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Canada

2021

Annual Report to Parliament on
the Administration of the
Export and Import Permits Act



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1.0 Introduction

This Annual Report to Parliament on the administration of the *Export and Import Permits Act* (EIPA) for the year 2021 is submitted pursuant to section 27 of the Act, Chapter E-19 of the 1985 Revised Statutes of Canada, as amended, which provides that:

"No later than May 31 of each year, the Minister shall prepare and cause to be laid before each House of Parliament a report of the operations under this Act for the preceding year and a report in respect of arms, ammunition, implements and munitions of war, that were exported in the preceding year under the authority of and in accordance with an export permit issued under subsection 7(1)."

1.1 Purpose of the *Export and Import Permits Act*

The authority to control the import and export of goods and technologies is derived from the EIPA. It finds its origin in the *War Measures Act* and was first introduced as an act of Parliament in 1947. It has subsequently been amended on a number of occasions.

The EIPA provides that the Governor in Council may establish lists known as the *Import Control List* (ICL), the *Export Control List* (ECL), the *Area Control List* (ACL), the *Automatic Firearms Country Control List* (AFCCL) and the *Brokering Control List* (BCL). For each respective list, the EIPA sets out criteria that govern the inclusion of items or countries and provides that the Governor in Council may revoke, amend, vary, or re-establish any of the lists. Control over the flow of goods and technology contained in these lists or to the specified destinations is implemented through the issuance of import, export or brokering permits.

By order-in-council, the Minister of Foreign Affairs is responsible for the EIPA, and the Minister has the authority to grant or deny applications for permits under the Act, giving him or her broad powers to control the trade of items contained in the lists mentioned above. The Minister also has broad authority, under subsection 10(1) of the EIPA, to "amend, suspend, cancel, or reinstate any permit".

While the Minister of Foreign Affairs maintains overall authority for decisions under the EIPA, the Minister of International Trade, Export Promotion, Small Business and Economic Development can assist the Minister of Foreign Affairs in carrying out responsibilities under the Act that are related to import and export controls implemented for economic and trade-related reasons. These include:



Import controls on:

- Agricultural products (including supply-managed products like poultry, eggs and dairy, as well as non-supply managed products like wheat, barley, beef and veal);
- Textiles and clothing;
- Steel; and
- Aluminum.

Export controls on:

- Skim milk powder, milk protein concentrates and infant formula containing more than 10% cow's milk;
- Peanut butter;
- Sugars, syrups and molasses;
- Sugar-containing products;
- High-sugar-containing products;
- Sugar confectionery and chocolate preparations;
- Processed foods;
- Dog and cat food;
- Vehicles;
- Textiles and clothing;
- Softwood lumber; and
- Logs (of all species).

For export and brokering controls over military, dual-use and strategic goods and technology and import controls over munitions, the Minister of Foreign Affairs retains direct decision-making authority, although the views and recommendations of the Minister of International Trade, Export Promotion, Small Business and Economic Development can be sought for certain sensitive applications.

The operations carried out under the EIPA include:

1) Import and export controls implemented for economic reasons, including obligations in Canada's international trade agreements. The aim is to find a balance between ensuring that Canadians and Canadian businesses can benefit from predictable rules-based trade, while also supporting vulnerable Canadian industries and ensuring the viability of important Canadian policies, such as supply management.

2) Export and brokering controls over dual-use, military and strategic goods and technology, which are designed to ensure that our exports are consistent with Canadian foreign and defence policies and security interests. A key priority of Canada's foreign policy is the protection and promotion of international human rights, peace and security.



3) Munitions items controlled for import for the purpose set out in section 5, para (c.1) of the EIPA, which restricts, “the importation of arms, ammunition, implements or munitions of war, army, naval or air stores, or any articles deemed capable of being converted thereinto or made useful in the production thereof”.



2.0 Key Developments in 2021

2.1 Legislative Amendments to the EIPA as part of Canada-United Kingdom Trade Continuity Agreement

On April 1, 2021, the Canada-U.K. Trade Continuity Agreement (Canada-U.K. TCA) entered into force. On that same day, Bill C-18 (the *Canada–United Kingdom Trade Continuity Agreement Implementation Act*) became law. Among other changes, this Act amended the EIPA to enable the implementation of the Canada-U.K. TCA for origin quota goods.

2.2 Export Controls Policy

Regulatory Amendment for Canada-United Kingdom Trade Continuity Agreement Implementation

Vehicles

Effective April 1, 2021, the ECL was updated to add exports of origin quota vehicles under the Canada-U.K. TCA. This amendment creates more predictable market access for vehicles being exported from Canada to the U.K. Pursuant to the ECL update, export permits are required for vehicles exported to the U.K. in order to obtain preferential tariff treatment.

Controlled Exports to Turkey

On April 12, 2021, Global Affairs Canada published the findings of a review it conducted, in consultation with the Department of National Defence, of all suspended and valid export permits and pending export permit applications for military goods and technology destined to Turkey. Following the review, 29 export permits to Turkey that had been suspended in the fall of 2020 were cancelled. As of December 31, 2021, the [Notice to Exporters No. 992 regarding Exports of items listed on the Export Control List to Turkey](#) remained in effect, with a presumptive denial policy in place for Group 2 (military) exports to Turkey.

Guide to Canada's *Export Control List* Update

On June 3, 2021, the Government of Canada finalized the regulatory process to amend the *Export Control List* to incorporate commitments made at the four key multilateral export control regimes (the Australia Group, the Missile Technology Control Regime, the Nuclear Suppliers Group, and the Wassenaar Arrangement). This amendment served to add, clarify and remove controls over specific items as agreed upon in the four regimes.



The “December 2020” edition of the Guide to Canada’s *Export Control List* came into effect on July 23, 2021, incorporating the regime commitments made up until December 31, 2020.

Automatic Firearms Country Control List

There were no amendments to the AFCCL in 2021.

Area Control List and Brokering Control List

There were no amendments to the ACL or BCL in 2021.

General Export Permits (GEPs)

General Export Permit No. Ex 10 (Export of Sugar Permit)

On December 29, 2021, General Export Permit No. Ex 10 (Export of Sugar Permit) was repealed in order to remove an obsolete regulatory provision that had no current application. Given that the regulation was obsolete, there was no practical impact on export controls.

General Export Permit No. Ex 5 (Export of Logs Permit)

On December 29, 2021, General Export Permit No. Ex 5 (Export of Logs Permit) was amended to eliminate references to export documentation recently abolished by the Canada Border Services Agency. GEP No. 5 authorizes the export of certain logs (e.g. peeled poles, posts or pitprops, boomsticks or swifters). Given the nature of the amendment, there is no practical impact on export controls.

2.3 Import Controls Policy

Regulatory Amendments for Canada-U.K. TCA Implementation

Textiles and Clothing

Effective April 1, 2021, the ICL was updated to ensure continued access for textile and apparel goods being imported from the U.K. that were previously eligible under the Comprehensive Economic and Trade Agreement (CETA). Pursuant to the ICL update, import permits are required for textile and apparel goods imported from the U.K. in order to obtain duty-free treatment.



Agriculture

The ICL was also amended to add references to the U.K. to maintain the exclusions for U.K. goods from Canadian trade controls that were included in CETA on imports of beef and veal, dairy products for personal use and milk protein substances.

The following General Import Permits (GIPs) were amended to add U.K. references:

- GIP No. 1 – Dairy Products for Personal Use;
- GIP No. 13 – Beef and Veal for Personal Use; and
- GIP No. 100 – Eligible Agricultural Goods.

General Import Permits

General Import Permit No. 19

On December 29, 2021, General Import Permit No. 19 was repealed in order to remove an obsolete regulatory provision that had no current application. GIP No. 19 provided for the import of cotton terry towels and washcloths as described in item 29 on the ICL. Item 29 was repealed in 2005. Given that the regulation was obsolete, there was no practical impact on imports.

Steel Safeguards

Final safeguards in the form of tariff rate quotas (TRQs) on heavy plate and stainless steel wire products, as established following a Canadian International Trade Tribunal (CITT) report in 2019, expired on October 24, 2021.

2.4 Judicial Reviews

Daniel Turp v. Minister of Foreign Affairs (3rd Judicial Review)

On October 10, 2019, Mr. Turp commenced a third application for judicial review against the Minister of Foreign Affairs' purported failure to cancel all existing permits for the export of Light Armoured Vehicles to the Kingdom of Saudi Arabia. On March 15, 2021, the Federal Court issued a notice of status review to Mr. Turp due to his failure to move the case forward for more than a year and a half. From that date, Mr. Turp had 15 days to explain to the Court why his application should not be dismissed for delay, which he did in writing on March 29, 2021. However, in a decision rendered on October 12, 2021, the Federal Court found that Mr. Turp had failed to provide a compelling justification for his 1.5-year delay in moving the case forward. Accordingly, the Federal Court dismissed Mr. Turp's third application for judicial review, which means this litigation is now over.



Mosaic Forest Management Corporation, et al. v. Minister of Foreign Affairs, et al.

On July 17, 2020, Mosaic Forest Management Corporation commenced a judicial review application against the Minister of Foreign Affairs challenging the control of logs under the EIPA and the Minister's decisions on certain log export permit applications. This case is ongoing before the Federal court.



3.0 Export and Brokering Controls

3.1 Export Control List

Section 3 of the EIPA provides that the Governor in Council may establish a list of goods and technology, to be called the *Export Control List*, including therein any article the export of which the Governor in Council deems necessary to control for purposes specified in the EIPA. A complete list of goods and technology that are subject to export controls may be found on the [export controls webpage](#).

