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# **WORKING AT ODDS**

How Food Businesses Experience  
Regulation in Nova Scotia

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*Regulation in Nova Scotia*

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# 1 Background

Strengthening community food security is an emerging policy priority across the Atlantic region (Andree et al. 2016). This goal depends heavily on the development of regional economies that support local food production and distribution. But even as demand grows for food from local farmers and other food entrepreneurs, and the ‘buy local’ movement gains more traction, regulatory governance in the food system is changing rapidly and becoming more complex, potentially increasing compliance costs and uncertainty for some of these businesses at scale (Miewald, Hodgson, and Ostry 2015; Laforge et al. 2018). New governance regimes may also be driving food businesses toward greater formality in their business transactions and structures, requiring them to navigate a host of other legal issues ranging from employment protections to contract design. Moreover, many food businesses—especially farms—are based in rural communities and are therefore far removed from the geographic source of most food governance regimes. They may also lack easy access to lawyers and other forms of legal supports needed to help businesses identify, understand and address their legal and regulatory problems (Baxter and Yoon 2014; Civil Justice 2015).

Evidence of food entrepreneurs’ experiences navigating their regulatory and other legal environments, however, remains largely anecdotal. Accordingly, we developed a study to better understand and characterize food entrepreneurs’ experiences with law and regulation by identifying current barriers, the consequences of those barriers, and the response strategies of those who confront them. Through interviews with food entrepreneurs across Nova Scotia, we find that most face enormous challenges in their mission to maintain their own livelihoods by feeding others. Many said that food businesses need to be highly innovative to be profitable, but such innovation is stymied by barriers to accessing capital and, more pertinent to our study, the ‘red tape’ of confusing, contradictory, and intensifying regulation. While every business owner we interviewed believed in the need for regulations to keep consumers and workers safe, they could identify moments in their own business history where they faced problems with the regulatory system. Understanding how those problems are manifest—and how businesses develop strategies to respond—is a critical first step toward reorienting the regulatory environment around the goal of a

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stronger, more resilient and more collaborative approach to supporting and growing the regional foodshed.

## 2 What We Did: Methods & Data

Data for this project were gathered through semi-structured interviews conducted with food and agricultural business owner-operators in Nova Scotia. Interview participants were recruited through the FarmWorks Investment Cooperative Limited (FarmWorks), which administers a Community Economic Development Investment Fund (CEDIF) supporting responsible community investment in food production and distribution in Nova Scotia. FarmWorks currently administers small investment loans to approximately 70 clients across the province and works actively to support those businesses in navigating their regulatory challenges. A call to participate was first circulated via e-mail and social media by Farmworks' Managing Director to each of the organization's approximately 70 active clients in November 2021, along with an invitation to share the call with other food businesses who might want to participate. A subsequent reminder call was circulated in January 2022.

We note that our sample universe for this study was not necessarily representative of the broader food and agricultural sector in the province, but mainly limited to FarmWorks clients and therefore to the types of businesses served by that organization: smaller,

newer, owner-operated businesses working in production, processing and retail.

A total of 10 interviewees participated in individual, semi-structured interviews conducted by a member of our research team. Each interview lasted approximately one hour, during which we gathered qualitative data about interviewees' regulatory and legal problems and their responses to those problems, including supports available from public and private sources. Interview data were transcribed, coded and analyzed thematically. Our aim at the outset was to interview closer to thirty people, but we suspect we ran into the research "fatigue" plaguing many studies in the time of COVID-19 (De Koning et al. 2021), on top of a potential reluctance to air grievances in a relatively small provincial food producer community. Nevertheless, we heard robust, detailed stories that shed light on some shared experiences. Our findings from this data are described in detail below.

### 3 What We Found: Regulators & Food Businesses Working at Odds

Proprietors of food business, including farms, restaurants, food retailers, prepared food manufacturers, butchers and bakers, are united in one common mission: they seek to make a living for themselves by feeding others. Their success depends on many factors. To start a business, they must have access to capital, expertise and training. To sustain or grow that business, they must produce quality foods and food products that people want to eat, they must be able to charge a price that exceeds their input costs while remaining competitive with other businesses, they must ensure access to their products for consumers, and they must stay flexible to adapt to changing costs, supply conditions and broader economic and social circumstances. They must also be able to find and retain workers in an extremely tight labour market—a difficulty faced in many sectors but one that is especially serious in agriculture and food services.

Shaping and sometimes compounding these many challenges are the regulatory regimes that are the focus of this study (Cruz et al. 2021). Those regimes are often multiple, overlapping and complex, in the sense that they extend across jurisdictions, government

departments, instruments and modes of governance. Food businesses in Nova Scotia can be regulated simultaneously at federal, provincial and municipal levels of government (and in some circumstances, by Indigenous governments and internationally). They might confront multiple regulations at any of those levels issued by several different government departments, or a single regulation that invokes fragmented departmental responsibilities (Berger Richardson and Lambek 2018). Food businesses might also struggle to identify and understand regimes sourced in a variety of regulatory instruments, from legislative provisions and their associated regulations to an array of administrative rules and guidelines. Any of these instruments themselves might have been further interpreted and applied by the provincial or federal courts or by administrative tribunals. Finally, while regulations are conventionally understood to come from *governments*, food systems are often *governed* through collaborative partnerships between government bodies, non-governmental organizations and even private firms. Food businesses increasingly need to account for and respond to the rules, regulations and

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norms that emerge from these collaborative governance arrangements as well (Doberstein 2016; Ambrose, Siddiki, and Brady 2022).

Our interview data shows that food businesses face a daunting number of challenges when trying to meet all of these requirements. Importantly, the financial challenges—having and making enough money—are directly connected to the regulatory challenges, insofar as complying with regulations can sometimes be prohibitively expensive. Thus, disentangling the different kinds of barriers facing food entrepreneurs in the province is difficult, whether you are a food business trying to succeed, a researcher trying to understand, or a policymaker trying to respond. But our study also shows that there are significant opportunities for Nova Scotia’s economic, regulatory and governance structures to better support the province’s food system by improving supports and removing barriers to work *with* rather than *against* businesses, and there are sensible places to start implementing these changes in the short term.

We report our findings by starting with the different **regulatory challenges** identified in our interviews and describe **intersecting issues** that emerge from the data to help better understand and situate those challenges. We then examine **response strategies** used by our interviewees to address the regulatory challenges they face. To conclude, we explore the broader **systemic perspectives** that emerge in our data and reflect on specific **ideas for change**.

