

34. UROLOGY

60 months of training including:

a) 12 months of training in disciplines related to the specialty;

b) 12 months of training in surgery;

c) 24 months of training in urology;

d) 12 months of training the content of which may vary according to the university programme mentioned in section 3.01.01; where these 12 months are not included in the university programme approved, the candidate shall propose the content thereof and have it approved by the Credentials Committee.”.

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

9795

Draft Regulation

Plant Protection Act
(1995, c. 54)

Plant Protection

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Plant Protection Regulation, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The purpose of the Draft Regulation is to

— determine the diseases and destructive insects covered by the Plant Protection Act;

— prescribe the terms and conditions for the taking of samples and the seizure or confiscation of property authorized by the Act;

— establish the form and content of any certificate, report or minutes that will be used by the inspectors designated for the enforcement of plant protection measures.

To date, study of the matter has revealed no impact of an economic nature on the public and businesses.

Further information may be obtained by contacting Mr. Michel Lemay, 2700, rue Einstein, Sainte-Foy (Québec), G1P 3W8, tel.: (418) 644-4686, fax: (418) 646-0832.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Agriculture, Fisheries and Food, 200, chemin Sainte-Foy, Québec (Québec), G1R 4X6.

GUY JULIEN,
Minister of Agriculture, Fisheries and Food

Plant Protection Regulation

Plant Protection Act
(1995, c. 54, ss. 3 and 18)

1. The following diseases and destructive insects are covered by the Plant Protection Act:

DISEASES

COMMON NAME	SCIENTIFIC NAME
1. Fire blight	<i>Erwinia amylovora</i> (Burr.)
2. European canker	<i>Nectria galligena</i> (Bres.)
3. Black knot	<i>Apiosporina morbosa</i> (Schw.)
4. White pine blister rust	<i>Cronartium ribicola</i> (J.C. Fisch.)
5. Apple scab	<i>Venturia inaequalis</i> (Cooke)
6. Crown gall	<i>Agrobacterium tumefaciens</i> (S & T)
7. Angular leaf spot on strawberry	<i>Xanthomonas fragariae</i> (K. & K.)
8. Red stele of strawberry	<i>Phytophthora fragariae</i> var. <i>fragariae</i> (Hickman)
9. Phytophthora root rot of raspberry	<i>Phytophthora</i> sp.

DESTRUCTIVE INSECTS

COMMON NAME	SCIENTIFIC NAME
1. Plum curculio	<i>Conotrachelus nenuphar</i> (Bbst.)
2. San Jose scale	<i>Quadraspidiotus perniciosus</i> (Comst.)
3. Oystershell scale	<i>Lepidosaphes ulmi</i> (L.)
4. Apple maggot	<i>Rhagoletis pomonella</i> (Walsh)
5. Woolly apple aphid	<i>Eriosoma lanigerum</i> (Hausm.)
6. Roundheaded appletree borer	<i>Saperda candida</i> (F.)
7. Oblique-banded leaf roller	<i>Choristoneura rosaceana</i> (Harris)
8. White pine weevil	<i>Pissodes strobi</i> (Peck)
9. Bronze birch borer	<i>Agrilus anxius</i> (Gory)
10. Fletcher scale	<i>Parthenolecanium fletcheri</i> (C.)
11. Peach tree borer	<i>Sanninoidea exitiosa</i> (Say)
12. European apple sawfly	<i>Hoplocampa testudinae</i> (Klug)
13. Dogwood borer	<i>Synanthedon scitula</i> (Harr.)

2. An authorized person who witnesses an offence against the provisions of the Plant Protection Act (1995, c. 54) shall immediately prepare an offence report in accordance with the Regulation respecting the form of offence reports, made under the Code of penal procedure (R.S.Q., c. C-25.1).

3. An authorized person shall place a numbered and dated receipt on any lot of property seized or confiscated under the Plant Protection Act. The receipt shall bear, in addition to the authorized person's signature, the particulars in the Form in Schedule I.

The action taken in respect of the seizure or confiscation of property shall be stated in minutes dated and

signed by the authorized person and bearing the particulars in the Form in Schedule II.

4. A release of the seizure shall be given in writing by any authorized person, where one of the situations provided for in section 21 of the Plant Protection Act occurs or where the object that has been seized must be returned under another Act.

The release shall be dated and signed by the authorized person and shall bear the particulars in the Form in Schedule III.

5. Any taking of samples shall immediately entail the drafting of minutes dated and signed by the authorized person.

These minutes shall bear the particulars in the Form in Schedule IV.