The **Export Control List** is comprised of nine groups, of which one has been repealed, as follows:

Group	Goods and Technology
1	Dual-use
2	Munitions
3	Nuclear Non-proliferation
4	Nuclear-related Dual-use
5	Miscellaneous Goods and Technology
6	Missile Technology Control Regime
7	Chemical and Biological Weapons Non-proliferation
8	Repealed, SOR/2006-16, s. 11
9	Arms Trade Treaty

Groups 1 and 2 contain Canada's multilateral commitments made under the Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies (WA), founded in 1996. As included in its "Initial Elements", the objectives of the Wassenaar Arrangement include, *inter alia*: "to contribute to regional and international security and stability, by promoting transparency and greater responsibility in transfers of conventional arms and dual-use goods and technologies, thus preventing destabilising accumulations."

The 2021 [Report on Exports of Military Goods](#) contains extensive detail and break down of information on Group 2 exports.

Through national policies, the WA participating states seek to ensure that transfers of items covered by the common control lists do not contribute to the development or enhancement of military capabilities that have the potential to undermine regional and global security and stability. Participating states also commit to take every precaution to ensure that such items are not diverted to illegitimate end-uses.

Groups 3, 4, 6 and 7 represent Canada's multilateral commitments under the various non-proliferation regimes (the Nuclear Suppliers Group,



the Australia Group, and the Missile Technology Control Regime) designed to control the proliferation of weapons of mass destruction (chemical, biological and nuclear weapons) as well as their delivery system.

Group 5 is comprised of various strategic and non-strategic goods and technology controlled for other purposes, as provided in the EIPA. This category includes, *inter alia*, forest products (logs, softwood lumber), agricultural products (skim milk powder, milk protein concentrates, infant formula containing more than 10% cow's milk, peanut butter, sugars, syrups and molasses and sugar-containing products), Canada-European Union CETA origin quotas (high-sugar containing products, sugar confectionery and chocolate preparations, processed foods, dog and cat food, vehicles and certain apparel products) and the Canada-U.K. TCA origin quota for vehicles.

In addition, Group 5 places export controls on non-regime listed strategic items, including all U.S. origin goods and technology not otherwise controlled on the ECL, blinding laser weapons, anti-personnel mines, nuclear fusion reactors and contains an end-use provision to control the export of items that may be

destined for use in a weapons of mass destruction activity or facility.

In accordance with its legislative authority in the EIPA to implement an international agreement, textile and clothing exports to certain countries with which Canada has free trade agreements (FTAs) (U.S., Mexico, Chile, Costa Rica and Honduras) are regulated under the EIPA. Section 9.1 of the EIPA also authorizes the Minister of Foreign Affairs to issue export certificates of eligibility. Group 5 includes these items as well.

Group 9 is a subset of Group 2 and includes the full-system conventional arms listed in Article 2 of the Arms Trade Treaty (ATT), namely:

- Battle tanks;
- Armoured combat vehicles;
- Large-calibre artillery systems;
- Military aircraft;
- Military helicopters;
- Military vessels and submarines;
- Missiles and missile launchers; and
- Small arms and light weapons destined for police and/or military end-use.

Canada is required to report annually on exports of Group 9 items to the ATT Secretariat and voluntarily reports to the United Nations since 1992.

3.2 Military, Strategic and Dual-use Items

In 2021*, for **military, dual-use and strategic goods exports**, there were:

- **3,211** permits issued;
- **240** applications returned without action;
- **416** applications withdrawn; and
- **15** applications denied.

**Between January 1 and December 31, 2021 (data based on submission of application).*



The EIPA requires any resident who wishes to export from Canada any items included on the ECL to obtain, prior to export, an export permit issued by Global Affairs Canada.

An export permit describes, among other things, the quantity, technical description and nature of the items to be exported, as well as the final destination country and consignee. Unless otherwise stated, an export permit may authorize multiple shipments, up to the expiry of the permit and as long as the cumulative total of the quantity and value of items exported does not exceed the quantity and value stated on the permit. An export permit constitutes a legally binding authorization to export controlled goods or technology as described.

A key priority of Canada's foreign policy is the maintenance of international peace and security. In line with its foreign policy objectives, the Government of Canada strives to ensure that goods and technology exported from Canada are not used in a manner that is prejudicial to human rights, peace, security or stability.

Furthermore, under the amendments to the EIPA that came into force on September 1, 2019, the Minister of Foreign Affairs is legally required to take into account the assessment criteria referred to in Article 7 of the ATT for export and brokering permit applications for arms, ammunition, implements or munitions of war.

Specifically, the Minister of Foreign Affairs is required to consider whether the goods or technology specified in the application:

- Would contribute to peace and security or undermine it; and
- Could be used to commit or facilitate:
 - A serious violation of international humanitarian law;
 - A serious violation of international human rights law;
 - An act constituting an offence under international conventions or protocols relating to terrorism to which Canada is a party;
 - An act constituting an offence under international conventions or protocols relating to transnational organized crime to which Canada is a party; or
 - Serious acts of gender-based violence or serious acts of violence against women and children.

A further change to the legislation stipulates that the Minister cannot issue an export or brokering permit for “arms, ammunition, implements or munitions of war” if, after taking into account the relevant considerations described above, including available mitigating measures, he or she determines that there is a substantial risk that the proposed transaction would result in any of the negative consequences referred to in the ATT assessment criteria.



Additional information about the assessment process for export and brokering permits for military, strategic and dual-use items is available in the [Report on the Exports of Military Goods](#).

Table 1: Export Control List Group and Permit Status Summary for 2021

	Submitted Applications	Issued	Denied	Returned Without Action	Withdrawn	Cancelled or Suspended	Under Review or Under Assessment
Group 1: Dual-use	1,185	847	6	12	19	10	291
Group 2: Munitions	2,492	2,011	9	129	65	22	256
Group 3: Nuclear Non-Proliferation	96	67	0	6	1	1	21
Group 4: Nuclear-related Dual-use	70	49	0	2	4	0	15
Group 5: Miscellaneous Goods and Technology*	180	81	0	0	84	0	15
Group 6: Missile Technology Control Regime	82	70	0	1	1	0	10
Group 7: Chemical and Biological Weapons Non Proliferation	90	56	0	5	4	0	25
Group 9: Arms Trade Treaty	33	30	0	1	0	0	2
Others**	340	0	0	84	238	0	18
Totals	4,568	3,211	15	240	416	33	653

*Strategic goods only. Non-strategic goods are covered in section 3.3.

**This category includes applications that were not assigned to an ECL Group either because they were withdrawn or returned without action prior to a technical assessment being conducted or because the item in question required a permit for export to a destination listed on the Area Control List.

Notes:

Submitted Applications: Table 1 includes data on all export permit applications submitted between January 1 and December 31, 2021. It does not include information on applications that were submitted prior to 2021 (or those that were submitted on December 31, 2021 and not received until January 1, 2022), nor does it include information on export permit amendment requests. Items in an export permit application may be assessed under more than one ECL Group. To avoid counting the same application twice, applications containing more than one ECL assessment have been assigned to a single Group based on the following order of precedence: 9, 2, 1, 3, 4, 6, 7, 5. Therefore, an application containing both a Group 9 assessment and a Group 2 assessment appears in the Group 9 row, and an application containing both a Group 6 and a Group 5 assessment appears in the Group 6



row. The status of all export permit applications reflected in the table is accurate as of December 31, 2021.

- Issued:** If a permit was issued in 2021 and is subsequently cancelled, it is only counted once in the cancelled or suspended column. Permits that were issued in 2021 but have since expired are also counted in the issued column.
- Denied:** Please note that the summary information presented above includes information on applications denied in 2021, including those submitted prior to January 1, 2021. Table 1 includes information on applications submitted in 2021 that had been denied as of December 31, 2021.
- Withdrawn:** In 2021, a total of **269** applications were withdrawn by Global Affairs Canada because an individual export permit was not required. The remaining **147** withdrawals were at the request of the company.
- Under Review:** Includes applications submitted in 2021 that as of December 31, 2021 were not completely processed or were otherwise under review.

Table 2: Top 12 Destinations for Strategic Export Permits Issued in 2021*

Destination	Number of Permits Issued
Australia	147
France	257
Germany	289
Israel	178
Italy	89
Japan	119
Netherlands	92
Singapore	86
Spain	87
Switzerland	92
United Kingdom	487
United States	137

**Between January 1 and December 31, 2021 (data based on submission of applications).*

Note: Export permits are only required for a small number of items controlled for strategic purposes on the ECL when exported to the U.S. This chart reflects the top 12 destinations by number of permits issued in 2021 for all military, dual-use and strategic items on the ECL. The 2021 Report on Exports of Military Goods has a similar table but is a listing of Canada's top destinations for military items (Group 2 only) by value outside of the U.S. for permits utilized in 2021.



3.2.1 Brokering Controls and *Brokering Control List*

Article 10 of the ATT requires State Parties to take measures to regulate the brokering of arms taking place under its jurisdiction. Canada decided to control the brokering activities of persons and organizations in Canada, as well as the activities of Canadians abroad (Canadian citizens, permanent residents and organizations) reflected by changes to Canada's export controls program that officially came into effect on September 1, 2019.

Brokering is defined in the EIPA as “arranging or negotiating a transaction that relates to the movement of goods or technology included in a *Brokering Control List* from a foreign country to another foreign country.”

General Brokering Permit 1 (GBP1) streamlines the authorization of brokering activities involving certain low-risk transactions. Similar to a General Export Permit, a General Brokering Permit is a type of permit that is issued generally to all persons and organizations in Canada as a way to reduce administrative burden, provided that users follow all applicable terms and conditions.