### 3.1 Experiences with Regulation

The interviewees in this study understood that food businesses need to be highly innovative to be profitable, citing the need to diversify their products, find niche markets, and compete with importers and domestic conglomerates, both of which enjoy advantages of scale, potential regulatory evasion and preferential policies (detailed below). But this necessary innovation is stymied by confusing, contradictory, and intensifying regulation and by the unclear, uneven, inflexible and sometimes arbitrary way those regulations are communicated and enforced. Below, we report the most common manifestations of such problems and highlight examples of each to illustrate how food businesses confront these problems as a matter of everyday experience.

We want to underscore a key insight from our interviews: the most common problems interviewees reported having with food system regulations were not about the regulations *per se*. Indeed, only a few interviewees could point to problems with the design of specific rules. Instead, they focused on how the regulations were interpreted, explained, applied, or enforced. For some, these problems were expressed in terms of the costs of regulatory compliance or the unequal distribution of costs and benefits in a particular sector or geography. For others, regulatory problems were tied to experiences with individual inspectors or organizations. It was evident

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that each interviewee intended to comply with the regulations they confronted; it was the operationalization of regulations, rather than the regulations themselves, that impeded compliance. On the whole, these findings should draw our attention to the real-life experiences of those governed by food system regulations and the importance of their perspectives in thinking about how to do better.

### **3.1.1 Unrealistic, Unaffordable and Self-Serving Enforcement**

Achieving complex regulatory compliance emerged as a pervasive challenge in our study. Almost every business we interviewed had an example of a regulatory bar that was too high (too complicated, too time-consuming or financially unsustainable) for small businesses to reach. They identified challenges with regulations addressing a range of issues, from health and food safety, to building codes, to organic certification. This inability to attain—or sustain—compliance was not for lack of trying, and several interviewees explained the strategies and solutions they had attempted in good faith efforts to meet regulatory demands. Frequently, these “solutions” themselves turned out to be too expensive or otherwise out of reach.

One farmer told us about CanadaGAP, a voluntary food safety certification for “Good Agricultural Practices (GAPs)” in fruit and

vegetable production and processing that some retailers require. In order to get GAP certified, this farm had to pay a third-party company for an “electronic platform to make it much easier to track” compliance, but the farmer has mostly Mexican and Jamaican seasonal workers who cannot operate the electronic system for language proficiency and literacy reasons. The farmer estimated it would cost \$20-30,000 a year to “maintain records” for CanadaGAP compliance. These high costs—the farmer noted—have direct implications for the diversity and therefore resiliency of the local food system, observing that “we can’t afford to follow the regulations on everything and remain diversified, which [...] goes against good sense [...] because diversification is what’s made us profitable the last 15 years and we’re throwing it out the window because of government regulation.” We note that, based on the farmer’s own CanadaGAP example, this statement encompasses non-governmental regulations as well.

A prepared food maker shared their experience with obtaining an export license from the Canadian Food Inspection Agency (CFIA), along with additional certifications needed from the Global Food Safety Initiative (GFSI) in order to sell their products in local grocers. Unable to meet these requirements on their own, the interviewee went so far as to employ a Safe Quality Food (SQF) manager. “Sometimes I feel it’s impossible,” they explained. “Why am I doing this, but it is very strict, and

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it will make sure that we have fewer recalls.” Despite these efforts—or rather, because of them—the regulatory requirements were overwhelming. Of the GFSI certification, they noted:

There are, oh my God, I don’t know, at least 500 pages of documentation, which we had to go through. And then like, we have to review everything, we have to do mock recalls, we have—it’s like a job of one person to just take care that we are following all these rules, [...] and that person cannot do anything else. So he cannot be producing the products, that person has to just see we are following the rules. So there are too many regulations which [...]. I’ll just give you an example. It’s extremely, very much logical but we will never do it if not put on a document.

So, chemicals have to be put in a locker or something which is logical that food and chemical should not be put together. But you have to put a lock, and there’s a documentation of six pages which we have to go through and we have to sign *every week* to make sure that the chemicals are locked [...]. The grass cannot be growing outside beyond one inch: logical. If the grass grows too much, there will be insects coming inside, but there is documentation on it. [...] GFSI makes sure the tiny, tiny points cannot be ignored.”

Similar problems confronted a food producer who had been stalled by provincial food safety regulations around his ingredients and processes—specifically, around the shelf life, storage requirements, and “best before” date of his product, and who needed lab tests to prove compliance. He noted that one solution would be to employ a lab technician to carry out these tests, but—perhaps obviously—this is not affordable for a small, owner-operated business.

Another entrepreneur who runs a restaurant and inn on a farm struggled to address regulations governing the construction of his physical space. They were told by an inspector, “I need to double Gyproc all my walls and put a fire-rated push steel door in the farmhouse from the dining room into the living room and all this crazy stuff.” The entrepreneur took this as a sign that “they don’t understand my business model.” In other words, they saw the inspector as approaching their businesses in the same way as a large hotel or restaurant, without any acknowledgement that the space only holds a dozen people—maximum—and is not much different in that sense than a homeowner hosting a small dinner party.

Food businesses bear the brunt of these barriers to compliance, but their collective responses to those challenges can also have significant negative consequences for the regulatory regimes themselves. One farmer we interviewed spoke about the decline in credibility of the regime governing organic certification, which in their view had become

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bogged down in bureaucratic process and ultimately disconnected from producers. The farmer had given up organic certification because it required too much paperwork and, more importantly, had become “a purely bureaucratic exercise” where some farms seek to “look” organic on paper but may have some unsustainable and counterproductive practices in reality. The farmer had been on the verge of losing their certification because they had misplaced a receipt for a fertilizer and the inspector could not verify that it was permitted. While hunting for the receipt, the absurdity of the situation hit this farmer and they gave up in protest. The farmer blamed the fact that organic certification had, in recent years, been absorbed into the federal bureaucracy. “In the old days, the inspectors were also certified organic farmers. And so we all—I used to sit on certification review committees and stuff, and we didn’t want our colleagues slipping up, because then we’d all lose our, our good name, right. Wonderful way of bringing farmers together. And it was approachable. And it was really hard to cheat [...]. No one cheated.” Now, “you have federal bureaucrats codifying what organic is and how you certify for it.”

Connected to these dysfunctions within regulatory systems, interviewees voiced their skepticism that some regimes—those addressing food safety in particular—have become self-serving. While food safety regulations were created to solve legitimate problems, they also come at a cost, often too steep for

the businesses that most need the help. There are business advisors who specialize in food safety, one food safety recordkeeping platform that costs approximately \$14,000/year, food safety consultants, and services, such as food safety manuals, offered by Perennia Food and Agriculture Inc.—a provincial development agency—that our interviewees told us they must pay for.

