

# Canada's Clean Fuel Regulations

Documentation and attestation  
guidance for farmers



## What is the Clean Fuel Regulation?

The Clean Fuel Regulation (CFR) is a Government of Canada policy that is expected to increase demand for liquid biofuel use in Canada created from certain crops like canola, corn, soybeans and wheat.

Crops grown by Canadian farmers (referred to as “harvesters” in the CFR) have streamlined eligibility to participate in the CFR through legislative recognition. This means that Canadian farmers are exempt from demonstrating individual compliance with sustainability requirements related to Land Use and Biodiversity (LUB) Criteria.

However, to confirm the eligibility of crops used in the CFR, the origin of the crops must be documented through the supply chain. The CFR uses declarations to ensure feedstocks have originated from Canadian farms. For any crops harvested in 2024 or after, farmers will be asked to sign an attestation when marketing crops destined for the CFR market.

## What to expect when marketing biofuel crops

### The harvester (farmer) attestation

Grain handlers (e.g., elevators, grain purchasers, etc.) will ask farmers for an attestation that Canadian feedstocks are compliant for use in the CFR. The attestation will include the following information:

1. Confirmation that the crop was grown in Canada and is therefore eligible for the regulatory LUB exemptions and provisions.
2. A single set of GPS coordinates representative of the harvested area of the crop. An example could include the farmyard or the location of the bins.
3. An acknowledgment that the farmer understands that the attestation may be subject to third-party verification and agrees to retain their copy of the declaration for 10 years.

The attestation can be included in contracts, existing producer declarations, or produced as a standalone declaration.

The agriculture industry has worked with the grain value chain to develop simple and consistent sample attestation language (see p. 2). This sample language is provided as guidance only, and individual grain handlers may adjust.

## Attestation frequency

An attestation is required a minimum of once per year to cover the crop production for that year. Frequency of signing an attestation may depend on the mechanism that is used (eg: included in contracts versus standalone declaration). that continuously improve nutrient use.

## Audits

Under the CFR, documentation may be subject to audits, including the attestation, with third-party verifiers confirming information such as the harvest location within Canada and corresponding eligibility with the LUB exemptions.

Therefore, it is important that farmers retain a copy of the documentation that contains the attestation for 10 years.

The information included in this document is for information purposes only and does not represent an official or legal interpretation of the Clean Fuel Regulation.

## Sample harvester/seller declaration

<b>The Declaration is made pursuant to the Clean Fuel Regulations SOR/2022-140.<sup>1</sup></b>	
<b>Harvester/Seller Details</b>	<b>Buyer Details</b>
Name: Address (civic and postal): Phone Number: Email Address:	Name: Address (civic and postal):
<b>Declaration Details</b>	
Declaration Number: Declaration Date: Feedstock Commodity Type: Quantity of Feedstock Sold (kg): Harvest Jurisdiction: GPS Coordinate(s) of Harvested Area (to the fifth decimal point) <sup>2</sup> : Address of Harvested Area (if applicable):	
<b>Attestation</b>	
<p><i>I am the undersigned harvester/seller and do solemnly declare that, unless otherwise specified by me, the feedstock to be delivered, or sold by me, or on my behalf, was grown in Canada and therefore is subject to the exemptions granted under subsection 53(1), subparagraph 55(1)(a), and subparagraph 55(1)(b). Additionally, the feedstock does not contain palm oil and therefore meets the requirements specified in section 50.</i></p> <p><i>I understand and accept that a copy of the declaration must be retained by each the seller and buyer for a period of 10 years and may be subject to third party verification conducted by approved verifying bodies as per Sections 132, 137 and 152.</i></p>	
<hr/> Authorized Signature of the Harvester/Seller/Agent Date:	

<sup>1</sup>The regulations can be found here: <https://laws-lois.justice.gc.ca/eng/regulations/SOR-2022-140/FullText.html>

<sup>2</sup>Canada has received Legislative Recognition to demonstrate compliance with Land Use and Biodiversity Criteria. See Compliance with Clean Fuel Regulations published by Environment and Climate Change Canada (ECCC) at <https://www.canada.ca/en/environment-climate-change/services/managing-pollution/energy-production/fuel-regulations/clean-fuel-regulations/compliance.html#toc1123>