For more information about Canada's brokering controls, please consult the [brokering regulations](#) online or the [Report on the Exports of Military Goods](#).

Brokering Control List

Section 4.11 of the EIPA provides that the Governor in Council may establish a list of goods and technology, to be called a *Brokering Control List*, including in it any article that is included in the *Export Control List* the brokering of which the Governor in Council considers it necessary to control. The BCL includes full-system conventional arms listed in the ATT (as defined in Group 9 of the ECL), all items listed in Group 2 of the ECL, as well as any ECL item – including dual-use items – that are likely to be used to produce or develop a weapon of mass destruction, or in any facility used for such activities.

3.2.2 Area Control List

Section 4 of the EIPA provides for the control of “any goods or technology to any country included in an ACL”. Currently the only country listed on the ACL is the Democratic People's Republic of Korea (North Korea). In 2021, no export permits have been issued for North Korea.



3.2.3 Automatic Firearms Country Control List

Further to sections 4.1 and 7(2) of the EIPA, certain prohibited firearms, weapons, or devices, and components and parts thereof, that are included on the *Export Control List*, may be exported only to destinations listed on the *Automatic Firearms Country Control List* (and only to consignees that are government or authorized by government).

The 44 countries listed on the AFCCL in 2021 were:

Albania	Estonia	Kuwait	Saudi Arabia
Australia	Finland	Latvia	Slovakia
Austria	France	Lithuania	Slovenia
Belgium	Germany	Luxembourg	South Korea
Botswana	Greece	Netherlands	Spain
Bulgaria	Hungary	New Zealand	Sweden
Chile	Iceland	Norway	Switzerland
Colombia	Ireland	Peru	Turkey
Croatia	Israel	Poland	Ukraine
Czech Republic	Italy	Portugal	United Kingdom
Denmark	Japan	Romania	United States

Further to the May 1, 2020 amendment to the *Regulations Prescribing Certain Firearms and Other Weapons, Components and Parts of Weapons, Accessories, Cartridge Magazines, Ammunition and Projectiles as Prohibited or Restricted* approximately 1,500 newly prohibited models of firearms and their variants were reclassified as prohibited. As of that date these newly prohibited firearms may now only be exported to destinations that are listed on the *Automatic Firearms Country Control List*. The continued impact of this change in 2021 was an increased number of permit applications and detentions at the border.



3.3 Non-Strategic Exports

In 2021, for **non-strategic exports***, Global Affairs Canada:

- Issued a total of **252,256 permits**;
- Rejected **2,724 export** applications; and
- Cancelled **11,080 permits**

Table 3: Number of Non-Strategic Export Permits Issued by Sector in 2021*

Sector	Number of Permits Issued
Softwood lumber	219,697
TPL clothing and textiles	18,945
Logs	5,904
Sugar, syrups and molasses and sugar-containing products	4,892
Peanut butter	1,299
CETA apparel	694
Dairy export thresholds (CUSMA)	408
Vehicles	333
Dog and cat food	84
Total	252,256

**Between January 1 and December 31, 2021 (data based on submission of applications).*

3.3.1 Softwood Lumber Products to the United States

Based on the definitions specific to the 2006 Canada-United States Softwood Lumber Agreement, exports of softwood lumber totalled **13,752,973,763** board feet in 2021. Global Affairs Canada continues to require export permits for shipments to the U.S., having implemented a monitoring program that took effect October 13, 2015.

Table 4: Softwood Lumber Exports to the United States in 2021*

Month	Number of Permits Issued
January	18,163
February	17,085
March	20,233
April	20,379
May	19,726
June	19,841
July	16,912
August	16,288
September	18,775
October	18,079



November	18,382
December	15,834
Total	219,697

**Between January 1 and December 31, 2021 (data based on submission of applications and can be subject to corrections).*

3.3.2 Log Exports

A federal export permit issued by Global Affairs Canada is required for the export of all logs from any type of land in Canada (e.g. provincial Crown land, federal Crown land, private lands, parks and reserves) to all destinations outside of Canada. In 2021, Global Affairs Canada issued **5,904** permits for logs.

Table 5: Log Permits Issued in 2021*

Month	Number of Permits Issued
January	468
February	501
March	533
April	639
May	627
June	444
July	607
August	414
September	279
October	390
November	552
December	450
Total	5,904

**Between January 1 and December 31, 2021 (data based on submission of applications and can be subject to corrections).*

3.3.3 Agri-Food Products to the United States

As part of its implementation of the World Trade Organization (WTO) and the Canada-United States-Mexico Agreement (CUSMA) commitments, the U.S. established TRQs for imports of peanut butter, certain sugar-containing products and refined sugar. Within these TRQs, the U.S. has established a country-specific reserve for Canada.

The U.S. government administers these TRQs on a first-come, first-served basis. In order to facilitate the orderly export of these products against Canada’s country-specific reserves, Canada added these products to the ECL.

Accordingly, in order to comply with the EIPA and to benefit from the U.S. in-quota tariff rate, Canadian exports of peanut butter, certain sugar-containing products



and refined sugar to the U.S. require an export permit issued by Global Affairs Canada. There are no quantitative restrictions for Canadian exports of these products to destinations outside of the U.S.

Under its WTO commitments, the U.S. established a TRQ for imports of peanut butter, with a country reserve of 14,500,000 kilograms for Canada, in 1995. Peanut butter was placed on the ECL the same year. As such, export permits are required for access to the TRQ. Peanut butter is found on the ECL under item 5201. The quota year extends from January 1 to December 31 each year.

Sugar-containing products were placed on the ECL on February 1, 1995. The WTO global TRQ for U.S. sugar-containing products is 64,709,000 kilograms and applies to imports of certain sugar-containing products falling under Chapters 17, 18, 19 and 21 of its Harmonized Tariff Schedule. The quota year for sugar containing products is from October 1 to September 30. In September 1997, Canada obtained a

WTO country-specific reserve within the U.S. sugar-containing products TRQ of 59,250,000 kilograms.

Refined sugar was placed on the ECL on October 1, 1995. The quota year for refined sugar is from October 1 to September 30. In September 1997, Canada obtained a 10,300,000 kilogram WTO country-specific reserve.

With the coming into force of CUSMA, these commitments for both sugar-containing products and refined sugar were incorporated into CUSMA.

Under CUSMA, Canada obtained additional market access through two new TRQs for refined sugar (9,600,000 kilograms) and sugar-containing products (9,600,000 kilograms) for export to the United States. The quota year for the new TRQs runs from January 1 to December 31. Furthermore, an additional 20% quantity for refined sugar may be determined by the United States, in any given year, in times of domestic shortage. This additional quantity is based on the U.S. decision to increase in-quota imports under its WTO commitments.

Table 6: Controlled Agri-Food Exports to the United States in 2021

Product	Quota	Utilization
Peanut Butter**	14,500,000	14,297,646
Refined Sugar under the WTO commitment raw equivalent*	10,300,000	10,299,410
Sugar-containing Products under the WTO commitment*	54,500,000	52,503,041
CUSMA Refined Sugar**	9,600,000	9,591,204
CUSMA Sugar-containing Products**	9,600,000	7,632,906

*Canadian exit date between October 1, 2020 and September 30, 2021.

**Canadian exit date between January 1 and December 31, 2021.



3.3.4 Dairy Export Thresholds

As part of its implementation of CUSMA commitments, Canada established export thresholds for global exports of skim milk protein (SMP) and milk protein concentrate (MPC), as well as infant formula. The export thresholds require the payment of a charge on exports of these products once a set quantity of exports has been exceeded. Each export threshold also includes a below-threshold quantity of exports not subject to a charge.

An export permit is required for the export of all SMP, MPC and infant formula from Canada. In accordance with CUSMA, the export thresholds are administered on the dairy year, which runs from August 1 to July 31.

Table 7: Dairy Export Threshold Exports under CUSMA in 2021*

Kilograms (KG)	Below-Threshold Quantity	Utilization
SMP/MPC	35,000,000	29,574,609
Infant formula	40,000,000	0

*Canadian Exit date between August 1, 2020 and July 31, 2021.

3.3.5 Textiles and Clothing – Tariff Preference Levels

With the entry into force of CUSMA on July 1, 2020, the previous administration of tariff preference levels (TPLs) under the North America Free Trade Agreement (NAFTA) was applied to the new TPLs. [New Notices to Importers and Exporters](#), outlining the administrative requirements, were published. As such, TPL exports to the U.S. and Mexico must be accompanied by a certificate of eligibility. All CUSMA TPL exports, except for yarn, to the U.S. are allocated on a historical use basis, based on previous year utilization. CUSMA exports not allocated, including yarn to the U.S. and all TPL to Mexico, are available on a first-come, first-served basis.

Other TPL exports, such as those to Chile, Costa Rica and Honduras, are not subject to Canadian controls and do not require a certificate of eligibility.

For CUSMA TPL clothing and textile exports, Global Affairs Canada issued **18,945** permits, rejected **1,152 permit** applications and cancelled **968 issued** permits to the U.S and Mexico.



Table 8: Textiles and Clothing: CUSMA Tariff Preference Levels and Utilization for Exports from Canada in 2021*

Square metre equivalents (unless otherwise indicated)	United States		Mexico	
	Access Level	Utilization	Access Level	Utilization
Wool Apparel	4,000,000	1,737,618	250,000	0
Cotton or Man-made Fibre Apparel	40,000,000	8,862,144	6,000,000	284,229
Cotton or Man-made Fibre Fabrics and Made-up Goods	71,765,252	70,328,306	7,000,000	25,922
Cotton or Man-made Fibre Spun Yarn	6,000,000	1,986,282	1,000,000	487

*Canadian exit date between January 1 and December 31, 2021.