One food processor recalled approaching Perennia for help to develop a Food Safety Plan under the Hazard Analysis Critical Control Points (HAACP) process (the standard process used to create a food safety plan). Perennia connected them to a private company offering software to help navigate the HAACP process. The company “started charging” for the software immediately, even though the processor did not yet know how to use it and did not use it until months later. On top of that, this interviewee reported that even getting an audit to become Global Food Safety Initiative (GFSI) certified—a requirement to sell in local grocery chains—costs around \$10,000. They saw the cost as worth it to avoid recalls—which are more expensive by far—but it was nevertheless a huge burden on a small business.

Of course, many of the entities above were named as sources of support for our interviewees; they help when businesses hit a brick wall. At the same time, it is not a stretch to say that there are livelihoods now wrapped up in maintaining regulatory regimes in their current complexity.

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Finally, one person we interviewed helped us to understand the connection between rigid or unrealistic regulations and deeper food system problems. They gave the example of newer cooks who had been trained using only pre-packaged meat products and had never learned how to butcher and use an entire animal. From the interviewee's standpoint, this contributed to a particular approach to food safety—one that regards anything different from shrink-wrapped meats as insufficiently “sterile”, and one that has ultimately been internalized by some food safety regulators. In this perspective, “everything is so structured, that anything outside that structure, you know, people just can't accept what they don't understand.” For this interviewee, there was a direct line between certain food practices like using pre-packaged meats and an overly structured, inflexible regulatory environment.

*“[W]e can’t afford to follow the regulations on everything and remain diversified, which [...] goes against good sense [...] because diversification is what’s made us profitable the last 15 years and we’re throwing it out the window because of government regulation.”*

*— Nova Scotia Farmer*



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### 3.1.2 An Uneven Regulatory Playing Field

Many of the food entrepreneurs we interviewed believed that the regulatory system in Nova Scotia had, intentionally or not, created an uneven playing field that advantaged importers (i.e., producers in other provinces and countries), bigger local producers (e.g., not owner-operated or having a more complex management structure and higher margins), and older, more well-established businesses.

Interviewees reflected on the role of both geography and scale in determining who bears regulatory burdens. A farmer who sells mostly in farm markets and independent stores believed that the producers of many imported products, like fruits and vegetables, in conventional grocery stores face less stringent regulations than producers located in Nova Scotia. The intensification and increased number of regulations on food production in the province “keeps tilting that playing field against us,” they said. “We have to compete with the outside world that doesn’t necessarily meet all or any of those regulations.” The farmer said the province should “either back off the regulations to the point where we are on a level playing field with the rest of the world, or close the borders” to less-regulated imports. While it is difficult to ascertain whether provincial producers face a heavier regulatory burden than foreign producers, the *perception* of inequity is important, and shapes how local producers view and engage with domestic regulation.

Another farmer noted “there’s so many subsidies, wage subsidies, there’s so many things to help industrial agriculture” and food manufacturing, such as potato chips. The province will give “millions of dollars in wage subsidies over 10 years, and, you know, no, no property tax [...] to try to create 50 jobs.” The result is that industrially manufactured food becomes cheaper to produce to the point that “potato chips are cheap, and carrots are expensive. And then we have a healthcare crisis.” Similarly, the farmer said, “giant meat processing plants have such a regulatory advantage over a small one. [...] Small plants inherently are probably safer. So much less batch mixing all that stuff,” and yet they had a much steeper climb to meet their regulatory requirements.

Sometimes, these different regulations at scale create surprising and perhaps unintended consequences. A brewer of local products shared a problem they continue to experience with the mark-ups set by the Nova Scotia Liquor Corporation (NSLC), which are higher for importers and larger domestic producers and lower for small domestic producers. At one level, this policy is good for small producers (more money from each sale flows back to them). But at the same time, these different tariff rates mean that the NSLC has little incentive to sell much of the local product because *their own* return is lower. Paired with the relative monopoly on liquor sales enjoyed by NSLC, such outcomes, the brewer observed, seem perverse: “And yet,

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regulatory wise, they also say to me, you can't sell anywhere [else] except in your own facility."

These challenges of scale also intersect with the advantages and flexibility often afforded to entrenched interests, to the disadvantage of start-ups and new entrants (Clapp 2021). One person we interviewed said they believed "there's still like an old boys club going on," with some businesses' practices "grandfathered in, and they're trying to, like, make new businesses like mine [follow the new rules]. You have to, like, grow with the standards." Another business owner noted that the seafood industry in the province is controlled by two or three large conglomerates, for whom the regulations work, but did not get into specifics.

Linked to the theme of unclear regulations and poor communication, interviewees spoke to frustrations with the lack of any clear justifications for the uneven regulations they experience in Nova Scotia. An entrepreneur in the prepared foods sector told us that he was prohibited by the province from using fresh yogurt in their product. "But yet, if you went to Sobeys, you could buy yogurt dressings that were made in PEI or Germany. They just wouldn't allow you to do it. [...] But [...] you can sell it in stores from some other place. So my argument is why [...] can't I do it?" Such obvious disconnects in the regulatory outcomes for producers in different jurisdictions—without a clear explanation or justification for why such differences

exist—understandably compounds a sense of arbitrariness and unfairness among those bearing the higher regulatory costs.

All of these examples add up to one thing: newer, smaller, locally-owned food businesses—including farms, food processors, restaurants and prepared food makers—feel like they have to compete in the same market as larger and non-local businesses that are perceived to operate under a different, more permissive set of rules. It is an uneven playing field and local food is, from the perspective of those working in and supporting the local food system, at a clear disadvantage.

### 3.1.3 Inspectors as Obstacles

Some of the most common problems interviewees identified focused on how regulations were interpreted, communicated and applied by the inspectors responsible for monitoring and enforcing regulatory compliance. And while the precise experiences varied, they can all be characterized similarly, with inspectors often becoming obstacles in the way of a business's goals rather than people with a shared stake in creating and sustaining a safe, robust food system and economy.

In one example, inspectors applied regulations for which the business owner could not locate any written documentation. This led the business owner to conclude that the issue was "not in the code" and must simply be the inspector's "preference." Other actors in

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the food system—not inspectors, but support organizations that are supposed to help guide food businesses—engaged in similar conduct. One producer was told by a support organization to make a change in the business and was directed to the provincial *Meat Inspection Act*. But when the producer actually looked at the legislation, they were unable to find any rule requiring such a change.

In other instances, inspectors did not have the experience or knowledge to be able to apply regulations effectively. One business said that when they were being inspected, the inspector “was asking *me* questions. And I was just like, how do you not know these?” Sometimes, uninformed inspectors sent business proprietors down rabbit holes with false information and erroneous recommendations. For example, an entrepreneur produced sauce in a pressure-cooker and their usual practice was to let it cool on counters before storage. A provincial food safety inspector told them that they needed to put the sauce in the refrigerator to cool. Given that the entrepreneur did not have a refrigerator big enough to accommodate a normal sized batch—and they believed their practice to be safe—the entrepreneur consulted a food scientist who concurred that given the processing method (a pressure cooker) and adequate pH levels, there was no need to refrigerate the sauces.