6. All minutes shall be drawn up in triplicate in accordance with the Form in Schedule II or IV, as the case may be.

The first copy shall be sent within 24 hours by the authorized person to the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation. A copy shall be left with the owner or custodian of the property that has been taken, seized or confiscated or to their representative. A copy shall be kept by the authorized person.

7. Every sample taken shall be placed under seal and sent, together with the minutes, to the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation. If special measures for the preservation of a sample are required, the sample shall be sent immediately to the laboratory where such measures will be taken. Mention of such dispatch shall be made in the minutes. The seals shall be affixed on the container enclosing the samples. Each sample shall bear a numbered tag bearing the particulars in the Form in Schedule V.

8. Within 24 hours of its receipt, the sample shall be forwarded to the laboratory.

On the day following the end of the time period required to complete the analysis, the laboratory shall submit a report to the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation bearing the particulars in the Form in Schedule VI.

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



Gouvernement du Québec
**Ministère de l'Agriculture, des Pêcheries
 et de l'Alimentation**
 Protection des plantes

SCHEDULE I

(s. 3)

SEIZURE

Receipt No. _____

Plants Vehicles Equipment _____
 (quantity, nature, kind)

under the custody of _____

Minutes No. _____

Made at _____ on

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 (place) year month day

Authorized person _____

Address _____ Telephone _____

N.B. S. 17: An inspector may, in the exercise of his functions, seize a plant or equipment to which this Act applies, if he has reasonable cause to believe that the plant or the equipment has been used to commit an offence under this Act, or that an offence has been committed in connection with the plant or equipment, or where an owner or a custodian of premises where a plant is found has failed to comply with an order.

S. 19: The owner or custodian of the seized property shall have custody thereof. However, the inspector may, if he considers it expedient, move the seized property to other premises for purposes of custody. The custodian shall also have custody of any seized property produced as evidence, unless the judge having received it in evidence decides otherwise.

Custody of the seized property shall be maintained until it is disposed of in accordance with sections 21 to 25 or, if proceedings are instituted, until the judge disposes of it otherwise.

S. 20: No person may use or remove seized property or allow seized property to be used or removed except with the authorization of the inspector.



Gouvernement du Québec
**Ministère de l'Agriculture, des Pêcheries
 et de l'Alimentation**
 Protection des plantes

CONFISCATION

Receipt No. _____

Plants _____
 (quantity, nature, kind)

under the custody of _____

Minutes No. _____

Made at _____ on

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 (place) year month day

Authorized person _____

Address _____ Telephone _____

N.B. S.8: If the owner or custodian fails to comply with the notice of the inspector, the inspector may confiscate the plants and cause them to be destroyed at the expense of the owner or custodian. The sums involved bear interest at the rate determined under section 28 of the Act respecting the Ministère du Revenu.

S. 11: If the owner or custodian fails to comply with the order of the Minister, an inspector may himself carry out the order or cause it to be carried out at the expense of the owner or custodian.

An inspector may also, where an order for the destruction of plants is not complied with, confiscate the plants for destruction at the expense of the owner or custodian.

The sums involved bear interest at the rate determined under section 28 of the Act respecting the Ministère du Revenu.



SCHEDULE II
 (s. 3)

MINUTES

<input type="checkbox"/> OF SEIZURE	<input type="checkbox"/> OF CONFISCATION
Name and address of person responsible	Record No.

A- REASONS FOR ACTION TAKEN

- Considering offence report No. _____ completed on _____
- the minutes of seizure bearing the same number and dated the same day; _____
- analysis report No. _____ dated _____
- the destruction order dated _____
- the notice of destruction dated _____
- _____

Concerning _____
 (Name and address of person concerned)

B- NATURE OF ACTION TAKEN

I seized at _____ I confiscated at _____

 (name and address of person on whose premises the seizure or confiscation is made)

On

Year	Month	Day				

 at _____ o'clock _____, the following plants , vehicles or equipment :

by reason of the offence report , the minutes of seizure , the analysis report , the order , the notice of destruction , or for any other reason indicated in A.

C- CONFISCATION IN CASES OF REFUSAL OF DESTRUCTION

- I have confiscated the following plants, due to the refusal of the owner or custodian to destroy them

D- RECEIPTS OF SEIZURE OR CONFISCATION

I have affixed, on those plants , vehicles or equipment , receipts of seizure or confiscation , bearing numbers _____

I have given custody of the object seized to _____
 (Name and address of owner or custodian)
 who may not dispose of it or allow its removal without the consent of an authorized person.