3.3.6 CETA Origin Quotas

Certain exports from Canada that are eligible under CETA origin quotas are subject to export controls under the EIPA. Accordingly, an export permit is required for shipments of these products from Canada to the European Union (EU) in order to obtain the preferential tariff rate under CETA. These goods are high-sugar containing products, sugar confectionery and chocolate preparations, processed foods, dog and cat food, vehicles and certain apparel products.

Origin quota access is made available on a first-come, first-served basis, with the exception of the origin quotas for high-sugar containing products and vehicles for which allocation policies have been established. With the exception of the origin quota for vehicles, CETA contains growth factors for origin quotas that provide for an increase in the volume of the origin quotas if certain conditions are met.

Table 9: CETA Origin Quotas 2021*

	Harmonized System (HS) Classification	Access Level U = Units T = Tonnes KG = Kilograms	Utilization
High-Sugar Containing Products		30,000 (T)	0
Sugar Confectionery and Chocolate Preparations		10,000,000 (KG)	0
Processed Foods		35,000,000 (KG)	0
Dog and Cat Food		60,000,000 (KG)	1,657,125
Apparel	Apparel 61.04 Women's or girls' suits, ensembles, suit-type jackets, blazers, dresses, skirts, divided skirts, trousers, etc. (no swimwear), knitted or crocheted	535,000 (U)	134,013
	Apparel 61.14	90,000 (KG)	673



	Garments not elsewhere specified or included, knitted or crocheted		
	Apparel 62.01 Men's or boys' overcoats car coats, capes, cloaks, anoraks (including ski-jackets), windcheaters, wind-jackets and similar articles, not knitted or crocheted, other than those of heading 6203	104,902 (U)	104,902
	Apparel 6102.30 Women's or girls' overcoats, car coats, capes, cloaks, anoraks, ski-jackets and similar articles of manmade fibres, knitted or crocheted	17,000 (U)	2,830
	Apparel 6108.92 Women's or girls' negligees, bathrobes, dressing gowns and similar articles of manmade fibres, knitted or crocheted	39,000 (U)	0
	Apparel 62.05 Men's or boys' shirts, not knitted or crocheted	15,000 (U)	0
Vehicles		100,000 (U)	2,450

*Canadian exit date between January 1 and December 31, 2021.

3.3.7 Canada-U.K. TCA Origin Quotas

With the coming into force of the Canada-U.K. TCA on April 1, 2021, exports of vehicles from Canada that are eligible under the Canada-U.K. TCA origin quota for vehicles are subject to export controls under the EIPA. Accordingly, an export permit is required for shipments of these products from Canada to the U.K. in order to obtain the preferential tariff rate under the Canada-U.K. TCA.

Products that are eligible for the preferential tariff under the origin quotas will be treated on a first-come, first-served basis upon arrival in the U.K., until the applicable origin quota is fully utilized. No allocation policies have been established for origin quotas under the Canada-U.K. TCA.

3.4 General Export Permits

The EIPA provides for the issuance of general permits authorizing the export of certain designated goods or technology to specified destinations. GEPs are intended to facilitate exports by enabling exporters to export certain items without the need to obtain individual permits.

The following GEPs were in effect during 2021:

- GEP No. Ex. 1: Export of Goods for Special and Personal Use Permit
- GEP No. Ex. 3: Export of Consumable Stores Supplied to Vessels and Aircraft Permit
- GEP No. Ex. 5: Export of Logs Permit
- GEP No. Ex. 10: Export of Sugar Permit (repealed in 2021)
- GEP No. 12: United States Origin Goods



- GEP No. Ex. 18: Portable Personal Computers and Associated Software
- GEP No. 37: Toxic Chemicals and Precursors to the United States
- GEP No. 38: Chemical Weapons Convention Toxic Chemical and Precursor Mixtures
- GEP No. 41: Dual-Use Goods and Technology to Certain Destinations
- GEP No. 43: Nuclear Goods and Technology to Certain Destinations
- GEP No. 44: Nuclear-Related Dual-Use Goods and Technology to Certain Destinations
- GEP No. 45: Cryptography for the Development or Production of a Product
- GEP No. 46: Cryptography for Use by Certain Consignees
- GEP No. 47: Export of Arms Trade Treaty Items to the United States



4.0 Import Controls

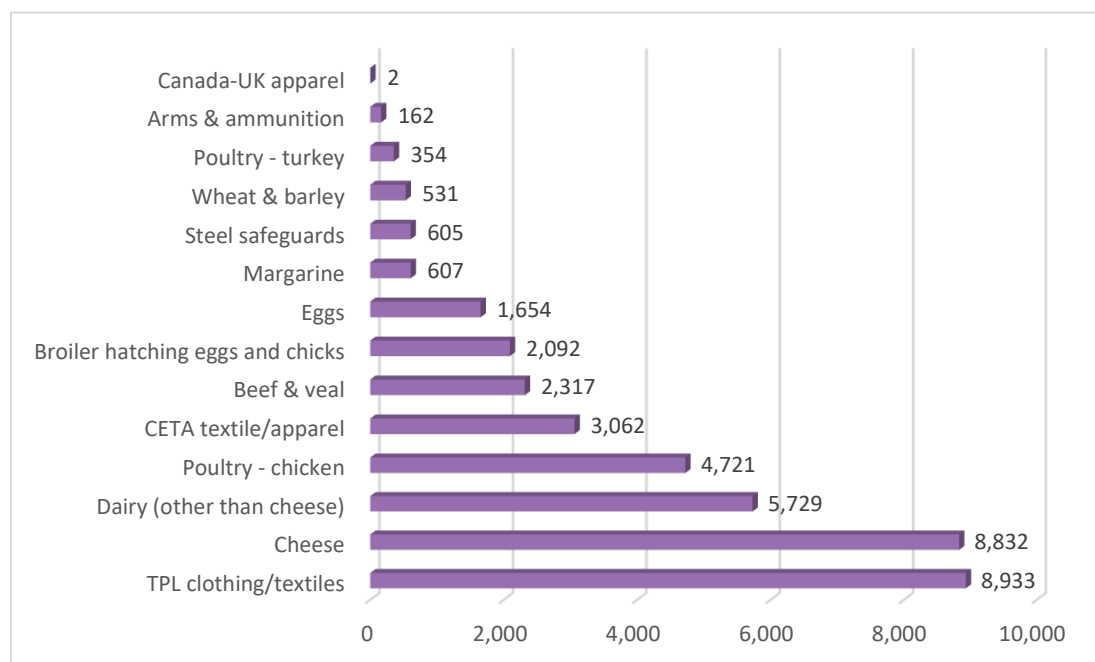
Section 3 of the EIPA provides that the Governor in Council may establish a list of goods, to be called the *Import Control List*, including therein any article the import of which the Governor in Council deems necessary to control for purposes specified in the EIPA. A complete list of goods that are subject to import controls may be found on the [import controls webpage](#).

Figure 1: Number of Import Permits for Controlled Goods in 2021*



*Between January 1 and December 31, 2021 (data based on submission of applications).

Figure 2: Number of Import Permits Issued by Sector in 2021*



*Between January 1 and December 31, 2021 (data based on submission of applications).



4.1 Textiles and Clothing - Tariff Preference Levels

Textile and clothing imports, are controlled as a result of various free trade agreements, including CUSMA, and FTAs with Chile, Costa Rica and Honduras. The agreements provide for preferential access for certain non-originating products through TPLs.

All TPLs for imports are made available on a first-come, first-served basis. Once the specified annual quantity under a free trade agreement has been fully utilized, non-originating apparel, textiles and made-up goods are subject to the Most Favored Nation tariff rate for the remainder of that TPL year.

Canadian importers require a shipment-specific import permit for all TPL imports

into Canada within the negotiated quantity. TPL-eligible shipments entering Canada under a shipment-specific import permit can receive the same preferential tariff treatment as originating products, up to a negotiated quantity, as long as they are both cut (or knit to shape) and sewn or otherwise assembled in the territory of a Party from fabric or yarn produced or obtained outside the territories of the Parties.

With the entry into force of CUSMA on July 1, 2020, the previous administration of TPLs under NAFTA was applied to TPLs under CUSMA. There were no changes to the administration of TPLs for imports in 2021.

Table 10: Textiles and Clothing: CUSMA Tariff Preference Levels and Utilization for Imports to Canada in 2021*

Square meter equivalents (SME) or Kilograms (KG)	United States		Mexico		Honduras	
	Access Level	Utilization	Access Level	Utilization	Access Level	Utilization
Wool Apparel (SME)	700,000	386,991	250,000	21,271	N/A	N/A
Cotton or Man-made Fibre Apparel (SME)	20,000,000	5,223,961	6,000,000	1,636,662	N/A	N/A
Cotton or Man-made Fibre Fabrics and Made-up Goods (SME)	15,000,000	0	7,000,000	102,021	N/A	N/A
Cotton or Man-made Fibre Spun Yarn (SME)	1,000,000	282,017	1,000,000	0	N/A	N/A
Wool Fabrics and Made-up Goods (KG)	N/A	N/A	N/A	N/A	N/A	N/A
Fabrics and Made-up Goods (KG)	N/A	N/A	N/A	N/A	1,000,000	0
Apparel (SME)	N/A	N/A	N/A	N/A	4,000,000	902,895

*Canadian entry date between January 1 and December 31, 2021 for CUSMA and Honduras imports.

There were no TPL imports from Costa Rica and Chile in 2021.



