

Draft Regulations

Draft Regulation

An Act respecting reserved designations and amending the Act respecting the marketing of agricultural, food and fish products
(1996, c. 51)

Reserved designations

Notice is hereby given, in accordance with section 10 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation respecting reserved designations, the text of which appears below, may be made by the Minister of Agriculture, Fisheries and Food at the expiry of 45 days following this publication.

The purpose of the Draft Regulation respecting reserved designations is to define the types of designations referred to in the Act, to prescribe the documents and information that must be submitted with an application for the recognition of a designation and to specify the composition of an accreditation board and of the board of directors of such board, as well as the criteria and requirements to which the reference manuals of an accreditation board must conform and the assessment procedures for certification bodies seeking accreditation.

The use of stringent, internationally recognized criteria and requirements will confer a high degree of credibility on operators marketing products certified by an accredited certification body and will provide such operators with access to the markets, including the international markets, of the consumers of such products. In addition, those criteria and requirements will enhance consumer confidence in products bearing a reserved designation. As such products generally originate in specific regions, the Regulation will help to maintain regional agricultural activities through the promotion of farm products and the growth of farm tourism.

Further information about the Draft Regulation may be obtained by contacting Mr. Arthur Marcoux, Direction des normes et du soutien à la santé animale, 200, chemin Sainte-Foy, 11^e étage, Québec (Québec), G1R 4X6; tel. (418) 646-8371, fax (418) 644-3049.

Any interested person having comments to make on this 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, 12^e étage, Québec (Québec), G1R 4X6.

GUY JULIEN,
*Minister of Agriculture,
Fisheries and Food*

Regulation respecting reserved designations

An Act respecting reserved designations and amending the Act respecting the marketing of agricultural, food and fish products
(1996, c. 51, s. 10)

1. The designation of an agricultural or food product may be recognized by the Minister of Agriculture, Fisheries and Food only where the following criteria and requirements are met:

(1) in the case of a designation attributed to a product as an attestation of an organic method of production, the product must comply with a specification manual whose standards are at least as stringent as those set forth in the Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods, adopted by the Codex Alimentarius Commission under the Joint FAO/WHO Food Standards Programme;

(2) in the case of a designation attributed to a product as an attestation of its region of origin, the product must bear the name of the region used to identify it, and,

— in the case of a designation of origin, the quality and features of the product must derive essentially or exclusively from its geographical site, comprising natural and human aspects, and the product must be developed, processed and produced within the region identified by the designation;

— in the case of a protected geographical indication, the product must be of predetermined quality, must have a reputation or must have some other feature attributable to its geographical origin, and it must be developed, processed or produced within the region identified by the designation; and

(3) in the case of a designation attributed to a product as an attestation of its specificity, one or more aspects of the product must clearly distinguish it from similar products in the same class.

“Designation” means the identification of a product which, by virtue of its specific features or method of production, differs from other products in the same class.

2. The following documents and information shall be submitted with an application for recognition of a designation:

— general information about the body applying for recognition and its internal statutes and by-laws;

— the scope of the designation to be reserved and a list of the certifiable products;

— a list of the documents, with an indication of the correspondence between each part and the ISO/IEC Guide 65;

— the role and term of office of the board of directors, and a list of its members and the interests they represent, as well as the role and term of office of each committee and a list of the committee members;

— the organization chart of the body applying for recognition;

— the rules of procedure for each committee;

— financial data;

— the inspection plan;

— a list and description of the subcontractors, and the nature of the subcontracting work;

— the quality policy of the body applying for recognition; and

— a description of the product bearing the designation, the features that distinguish it from similar products, the advantages of that type of production, the economic data related to that production, the distribution network, potential problems with respect to product imitation or forgery, as well as the economic prospects.

