPLA labelling requirements if it only displays the digital numerical code. The addition of any other information must be displayed in both English and French. The country of origin is not required on a PLU sticker, however, if displayed, can be displayed in English or French.

### **A3.10 GRADES**

Only the Grade designations prescribed in Schedule 1 of the FFVR are permitted for use in Canada. If a grade name is established it must be displayed. No other marking can be used to imply quality and/or superiority of the product [FFVR Section 10(1) (a)].

#### **Labelling Requirements for Grades:**

##### **Pre-packaged containers**

- Must be displayed on the PDP.
- Type size - letters and numbers must be shown in proportion to the principal display surface in bold face type - see Appendix 1.
- Must be displayed in English and French.

##### **Master and shipping containers**

- Can be displayed on any part of the label except the bottom.
- Type size – letters and numbers must be shown in proportion to the principal display surface in bold face type - see Appendix 1.
- Can be displayed in English and/or French.

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### ▪ **Domestic Produce – Grades**

All domestic pre-packaged produce must be labelled with a grade name if specified by regulations. The use of the word “Canada” in a grade name is only permitted for produce grown in Canada.

Master containers do not require the grade name to be displayed if the grade name on the inner package is easily and clearly visible without opening the outer container.

### ▪ **Imported Produce – Grades**

Pre-packaged imported fruit and vegetables must display the import grade name prescribed in Column II of Table I and II of Schedule 1.1 of the FFVR. Imported fruit and vegetables that are imported, then packaged or repackaged in Canada must display the import grade name prescribed in Column II of Table I and II of Schedule 1.1 of the FFVR.

Master case and shipping containers of imported produce are exempt from declaring a grade.

### ▪ **Foreign Grades**

Foreign grades are permitted on produce sold in Canada provided that:

1. The product is sold in its original container;
2. The product conforms to a Canadian grade standard;
3. The grade established in the country of origin is of the same quality as the import grade name as set out in Column II of Table I and II of Schedule 1.1 of the FFVR.

It is also permitted to declare a grade on an imported product for which there are no grades established in Canada. For example, it is permitted to display U.S. No. 1 on a bag of Florida oranges, although there are no grades established for oranges in Canada. The grade may appear on any part of the label except the bottom in a minimum of 1.6 mm (1/16” inch) type height.

## **A3.11 SIZE DECLARATION OF FRUIT AND VEGETABLE**

When the size of a produce product is required per FFVR it must be displayed on the label [FFVR Section 25].

### **Labelling Requirements for Size:**

- Must be displayed on the PDP adjacent to the grade name.
- Type size - in the same size as the grade name/or in proportion to the principal display surface in bold face type - see Appendix 1.

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- Must be displayed in English and French on pre-packaged container.
- May be displayed in English and/or French on master and shipping containers.

Note: the FFVR prescribes optional labelling for yellow fleshed potatoes. Please refer to FFVR for more information.

### **A3.12 TEST MARKETING**

Fresh fruits and vegetables that do not meet the requirements of the FFVR can still be sold provided CFIA approval is received to test market the product for a period of up to 24 months.

For more information on the test marking requirements for fresh fruits and vegetables refer to the CFIA Labelling Requirements for Fresh Fruits and Vegetables/Test Markets or refer to the current listing of existing test markets. Test Market List:

<http://www.inspection.gc.ca/food/fresh-fruits-and-vegetables/quality-inspection/exemptions-test-marketing/eng/1374679351194/1374679407980?chap=2>

### **A3.13 STANDARD CONTAINERS FOR PRE-PACKAGED PRODUCE**

Fruits and vegetables listed in Schedule II, column 1, in the CFIA Labelling Requirements for Fresh Fruits and Vegetables must be packaged in a container in the net weight set out in column II, or in a container of a volume set out in tables II and III.

<http://www.inspection.gc.ca/food/fresh-fruits-and-vegetables/quality-inspection/exemptions-test-marketing/eng/1374679351194/1374679407980?chap=7>

### **A3.14 COUNTRY OF ORIGIN/COUNTRY WHERE PRODUCE WAS GROWN**

The country of origin must be displayed in full, with the exception of the United States of America which can be abbreviated to “USA” [FFVR Section 10].