CETA Textiles and Apparel

Imports of textiles and apparel from the EU and its Member States to Canada that are eligible under CETA origin quotas are subject to import controls under the EIPA. Accordingly, import permits are required for imports of these products in order to obtain the preferential tariff rate under CETA. The origin quotas specify the annual quantity of a product that can qualify as originating and receive preferential CETA tariff treatment. In order to receive this treatment, the product must meet the product description and undergo sufficient production to satisfy the applicable product-specific rule of origin associated with that origin quota. CETA contains growth factors for the textiles and apparel origin quotas that provide for an increase in the volume of the origin quotas if certain conditions are met.

Table 11: CETA Origin Quotas: Textiles and Apparel 2021*

	U = Units	HS Classification KG = Kilograms	DZN = Dozens	Access Level	Utilization
CETA Origin Textiles & Apparel		Apparel 61.06 (U): Blouses, shirts and shirt blouses, knitted or crocheted (excluding T-shirts and vests.)		126,000	5,066
		Apparel 61.09 (U): T-Shirts, singlets and other vests knitted or crocheted		722,000	33,698
		Apparel 61.10 (U): Jerseys, pullovers, cardigans, waistcoats and similar articles knitted or crocheted (excluding wadded waistcoats)		537,000	70,937
		Apparel 6105.10 (U): Men's or boys' shirts of cotton knitted or crocheted (excluding nightshirts, t-shirts, singlets and other vests)		46,000	876
		Apparel 62.04 (U): Women's or girls' suits, ensembles, jackets, blazers, dresses etc. (excluding knitted or crocheted and swimwear)		537,000	430,040
		Apparel 6202.11 (U): Women's or girls' overcoats, raincoats, car coats, capes, cloaks and similar articles of wool or fine animal hair, not knitted or crocheted.		15,000	170
		Apparel 6202.93(U): Women's or girls' anoraks, windcheaters, wind jackets and similar articles, of manmade fibres (not knitted or crocheted)		16,000	15,997
		Apparel 6203.11 (U): Men's or boys' suits of wool or fine animal hair.		39,000	17
		Apparel 6205.20 (U): Men's or boys' shirts of cotton, not knitted or crocheted		182,000	184
		Apparel 61.14 (KG): Other garments not elsewhere specified or included, knitted or crocheted		58,000	1,128
		Apparel 62.10 (U): Garments made up of fabrics of heading 56.02, 56.03, 59.03, 59.06 or 59.07 (excluding knitted or crocheted and babies' garments)		19,000	4,657
		Apparel 62.11 (KG): Tracksuits, ski suits, swimwear and other garments, not elsewhere specified or included (excluding knitted or crocheted)		85,000	50,102
		Textiles 6302.21 (KG): Bed linen, printed, of cotton, not knitted or crocheted		176,000	1
		Textiles 6302.31 (KG): Bed linen (other than printed) of cotton, not knitted or crocheted		216,000	1,576
		Apparel 62.12 (DZN): Brassieres, girdles, corsets, braces, suspenders, garters and similar articles and parts thereof, of all types of Materials, whether or not elasticated including knitted or crocheted (excluding belts and corselets made entirely of rubber)		26,000	5,591
		Apparel 61.15 (Pairs): Pantyhose, tights, stockings, socks and other hosiery, including graduated compression hosiery (for example, stockings for varicose veins) and footwear without applied soles, knitted or crocheted (excluding for babies)		1,691,000	52,046

*Canadian entry date between January 1 and December 31, 2021. Origin quotas with utilization of zero for the year 2021 are not included in the table.



Canada-U.K. TCA Textiles and Apparel

Imports of textiles and apparel from the U.K. to Canada that are eligible under the Canada-U.K. TCA origin quotas are subject to import controls under the EIPA. Accordingly, import permits are required for imports of these products in order to obtain the preferential tariff rate under the Canada-U.K. TCA. The origin quotas specify the annual quantity of a product that can qualify as originating and receive preferential tariff treatment. In order to receive this treatment, the product must meet the product description and undergo sufficient production to satisfy the applicable product-specific rule of origin associated with that origin quota. The Canada-U.K. TCA contains growth factors for the textiles and apparel origin quotas that provide for an increase in the volume of the origin quotas if certain conditions are met.

Table 12: Canada-U.K. TCA Apparel Imports*

	Unit of Measure	Utilization
U.K. – Total Textile and Apparel Imports	Units	263

*Canadian entry date between January 1 and December 31, 2021.

Table 13: Canada-U.K. TCA Apparel Imports Breakdown*

	Access Level	Utilization
Apparel 61.09 (U): T-Shirts, singlets and other vests knitted or crocheted	722,000	251
Apparel 6205.20 (U): Men's or boys' shirts of cotton, not knitted or crocheted	182,000	12

*Canadian entry date between January 1 and December 31, 2021. Origin quotas with utilization of zero for the year 2021 are not included in the table.

4.2 Supply-Managed Products

WTO TRQs

Canada is a signatory to the WTO Agreement on Agriculture (concluded in December 1993). This Agreement obliged Canada to convert its existing quantitative agricultural import controls to a system of TRQs, which came into effect in 1995.

Under these TRQs, imports are subject to zero or low within-access commitment rates of duty up to a predetermined limit

(i.e. until the import access quantity has been reached), while imports over this limit are subject to higher over-access commitment rates of duty. Where both WTO and CUSMA access commitments exist, Canada applies the higher of the two access levels for the product in question. Normally, only eligible applicants who obtain an import quota allocation are able to obtain shipment-



specific permits to import goods at the within-access commitment rates of duty.

All TRQs are based on Customs Tariff item numbers. When the TRQs came into effect in 1995, the ICL was amended to replace named products (e.g. turkey and turkey products) with tariff item numbers. For ease of understanding, the older product descriptions continue to be used in this report.

Poultry and Eggs

Effective January 1, 1995, Canada's chicken, turkey, broiler hatching eggs and chicks, shell egg and egg product quantitative restrictions were converted to TRQs and were maintained on the ICL in order to support supply management of poultry under the *Farm Products Marketing Act* and to support action taken under the *WTO Agreement Implementation Act*.

With the entry into force of CUSMA and the repeal of NAFTA, the following changes were made to the administration of poultry TRQs in 2020:

Chicken and Chicken Products: The WTO Chicken and Chicken Products TRQ import access level is now set at 39,843,700 kilograms. Previously, pursuant to NAFTA, the import access level was set annually at 7.5% of domestic production for that year or the WTO level of 39,843,700 kilograms, expressed in eviscerated equivalent (EE) weight, whichever was higher.

Turkey and Turkey Products: Pursuant to CUSMA, the WTO Turkey and Turkey

Products TRQ import access level is now set at the higher of:

- a) 3.5% of the previous year's domestic production or 3.5% of the current year's domestic production quota + 1,000 tonnes, whichever is lower; and
- b) The WTO level of 5,588,000 kilograms, expressed in EE weight, whichever is higher. Previously, pursuant to NAFTA, the import access level was 3.5% of the current year's domestic production quota or the WTO level of 5,588,000 kilograms, expressed in EE weight, whichever was higher.

Eggs and Egg Products: The WTO Egg and Egg Products TRQ access level is now set at 21,370,000 dozen on an egg equivalent basis. Previously, pursuant to NAFTA, the import access level was set annually at a total of 2.988% of the previous year's domestic production or 21,370,000 dozen on an egg equivalent basis, whichever was higher. The access level remains set in accordance with the following breakdown: 1.647% for shell eggs; 0.714% for liquid, frozen or further-processed egg products; and 0.627% for egg powder.

The administration of the following poultry TRQs remain unchanged from previous years:

Broiler Hatching Eggs and Chicks: Pursuant to CUSMA, the combined import access level for broiler hatching eggs and chicks is 21.1% of the estimated domestic production of broiler hatching eggs for the calendar year to



which the TRQ applies. The combined annual import access level is divided into separate levels of 17.4% for broiler

hatching eggs and 3.7% for egg-equivalent chicks.

Table 14: Poultry and Eggs: WTO TRQs*

	Unit of Measure	Access Level	Within-Access Imports
Chicken and Chicken Products	Eviscerated Equivalent Kilograms	39,843,700	37,752,255
Broiler Hatching Eggs and Chicks	Egg Equivalent	171,767,752	160,402,642
Turkey and Turkey Products	Eviscerated Equivalent Kilograms	5,588,000	5,455,815
Eggs and Egg Products	Dozens	21,370,000	18,096,840
Shell Eggs	Dozens	11,779,247	11,765,304
Shell Eggs for Breaking	Dozens	0	0
Egg Powder	Kilograms	677,124	457,233
Egg Products (Liquid, frozen or further processed egg products)	Kilograms	2,936,229	1,899,514

*Canadian entry date between January 1 and December 31, 2021.

Dairy Products

Quantitative restrictions in 12 categories of dairy products were converted to TRQs in support of supply management under the *Canadian Dairy Commission Act*. All TRQs were implemented in 1995, unless otherwise specified. The TRQs cover the following products:

- 1) Butter;
- 2) Cheese;
- 3) Buttermilk Powder;
- 4) Fluid Milk;
- 5) Dry Whey;
- 6) Concentrated/Condensed Milk/Cream;
- 7) Cream;
- 8) Other Products of Natural Milk Constituents;
- 9) Other Dairy;
- 10) Ice Cream;
- 11) Yogurt; and
- 12) Milk Protein Substances, that do not originate in the U.S., Mexico, Chile, Costa Rica, an EU country or other CETA beneficiary, or Israel (2008).