A specification manual shall also be submitted with an application for recognition of a designation. The manual shall comprise,

(1) in the case of a designation of organic production, the standards provided for in subparagraph 1 of the first paragraph of section 1;

(2) in the case of a designation of the region of origin,

a) the name of the agricultural or food product, containing the designation of origin or the geographical indication;

b) a description of the agricultural or food product, including any raw materials used, as well as the major physical, chemical, microbiological and organoleptic features of the product;

c) the delimitation of the geographical area;

d) proof that the agricultural or food product originates in that geographical area;

e) a description of the method by which the agricultural or food product is obtained, and any fair, consistently used local methods;

f) the facts warranting an association between the agricultural or food product and its geographical site or geographical origin;

g) references in respect of the supervisory structure; and

h) specific labelling elements related to the words “designation of origin” or “protected geographical indication”, as the case may be, or to the equivalent wording traditionally used in Québec; and

(3) in the case of an attestation of specificity,

a) the name, whether it is specific in and of itself or indicates the specificity of the agricultural or food product;

b) a description of the method of production, including the nature and characteristics of the raw material and ingredients used, as well as of the method used to develop the agricultural or food product, in reference to its specificity;

c) facts making it possible to determine in what respect it is a traditional product, either because it is produced from traditional raw materials, is of traditional composition or is produced or processed according to traditional methods;

d) a description of the features of the agricultural or food product, providing an indication of the major physical, chemical, microbiological and organoleptic features that determine its specificity; and

e) the minimum requirements and the inspection procedures, in reference to specificity.

3. Certification bodies may be members of an accreditation board, as may the representatives of producers, processors, professional orders, consumers and traders, as well as any group specifically concerned by a given designation.

An accreditation board shall be administered by a board of directors composed of no less than six and no more than eight members. The members shall be distributed as follows:

- one representative per certification body, to a maximum of three;
- one representative for producers;
- one representative for traders;
- one representative for processors;
- one representative for consumers; and
- one representative for the groups concerned by a given designation.

The Minister shall appoint an observer to the accreditation board and to the board of directors of an accreditation board.

4. The criteria and requirements contained in the reference manual of an accreditation board and with which the assessment procedures of certification bodies applying for accreditation must comply are those set forth in

— ISO/IEC Guide 65: General Requirements for Bodies Operating Product Certification Systems;

— ISO/IEC Guide 61: General Requirements for Assessment and Accreditation of Certification/Registration Bodies; and

— ISO/IEC Guide 39: General Requirements for the Acceptance of Inspection Bodies.

(ISO/IEC guides are available from the International Organization for Standardization, Postal Box 56, CH-1211 Geneva 20, Switzerland.)

5. Notwithstanding subparagraph 1 of the first paragraph of section 1, pending adoption of the Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods, to obtain recognition of a designation attributed as an attestation of an organic method of production, a product must comply with a specification manual whose standards are at least as stringent as those set forth in the Basic Standards of Organic Agriculture and Food Processing of the International Federation of Organic Agriculture Movements (IFOAM).

(Those standards are available from IFOAM General Secretariat, Okozentrum Imsbach D-6695, Tholey-Theley, Germany.)

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

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Draft Regulation

An Act respecting the Société de financement agricole (R.S.Q., c. S-11.0101)

Duties and charges exigible

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation respecting the duties and charges exigible by the Société de financement agricole, the text of which appears below, may be made by the Government at the expiry of 45 days following this publication.

The purpose of the Draft Regulation is to increase the duties to be paid by every person who obtains a loan under a program administered by the Société de financement agricole or who takes over such a loan. This amendment is the result of the Government's user fee policy.

Any interested person having comments to make is asked to send them in writing, before the expiry of the 45-day period, to Mr. Michel R. Saint-Pierre, Chairman of the Société de financement agricole, 1020, route de l'Église, Sainte-Foy (Québec), G1V 4P2.

GUY JULIEN
*Minister of Agriculture,
Fisheries and Food*

Regulation respecting the duties and charges exigible by the Société de financement agricole

An Act respecting the Société de financement agricole (R.S.Q., c. S-11.0101, s. 34, 1st par., subpar. 5)

1. The following are the duties exigible by the Société de financement agricole from every borrower who obtains a loan or a line of credit under the Program for farm financing made by Order in Council 699-95 dated 24 May 1995 or under the Forest management funding program made by Order in Council 384-97 dated 26 March 1997: