

Gazette
officielle
DU Québec

Part

2

No. 8A

20 February 2014

Laws and Regulations

Volume 146

Summary

Table of Contents
Regulations and other Acts
Draft Regulations
Index

Legal deposit – 1st Quarter 1968
Bibliothèque nationale du Québec
© Éditeur officiel du Québec, 2014

All rights reserved in all countries. No part of this publication may be translated, used or reproduced for commercial purposes by any means, whether electronic or mechanical, including micro-reproduction, without the written authorization of the Québec Official Publisher.

NOTICE TO USERS

The *Gazette officielle du Québec* is the means by which the Québec Government makes its decisions official. It is published in two separate editions under the authority of the Act respecting the Centre de services partagés du Québec (chapter C-8.1.1) and the Regulation respecting the *Gazette officielle du Québec* (chapter C-8.1.1, r. 1). Partie 1, entitled “Avis juridiques”, is published at least every Saturday. If a Saturday is a legal holiday, the Official Publisher is authorized to publish it on the preceding day or on the following Monday. Partie 2, entitled “Lois et règlements”, and the English edition, Part 2 “Laws and Regulations”, are published at least every Wednesday. If a Wednesday is a legal holiday, the Official Publisher is authorized to publish them on the preceding day or on the Thursday following such holiday.

Part 2 – LAWS AND REGULATIONS

Internet

The *Gazette officielle du Québec* Part 2 will be available on the Internet at noon each Wednesday at the following address:

www.publicationsduquebec.gouv.qc.ca

The *Gazette officielle du Québec* published on the website is available to all free of charge.

Contents

Part 2 contains:

- (1) Acts assented to, before their publication in the annual collection of statutes;
- (2) proclamations of Acts;
- (3) regulations made by the Government, a minister or a group of ministers and of Government agencies and semi-public agencies described by the Charter of the French language (chapter C-11), which before coming into force must be approved by the Government, a minister or a group of ministers;
- (4) decisions of the Conseil du trésor and ministers’ orders whose publications in the *Gazette officielle du Québec* is required by law or by the Government;
- (5) regulations and rules made by a Government agency which do not require approval by the Government, a minister or a group of ministers to come into force, but whose publication in the *Gazette officielle du Québec* is required by law;
- (6) rules of practice made by judicial courts and quasi-judicial tribunals;
- (7) drafts of the texts mentioned in paragraph 3 whose publication in the *Gazette officielle du Québec* is required by law before their adoption or approval by the Government.

French edition

In addition to the documents referred to in paragraphs 1 to 7 above, the French version of the *Gazette officielle du Québec* contains the orders in council of the Government.

Rates*

1. Annual subscription:

	Printed version
Partie 1 “Avis juridiques”:	\$480
Partie 2 “Lois et règlements”:	\$656
Part 2 “Laws and Regulations”:	\$656

2. Acquisition of a printed issue of the *Gazette officielle du Québec*: \$10.26 per copy.

3. Publication of a notice in Partie 1: \$1.65 per agate line.

4. Publication of a notice in Part 2: \$1.09 per agate line. A minimum rate of \$241 is applied, however, in the case of a publication of fewer than 220 agate lines.

* **Taxes not included.**

General conditions

The Division of the *Gazette officielle du Québec* must receive manuscripts, **at the latest, by 11:00 a.m. on the Monday** preceding the week of publication. Requests received after that time will appear in the following edition. All requests must be accompanied by a signed manuscript. In addition, the electronic version of each notice to be published must be provided by e-mail, to the following address: gazette.officielle@cspq.gouv.qc.ca

For information concerning the publication of notices, please call:

Gazette officielle du Québec
1000, route de l’Église, bureau 500
Québec (Québec) G1V 3V9
Telephone: 418 644-7794
Fax: 418 644-7813
Internet: gazette.officielle@cspq.gouv.qc.ca

Subscriptions

For a subscription to the *Gazette officielle du Québec* in paper form, contact the customer service.

Les Publications du Québec
Customer service – Subscriptions
1000, route de l’Église, bureau 500
Québec (Québec) G1V 3V9
Telephone: 418 643-5150
Toll free: 1 800 463-2100
Fax: 418 643-6177
Toll free: 1 800 561-3479

All claims must be reported to us within 20 days of the shipping date.

Table of Contents

Page

Regulations and other Acts

Designate contagious or parasitic diseases, infectious agents or syndromes affecting bees (Amend.) 357A

Draft Regulations

Animal Health Protection Act — Designate contagious or parasitic diseases, infectious agents and syndromes 359A

Regulations and other Acts

M.O., 2014

Order of the Minister of Agriculture, Fisheries and Food dated 18 February 2014

Animal Health Protection Act
(chapter P-42)

Regulation to amend the Regulation to designate contagious or parasitic diseases, infectious agents or syndromes affecting bees

THE MINISTER OF AGRICULTURE, FISHERIES AND FOOD,

CONSIDERING section 3 of the Animal Health Protection Act (chapter P-42) which provides that the Minister of Agriculture, Fisheries and Food may make regulations on the matters set forth therein, in particular, to designate the contagious or parasitic diseases and the infectious agents or the syndromes for the purposes of certain provisions of the Act and to prescribe the content of the reports required under section 3.1 of the Act;

CONSIDERING section 12 of the Regulations Act (chapter R-18.1) which provides that a proposed regulation may be made without having been published, if the authority making it is of the opinion that the urgency of the situation requires it;

CONSIDERING that section 13 of the Regulations Act provides that the reasons justifying the absence of publication of the proposed regulation must be published with the regulation;

CONSIDERING section 18 of the of the Regulations Act which provides that a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the urgency of the situation requires it;

CONSIDERING that section 18 of the Regulations Act provides that the reasons justifying the coming into force of the regulation on the date of its publication must be published with the regulation;

CONSIDERING that, in the opinion of the Minister, the urgency due to the following circumstances justifies the absence of publication of the proposed regulation and the coming into force of the regulation on the date of its publication:

— the porcine epidemic diarrhea was diagnosed for the first time in the United States in April 2013 and, in Canada, a first case was announced in Ontario in a hog farm on 23 January 2014;

— that highly contagious porcine viral disease may cause a mortality rate of up to 100% for piglets;

— the risk of introduction of the disease in Québec is omnipresent and could cause important economic losses in the hog industry;

— the obligation for laboratory directors to declare the porcine epidemic diarrhea would help the department to better monitor the disease in Québec and to act rapidly after the detection of a case by applying the action plan designed for that purpose;

CONSIDERING that it is expedient to make the Regulation without publishing the draft Regulation;

CONSIDERING that it is expedient to make the Regulation come into force on the date of its publication;

ORDERS AS FOLLOWS:

The Regulation to amend the Regulation to designate contagious or parasitic diseases, infectious agents or syndromes affecting bees, attached to this Order in Council, is made.

Québec, 18 February 2014

FRANÇOIS GENDRON,
Minister of Agriculture, Fisheries and Food

Regulation to amend the Regulation to designate contagious or parasitic diseases, infectious agents or syndromes affecting bees

Animal Health Protection Act
(chapter P-42, s. 3)

1. The Regulation to designate contagious or parasitic diseases, infectious agents or syndromes affecting bees (chapter P-42, r. 4.1) is amended by replacing the title by “Regulation to designate contagious or parasitic diseases, infectious agents or syndromes affecting certain animals”.

2. The following is added after section 4:

“**4.1.** The porcine epidemic diarrhea (virus responsible for PED) is designated contagious disease and infectious agent for the purposes of the third paragraph of section 3.1 and sections 3.2 to 3.4 of the Animal Health Protection Act (chapter P-42).

4.2. The report of porcine epidemic diarrhea (virus responsible for PED) required under the third paragraph of section 3.1 of the Animal Health Protection Act (chapter P-42) must be made in writing and must contain the following information:

(1) the name, address and telephone number of the laboratory where samples of animal tissues, products, secretions, excreta or dejecta or samples of an animal's environment have been analysed;

(2) the contagious disease or the infectious agent that is being reported;

(3) the date on which the laboratory received the sample and the date on which the sample was collected;

(4) the analysis made and the result;

(5) the identification code the laboratory assigned to the sample;

(6) the name, address and telephone number of the owner or custodian of the animal from which the sample was taken and, where applicable, the name, address and telephone number of the veterinary surgeon who submitted the sample;

(7) the species and the category of animal to which the sample refers;

(8) every identification of the animal, including an identification recognized under another identification system established by the Government of Canada or the government of another province or Canadian territory, or by the competent authority of the country of origin of the animal;

(9) the address of the site where the animal to which the sample refers is kept.”.

3. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

Draft Regulations

Draft Regulation

Animal Health Protection Act
(chapter P-42)

Designate contagious or parasitic diseases, infectious agents and syndromes

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to designate contagious or parasitic diseases, infectious agents and syndromes, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation designates contagious or parasitic diseases, infectious agents and syndromes for the purposes of the Animal Health Protection Act (chapter P-42). The draft Regulation also provides for the content of the report made under the third paragraph of section 3.1 of the Animal Health Protection Act (chapter P-42).

To date, study of the matter shows a negligible economic impact for small and medium-sized businesses.

Further information may be obtained by contacting Sylvie Dansereau, Direction de la santé et du bien-être des animaux, Ministère de l'Agriculture, des Pêcheries et de l'Alimentation, 200, chemin Sainte-Foy, 11^e étage, Québec (Québec) G1R 4X6; telephone: 418 380-2100; fax: 418 380-2169.

Any person wishing to comment on the matter is requested to submit written comments within the 45-day period to Madeleine Fortin, Assistant Deputy Minister, Sous-ministériat à la santé animale et à l'inspection des aliments, 200, chemin Sainte-Foy, 12^e étage, Québec (Québec) G1R 4X6.

FRANÇOIS GENDRON,
Minister of Agriculture, Fisheries and Food

Regulation to designate contagious or parasitic diseases, infectious agents and syndromes

Animal Health Protection Act
(chapter P-42, s. 3)

DIVISION I GENERAL

1. The diseases designated as reportable diseases under the Reportable Diseases Regulations (SOR/91-2) made under the Health of Animals Act (S.C. 1990, c. 21) are designated contagious or parasitic diseases, infectious agents or syndromes for the purposes of sections 3.1 to 3.4 of the Animal Health Protection Act (chapter P-42).

2. The diseases indicated in Schedule VII to the Health of Animals Regulations (C.R.C., c. 296) made under the Health of Animals Act (S.C. 1990, c. 21) are designated contagious or parasitic diseases, infectious agents or syndromes for the purposes of the third paragraph of section 3.1 and sections 3.2 to 3.4 of the Animal Health Protection Act (chapter P-42).

3. The following diseases or their infectious agents are designated contagious or parasitic diseases, infectious agents or syndromes for the purposes of the third paragraph of section 3.1 and sections 3.2 to 3.4 of the Animal Health Protection Act (chapter P-42):

(1) arboviruses (other than arboviruses designated under sections 1 and 2);

(2) coxiellosis or Q fever (*Coxiella burnetii*);

(3) porcine epidemic diarrhea (virus responsible for PED);

(4) swine dysentery (*Brachyspira hyodysenteriae* and *hampsonii*);

(5) ovine epididymitis (*Brucella ovis*);

(6) transmissible gastroenteritis of pigs (virus responsible for TGE);

(7) type A influenza (other than the subtypes designated under section 1);

(8) leptospirosis (*Leptospira interrogans*);

(9) avian mycoplasmosis (*Mycoplasma* spp.);

(10) equine herpesvirus myeloencephalopathy;

(11) salmonellosis (*Salmonella* spp.);

(12) tularaemia (*Francisella tularensis*).

