

Notice to retailers: caffeinated energy drinks

The Canadian Food Inspection Agency (CFIA) is responding to a trend of non-compliant caffeinated energy drinks being illegally imported and sold to consumers at retail. CFIA food safety investigations have resulted in [recall warnings](#) about various brands of caffeinated energy drinks.

CFIA is reaching out to retailers, including grocery stores and convenience stores, to give you information that will help you understand your responsibilities.

Your regulatory responsibilities

As a retailer, it is important that you take action to ensure that the caffeinated energy drinks you are selling meet Canadian food safety standards.

If you have any [products that have been recalled](#) from the marketplace, you must remove them from sale immediately and you must clearly mark them to prevent inadvertent use.

You should regularly check other similar products you are selling and consult your supplier to verify that the those products are compliant with both the *Food and Drug Regulations* and the *Safe Food for Canadians Regulations*

Be aware that the products you are selling should meet the following three criteria.

- The amount of caffeine in a single serving, as listed on the label, is less than or equal to 180mg
- A cautionary statement, such as “High caffeine content” is present on the label
- Label information is presented in both English and French

If the products do not meet the above criteria, they may not meet regulatory requirements.

Traceability

All businesses that sell food to consumers at retail must document, or have access to documents, that trace products back to their immediate supplier.

- Retail includes supermarkets, farmers markets, grocery stores, bakeries and convenience stores
- These documents must include information on the dates that the products were provided to you as well as the name and address of your supplier
- You must provide this information to CFIA inspectors when they request it

For more information refer to the CFIA [Fact Sheet: Traceability](#).

Enforcement

The CFIA is conducting inspection activities to verify that retail establishments are complying with the applicable regulatory requirements. The CFIA will take [regulatory response actions](#)

[where it finds non-compliance](#). Actions the CFIA can take include seizing or detaining products, issuing fines, or prosecuting.

Consumer impacts of selling non-compliant products

Consumers rely on retailers to sell them products that meet Canada's food safety standards, and they trust that retailers will do this. Vulnerable populations can experience adverse health effects if they consume non-compliant products. Vulnerable people include children, breastfeeding and pregnant people, or individuals sensitive to caffeine. People in non-vulnerable populations are also likely to experience negative health effects if they overconsume these products.

Supporting information

- [Notice to industry: Your regulatory responsibilities regarding caffeinated energy drinks](#)
- [About supplemented foods and their labels](#)
- [Infographic: Understanding supplemented food labels](#)
- [Compliance and enforcement activities](#)
- [Traceability for food](#)
- [Importing manufactured foods into Canada with a Safe Food for Canadians licence](#)

Questions

For more information, you can [contact CFIA online](#).

[Stay connected](#) to the latest news and updates about food recalls, food safety, animal health and plant health.