E- OTHER OBSERVATIONS

Made in triplicate _____ Returned to _____
 (Place) Schedule(s)

I have personally observed the facts and taken the action mentioned in <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E	I have personally observed the facts and taken the action mentioned in <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E																								
Authorized person	Authorized person																								
Surname and given name (in block letters)	Surname and given name (in block letters)																								
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Signature	Signature																								



Gouvernement du Québec
Ministère de l'Agriculture, des Pêcheries
et de l'Alimentation
Protection des plantes

SCHEDULE III

(s. 4)

RELEASE

TOTAL

PARTIAL

Name and address of person responsible	Record No.
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Considering the seizure _____ made on

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(minutes No. of the following objects) year month day

under the Plant Protection Act,

(plants, vehicles, equipment)

then held by _____
(name and address)

presently under the custody of _____
(name and address)

Considering that, since the seizure date and following inspection, it has been shown that, in respect of what is listed below:

- the plants , vehicles or equipment comply with the Act;
- the owner or custodian has complied with the Act;
- the deadline provided for in the Act to institute proceedings has expired;
- the property that was seized must be returned under another Act;

Therefore, release of the seizure is granted concerning the following property:

(plants, vehicles, equipment)

Made in triplicate at _____ on

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(place) year month day

(signature of authorized person)

(address)

(telephone)

(fax)



Gouvernement du Québec
Ministère de l'Agriculture, des Pêcheries
et de l'Alimentation
Protection des plantes

SCHEDULE IV

(s. 5)

MINUTES OF SAMPLING

Name and address of person responsible Record No.

A- REASONS FOR SAMPLING AND ACTION TAKEN

Considering the reasons indicated in registration minutes No. , concerning

(Name and address of person concerned)

dated year month day , I have taken the samples described in the Schedule, so that they may be shipped or delivered

on year month day , at o'clock by (means of transportation)

to the laboratory of

Seals are affixed to the sample containers. Project No.

At the time of swabbing, the surface used is cm²

B- SAMPLING METHODS (Method and processes used — representativeness of sample, etc.)

C- DESCRIPTION AND CHARACTERISTICS OF SAMPLE

In addition to the record number and the name and address of the above- mentioned person, I have indicated, on the document attached hereto, the data and characteristics that I have personally observed concerning each sample, in particular the premises of the sampling, the sample number, the seal number, the nature of the product, the trade name, the lot number to which it belongs, the quantity taken and, where applicable, the date of packaging of the product sampled, its date of optimum preservation "best before" or any other indication likely to establish the authenticity of the sample taken.

Made in triplicate at (place) Schedule(s) attached

Table with 2 columns: I have personally observed the facts and taken the action mentioned in A B C and another identical column. Rows include Authorized person, Surname and given name, Authorized person's No. or capacity (Year Month Day), and Signature.



Gouvernement du Québec
**Ministère de l'Agriculture, des Pêcheries
et de l'Alimentation**
Protection des plantes

SCHEDULE V

(s. 7)

SAMPLE TAG

Minutes No. _____ Sample No. _____

(Plant, equipment, soil)

(Owner Custodian)

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year month day

(Signature of authorized person)



Gouvernement du Québec
**Ministère de l'Agriculture, des Pêcheries
 et de l'Alimentation**
Protection des plantes

SCHEDULE VI
 (s. 8)

ANALYSIS REPORT

Name and address of person responsible	Record No.
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A- DATA ON SAMPLES TAKEN

Project No. _____ Minutes of sampling No. _____
 Analysis application No. _____ dated _____
 Offence report No. _____ and signed by _____
 Seals No. _____ Samples No. _____

PERSON MENTIONED IN THE MINUTES:

 (Name and address)

B- DESCRIPTION OF SAMPLES TO BE ANALYZED

 (Quantity, nature of samples, plants, equipment, soil)

C- CONDITION OF SAMPLES AND SEALS UPON RECEIPT

The samples shipped or delivered to the laboratory by _____
 have been received on

--	--	--	--	--	--

 by _____
year month day
 in good condition, in closed containers, with intact seals affixed thereto, the whole in relation with the minutes mentioned above.

D- BREAKING OF SEALS AND PRESERVATION OF SAMPLES BEFORE ANALYSIS

I have broken the seals affixed to the containers of the samples and I have sent the latter to a room to be kept there until the time of analysis.

E- ANALYSIS AND OBSERVATIONS

(Comments of a scientific nature in accordance with the generally accepted practices of the trade)

On

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, I made the analysis of the samples described in B
year month day
 and, on the basis of the data and results that I have personally observed on the document attached hereto, I am submitting the following findings:

F- CONCLUSIONS

Made in triplicate at _____ (place) Schedule(s) attached

I have personally observed the facts and taken the action mentioned in <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E <input type="checkbox"/> F	I have personally observed the facts and taken the action mentioned in <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E <input type="checkbox"/> F												
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