In other instances, lack of knowledge combined with an inability on the part of inspectors to exercise their discretion appropriately by applying regulations in a nuanced,

case-specific way. A butcher shop was told that they needed a boot wash station behind their retail counter. In their interview, the butcher cited this as an example of inspectors’ inability to think “objectively” about the reasonable application of rules to the case in front of them. A boot wash station might make sense in a larger shop with extremely high volumes, higher square footage, and production system geared toward wholesale, but for the small, high-end operation with just a handful of employees that produces some ready-to-cook products and sells directly to customers, “if your boot germs are on the counter, regardless of [whether] you have a boot wash station, you have a problem.”

Similarly, one prepared food producer was told by a provincial food safety inspector to halt production and that they would need to put a “may be hazardous to your health” sticker on all their products. After much back-and-forth and lab testing, it was determined that in fact only a “best before” date was needed. It is not difficult to see the dramatically different impacts that these two responses would have on the producer’s business.

We also heard examples in which the application of regulations by inspectors seemed far out of line with accepted business practices and disproportionate to the economic consequences. Farmers, by one account, are “hassled” by inspectors about their packaging. “We sell a lot of eggs at market,” one interviewee told us, “we used to recycle all the egg

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cartons and the food inspector came in and said, ‘No, it has to all be in new cartons.’” The interviewee felt this was “kind of ridiculous. There’s no plausible food safety need for that. And using new cartons, costs our egg producers, probably something like 25% of their net profit on the whole business. This is un-ecological and just stupid.” They noted that other farmers were told not to use banana boxes for food delivery and sales.

At times, business owners could not figure out a reason for inspectors’ actions beyond the inspector being unfair or wanting to prove a point. One business had to be inspected for fuel safety, and the province recently hired a new inspector for his region. “He came around to both our facilities which have been operating under previously inspected, complete, safe, zero incidents, conditions for nine years. And he made us a big giant list of all sorts of deficiencies, forced us to change them, even painting the threads on a galvanized gas pipeline that has been on the side of my building for nine years, we’re out with paint brushes in November, you know, to touch up threads that he thought might one day rust through.” Other businesses with similar experiences felt that inspectors were “grandstanding” or “justifying their existence.” Interviewees were frustrated by these kinds of experiences, and described inspectors as “small-minded bureaucrats”, “box checkers like you wouldn’t believe,” and “power hungry”; they were perceived as having a “hero complex”.

At a systems-level, business owners cited several events that illustrated a gap between the regulatory system and the kinds of livelihoods it is meant to support and enhance. For example, a new software training was scheduled for all the staff of one regulatory department in agriculture during the busiest time of the growing season, so farmers could not get in touch. In another case, the Department of Environment proposed to change the start time of abattoirs to 8:00am to accommodate the normal schedule of inspectors, who did not want to begin their days any earlier—delaying the abattoirs for hours past their normal schedules. It appeared that those responsible for applying the regulatory regime simply did not understand the day-to-day experiences of those they were attempting to regulate. Notably, this latter example is one in which the regime proved responsive to businesses’ concerns and the scheduling changes were eventually reversed.

Several interviewees suggested an underlying reason behind some of these experiences with inspectors: the path to becoming an inspector is now less likely to begin with individuals having any farm or business experience. As a result, these inspectors do not understand enough about food production or processing to be able to use common sense about regulations or to help businesses problem-solve in a more collaborative mode. The inexperience of some inspectors has even become something of a joke in some circles. “They joke about it all the time. Like, oh, yeah, the health inspector

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showed up with like, brand new white sneakers.”

Whatever the full range of reasons for the perceived behaviour of the inspectors detailed above, we have little doubt about the consequences. Inspectors and other representatives of the regulatory regime in these anecdotes do not appear to work *with* food businesses to co-create a safe, reliable, robust food system. Instead, inspectors and food businesses appear to work against each other. As one interviewee observed, “good” regulatory enforcement is not just about following the rules (or ensuring that others do so): “You know, it’s like they, they follow the rules, sometimes by the book. And that’s not what people really need. You know, like, sometimes people just need a little bit of extra support.” There may well be excellent relationships between some businesses and some inspectors, but we did not find much evidence of that in our interviews. Whether this is mere perception or grounded in objective fact, the result is the same: a lack of trust and cooperation creates the conditions for severe dysfunction within the regulatory system.

### **3.1.4 Poor Communication and Coordination**

Almost as common as unhelpful inspectors were examples of poor communication from and between different regulatory entities, and of instances where it seemed, to businesses,

that the ‘right hand’ does not know what the ‘left hand’ is doing. While many of the parties mentioned below were also viewed positively at times, they were also implicated in some of the interviewees’ more frustrating experiences.

We heard, for instance, about confusion and uncertainty around the authority and appropriate role of different regulatory actors. One food business that is inspected by the Department of Environment told us that the Department frequently does not know how to apply the relevant regulations and requests that the business ask Perennia for advice. Perennia, in turn, asks what the Department of Environment wants. “Perennia is contracted out by the government to help advise on safety stuff,” the business’s owner explained. “But [it’s] not actually a governing body [...] so I just got tossed back and forth a lot between these two people [Perennia and Department of Environment] that didn’t really want to deal with me.” This person waited six months for a decision on one operational matter.

Another business got conflicting recommendations from the Canada Food Inspection Agency (CFIA) and the Nova Scotia Department of Environment, which handles food safety. For example, these two agencies have different rules about community kitchens being used to prepare food for sale—in effect, the CFIA allows it while the Province does not. The business—the sauce producer mentioned above—was told by provincial

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inspectors that their product could not be cooled on the countertop and needed to be refrigerated immediately, while CFIA said all that mattered was the pH level. Similar conflicts or uncertainties can arise between government regulations and voluntary industry certifications. For example, businesses who export food might—at least, practically speaking—need to meet both CFIA requirements and those required to certify through GFSI.

In addition to these problems with coordination and conflicting or compounding regulations, interviewees also said that regulations and regulatory changes are poorly communicated. For the last ten years, one farmer we interviewed had been hearing that their farm would eventually need to make a major investment in a new storage facility to comply with recent changes introduced through the *Safe Food for Canadians Act*. The farmer had not taken any action yet, as their “hand is not being forced”, but they know the change might be coming. They are considering retiring instead of making the investment. “You always want to make the regulation changes predictable to the business community. And that [has] not been the case with the *Safe Food for Canadians Act*. Everyone’s like, do you know what’s going on? And other farmers are like, I don’t know what’s going on.”

Other problems of communication occurred at an interpersonal level. In one-on-one communications, some businesses felt that

inspectors made food producers feel intimidated by using specialist language and ‘throwing the book at’ them rather than helping them parse the regulations and figure out how to meet them. Inspectors were often unclear, and some business owners in the sample said they were made to feel inferior and/or irresponsible for practices that did not conform to regulations. These problems of communication were sometimes compounded by slow response times that prolonged uncertainties and anxieties for those trying to comply.

### 3.1.5 Summary of Findings

Given the range of problems facing food businesses and the significant consequences for continuing to operate some regulatory regimes in their current form, our data point to a pressing need for change. At the same time, we gained insight into the real barriers preventing that change—some of which appear baked into the operation of the regimes themselves.

Before turning to the ideas for change that emerged from our interviews, we discuss a set of intersection issues that emerged in the data. These issues were not themselves about regulations, but our interviewees drew attention to each as an important part of the context bearing on their experiences with different aspects of regulatory systems.

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## 3.2 Intersecting Issues

All of our interviewees spoke at length at their experiences with regulations and regulatory compliance, but they also identified several intersecting issues that shape those experiences and present compounding barriers to participating in a stronger regional food system. We describe four prominent themes: capital, infrastructure, labour, and export-biased growth.

### 3.2.1 Capital

The businesses we interviewed all currently face, have faced in the past, or anticipate facing in the future, challenges accessing the capital they need to start, maintain or make changes to their business. In plain, they need money, they struggle with cashflow especially in the beginning, and the existing offerings from government are inadequate. There were three overarching problems identified with government funding for agriculture and food businesses: too many grants required applicants to raise ‘matching funds’ (so they need to *find* \$10,000 to get \$10,000 more); too many were earmarked for very specific uses; and many were too large for a small business.

As one prepared food maker told us,

[G]overnment [does] not give enough funding. The fundings are there for

big businesses, like let’s say, established businesses, let’s say, CGI, the big technology company, they’re coming over here, Amazon is coming over here, they’ll probably give land free to them. Which makes sense, but [as] a business who wants to grow, I don’t see any support from the Nova Scotia government. I think if I go to the West and establish like a 10,000 square feet space in the kitchen, I would get more support. That’s what I hear from my friends in the West, there is more fundings and more support by the governments over there rather than over here in the Nova Scotia.

Another said they need access to funds that do not require “matching funds”:

That’s not realistic, that’s not realistic for small business owner, you know, we’re taxed to death [...] in every way possible. And for us to come up with a large sum of money to actually get anything done. It’s just not realistic, we can stretch it out and pay smaller amounts over a longer period, you know, that’s realistic. But if you say, okay, well, I’m gonna lend you 100,000, but you got to come up with 100,000 too for something that’s gonna cost 200,000 most starting companies and even companies that have been around for [a while], they don’t have that cash flow. They don’t have the cash flow without depleting their whole company.

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One interviewee said of the Atlantic Canada Opportunities Agency (ACOA), “they give you money only in millions of dollars, but I don’t want millions of dollars. I need \$40,000.” Food entrepreneurs with access to private capital enjoy the advantage in this situation; just as those with parents in a similar industry benefit from their inherited knowledge and networks, those who have money or can borrow it easily have less difficulty starting up their business and keeping it going through the first crucial years. The only body that fills the gap, with small amounts of funding, for general use, that do not require matching funds, is FarmWorks, but in numerous cases, Farmworks could not offer enough funding.

Finally, one of the farmers we interviewed said that they had *not* experienced significant challenges gaining access to capital—but explained quite powerfully how this was the result of “every possible advantage starting in farming” along with layers of privilege, generosity, and some luck. This farmer emphasized that theirs “is not a path that would be easy to follow [for] your average person.” While they worked hard in “doing our best to, you know, use what we have for the greater good”, this experience helps to highlight the systematic barriers and disadvantages faced by most in accessing the capital needed to participate in building a resilient local food system.

### 3.2.2 Infrastructure

Alongside funding gaps, interviewees noted serious challenges from a lack of critical infrastructure needed to operate or grow their business successfully. Two gaps in particular stand out: the province’s lack of abattoirs and its lack of available commercial kitchen space that can meet CFIA or GFSI standards. Multiple interviewees raised each of these issues, but we note just two examples.

On abattoirs, one interviewee said:

[T]here’s no place to take [pigs] to get processed. Oh, for me when I was selling my pigs to restaurants in Halifax, I would need almost two months’ notice--which is insane--to be able to deliver a pig to a restaurant, because I need to [...] breed the pig, I raise it, I feed it, take it to the abattoir to get processed [which requires booking]. I come back a couple days later pick up the pig and then I deliver it to the restaurant. At the end of that process I’m probably in the hole, I’m probably not making a cent because of all the travel, all the time, and all the money that goes into to raising the animal. And that’s just one example.

Nova Scotia’s lack of abattoirs—whether brick and mortar facilities or mobile units capable of operating on farm—may be due to restrictive and costly regulations that make it difficult for small-scale businesses to compete (Levangie 2021). Lack of access to abattoirs

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has been a longstanding problem for meat producers in the province (Nicoletti, 2021). Our interviews confirmed that this remains a pressing concern.

On commercial kitchens, one interviewee said this was their biggest challenge in starting a business. “[M]y first challenges now when I look back, I’m like, those challenges are nothing... but my biggest challenge, was like finding a good kitchen [...] a commercial provincial kitchen.”

Along with these major infrastructure challenges, interviewees noted other gaps as well. One example is a lack of processing and packaging facilities. We were told that some of these facilities existed in the past—for example a cannery for preserving local fruits and vegetables—but have since ceased operations. Like much of the seafood in the province, they explained, this has resulted in a situation where many fruits and vegetables grown in Nova Scotia are shipped away to be canned, only to be shipped back for sale in local stores.

### 3.2.3 Labour

We also heard about food businesses’ many struggles to find and retain workers. While this is a challenge for many sectors of the economy—due to demographic shifts and economic restructuring—Canadian data shows that farms and food businesses (in accommodations and food services) are among

the most affected by widespread labour shortages (Statistics Canada 2022a, 2022b). And not only is the problem acute in the food sector, but it is also especially so for smaller businesses. While larger operations, many of which have been slowly automating some of their work processes for years, are able to pivot and rely more on technology to fill the gap, smaller businesses generally do not have this option.

Immigration—including regulations around hiring foreign workers—was a key theme here. Farms and food processors have long relied on temporary foreign workers, who work hard and have the necessary skills, but are precarious. This reliance has persisted through the pandemic, when immigration has posed additional challenges (Statistics Canada 2020). In our interviews, we also heard of new demands for foreign workers as local labour was in increasingly short supply. But these demands were also paired with a degree of uncertainty about how to navigate the regulatory environment around immigration. As one interviewee told us:

“[It] would help a lot is to [...] pick somebody’s brain on the Human Resources side about immigrant workers, those kinds of things, because we certainly are going to need more of that labor in the summer. And it’s [...] very difficult to find local people that want to work like that. I’ve always heard it as a problem. And I remember when I was in BC, running an

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orchard part time, it was very difficult to find people to work [...], but it's the same thing here. I would like to know what my options are for hiring, you know, out of country labor, I guess. So that would be certainly something we need to explore here based on where we are in the business.

In other instances, food business owners turned to family members—either temporarily or over the long term—to help them fill labour gaps. For example, one prepared foods producer explained how their mother helps with a range of tasks, from chopping vegetables to packaging products. Another interviewee—a fruit farmer—related a story about recruiting a crowd of sixty friends and family in their rush to plant five acres of their farm during the fall season.

As some of the examples above have shown, small businesses that could really use more hands to make more product also have to consider hiring someone to do the work of ensuring the business adheres to regulations. But even if they could afford to hire all the hands they need, the current labour market may be unable to supply them.

### 3.2.4 Export-Biased Growth

A final intersecting issue implicating the regulatory environment is a heavy bias in government and among their partners toward export-led growth for food businesses. As one pre-

pared food maker told us, “ACOA does not even look at you unless you start exporting beyond North America.” Another said “our government is so driven to export, yes, everything we do is export.” A restaurateur and farmer said, of dealing with the Province:

[T]he first question I always got was, what am I looking to export? Am I ready to export, everything was about exporting, and I'm like, I'm not interested in export! I want to do stuff [that is] sustainable for local, I don't want to export. As soon as they heard that I wasn't interested in exporting or my ability wasn't there for exporting, I was basically cut off, you know.

While interviewees agreed exporting *can* be “great”, a sole focus on that objective undermines food sovereignty and efforts to grow a robust local food system capable of feeding Nova Scotians if it had to. For many, the COVID-19 pandemic made the fragility of a globalized food system—and the inherent risks associated with import and export dependence, including the implications of different regulatory requirements across jurisdictions—a very real concern and one that needs to be taken into account when evaluating the design and implementation of food regulations (Clapp and Moseley 2020).

*[T]he first question I always got was, what am I looking to export? Am I ready to export, everything was about exporting, and I'm like, I'm not interested in export! I want to do stuff [that is] sustainable for local..."*

*— Nova Scotia Farmer/Restaurateur*



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### 3.3 Response Strategies

Much of our interview data addressed the many regulatory challenges and intersecting issues confronting food businesses in Nova Scotia. We also asked about participants' responses to those challenges to gain a clearer picture of where people turn for help and to identify gaps in the necessary services and supports.

Overwhelmingly, those we spoke to addressed complex, unachievable, confusing, daunting, and/or poorly communicated regulations through some form of self-help, and often with a remarkable degree of determination and creativity. These strategies frequently involved digging into the details of complex regulations and trying to interpret and apply unfamiliar requirements without the benefit of legal expertise or specific business experience. They also required a lot of dedication and perseverance:

And a lot of it I just studied the regulations and everything to death [...] I can fight back like, I'm the type of person who doesn't take 'no' from an inspector [...] when I know I'm right. So I've just worked with them and do a lot of education that I shouldn't have to do and just take it up to the next level.

At the same time, this interviewee highlighted the challenges that come along with self-help

strategies in domains that require highly specialized knowledge and expertise:

[W]e should have, like, for example, there's not really any channel of appeal of the decision of the food inspector. You know, and that is a very, and I'm sure if you speak to other people, they will say the same thing, it's very hard when you try to figure out by yourself, how do you appeal a decision? So if you're a new person, you're new in the industry, never worked in the industry, trying to do something and you get a no. When you legally can do it based on the regulation—how do you appeal that? And most people just don't go the road. And even me, like it's exhausting. Like, it's 20-25 hours of just emailing that person that send you to that person that send you to that other person.

Much of the time and work of self-help also involved locating the appropriate resources and “studying up”, often without the benefit of even high-level guidance or mentorship. One interviewee lamented, “just yesterday I was thinking, I don't have a mentor. But what I do is I read a lot of books, and I listen to a lot of podcasts so they are my mentors.” Self-help strategies also entailed significant risks. We heard that, when confronting delays in responses from the Department of Environment, some simply push ahead with plans and “beg forgiveness” later.

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Strikingly, anyone who was able to figure things out on their own through various degrees of self-help lamented the plight of businesses who lacked the either social capital, the education, or both to do the same. This is a serious problem about how the risks and other costs of regulation are distributed, particularly if Nova Scotia wants to develop and support a diverse and inclusive entrepreneurial class.

Beyond purely self-help strategies we found that, in the absence of access to expert advisors, food businesses sought out general mentorship and guidance wherever they could. Farmworks loomed large here and stood out in the interviews as an unequivocally good, reasonable, flexible, helpful source of guidance and support. While Farmworks was a significant lender for many interviewees, they were also much more. As a primary source of mentorship and advice, Farmworks is the place that many turn to for advice—both because of the organization’s deep roots and wide range of knowledge about the food system, but also because of an absence of other feasible options. Crucially, Farmworks operates not only as a resource to help their clients navigate regulatory problems, but also as a key entry point into a network of mentors and advisors, many of them informal or *ad hoc*, but nevertheless invaluable for business operators attempting to navigate regulatory systems on their own. One participant recalled how they often call Farmworks’ Managing Director “[a]nd she kind of [...]

points me in the right direction and helps me connect with others that might be able to help me.” As one participant put it quite simply, “[i]f it wasn’t for Farmworks, I say this all time, what would people eat?”

Other organizations in the province, like Perennia, also play important supporting roles in helping food businesses to respond to regulatory problems. At the same time, as one interviewee noted, the high demand for assistance means that these organizations are themselves overburdened: “They’re too slow in responding back. And I think there are too many local producers, too many local producers that they are managing all by themselves. There’s like one person who’s trying to handle everything.”

Overall, we noticed—with a few exceptions—a lack of reliance on lawyers, business professionals or other advisers in navigating regulations. Empirical research on dealing with legal needs in Canada and elsewhere suggests that people have a range of reasons for not turning to more formal advice services, including but not limited to cost. Other reasons could include uncertainty in identifying a problem as “legal” or otherwise, an inability to locate an advisor who is both close by and has sufficient expertise in certain subject matters, a preference for alternative advice options, and a general mistrust of the legal system (Sandefur 2015).

