

FISHERIES AND OCEANS CANADA (DFO)
AND
THE CANADIAN FOOD INSPECTION AGENCY (CFIA)

JOINT LETTER OF CO-OPERATION ON FISH DISEASE MANAGEMENT

The management of fish disease is an important issue involving many partners, including DFO and the CFIA. It is clear that, although the two organizations have different mandates, a shared goal is the protection of the aquatic animal resource base through fish disease management. DFO and the CFIA are committed to working collaboratively to clarify our respective roles and responsibilities in this area and finding mutually agreeable solutions to a number of regulatory and policy issues. The creation of the senior management steering committee will help us achieve this. In the short term, the steering committee has tasked its staff to find mutually agreeable solutions to the following issues:

1. Improving the current integration between the *Health of Animals Regulations* and the following departmental regulations:
 - a. *Pacific Aquaculture Regulations*

With the implementation of the regulations, DFO has taken on a new role in British Columbia (B.C.) with respect to aquaculture, including responsibilities relating to fish disease. As a result, there will be a requirement for better integration and clarity with the *Health of Animals Act* and supporting regulations. DFO and the CFIA commit to work together to improve the integration and clarity of the current regulations and find mutually agreeable solutions.
 - b. *Fishery (General) Regulations (Part VIII, paragraph 56(b))*

Paragraph 56(b) is currently used by DFO to permit the release of live aquatic animals into fish-bearing waters and fish-rearing facilities in Canada from a fish disease perspective. DFO recognizes that adjustments will be necessary to take into account the recent amendments to the *Health of Animal Regulations* and *Reportable Diseases Regulations* but may have an interest in maintaining the ability to manage other pests and pathogens. DFO agrees to develop an administrative arrangement in order to avoid conflict with the implementation of the CFIA's import/export program and to explore potential regulatory amendments in as timely manner as possible for the implementation of the domestic disease control program.
 - c. *Pacific Fisheries Regulations (PFR) (Part I, section 5 and Schedule VIII)*

The PFR prohibit the import of specific aquatic animals into the province of B.C., and many of these species are also listed under Schedule III of the *Health of Animals Regulations*. In order to provide harmonization between the two regulatory regimes, DFO has agreed to commence work on examining and amending the PFR as soon as possible.

2. Other regulatory issues:

a. Proposed Fish Pathogen and Pest Treatment Regulations (FPPTR)

Section 32 of the *Fisheries Act* stipulates that "No person shall destroy fish by any means other than fishing except as authorized by the Minister or under regulations made by the Governor in Council under this Act." In addition, subsection 36(3) of the *Fisheries Act* prohibits deposits of deleterious substances into waters frequented by fish unless authorized by regulations. In order to facilitate CFIA disease management activities under the *Health of Animals Regulations*, DFO will continue to work with the CFIA to include appropriate authorities in the proposed FPPTR. If the FPPTR do not go forward in a timely manner, alternative options will be explored to enable disease control measures.

b. Aquatic Invasive Species Regulatory Proposal

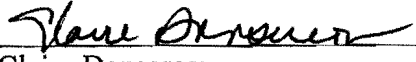
DFO has begun the development of regulations to address the threat of aquatic invasive species. As these progress, it will be necessary to clarify to what extent, if any, exotic disease may be included in this regulatory initiative.

3. Update on amendments and rescinding of the *Fish Health Protection Regulations*

DFO anticipates the amendment of the definition of "import" by December 2011 to provide better streamlining when the CFIA begins controlling international imports (through authorities under the *Health of Animals Act*). DFO will continue to be responsible, for a period of time, for domestic (interprovincial) imports.

George Da Pont
President
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Date



Claire Dansereau
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Date