#### **Labelling Requirements for Country of Origin:**

- Must be displayed on the PDP, in close proximity to the net quantity declaration or grade name.
- Type size – must be shown in proportion to the principal display surface in bold face type - see Appendix 1.
- Must be displayed in English and French on pre-packed containers.
- Can be displayed in English and/or French on master case and shipping containers.

False representation of the country of origin is not acceptable and non-compliant and will be at disciplinary discretion of the CFIA and Loblaw.

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### ▪ **Grown In Canada/Product of Canada**

Declaring “Product of Canada” on a label is voluntary, however if displayed is subject to the requirements set out in the “Product of Canada Guidelines”. A food may claim “Product of Canada” when all or virtually all major ingredients (98%), processing, and labour used to make the food product is Canadian. This means that all significant ingredients are Canadian and non-Canadian material must be negligible. For more information on Product of Canada Requirement go to: <http://www.inspection.gc.ca/food/labelling/food-labelling-for-industry/origin/eng/1393622222140/1393622515592?chap=5>

### ▪ **Grown in a country other than Canada**

The country of origin declaration is mandatory on all containers of imported produce. This includes imported produce that is packaged and labelled in Canada and/or repackaged and labelled in Canada.

Master containers are exempt from this requirement if the required information on the pre-packaged container is easily and clearly visible without opening the master case.

The words “**Product of**”, “**Produce of**”, “**Grown In**”, or “**Country of Origin**” followed by the name of the country is required to be displayed on the PDP in close proximity to the grade name or net quantity declaration on the PDP.

When a pre-packaged container contains product from more than one country, all countries must be displayed e.g., Product of Mexico and USA.

## **A3.15 REGISTRATION NUMBER**

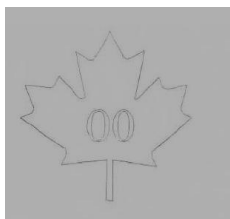
Registration of establishments is voluntary under the FFVR Section 63. Registration numbers assigned by the Canadian Food Inspection Agency must be clearly and prominently displayed inside the Canadian Produce Legend as shown in Schedule IV of the FFVR.

### **Labelling Requirements for Registration Number:**

- Mandatory if packed by a Registered Produce Warehouse (RPW) member.
- Can be shown anywhere on the label except the bottom.
- Type size - must be shown in proportion to the principal display surface in bold face type - see Appendix 1.
- Type size requirement for palletized units of produce is 19.0 mm.

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e.g., Canadian Produce Legend



### **A3.16 ORGANIC PRODUCE**

Organic produce is regulated under the Organic Product Regulations. Organic Logos on imported produce is voluntary. If an Organic logo is displayed on the label of a container of an imported produce product the declaration of the country of origin must be immediately preceded by the words “Product of” or “Imported” which must appear in close proximity to the organic logo [OPR Part III].

Labelling Requirements for Organics logo and Organic labelling:

- Can be displayed on any surface except the bottom.
- Type size - in letters at least 1.6 mm (1/16” inch) based on the lower case “o”.
- Must be displayed in English and French on pre-packaged containers.
- Can be displayed in English and/or French on master cases and shipping containers.

The words “organic”, “organically grown”, “organically produced” or similar words can be used along with the name of the certifying body. The claim “certified organic” is not permitted in Canada. The statement “certified by” followed by the name of the certifying body is acceptable. The claim “100% Organic” is not permitted.

If “Organic” is displayed on the PLU sticker, the name of the certifying body must also be displayed on the PLU Sticker in English and French.

### **A3.17 TRADEMARKS**

Trademarks may or may not be registered; registration is not mandatory. The symbol “TM/MD” is the bilingual symbol used for unregistered trademarks. The symbol ‘®’ is bilingual symbol used for registered trademarks. E.g., Presidents Choice®

Trade-marks are not considered mandatory information hence, are not required to be bilingual, however, it is recommended to register and display trademarks bilingually. Please refer to provincial language requirements for information requirements for non mandatory information.

Trade-marks must not be misleading or likely to create an erroneous impression with consumers. E.g., trade-marks are often used as claims relating to, the quality, composition

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or geographical origin and/or may imply a relationship between consumption of the food and good health. E.g., the word "fresh" in a product's brand name/trademark may lead consumers to believe that the food itself is fresh when it is not.