There were no changes made regarding the administration of these controls for 2021. TRQ import levels for 2021 are noted in the next table. However, additional dairy commitments were implemented under CUSMA in 2020.

Table 15: WTO TRQs*

	Unit of Measure	Description/tariff item number	Access Level	Within-Access Imports
Butter (Aug. 1 - Jul. 31)	Kilograms	TRQ allocated to Canadian Dairy Commission with 2,000,000 reserved for New Zealand	3,274,000	3,272,608
Cheeses of All Types	Kilograms		20,411,866	20,106,652
Concentrated or Condensed Milk/Cream	Kilograms	TRQ reserved for imports from Australia	11,700	0
Ice Cream and Ice Cream Novelties	Kilograms		484,000	469,453
Milk (Aug. 1 – Jul. 31)	Kilograms		64,500,000	0**
Milk Protein Substances (Apr. 1 – Mar. 31)	Kilograms		10,000,000	1,901,428
Other Dairy (Food preparations)	Kilograms		70,000	66,230
Powdered Buttermilk	Kilograms	Reserved for imports from New Zealand	908,000	0
Powdered Whey (Aug. 1 - Jul. 31)	Kilograms		3,198,000	219,921
Products of Natural Milk Constituents	Kilograms		4,345,000	3,755,213
Specialty Creams (Aug. 1 - Jul. 31)	Kilograms	TRQ reserved for cream that is sterilized, minimum 23% butterfat and sold in cans with volume less than 200 millilitres	394,000	377,356
Yogurt	Kilograms		332,000	193,363

*Canadian entry date between January 1 and December 31, 2021 unless otherwise stated.

**Reserved for cross-border shopping and it is considered to be fully used.

CETA TRQs

As a result of the provisional application of CETA, Canada established two TRQs in 2017 for cheese originating from an EU country or other CETA beneficiary.

Table 16: CETA TRQs*

	Unit of Measure	Access Level	Within-Access Imports
Cheese of all Types	Kilograms	13,333,000	13,075,725
Industrial Cheese	Kilograms	1,417,000	1,321,407

*Canadian entry date between January 1 and December 31, 2021.



Comprehensive and Progressive Agreement for Trans-Pacific Partnership TRQs

As a result of the coming into force of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP), Canada established 20 TRQs for various supply-managed products (dairy, poultry and eggs) originating from a CPTPP member state. In accordance with CPTPP, certain TRQs are administered on different TRQ years, with some being based on a **calendar year** and others on a **dairy or marketing year**.

Table 17: CPTPP TRQs*

	Unit of Measure	Access Level	Within-Access Imports
Broiler Hatching Eggs and Chicks	Dozen Eggs Equivalent	666,667	0
Chicken	EE Kilograms	15,667,000	542,053
Eggs	Dozen Eggs Equivalent	11,133,333	0
Turkey (May 1 – Apr. 30)	EE Kilograms	2,333,000	0
Butter (Aug. 1 – Jul. 31)	Kilograms	2,250,000	2,059,005
Cheeses of All Types	Kilograms	2,417,000	1,577,132
Concentrated Milk	Kilograms	1,333,000	0
Cream (Aug. 1 – Jul. 31)	Kilograms	530,000	121,440
Cream Powders (Aug.1 – Jul. 31)	Kilograms	102,000	0
Ice Cream and Mixes	Kilograms	1,030,000	28,015
Industrial Cheese	Kilograms	5,317,000	539,095
Milk (Aug. 1 – Jul. 31)	Kilograms	25,000,000	0
Milk Powders (Aug. 1 – Jul. 31)	Kilograms	1,020,000	95,625
Mozzarella and Prepared Cheese	Kilograms	1,933,000	1,218,083
Other Dairy	Kilograms	1,030,000	0
Powdered Buttermilk	Kilograms	796,000	0
Products Consisting of Natural Milk Constituents	Kilograms	2,667,000	40,170
Skim Milk Powder (Aug. 1 – Jul. 31)	Kilograms	3,750,000	25
Whey Powder (Aug. 1 – Jul. 31)	Kilograms	3,000,000	0
Yogurt and Buttermilk	Kilograms	4,000,000	0

*Canadian entry date between January 1 and December 31, 2021 unless otherwise stated.

CUSMA TRQs

As a result of the coming into force of CUSMA, Canada established 16 TRQs in 2020 for various supply-managed products (dairy, poultry and eggs) originating from the U.S. In accordance with CUSMA, certain TRQs are administered on different TRQ years, with some being based on a **calendar year** and others on a **dairy year**.

Table 18: CUSMA TRQs*

	Unit of Measure	Access Level	Within-Access Imports
Chicken	EE Kilograms	49,000,000	48,326,964
Eggs and Egg Products	Dozen Eggs Equivalent	3,333,333	3,333,332
Butter and Cream Powders (Aug. 1 – Jul. 31)	Kilograms	1,500,000	1,486,671



Cheeses of All Types	Kilograms	2,083,000	1,944,352
Concentrated or Condensed Milk	Kilograms	460,000	31,360
Cream (Aug. 1 – Jul. 31)	Kilograms	3,500,000	3,388,362
Ice Cream and Ice Cream Mixes	Kilograms	230,000	125,256
Industrial Cheeses	Kilograms	2,083,000	998,858
Milk (Aug. 1 – Jul. 31)	Kilograms	16,667,000	13,720,382
Milk Powders (Aug. 1 – Jul. 31)	Kilograms	230,000	211,476
Products Consisting of Natural Milk Constituents	Kilograms	920,000	877,462
Other Dairy	Kilograms	230,000	81,357
Powdered Buttermilk	Kilograms	173,000	13,909
Skim Milk Powders (Aug. 1 – Jul. 31)	Kilograms	2,500,000	471,112
Whey Powder (Aug. 1 – Jul. 31)	Kilograms	1,378,000	635,178
Yogurt and Buttermilk	Kilograms	1,378,000	320,107

*Canadian entry date between January 1 and December 31, 2021 unless otherwise stated.

Supplemental Imports

Under the EIPA, the Minister may exercise discretion to authorize imports of products subject to TRQs apart from the import access quantity, if the Minister determines that the importation of these products is required to meet Canadian market needs. Supplemental import permits are normally issued for the following specified purposes:

- To address domestic market shortages;
- To assist Canadian manufacturers to compete with similar imported products that can enter Canada duty-free or at a low rate of duty (the Import-to-Compete Program);
- To assist Canadian manufacturers to compete in foreign markets (the Import for Re-Export Program (IREP));
- To facilitate test marketing in the Canadian market of new products that are, for example, unique or are produced with unique processes and that require a substantial capital investment for their production; or
- To address extraordinary or unusual circumstances.

Policies governing supplemental import permits for each commodity along with any updates are published under the “Notices to Importers” link on the [supply-managed tariff rate quotas \(TRQs\)](#) page that may be found on the Global Affairs Canada website.



Table 19: Poultry and Eggs: Supplemental Imports*

	Unit of Measure	Supplemental Imports			
		IREP	Import-to-Compete	Market Shortage	Other
Broiler Hatching Eggs and Chicks	Egg Equivalent	0	0	2,426,004	0
Chicken and Chicken Products	Eviscerated Equivalent Kilograms	17,843,380	3,432,178	0	6,746
Turkey and Turkey Products	Eviscerated Equivalent Kilograms	0	0	0	0
Eggs and Egg Products	Dozens	100,279	0	10,874,537	0
Shell Eggs	Dozens	0	0	3,713,161	0
Shell Eggs for Breaking	Dozens	25,200	0	6,627,058	0
Egg Powder	Kilograms	0	0	0	0
Egg Products (Liquid, frozen or further processed egg products)	Kilograms	34,086	0	307,233	0

Import permits are required for importing **inedible egg products** into Canada, for monitoring purposes only. Permits were issued for **4,186,349** kilograms of this type of product in 2021.

*Canadian entry date between January 1 and December 31, 2021.

Table 20: Dairy: Supplemental Imports*

	Unit of Measure	IREP	Other
Butter (Aug. 1 - Jul. 31)	Kilograms	16,597,115	2,069
Buttermilk (other than powdered buttermilk), curdled milk and cream, kephir and other fermented or acidified milk and cream	Kilograms	78,269	0
Cheese	Kilograms	4,061,380	52
Concentrated/Condensed Milk/Cream	Kilograms	1,375,673	0
Cream (Aug. 1 - Jul. 31)	Kilograms	1,036,931	29,706
Dairy products, other than food preparations, not subject to TRQs, including, skimmed and whole milk powder, cream powder, other milk powder, other cream powder, animal feed, non-alcoholic beverages containing milk, chocolate ice cream mix and ice milk mix (Aug. 1 – Jul. 31)	Kilograms	2,652,791	0
Dry Whey (Aug. 1 - Jul. 31)	Kilograms	1,489,467	60
Fluid Milk	Kilograms	46,373,843	0
Food Preparations	Kilograms	411,560	42,818



Ice Cream	Kilograms	0	6,839
Milk Protein Substances that do not originate in the United States, Mexico, Chile, Costa Rica, an EU country or other CETA beneficiary, or Israel (Apr. 1 - Mar. 31)	Kilograms	0	0
Powdered Buttermilk	Kilograms	7,688	0
Products of Milk Constituents	Kilograms	38,950	0
Yogurt	Kilograms	278,805	13

*Canadian entry date between January 1 and December 31, 2021 unless otherwise stated.

Imports in excess of TRQ access limits are permitted under General Import Permit No. 100 - Eligible Agricultural Goods, which allows unrestricted imports at the higher rate of duty.

4.3 Non-Supply Managed Products

Other agriculture products subject to import controls are:

- Margarine;
- Wheat, barley and their products; and
- Beef and veal.