This vignette from our interviews nicely captures some of these complexities:

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[M]y daughter works for a nonprofit. And he was doing her financials and accounting, and we looked at this guy and said wow he knows what he's doing. He's experienced right, he's 58-60 years old and has been doing this for 40 years, literally. And he's got some big clients. He's a little expensive, but I'll tell you, it's worth it because he gives you the advice you need. You don't do this because that's small town and that's not going to do anything for you, try this. And so that's one guy we always draw from, [...] is fabulous. So he's probably our go to. Legally, on the solicitor's side, I haven't found anybody here that I would be comfortable with that understands. Maybe [...] in [...] would be probably one of the few that would understand where the seed business is. But there's some retired people like [...] who was a big judge, I think he was a judge for many years in [...], a local guy who's a customer also a friend who also plays a little bit of an advisory role for us, so you know, he understands the legalities in a business like this. And so we can draw on those kinds of people too. But honestly, you've got to do it yourself. You can't rely on people to provide when disclaimers all those kinds of things, legal issues, liability issues, those are things we figured out on our own.

Finally, given the many barriers to gaining help and support from the right people (at the right time and at reasonable cost), one interviewee addressed the use of technology as an "alternative" source of support for regulatory compliance. This farmer had turned to a digital platform developed to assist with Canada GAP compliance but found that it was no panacea to overcome the need for a certain level of technical expertise and training.



*“But honestly, you’ve got to do it yourself. You can’t rely on people to provide when disclaimers all those kinds of things, legal issues, liability issues, those are things we figured out on our own.”*

*— Nova Scotia Food Producer*

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## 3.4 Ways Forward

### 3.4.1 Perspectives on a Better Food System

The interviews tell us one big thing about the regulation of food in Nova Scotia: it is one piece among many that works against the establishment of a robust, vibrant, secure, sovereign and sustainable food system in the province. While there are ‘buy local’ campaigns and symbolic gestures toward local producers, there is little evidence that any part of the Nova Scotia government, let alone food safety regulators and inspectors, thinks about local food systematically. All of the people we spoke to believe that the best way to feed people, create good jobs, protect the environment, improve population health, and reduce economic uncertainty, is to create and maintain a *local food system based in local ownership*. They believe, in line with research that shows this to be true (Shuman 2012), that local owners of small local food businesses will be more accountable to Nova Scotians and will put the preservation of a safe, robust food system ahead of their other goals—such as profit or export growth. As one producer reflected,

“[E]xporting is great. But also, now that COVID is here, like, what are we going to eat? We’re gonna start seeing it with food shortages and stuff. Like Loblaws and Sobeys and Superstore are businesses,

they’re not charities, when they have the bulk of their population in [Central Canada], they’re not going to send food out here if they don’t have to. If they’re going to get the same amount of money centrally, why would they ship it? [If that happens,] what are we going to eat? Like, we might go back to all meat and turnips, you know, the way it used to be, right? [...] when Graves was down there canning, or [inaudible] was making pies, they were reasonable, because it’s a factory, you know, but you have like one little cafe over here making 10 jars of pickles... it’s not cheap, and it’s just going to further divide the haves and the have nots.”

The producer’s point is that small businesses are trying to fill a gap in local food—canned, preserved foods, for example—but they are doing it in such a niche, craft way that they are not affordable for most consumers. This interviewee pointed back to a time when Nova Scotia had mid-sized factories that could produce canned vegetables at reasonable prices, comparable to imports. The loss of this capacity in the province was once viewed as progress (Agriculture and Agri-Food Canada 1969), but it does not look like that anymore.

For those who have been able to sustain viable local food businesses, a critical challenge is to capture enough of the value from production in order to remain profitable. Our interviewee who produces bottled sauces told us that, “[a]

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lot of times the margins are so little they're intense. Like let me tell you, I sell a bottle for \$4 and [...] I sell to distributor for \$4.50 the distributor sells it for \$5.50 and then it goes at the store for \$7.99 So I'm getting only half the price so now I and the cost of the product for me \$4 I make only 50 cents. So those are a lot of challenges."

One farmer connected the dots between food safety and a weak, import-dependent system. Ironically, they said, our efforts to make food safer have created so many hurdles for local producers that they could not compete with imports that are produced under less strict safety regulations. Governments had not looked at "the big picture," and as a result, the local food system was weaker and food had become less safe. They explained:

"The majority of the foodborne illness that we do get comes from outside our own country. So what's the government's answer to that? Oh, let's regulate our farmers more. So we'll get safer food. Well, the unfortunate thing is, it makes food less safe for Canadians because it puts us in a disadvantage, it means we sell less because there's more being brought across the border. So farms shrink, and farms go out of business and so there's less local food available both to Canadians, less safe local food and more imported, less safe foods. The end result [...] is that food is less safe for Canadians".

We are unable to corroborate the relative safety of domestic versus imported food, but it is a question worth answering. This farmer believed the increased pressure is having a dire impact on farmers' mental health. "You know, agriculture people say, 'oh, it's the lifestyle.' Well, I'm afraid this lifestyle is not improving, like the stress levels are through the roof. You know, I would guess that at least half of farmers are on anti-anxiety and antidepressants. I am." It is a short step to link these mental health outcomes with the pressures that come along with farmers' and other food entrepreneurs' commitments to the local food system: "But you boy, you've got to be on it all the time. Don't take days off. Anyway, that's my final point is you're in or you're not." Such commitments inevitably carry heavy personal costs.

Nearly every person we spoke to felt that, while Nova Scotia consumers supported them and tried to seek out and choose local products, the system they were operating within made this increasingly difficult. Some noted that at the institutional level, there is very little support for local. One interviewee, who had "spoken to politicians about this", said:

"If the provincial government, which funds some [...] institutions, including jails, community colleges, hospitals, seniors' homes, if they would designate that 10% of the food budget would go towards local, then you would have

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a very healthy local food producing environment in Nova Scotia. Just 10% of the food budget, if it had to be local, if it had to be say fresh lettuce from Nova Scotia, or chicken, rather than getting frozen chicken from Texas, if they could have just 10% of the budget, which would be huge, it would [...] be really supportive of Nova Scotia food producers [...] Other places do it, Quebec does it with their cheese, they do it with all kinds of stuff. [...] I've had politicians tell me that free trade regulations block them from doing it. And that's a bunch of [nonsense]. Because if you designated that you get a certain percentage of the chicken that you buy has to be within three days of old or four days old. They can't do that from Texas, you can only do that from a local market. So it can be done. But if they did that, generally speaking, if politicians got behind that you would have a locally produced food environment that would be very healthy and people would be actively involved in it and making money in it in Nova Scotia as opposed to having to import everything."