When trademarks are used to make a claim additional labelling requirements are triggered. E.g., if a trademark implies the product contains a good source of vitamin A and the product is exempt from displaying a NFT; that exemption is lost.

Note: symbols such as the Canadian flag are protected against unauthorized use in Canada. In addition, vendors must provide an attribution statement e.g., [trademark]<sup>®</sup> is a trade mark of [xxxxx].

### **A3.18 ALLERGEN LABELLING**

The Food and Drug Regulations [B01.010] define Food Allergen as: any protein from any of the following foods, or any modified protein, including any protein fraction that is derived from any of the following foods:

- |                                   |                  |
|-----------------------------------|------------------|
| a. almonds, brazil nuts, cashews, | e. eggs          |
| hazelnuts, macadamia nuts,        | f. milk          |
| pecans, pine nuts, pistachios or  | g. soybeans      |
| walnuts                           | h. crustaceans   |
| b. peanuts                        | i. shellfish     |
| c. sesame seeds                   | j. fish          |
| d. wheat or triticales            | k. mustard seeds |

Allergens in a food must be declared in the ingredient list or in a "contains" statement following the ingredient list. E.g.,

- |                              |                 |
|------------------------------|-----------------|
| • flavour (contains almonds) | • contains milk |
| • butter (milk)              | • contains fish |

Wax coatings containing casein is used on fresh produce e.g., apples. A "contains" statement is required to inform consumers of the milk allergen e.g., contains milk.

#### **▪ Sulphites**

Sulphites present as a component of an ingredient that is exempt from component declaration must be declared if:

- present as an ingredient (including as a preservative) at any level;
- present as a component of an ingredient not exempt from component declaration at any level;

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- c) present as a component of an ingredient that is exempt from component declaration but is present in the finished product at levels greater than 10 parts per million.

Sulphites must be shown on the label of a product in the ingredient list or in a “contains” statement following the ingredient list e.g. grape juice (contains sulphites).

It is not permitted to add sulphites to any fresh fruit or vegetable that is intended to be consumed as is, with the exception of grapes [B.11.001.1, FDR]. However, freshly peeled or pre-cut potatoes that are destined for further processing e.g., to make French fries or potato chips can be treated with sulphites provided the label includes the following statement: “treated with sulphites for further processing”.

#### ▪ **Gluten**

The Canadian Food & Drug Regulations define gluten as:

1. any gluten protein from the grain of any of the following cereals or from the grain of a hybridized strain that is created from at least one of the following cereals: *barley, oats, rye, triticale, wheat*;
2. any modified gluten protein, including any gluten protein fraction that is derived from the grains of any of the cereals referred to above, or from the grain of a hybridized strain of one of the cereals referred to above.

Gluten sources (gluten protein) present in a food shall be shown on the label of a product in the ingredient list or in a “contains” statement following the ingredient list. E.g.,

- beer (barley)
- spelt (wheat)
- contains wheat
- contains barley

### **A3.19 NUTRITIONAL LABELLING**

Fresh fruit and vegetables without any added ingredients and/or additives are exempt from displaying a Nutrition Facts Table (NFT). This exemption includes oranges with added food colour, fruit and vegetables coated in paraffin wax or petrolatum, mixtures such as bagged mixed lettuce without dressing, croutons etc.

Voluntary displaying a NFT is permitted provided it meets the requirements of the FDR [B.01.401/402 FDR]. Only the Canadian NFT can be displayed in Canada.

If choosing to display a NFT the following is prescribed by the FDR and must be adhered to:



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- Component that need to be declared e.g., mandatory nutrients, declaration of % Daily Value, Reference Amount, Serving Size;
- Declared values must be rounding per the Rounding Rules/Manner of Expression;
- Presentation of information;
- Printing requirements;
- Formatting criteria;
- Location and orientation of NFT on the label/package;
- Size of the NFT in relation to the package – Available Display Surface (ADS).

#### Labelling Requirements for the NFT:

- Can be displayed anywhere on the label including the bottom, if the bottom is part of the ADS.
- Size - must be in proportion to the ADS of the label/package.
- Must be displayed in English and French on pre-packaged containers.
- Can be displayed in English and/or French on master cases and shipping container.

There are 7 types of Nutrition Facts Tables formats. Each table type is available in many different sizes and formats. In total there are 136 tables available for use.

The Standard Formats are the preferred tables because they are seen as the most consumer friendly – they are easy for consumers to read. NFT formats can be found in Schedule L of the FDR.

Exemption from displaying a NFT is lost when one or more of the following is displayed on a label/package or in advertisements:

1. A claim;
2. A health related name, statement , logo, symbol, seal and/or any other 3<sup>rd</sup> party mark e.g., heart shaped symbol;
3. The statement “nutrition facts”, “valeur nutritive” or “valeurs nutritive”.

### A3.20 CLAIMS

Conditions to making health claims, function claims and disease reduction claims must be met and can be found in the tables following [B.01.513 & B.01.601 FDR]. The prescribed wording cannot be changed.

If a claim is made on a non-pre-packaged product e.g., sticker of bulk bin, the NFT is not required however, the applicable energy value or nutrient amount to support the claim must appear on the label or in advertisement [B.01.503 FDR].

#### ▪ Nutrient Content Claims

Nutrient Content Claims describe the level of a nutrient in a food. The FDR prescribes when a nutrient content claim can be used, and what conditions must be met in order to meet the

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nutrient content claim e.g., specific compositional criteria and labelling requirements [B.01.501FDR]. [http://laws-lois.justice.gc.ca/eng/regulations/C.R.C.%2C c. 870/page-49.html#docCont](http://laws-lois.justice.gc.ca/eng/regulations/C.R.C.%2C%20c.%20870/page-49.html#docCont)

The FDR permit/prescribe 47 different nutrient content claims [see table following B.01.513 FDR], which are optional. However, if used, they must be accompanied by a declaration of the nutrient in the NFT, and only the wording permitted in the regulations can be used. In some cases, provisions exist to alter the wording; however, words in quotations cannot be altered in any way. [http://laws-lois.justice.gc.ca/eng/regulations/C.R.C.%2C c. 870/page-52.html#docCont](http://laws-lois.justice.gc.ca/eng/regulations/C.R.C.%2C%20c.%20870/page-52.html#docCont)

Examples of Nutrient Content Claims include: “fat-free”, “free of trans fat”, “source of omega-3 polyunsaturated fatty acids”, “sugar-free”, “cholesterol-free” and “low fat”.

When making a nutrient content claim - for example, “low fat”, the following compositional criteria must be met:

1. Food must contain less than 3.0 g of fat per reference amount and serving size;
2. If the reference amount is 30 g or 30 mL or less, the food must contain less than 3 g of fat per 50 g [FDR B.01.513].

A Reference Amount (RA) represents an amount of a food usually consumed at one eating occasion/sitting by one person. RA's can be found in the FDR Schedule M.

#### Labelling Requirement for Nutrient Content Claims:

- Product must meet specific compositional criteria.
- Labelling requirements set out in FDR B.01.501/CFIA Food Labelling for Industry must be adhered to.
- Must be displayed in English and French.
- All words, numbers, signs or symbols that are part of the claim must be of the same size and prominence [B.01.503 (3), FDR].
- The information required to accompany the claim must be adjacent to (without intervening material) the most prominent claim on the principal display panel; or when the claim is not on the PDP, grouped with the most prominent claim elsewhere on the label, and in letters of the same size and prominence as the claim.
- If a food is exempt from displaying a NFT, the exemption is lost and the nutrient subject to the claim must appear in the NFT.

#### ▪ **Vitamin and Mineral Claims**

Vitamin and mineral claims can only be made for those vitamins and minerals that have an established Recommended Daily Intake (RDI) value. A minimum of 5% of the RDI must be present per serving of stated size in order to make a vitamin and/or mineral claim. Vitamin

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and Mineral claims are found in [D.01.002-004 FDR]. [http://laws-lois.justice.gc.ca/eng/regulations/C.R.C.%2C c. 870/page-317.html#docCont](http://laws-lois.justice.gc.ca/eng/regulations/C.R.C.%2C%20c.%20870/page-317.html#docCont)  
<http://www.inspection.gc.ca/english/fssa/labeti/guide/ch7be.shtml>

E.g., Examples of vitamin and mineral nutrient content claims

Claim	Food must contain...
Source of Vitamin A	≥ 5% of the RDI value for Vitamin A
Good Source of Vitamin A	≥ 15% of the RDI value for Vitamin A
Excellent Source of Vitamin A	≥ 25% of the RDI value for Vitamin A

**Labelling Requirement for Vitamin and Minerals Claims:**

- Vitamin or mineral must have established RDI.
- Product must meet specific compositional criteria.
- Must be displayed in English and French.
- If a food is exempt from displaying a NFT, the exemption is lost and the nutrient subject to the claim must appear in the NFT.

▪ **Comparative Claims/Reference Foods**

Comparative claims are claims that compare the nutritional value of two or more foods. The table following [B.01.513 FDR] lists the permitted comparative claims as well as the conditions that have to be met when making them.

Comparative claims must:

1. involve similar foods, or foods of the same food group (e.g., regular cookie vs. a low fat cookie. potato chips vs. rice chips);
2. identify the foods being compared and the difference(s) between them;
3. differences must be nutritionally and analytically significant.

For all comparative claims, a quantitative statement is also required adjacent to the most prominent claim on the label, in the same type size and prominence as the comparative claim, without intervening material, and must be displayed in both English and French.

e.g., LIGHT

25% LESS FAT THAN OUR REGULAR CHOCOLATE CHIP COOKIES

The above 2 statements are the same type size and prominence, adjacent to each other, without intervening material.

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#### Labelling Requirement for Comparative Claims:

- Product must meet specific compositional criteria.
- Entire claim must be the same size and prominence, and the accompanying information must be adjacent to the most prominent claim, whether on the PDP or elsewhere on the label.
- Claim and accompanying information (if applicable) must be displayed in English and French.
- If a food is exempt from displaying a NFT, the exemption is lost and the nutrient subject to the claim must appear in the NFT.

### Health Claims

Health Claims are defined as “Any representation in labelling or advertising that states, suggests, or implies that a relationship exists between the consumption of a food and health” (CFIA - Food Labelling for Industry).

#### ▪ Disease Risk Reduction Claims

“Statement that links a food to a reduced risk of developing a diet-related disease or condition in the context of the total diet” E.g., “[Naming the food or food constituent] may reduce the risk of cardiovascular disease” (CFIA - Food Labelling for Industry).

In order to make disease risk reduction claims, the food must meet compositional criteria to qualify for the claim, the label or the advertisement must state the specific information required for that claim (specific labelling requirements) and the prescribed wording must be used.

Currently in the FDR, there are 5 permitted Disease Risk Reduction Claims related to:

1. Controlled levels of sodium and potassium and the risk of high blood pressure, stroke and heart disease;
2. Calcium, Vitamin D and exercise and the risk of osteoporosis;
3. Saturated and trans fats and the risk of Coronary Heart Disease (CHD);
4. Fruits and vegetables with respect to cancer risk reduction;
5. Sugar alcohols and tooth decay and the risk of dental caries.

e.g., Disease Risk Reduction Claims with respect to cancer risk reduction: “A healthy diet rich in a variety of vegetables and fruit may help reduce the risk of some types of cancer”. Products not eligible to use this claim include: potatoes, yams, cassava, plantain, corn, mushrooms, mature legumes and their juices. (CFIA- Food Labelling for Industry) Prescribed wording and conditions that must be met to make any of the 5 permitted Disease Risk Reduction Claims are listed in the following table [B.01.603 FDR].

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Labelling Requirements for Disease Risk Reduction Claims are optional, however when used:

- Prescribed language in the regulations must be used in English and French.
- Splitting of the wording of a health claims is not permitted.
- Substantiating information for the health claim must appear adjacent to the claim unless substantiating information appears in the NFT.
- Exemption from displaying a NFT is lost.

Health Canada has also completed its review of the scientific evidence for the following Disease Risk Reduction and Therapeutic Claims:

- Ground Whole Flaxseed and Blood Cholesterol Lowering
- Sugar-Free Chewing Gum and Dental Caries Risk Reduction
- Barley Products and Blood Cholesterol Lowering
- Unsaturated Fat and Blood Cholesterol Lowering
- Psyllium Products and Blood Cholesterol Lowering
- Oat Products and Blood Cholesterol Lowering
- Plant Sterols (Phytosterols) and lowering of LDL-cholesterol levels

For more information go to:

- <http://www.inspection.gc.ca/food/labelling/food-labelling-for-industry/health-claims/eng/1392834838383/1392834887794?chap=6>
- <http://www.hc-sc.gc.ca/fn-an/label-etiquet/claims-reclam/assess-evalu/index-eng.php>

#### ▪ **Heart Symbols and Heart Health Claims**

It is generally not acceptable to use the heart symbol and/or heart healthy claims to describe a food or food choice, whether on labels, menus or in advertising.

No objection will be taken to the use of heart symbols in conjunction with the health claim E.g., "A healthy diet low in saturated and trans fats may help reduce the risk of heart disease. (Naming the food) is low in saturated and trans fats".

#### ▪ **Function Claims**

"Claims that refer to the specific beneficial effects that the consumption of a food or food constituent has on normal functions or biological activities of the body" (CFIA- Food Labelling for Industry). Such claims relate to a positive contribution to health or performance. For example, "[Naming the food or food constituent] promotes regularity or laxation" (CFIA - Food Labelling for Industry).

Currently, only 3 function claims specific to the following ingredients are approved by Health Canada:

1. Coarse wheat bran

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2. Green tea
3. Psyllium

Specific conditions and labelling requirements exist for each of the above functions claims. See CFIA Food Labelling for Industry.

[http://www.inspection.gc.ca/english/fssa/labeti/guide/ch8e.shtml#a8\\_5](http://www.inspection.gc.ca/english/fssa/labeti/guide/ch8e.shtml#a8_5)

Labelling Requirements for Function Claims are optional, however when used:

- Prescribed language in the regulations must be used in English and French.
- A quantitative declaration of the amount of the food (per serving of stated size) must appear on the label.
- When the amount of a food per serving is less than that required amount necessary to achieve the claimed physiological effect, the amount of the food required to produce the desired effect per serving of stated size of the food should also be declared as part of the function claim.
- Exemption from displaying a NFT is lost.

#### ▪ **Nutrient Function Claims**

"Claims that relate to statements or other claims to the effect that a food's energy (Caloric) value or a nutrient contained in the food is generally recognized as an aid in maintaining the functions of the body necessary to the maintenance of good health and normal growth and development. E.g., "Energy [or naming the nutrient] is a factor in the maintenance of good health" (CFIA - Food Labelling for Industry).

The following two general nutrient function claims are permissible for all nutrients [FDR B.01.311, B.01.312, D.01.006, D.02.004].

"Energy (or Name of the nutrient) is a factor in the maintenance of good health."

"Energy (or Name of the nutrient) is a factor in normal growth and development."

Specific nutrient function claims also exist for some nutrients. For the full list see CFIA Food Labelling for Industry - Table of Acceptable Nutrient Function Claims.

[http://www.inspection.gc.ca/english/fssa/labeti/guide/ch8e.shtml#a8\\_5](http://www.inspection.gc.ca/english/fssa/labeti/guide/ch8e.shtml#a8_5)

#### E.g. Acceptable Nutrient Function Claims

Nutrient	Acceptable Nutrient Function Claims
Vitamin A	Aids normal bone and tooth development
Protein	Protein helps build and repair body tissues
Vitamin C	Vitamin C is a factor in the development and maintenance of bone cartilage, teeth and gums
Vitamin B <sub>12</sub>	Vitamin B <sub>12</sub> aids in the formation of red blood cells

<b>Document: Produce VOS &amp; Guidance Document</b>	<b>Document#:</b> GD0030
<b>Issue Date:</b> Jan 1, 2015	<b>Origin:</b> Loblaw Quality Assurance
<b>Effective Date:</b> Jan 1, 2015	<b>Written by:</b> S. Butler, N. Foote, R. Scarlato, E. Deogracias
<b>Supersedes:</b> : New	<b>Approved by:</b> J. Shirodker, J. Bouch

Regulations also permit nutrient function claims to be made for nutrients other than those permitted in the NFT, e.g. essential fatty acids such as DHA. In these cases, a quantitative declaration of the amount of the nutrient(s), in grams per serving of stated size, must appear on the label of the food [B.01.311 (4), FDR].