The WTO TRQ for margarine was introduced on January 1, 1995.

As part of Canada's Uruguay Round commitments, the restrictions imposed on imports of wheat, barley and their products under the *Canadian Wheat Board Act* were converted to TRQs on August 1, 1995. These TRQs are administered by Global Affairs Canada and the Canada Border Services Agency (CBSA) on a first-come, first-served basis using an August 1 to July 30 TRQ quota period. Importers may cite General Import Permit No. 20 - Wheat and Wheat Products, Barley and Barley Products to import goods at the lower rate of duty. Once the access levels are filled, importers must cite General Import Permit No. 100 - Eligible Agricultural Goods on customs entry documents to import goods at the higher rate of duty. Administrative measures are established to ensure full usage of quota, which sometimes results in imports at the within-access rate over the TRQ limit.

As part of Canada's Uruguay Round commitments, the restrictions on imports of non-FTA beef and veal established under the *Meat Import Act* were converted to a TRQ on January 1, 1995. The TRQ applies to all imports of fresh, chilled and frozen beef and veal that do not originate in Chile, a CUSMA country, an EU country or other CETA beneficiary, or the U.K.



Table 21: Other Agricultural Product Imports in 2021*

		Tariff Rate Quotas			Supplemental Imports			
Tonnes	Description/tariff item number	Access Level	Within-Access Imports	Over-Access Imports	IREP	Import-to-Compete	Market Shortage	Other
Margarine		7,558	2,002	0	N/A	N/A	0	0
Wheat, Barley and their Products	Wheat	226,883	231,112 **	0	N/A	0	0	0
	Wheat products	123,557	160,264 **	78,010	N/A	0	0	0
	Barley	399,000	271,700 **	0	N/A	0	0	0
	Barley products	19,131	18,351 ***	18,253	N/A	0	0	11,205**
Beef and Veal (non-NAFTA except Chile)	Imports from Australia	35,000	7,313	0	N/A	N/A	0	0
	Imports from New Zealand	29,600	12,020	0				
	Imports from all countries certified by the Canadian Food Inspection Agency (CFIA)	11,809	11,734	0				

*Canadian entry date between January 1 and December 31, 2021.

**Rounded to nearest whole amount.

***Including exceptional shipment-specific permits issued in lieu of GIP20 from November 23, 2021 to December 31, 2021 (1,865 tonnes –grain equivalent).

4.4 Steel Monitoring

Carbon steel products (semi-finished products (ingots, blooms, billets, slabs and sheet bars), plate, sheet and strip, wire rods, wire and wire products, railway-type products, bars, structural shapes, units, pipes and tubes) were initially added to the ICL, effective September 1, 1986, following a report by the Canadian Import Tribunal recommending the collection of information on goods of this type entering Canada. These products are found in item 80 of the ICL.

Speciality steel products (stainless steel flat-rolled products (sheet, strip and plate), stainless steel bar, pipe and tube, stainless steel wire and wire products, stainless steel in ingots or other primary forms, semi-finished products of stainless steel, alloy tool steel, mold steel and high speed steel) were initially added to the ICL, effective June 1, 1987, pursuant to an amendment to the EIPA providing for import monitoring of steel products under certain conditions. These products are found in item 81 of the ICL.

The Steel Import Monitoring Program provides more timely steel import data than data available via the regular import reports produced by Statistics Canada. Steel products covered by these items must be imported under the authority of GIP No. 80 - Carbon Steel or GIP No. 81 - Specialty Steel Products. There are no quantitative restrictions for imports of these products. Through the program, Global Affairs Canada undertakes enhanced analysis and verification of the information found on customs declaration forms



and shipping documents with a view to having data errors corrected when possible inconsistencies are discovered. The steel GIPs were amended on August 23, 2019, to include reporting and recordkeeping requirements. The requirements were added to facilitate the collection of import data, by requiring importers to provide, upon request, documents and records for the purpose of identifying any errors in import data and determining the source of any inconsistencies in a targeted manner.

Further to the Joint Statement by Canada and the United States on Section 232 Duties on Steel and Aluminum, issued on May 17, 2019, carbon and specialty steel products were re-added to the ICL on November 2, 2020, pursuant to paragraph 5(1)(e) of the EIPA. This eliminated the need for these products to be re-added to the ICL every three years in order for the program to continue and for an annual statistical summary to be tabled in Parliament. The information contained in the annual statistical summary is publicly available through the [steel import monitoring reports](#) online.

4.5 Steel Safeguards

Following a Canadian International Trade Tribunal (CITT) report issued on April 3, 2019, the Government of Canada imposed final safeguards in the form of TRQs on heavy plate and stainless steel wire products, effective from May 13, 2019 to October 24, 2021. As such, goods covered by the final steel safeguards were added to the ICL, under item 82, on May 13, 2019. Global Affairs Canada administered the TRQs by way of shipment-specific import permits. Goods not covered by a valid import permit at time of accounting were subject to a surtax. The final safeguard measures are no longer in force, as the measures expired on October 24, 2021, and were not extended.

Table 22: Steel Safeguards 2021*

		Within Access Levels (KG)	
	Control Type	Jan 1, 2021 to May 12, 2021	May 13, 2021 to Oct 24, 2021
Heavy Plate	Quota Allocation	16,553,749	36,073,018
	First-come, first-served	1,020,586	333,368
Stainless Steel Wire	Quota Allocation	456,820	529,311
	First-come, first-served	456,283	926,751

*Canadian entry date between January 1 and October 24, 2021.



4.6 Aluminum Monitoring

Further to the Joint Statement by Canada and the United States on Section 232 Duties on Steel and Aluminum, issued on May 17, 2019, aluminum products were added to the ICL, under item 83, on September 1, 2019, pursuant to paragraph 5(1)(e). GIP No. 83 – Aluminum Products, applicable to products under item 83, was also issued on September 1, 2019. Item 83 includes the following products:

- Alloyed and not alloyed unwrought aluminum products; and
- Wrought aluminum products limited to:
 - Bars
 - Rods
 - Profiles
 - Wires
 - Plates
 - Strips
 - Foils
 - Tubes and Pipes
 - Tube and Pipe Fittings
 - Other Articles of Castings and Forgings

The addition of aluminum products to the ICL enabled the implementation of the Aluminum Import Monitoring Program. The above products must be imported under the authority of the GIP No. 83. There is no limit to the quantity of aluminum products covered under item 83 that may be imported into Canada and there are no fees for using the GIP.

The GIP allows Global Affairs Canada to have access to import data and make it available to industry in an expedited manner. In addition, Global Affairs

Canada undertakes enhanced analysis and verification of the information found on customs declaration forms and shipping documents with a view to having any data errors corrected when possible inconsistencies are discovered. The GIP is also equipped with reporting and recordkeeping requirements to facilitate the collection of import data, by requiring importers to provide, upon request, documents and records for the purpose of identifying any errors in import data and determining the source of any inconsistencies in a targeted manner.

4.7 Weapons, Munitions and Chemicals

Pursuant to items 70 to 73 and 91 of the ICL, a permit is required to import into Canada all small- and large-calibre weapons, ammunition, bombs, pyrotechnics, tanks and self-propelled guns. As well, all components and parts specifically designed for these items require import permits. Firearms legally classified as non-restricted or restricted

and destined to sporting or recreational use, and their parts, are exempt from the import permit requirement.

Manufacturers and businesses licensed by the Provincial Chief Firearms Officers may import prohibited weapons, prohibited firearms and prohibited



devices under strictly controlled conditions.

Since 2013, broad-based Import Permit Letters were introduced for low-risk, high-

volume commercial importers of firearms and related goods, leading to a significant reduction of import permit applications for weapons, munitions and chemicals issued annually.

Figure 3: Number of Import Permits for Weapons, Munitions and Chemicals in 2021*



*Between January 1 and December 31, 2021 (data based on submission of applications).

4.8 International Import Certificates and Delivery Verification Certificates

The issuance of International Import Certificates (IICs) and Delivery Verification Certificates (DVCs) is provided for under section 9 of the EIPA and under the *Import Certificate Regulations* (C.R.C., c. 603). IICs enable an importer to describe goods in detail and to certify that he/she/they will not assist in their disposal or diversion during transit. Such assurances may be required by the country of export before permitting the shipment of certain goods, most notably munitions and strategic goods.

In 2021, Global Affairs Canada issued **1,191** International Import Certificates and **200** Delivery Verification Certificates.

An IIC is not an import permit and does not entitle the holder to import the goods described on the certificate into Canada. DVCs may be issued following arrival of the goods in Canada to enable an exporter of goods to Canada to comply with requirements of the exporting country.

Since 2011, IIC letters have been issued to trusted high-volume importers, and this has resulted in a significant reduction in the number of individual certificates issued.

4.9 General Import Permits

The EIPA provides for the issuance of general permits authorizing the import of certain designated goods to all destinations or to specified destinations. GIPs are intended to facilitate imports by enabling importers to import selected goods without applying for individual permits.



The following GIPs were in effect during 2021:

- GIP No. 1: Dairy Products for Personal Use
- GIP No. 2: Chickens and Chicken Products for Personal Use
- GIP No. 3: Wheat and Wheat Products and Barley and Barley Products for Personal Use
- GIP No. 6: Roses for Personal Use
- GIP No. 7: Turkeys and Turkey Products for Personal Use
- GIP No. 8: Eggs for Personal Use
- GIP No. 13: Beef and Veal for Personal Use
- GIP No. 14: Margarine for Personal Use
- GIP No. 20: Wheat and Wheat Products and Barley and Barley Products
- GIP No. 60: Import of Arms Permit
- GIP No. 80: Carbon Steel
- GIP No. 81: Specialty Steel Products
- GIP No. 83: Aluminum Products
- GIP No. 100: Eligible Agriculture Goods
- GIP No. 108: Chemical Weapons Convention Toxic Chemicals and Precursors



5.0 Offences under the *Export and Import Permits Act*

There were no convictions for offences under the EIPA during the 2021 calendar year.