Another pointed out that the province's food system is operating at a fraction of its potential capacity due to productive land being fallowed. "We could certainly produce I think we're under producing, probably by about 90%. That's how bad it is." They believed the province needs to "get that land in production." Several interviewees

noted the absurdity of having high rates of food insecurity in the province's agricultural backbone—the Annapolis Valley—where farming is so difficult to break into, land is ironically scarce because owners are sitting on it, paying little to no taxes, and farm labour so short—all seemingly fixable problems, with the political will to do it, and with a government that thinks about food as a *system*.

This is a key problem with regulations: from inspectors all the way up through the organizations that employ them to the governments that set the regulations they enforce, there is no sense that they are there to create and sustain and protect a *local food system* rooted in small, owner-operated, sustainable, ethical, environmentally-conscious farms and food production businesses. Nobody we spoke to wants *no* regulations. As one farmer said, "every rule regulation in and of itself, or at least almost everyone is good, right? Nobody argues that. but together they're onerous." And the people who produce food in Nova Scotia feel that the regulatory system works *against*, rather than *for*, local food. One of the most basic insights to be gained from speaking to those working in this system is that such consequences are *not* inevitable. If those responsible for making, interpreting and applying the rules saw more clearly their role in strengthening the regional food system, the whole practice of regulation might start to look less like an adversarial process and more like a shared enterprise.

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On a positive note, there is great potential in our local food system. The fact that local farmers contend with “greenwashing” and “local-washing” in other businesses—imports that try to emulate the local esthetic—shows that there is a strong market for local food; consumers *want* local and sustainable. The businesses in this study have their minds on sustainability, innovation, and the future, and each of them could point to numerous other businesses with the same *raison d’être*.

They are also adapting with changes in climate, demographics and global markets, and have an understanding of where things are going. As one interviewee noted, “We have the ability to, to grow things here almost all year round. I mean, our, our zoning is changing all the time, and it’s getting warmer, but, you know, with, with the amount of greenhouses and all that sort of stuff, we probably won’t have to import very much at all.”

Moreover, food producers understand their role in more than market terms. They see food as a central pillar in health and equity. What they want is a signal, backed by action and investment, that governments understand that local food and food security are health issues too. One reflected on the many “stresses” on our healthcare system. “Part of that stress is an ever increasingly obese public. And this whole question of sugar, and what it does to us, in terms of our metabolisms, and our reliance on caloric intake, is now come into play because this stress is too great on public health care.” As this interviewee and

several others noted, processed food, most of it imported, is one of the main culprits in increasing the public’s intake of sugar (Hawkes 2010; Moubarac et al. 2017). They see their own products as a solution, if only they could compete with cheap, readily available, mass-produced imports.

### 3.4.2 Ideas for Change

When asked, our interviewees offered up no shortage of ideas for changing the regulatory system to better serve local food businesses. At a high level, our interviewees emphasized that solutions needed to address the fundamental problem that regulations are too often siloed, narrowly focused, and disconnected from one another. Something as simple as restrictions on constructing “alternative” waste systems (like an incinerator toilet) on farms can have wide-ranging effects for land and business development, housing and accommodations, and the environment. Those who design, interpret and apply regulatory regimes need to find proactive ways to ensure that they do not simply try to bracket the complexity and interconnectedness of the food system they are tasked with governing.

In that vein, one interviewee identified the need for provincial and municipal governments to develop legislative frameworks that shift fundamental aspects of the relationships between food businesses and their regulatory environments. This person gave the example of the *Maine Food Sovereignty Act*,

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which delegates a range of powers over food laws governing direct consumer-to-producer transactions to local governments. This allows local communities a greater degree of control over how regulations addressing issues like food safety apply to small, owner-operated businesses:

Something I would love to see, which has happened in Maine, is like food sovereignty bylaws in municipalities. So there's like a few places in Maine, where to sell food from your farm gate, you're allowed to do whatever you want, right. And that would go along with owner-built code exemptions. So like, if we could milk a cow and sell raw milk cheese with no quota and no health regulations from our doorstep. Or make homemade salami, or that kind of stuff—that would just make an explosion in artisan food, tourism and just all sorts of good things. And arguably, would be just as safe and wholesome as any industrial [system].

Having passed the *Maine Food Sovereignty Act* in 2017, the State has recently gone even further, enacting an amendment to the State constitution that enshrines the right of individuals “to grow, raise, harvest, produce and consume the food of their own choosing for their own nourishment, sustenance, bodily health and well-being.”

Other ideas for change also spoke to the need to put more control back into the hands of

owner-operators. With respect to building codes:

I would love to see an owner-built exemption to building codes. That would be huge. I think if Nova Scotia did that, we would become leaders in small scale, local agriculture in the country. It would be a land rush here, even beyond what there is now of interesting funky people who want to build affordable houses and not be hamstrung by at least not, you know, certain aspects of the building code, like composting toilets and needing power in order to get a resident permit, an occupancy permit, things like that.

Another system-level idea for change addressed inequities in access to land as a basic factor of local production. One person identified the unequal distribution of land ownership in Nova Scotia and the lack of government policies to encourage redistribution as one promising area for action:

There's this whole stranglehold on land here that people have, and they refuse to let go of it. But they refuse to do anything on it, and it's productive land, right? That is something I think the government has to look at if they haven't already. I've never heard any resources or read anything about it. But I would think at some point, they have to start taxing their property. I mean, it's ridiculous. I can own thousands and thousands of

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productive agricultural acres and pay zero dollars of tax. Where, tell me in what country, what province in what world in the universe does that exist. Nova Scotia, it is the only place in Canada. So there's something that the government could certainly do, and it would sure help other producers, because then there would be more land available to rent to lease or to purchase.

Suggestions for more dedicated attempts to harmonize conflicting or confusing regulations also spoke directly to the need for better coordination through a systems lens. For example, as one prepared food producer asked, why are there multiple, overlapping food safety certification regimes that appear to operate at different levels of strictness or rigor? While freely admitting to not understanding all the potential barriers to such harmonization—"I don't know their challenges"—the question they posed was by no means a naïve one. The important point is not that those operating in the food system have easy answers to complex regulatory problems, but that understanding those problems and crafting viable solutions must start by taking seriously their perspectives.

### 3.4.3 Next Steps

Our goal in this study was not to set out comprehensive next steps for addressing the problems and challenges identified in our

interviews, but our interviewees made clear that they believe there is much low-hanging fruit here. In other words, with greater attention to the challenges outlined above, governments, supporting organizations and others can take significant and concrete steps to work more closely and more collaboratively with food businesses and enable them to participate more fully in the regional food system. Good regulation and regulatory enforcement are necessary and welcomed by food businesses across the province, who see themselves as active partners in strengthening the food system and making it more resilient over time.

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