

Expanding into Canada: Canada-EU Comprehensive Economic and Trade Agreement (“CETA”) Considerations

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For international clients seeking to expand into Canada, CETA can significantly reduce the cost and complexity of market entry. It does so by eliminating or reducing customs duties on most goods, improving the transparency and predictability of trade-related processes and expanding access to services and government procurement opportunities.

This overview is intended to address key questions relating to CETA, with a particular focus on issues most commonly raised by European Union (“EU”) businesses considering exporting to, investing in or establishing operations in Canada.

We are happy to assist with your expansion to Canada. If you have questions with respect to any portion of the below, or if you require further information on a topic that is not addressed, please do not hesitate to contact us.

Category	Question	Answer
1. Market Entry	How does CETA affect exports of EU goods to Canada?	Canada has eliminated customs duties on nearly all EU-originating goods under CETA, with most industrial goods entering Canada duty-free if origin requirements are met.
2. Rules of Origin	How do we qualify for preferential tariff treatment?	To obtain the preferential rate, the goods and services must qualify as EU-originating under CETA’s rules of origin (e.g., wholly obtained, made exclusively from originating materials or sufficiently produced under product-specific rules) and the importer must claim it using an origin declaration (a statement by the exporter confirming CETA origin) on an invoice or commercial document.
3. Regulatory Approval or Testing	Does EU approval or testing eliminate the need for Canadian product approvals or testing?	It depends —CETA does not automatically replace Canadian approvals or testing with EU approvals. Canadian regulatory requirements (including labelling, safety and sector-specific rules) continue to apply. In certain covered sectors, Canada may accept conformity assessment results from designated EU bodies.

4. Agri-food & TRQs	Are any products still quota-managed or sensitive?	Yes —Some agricultural products remain subject to tariff-rate quotas (“ TRQs ”). This means duty-free access is limited by volume: once a quota is filled, imports may face higher tariffs or be delayed. Businesses exporting TRQ-managed products (such as certain dairy or cheese products) should secure quota allocations or licences in advance, monitor quota availability and plan shipments accordingly.
5. Services	Can we deliver services into Canada more easily under CETA?	Yes —CETA makes it easier and more predictable for EU businesses to provide services in Canada by preventing Canada from introducing new rules that unfairly restrict EU service providers, except in a limited number of protected sectors. For EU businesses, this means greater certainty when entering the Canadian market and better access in some key sectors, including professional services, telecommunications and maritime services. However, services are still regulated in Canada, often at the provincial level, so businesses should confirm whether licences, permits or other local requirements apply before offering services.
6. Temporary Entry	Can we send staff to Canada for projects?	Yes —CETA allows EU businesses to send staff to Canada on a temporary basis through simplified, Labour Market Impact Assessment-exempt pathways under Canada’s International Mobility Program. Eligible categories include business visitors, intra-company transferees, investors and certain service suppliers and professionals. Staff must fit within a recognized CETA category, meet Canadian licensing or qualification requirements where applicable and comply with time limits and documentation requirements.
7. Public Procurement	Can we bid on Canadian government tenders?	Yes —EU suppliers may bid on covered public procurement opportunities at the federal, provincial and municipal levels, as well as with certain Crown corporations. For covered procurements, EU suppliers must be treated no less favourably than Canadian suppliers.

8. Intellectual Property (“IP”)	How does CETA protect EU IP rights in Canada?	Yes —CETA modernizes Canada’s IP framework, strengthening protection for European trademarks, copyright, pharmaceuticals and GIs, including through alignment with internet treaties and stronger enforcement against counterfeiting at customs.
9. Geographical indications (“GIs”)	Are any EU GIs protected in Canada?	Yes —Canada protects a defined list of EU GIs covering wines, spirits and certain food and agricultural products, including cheese, cured meats and other regional products. These protections prevent unauthorized use of well-known EU product names and misleading references to origin.
10. Investment	Does CETA provide investment protection?	In part —Most of CETA applies provisionally, including investment protection provisions related to market access, national treatment and most favoured nation treatment. However, the Investment Dispute Resolution System is among the measures awaiting full EU member state ratification. To date, 17 of 27 EU member states have ratified.

Have more questions about expanding into Canada? Please [click here](#) or scan the QR code to access Aird & Berlis LLP’s Market Expansion Dashboard, your one-stop-shop for market expansion resources.



Disclaimer: This article offers general comments on legal developments of concern to business organizations and individuals and is not intended to provide legal advice. Readers should seek professional legal advice on the issues that concern them.

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Fiona has extensive experience advising international businesses entering the Canadian market. To date, she has advised more than 100 companies expanding into Canada. Fiona advises clients in this space all day, every day. She has been practising for more than a decade and is a regular speaker and writer on market expansion matters. Fiona is proud to have been recognized by *The Best Lawyers in Canada*, *The Canadian Legal Lexpert Directory* and *Benchmark Canada*.

A proactive and comprehensive approach is required to succeed in a new market. Fiona manages teams of other lawyers and patent agents to provide her clients with a full range of legal services to help their businesses grow. She acts as project manager to ensure her clients receive seamless legal services in all relevant areas.

Fiona takes great care to understand her clients' businesses and deliver advice that is tailored to meeting their specific needs. Her responsiveness, dedication to clear communication and hands-on approach show that she is personally invested in the success of her clients.

Fiona is pleased to offer a multitude of resources answering often-asked questions about expanding into Canada, including [this video](#) and [this one-page guide](#).



Hon. Peter Van Loan

Partner

With more than 30 years' experience spanning politics, law and academia, the Honourable Peter Van Loan brings a wealth of expertise to his clients. His long-standing involvement in the political sphere has included leadership positions with various federal ministries and volunteer roles at the municipal, provincial and federal levels.

Building on his experience as Canada's Trade Minister and Public Safety Minister, Peter has provided legal and strategic advice on trade matters to a wide range of business clients. This has included the navigation of tariff and counter-tariff issues and ensuring that clients' interests are advanced in trade negotiations. Since returning to private practice, Peter has acted on successful policy matters, major settlement area expansions, conversions and other Municipal Comprehensive Review matters within the Greater Toronto Area and Ontario as a whole.



Alyssa Marchese

Articling Student

Alyssa summered at the firm in 2023 and 2024. She recently graduated from the JD program at Osgoode Hall Law School. During law school, Alyssa held a variety of leadership roles, including Co-President of the Canadian Italian Association of Osgoode, Communications Director of the Environmental Law Society, Marketing Director of the Osgoode Society for Corporate Governance, Events Coordinator of the Osgoode Emerging Technology Association and Osgoode Ambassador to the Ontario Bar Association. She also participated in the Osgoode Business Clinic and worked as a caseworker at the Investor Protection Clinic.

Prior to law school, Alyssa earned a Bachelor of Environmental Studies from York University, graduating *summa cum laude*, and was recognized with many awards for community leadership and academic achievement. She was active in student leadership, leading the Italian Student's Association, acting as a Peer Mentor Coordinator, and serving as a member of the Equity Committee, the Faculty Council and the Inclusion Group.