Penalties are listed in subsection 19(1) of the EIPA as follows:

Every person who contravenes any provision of this EIPA or the regulations is guilty of:

(a) an offence punishable on summary conviction and liable to a fine not exceeding \$250,000 or to imprisonment for a term not exceeding 12 months, or to both; or

(b) an indictable offence and liable to a fine in an amount that is in the discretion of the court or to imprisonment for a term not exceeding ten years, or to both.

A prosecution under paragraph 19(1)(a) may be instituted at any time within but not later than three years after the time when the subject matter of the complaint arose.

Section 25 of the EIPA delegates responsibility for the enforcement of the EIPA to all officers as defined in the *Customs Act* (subsection 2(1)). Global Affairs Canada entrusts the enforcement of the EIPA to the Canadian Border Services Agency (CBSA) and to the Royal Canadian Mounted Police (RCMP).

Export control enforcement continued to be a key element in Canada's export control system in 2021. Global Affairs Canada works closely with enforcement agencies, in particular the CBSA and the RCMP. Upon receipt of information relating to an unauthorized export or import of controlled items, Global Affairs Canada may, depending on the circumstances of the case, refer the matter to the RCMP or CBSA for investigation and decision as to whether to proceed with administrative measures and/or penalties or criminal charges.

Global Affairs Canada also routinely provides assistance, expert advice and investigative support to the CBSA, RCMP and other investigative agencies.

In **2021**, Global Affairs Canada responded to **5** formal requests for investigation support.

Alleged violations may come to the attention of Global Affairs Canada directly (e.g. a Canadian exporter or importer may bring forward a suspected violation or indirectly, as a result of an inspection and/or audit).



Potential violations may also be identified in the course of CBSA operations at border control locations and major ports of entry and exit. CBSA may detain a shipment, referring to the appropriate department, including Global Affairs Canada, to verify that legislative and regulatory requirements controlling exports (e.g. export controls under the EIPA, sanctions, licences from the Canadian Nuclear Safety Commission for nuclear-related items) have been met.

Global Affairs Canada recognizes that, on occasion, responsible exporters and importers inadvertently fail to comply with the EIPA. Exporters and importers finding themselves in such a situation are encouraged to disclose any incidents of non-compliance to Global Affairs Canada as soon as possible.

If, after considering the information provided, Global Affairs Canada is satisfied that the exporter has fully cooperated, no further action may be

warranted. Depending on the gravity or overall circumstances of a case, Global Affairs Canada may nonetheless refer disclosures to the CBSA or RCMP for further review.

In **2021**, the CBSA referred **326** export detentions to Global Affairs Canada.

The Minister of Foreign Affairs has the authority to designate inspectors, who for any purpose related to the administration or enforcement of the EIPA may inspect, audit or examine the records of any person who has applied for an authorization under the EIPA. Such activities are conducted to ensure compliance with the EIPA, its associated regulations and established policies, including eligibility criteria associated with various TRQs.

In **2021**, Global Affairs Canada received **38** voluntary disclosures from Canadian exporters regarding the export of strategic and/or military goods and technology.

Global Affairs Canada has verification teams deployed to four major metropolitan areas to support the administration of import and export permits: Ottawa, Montreal, Toronto and Vancouver. Between **150** and **200** verification inspections are conducted annually.



6.0 Performance Standards

Global Affairs Canada is committed to providing clients with prompt and reliable service based on Canadian export and import controls statutes, regulations and policies.

Our aims are to:

Foster an orderly processing of controlled imports into and exports from Canada;

—
Implement our commitments under international agreements; and

—
Ensure that the administration of trade controls under the authority of the EIPA is carried out smoothly and without undue hindrance to Canadian exporters, importers and consumers.

More information on [Our Service Pledge](#) may be found on the [Global Affairs Canada website](#).

In order to fulfill our responsibilities under the EIPA, Global Affairs Canada has established service standards. In 2021, these were:

- **Non-Routed Non-Strategic Permits:** The target for processing import and export permit applications **not** automatically redirected to a permit officer (non-routed) in the New Export and Import Controls System (NEICS) - within 15 business minutes of receipt.
- **Non-Strategic Goods:** The target for processing import and export permit applications automatically redirected (routed) to a permit officer in the NEICS - within four business hours of receipt.

Strategic Goods: The target for processing permit applications to export controlled strategic goods or technology in the New Export Controls Online System (NEXCOL): within 10 business days for complete, applications not requiring consultations outside the Trade and Export Controls Bureau; or, within 40 business days for complete applications that do require consultations outside the Trade and Export Controls Bureau.

- **Logs:** The target for processing log permit applications for log exports - within three business days.

In 2021, a total of **317,776** permit applications were processed within NEICS and NEXCOL (data based on permits processed between January 1 and



December 31, 2021), of which approximately **99.33%**¹ of them (**312,757**) were processed within the allotted service periods. Further detail on the specific service standards for military, dual-use and strategic permits may be found in the 2021 [Report on Exports of Military Goods](#). Additional details concerning service standards and historical performance, by fiscal year, can also be found on our [service standard report](#) in the context of its reporting on high-volume regulatory authorizations.

¹ 2,902 non-strategic permit applications that required additional information or documentation and the total transaction time exceeded four business hours were not included in this performance standard calculation. This is because the system is unable to “stop-the-clock” and we could not determine how long it took to action the permit application once the additional information was provided.



7.0 References

7.1 General Data Notes

Data Discrepancies: There may be discrepancies with other published data given that permits may be subsequently amended or cancelled, or issued retroactively. This results in changes to numbers pulled at different points in time.

Quota Utilization: There are certain instances when quota utilization is zero. This can occur for a number of commercial reasons, including challenging competitive market dynamics negatively impacting the commercial viability of exports/imports; more favourable business conditions in other markets; high transport costs (especially for perishable goods such as dairy); and a potential lack of awareness by Canadian exporters/importers of the opportunities presented by the quotas, especially where FTAs are relatively new.

7.2 Definitions

Cancelled: Permits may be cancelled for reasons such as: permit expired; goods never arrived at the border; amendments to the permit were necessary; at the request of the applicant as the permit is no longer required; policy reasons at the direction of the Minister of Foreign Affairs; etc.

Note regarding **strategic exports:** Permits that have been cancelled are no longer valid for the export of goods or technology. An issued export permit can also be **suspended** for policy reasons and reinstated later.

Issued: Total permits granted to importers or exporters to import goods into or export goods from Canada.

Applicable to Non-Strategic Export Permits and Import Permits Only:

Rejected: Permit applications are normally rejected owing to issues such as insufficient or incorrect information, insufficient quota etc.

Applicable to Strategic Export Permits Only:

Denied: Means a permit that was denied by the Minister of Foreign Affairs, either directly by the Minister or by departmental officials further to policy direction received from the Minister. This occurs in fewer than 1% of cases annually and is generally for reasons related to Canada's foreign and defence policies, as provided in the criteria



for controlling the export of military, dual use and strategic goods outlined in section 3.2.

Returned Without Action: A permit application is returned without action by Global Affairs Canada if it is administratively incomplete, or if there is inconsistent information. A company that wishes to pursue the export is required to submit a new permit application.

Withdrawn: Permit applications may be withdrawn either at the request of the exporter or if the exporter is advised by Global Affairs Canada that a permit is not required. An exporter may decide to withdraw their application if the permit is no longer required because the commercial contract has fallen through, if a change to the contract requires them to resubmit the information under a separate application, or if the exporter becomes aware of political, commercial, or other types of risk that may affect their application and decides not to pursue the opportunity. An application may also be withdrawn if the goods or technology proposed for export are not controlled, if the items are controlled but a permit is not required for their export to the U.S., or if a General Export Permit applies. All of these situations are captured in the category of withdrawn permits.

7.3 Glossary

ACL	<i>Area Control List</i>
AFCCCL	<i>Automatic Firearms Country Control List</i>
ATT	Arms Trade Treaty
BCL	<i>Brokering Control List</i>
CBSA	Canada Border Services Agency
CETA	Comprehensive Economic and Trade Agreement
CITT	Canadian International Trade Tribunal
CPTPP	Comprehensive and Progressive Agreement for Trans-Pacific Partnership
Canada-U.K. TCA	Canada-United Kingdom-Trade Continuity Agreement
CUSMA	Canada-United States-Mexico Agreement
ECL	<i>Export Control List</i>
EE	Eviscerated Equivalent
EIPA	<i>Export and Import Permits Act</i>
EU	European Union
FTA	Free Trade Agreement



GBP1	General Brokering Permit No. 1
GEP	General Export Permit
GIP	General Import Permit
HS	Harmonized System
ICL	<i>Import Control List</i>
IREP	Import for Re-Export Program
MPC	Milk Protein Concentrate
NAFTA	North America Free Trade Agreement
NEICS	New Export and Import Controls System
NEXCOL	New Export Controls System Online
RCMP	Royal Canadian Mounted Police
SME	Square Meter Equivalent
SMP	Skim Milk Powder
TPL	Tariff Preference Level
TRQs	Tariff Rate Quotas
U.K.	United Kingdom
U.S.	United States
WA	Wassenaar Arrangement
WTO	World Trade Organization