DIVISION II CERVIDS

4. In order to be valid, the certificate provided for in section 9 of the Animal Health Protection Act (chapter P-42) must have been issued no more than 30 days before the bringing into Québec of cervids (*cervidae*) which according to the certificate are free from the chronic wasting disease of cervids.

DIVISION III BEES

5. The following are designated contagious or parasitic diseases, infectious agents or syndromes for the purposes of sections 3.1 to 3.4 or section 8 of the Animal Health Protection Act (chapter P-42) that affect bees:

(1) small hive beetle (*Aethina tumida*);

(2) Tropilaelaps mites (*Tropilaelaps* spp.);

(3) American foulbrood (*Paenibacillus larvae*);

(4) African bee (*Apis mellifera scutellata*) and its hybrids.

6. The honey bee (*Apis mellifera*) is covered by the prohibition provided for in the first paragraph of section 8 of the Animal Health Protection Act (chapter P-42).

7. The following are designated contagious or parasitic diseases, infectious agents or syndromes for the purposes of section 9 of the Animal Health Protection Act (chapter P-42) that affect bees:

(1) small hive beetle (*Aethina tumida*);

(2) Tropilaelaps mites (*Tropilaelaps* spp.);

(3) American foulbrood (*Paenibacillus larvae*).

8. In order to be valid, the certificate provided for in section 9 of the Animal Health Protection Act (chapter P-42) must have been issued no more than 30 days before the bringing into Québec of honey bees (*Apis mellifera*) which according to the certificate are free from contagious or parasitic diseases, infectious agents or syndromes referred to in section 7.

DIVISION IV CONTENT OF THE REPORTS

9. The report required under the third paragraph of section 3.1 of the Animal Health Protection Act (chapter P-42) must be made in writing and must contain the following information:

(1) the name, address and telephone number of the laboratory where samples of animal tissues, products, secretions, excreta or dejecta or samples of an animal's environment have been analysed;

(2) the contagious or parasitic disease, the infectious agent or the syndrome that is being reported;

(3) the date on which the laboratory received the sample and the date on which the sample was collected;

(4) the analysis made and the result, including information regarding the serotypes or subtypes of the infectious agent;

(5) the identification code the laboratory assigned to the sample;

(6) the name, address and telephone number of the owner or custodian of the animal from which the sample was taken and, where applicable, the name, address and telephone number of the veterinary surgeon who submitted the sample;

(7) the species and the category of animal to which the sample refers;

(8) every identification of the animal, including an identification recognized under another identification system established by the Government of Canada or the government of another province or Canadian territory, or by the competent authority of the country of origin of the animal;

(9) the address of the site where the animal to which the sample refers is kept.

DIVISION V**FINAL**

10. The Commercial Aquaculture Regulation (chapter P-42, r. 2) is revoked.

11. The Regulation respecting the health certification of imported animals (chapter P-42, r. 3) is revoked.

12. The Regulation respecting the designation of a contagious disease and an infectious agent, and the sanitary conditions applicable to places where birds are kept in captivity (chapter P-42, r. 4) is amended

(1) by replacing the title by “Regulation respecting the sanitary conditions applicable to places where birds are kept in captivity”;

(2) by revoking section 1.

13. The Regulation to designate contagious or parasitic diseases, infectious agents or syndromes affecting certain animals (chapter P-42, r. 4.1) is revoked.

14. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

Index

Abbreviations: **A**: Abrogated, **N**: New, **M**: Modified

	Page	Comments
Animal Health Protection Act — Designate contagious or parasitic diseases, infectious agents and syndromes (chapter P-42)	359A	Draft
Animal Health Protection Act — Designate contagious or parasitic diseases, infectious agents or syndromes affecting bees (chapter P-42)	357A	M
Designate contagious or parasitic diseases, infectious agents and syndromes (Animal Health Protection Act, chapter P-42)	359A	Draft
Designate contagious or parasitic diseases, infectious agents or syndromes affecting bees (Animal Health Protection Act, chapter P-42)	357A	M