Nutrient Function Claims
contains 5 g of soy protein per 100 g serving
contains 50 mg of soy isoflavones per 50 g serving
contains 40 mg of lycopene per 125 mL serving

Labelling Requirements for Nutrient Function Claims are optional, however when used:

- Prescribed language in the regulations must be used in English and French.
- The amount of the nutrient present in a serving of the food must also be displayed within the NFT or in a quantitative statement outside the NFT as required by regulations.
- Exemption from displaying a NFT is lost.

### A3.21 REFERENCES

- Fresh Fruit and Vegetables Labelling Regulations [http://laws-lois.justice.gc.ca/eng/regulations/C.R.C., c. 285/index.html](http://laws-lois.justice.gc.ca/eng/regulations/C.R.C.,_c._285/index.html)
- CFIA Food and Drugs Regulations [http://laws-lois.justice.gc.ca/eng/regulations/C.R.C., c. 870/index.html](http://laws-lois.justice.gc.ca/eng/regulations/C.R.C.,_c._870/index.html)
- Guide to CPLA - <http://www.competitionbureau.gc.ca/eic/site/cb-bc.nsf/eng/01248.html>
- CPLA Regulations [http://laws-lois.justice.gc.ca/eng/regulations/C.R.C., c. 417/page-4.html#h-9](http://laws-lois.justice.gc.ca/eng/regulations/C.R.C.,_c._417/page-4.html#h-9)
- CFIA – Food Labelling for Industry [http://www.inspection.gc.ca/food/labelling/food-labelling-for-industry/eng/1383607266489/1383607344939#a8\\_5](http://www.inspection.gc.ca/food/labelling/food-labelling-for-industry/eng/1383607266489/1383607344939#a8_5)
- Organic Products Regulations <http://laws-lois.justice.gc.ca/eng/regulations/SOR-2009-176/>
- Labelling Requirements for Fresh Fruit and Vegetables: Pre-packaged Containers, Master Containers and Shipping Cases - <http://www.inspection.gc.ca/food/labelling/food-labelling-for-industry/fresh-fruits-and-vegetables/eng/1393800946775/1393801047506>
- Weights and Measures Regulations [http://laws-lois.justice.gc.ca/eng/regulations/C.R.C., c. 1605/index.html](http://laws-lois.justice.gc.ca/eng/regulations/C.R.C.,_c._1605/index.html)
- Health Claims – Health Claim Assessments: <http://www.hc-sc.gc.ca/fn-an/label-etiquet/claims-reclam/assess-evalu/index-eng.php>
- Summary of labelling requirements for Fresh Fruit and Vegetables can be found at: <http://www.inspection.gc.ca/food/labelling/food-labelling-for-industry/fresh-fruits-and-vegetables/eng/1393800946775/1393801047506?chap=18#s1c18>

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#### APPENDIX 4

##### CPLA/ FFVR – NET WEIGHT DECLARATION REQUIREMENTS

The letters and numerical quantities in the declaration of net quantity must be shown in bold face type in letters and numerals of not less than the following height:

Area of principal display surface	Net Weight Declaration Type Height Requirement
where the principal display surface of the container is not more than five square inches (32 square centimeters)	1/16 inch (1.6 millimeters)
where the principal display surface of the container is more than five square inches (32 square centimeters) but not more than 40 square inches (258 square centimeters);	1/8 inch (3.2 millimeters)
where the principal display surface of the container is more than 40 square inches (258 square centimeters) but not more than 100 square inches (645 square centimeters)	1/4 inch (6.4 millimeters)
where the principal display surface of the container is more than 100 square inches (645 square centimeters) but not more than 400 square inches (25.8 square decimeters)	3/8 inch (9.5 millimeters)
where the principal display surface of the container is more than 400 square inches (25.8 square decimeters)	1/2 inch (12.7 millimeters)

GUIDE TO THE CONSUMER PACKAGING AND LABELLING ACT AND REGULATIONS

<http://www.competitionbureau.gc.ca/eic/site/cb-bc.nsf/eng/01248.html#Table1>