

Draft Regulations

Draft Regulation

Agricultural Products, Marine Products and Food Act
(R.S.Q., c. P-29)

Food — Amendments

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 to amend the Regulation respecting food, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The main purpose of the draft Regulation is to allow the commercial slaughtering of seals and the marketing of their meat and by-products for human consumption.

To that end, it proposes to exempt seals from the slaughtering rules usually applicable to livestock and provides for the conditions on which seal slaughtering could be done in a safe and hygienic manner.

It also proposes to amend the rules concerning the supply of the various categories of commercial establishments with meat and meat products so as to render the trade of seals effective and to adapt those rules to the commercial development of the past few years.

Further information may be obtained by contacting Mr. Pierre Fortin, Director, Direction des normes et du soutien à la santé animale, 200, chemin Sainte-Foy, 11^e étage, Québec (Québec) G1R 4X6; tel.: (418) 646-8083, fax: (418) 644-3049.

Any interested persons 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 to amend the Regulation respecting food^(*)

Agricultural Products, Marine Products and Food Act
(R.S.Q., c. P-29, ss. 6, 7 and 40, pars. *a, a.1, d, g, j* and *n*)

1. The Regulation respecting food is amended in section 1.3.3.2 by substituting the following for “in conformity with section 6.3.3.2 or, if the caribou referred to in subparagraph *b* of the fourth paragraph of section 6.2.1 are dressed there, in conformity with section 6.3.3.2.1”:

“in conformity with section 6.3.3.2 or:

(1) with section 6.3.3.2.1, if the caribou referred to in subparagraph *b* of the fourth paragraph of section 6.2.1 are dressed and undergo a *post mortem* inspection there;

(2) with section 6.3.3.2.2, if the seal referred to in subparagraph *c* of the fourth paragraph of section 6.2.1 is skinned there or if the subcutaneous adipose tissue is extracted there, for human consumption.”

2. The following paragraph is added at the end of section 1.3.3.4:

“That permit does not authorize its holder to receive or prepare in his plant a seal referred to in subparagraph *c* of the fourth paragraph of section 6.2.1 that is unskinned, or if adipose tissue is attached to the skin.”

3. The following paragraph is added at the end of section 1.3.3.6:

“That permit does not authorize its holder to receive or prepare in his plant a seal referred to in subparagraph *c* of the fourth paragraph of section 6.2.1 that is unskinned, or if adipose tissue is attached to the skin.”

4. The following subparagraph is added after subparagraph *b* of the fourth paragraph of section 6.2.1:

“(c) in the case of a seal whose fishing is governed by the Marine Mammal Regulations (SOR/93-56, dated 4 February 1993 (1993) No. 4 Can. Gaz. II, 930).”

^{*} The Regulation respecting food (R.R.Q., 1981, c. P-29, r. 1) was last amended by the Regulation made by Order in Council 951-96 dated 7 August 1996 (1996, *G.O.* 2, 3854). For previous amendments, refer to the Tableau des modifications et Index sommaire, Éditeur officiel du Québec, 1997, updated to 1 September 1997.

5. The following is inserted after section 6.2.1.1:

“**6.2.1.2** Once caught, the seal referred to in subparagraph *c* of the fourth paragraph of section 6.2.1 must be:

(1) successively and without delay, bled, eviscerated and washed;

(2) skinned at the hunting site or in a wholesale delicatessen plant whose operator holds a general delicatessen permit prescribed by section 1.3.3.2;

(3) immediately cooled after being eviscerated and kept at an internal temperature not exceeding 4 °C.

6.2.1.3 A holder of the seal fishing licence prescribed by section 5 of the Marine Mammal Regulations must, without delay, transport carcasses and other parts of seals intended for human consumption or have them transported for exclusive delivery to the preparation, conditioning or processing plant of an operator holding a permit referred to in subparagraph *b* of the first paragraph of section 9 of the Act, in one of the following categories:

(1) the general delicatessen permit prescribed by section 1.3.3.2, in the case of unskinned seals where adipose tissue is attached to the skin;

(2) the meat cutting and mincing permit prescribed by section 1.3.3.4, in the case of skinned seals, where no adipose tissue is attached to the skin;

(3) the canned meat permit prescribed by section 1.3.3.6, in the case of seals referred to in paragraph 2 that are used for canning.

6.2.1.4 In addition, the transport of carcasses or other parts of seals to an operator referred to in section 6.2.1.3 may be done provided that those products:

(1) are contained in a package or receptacle and kept at a temperature not exceeding 4 °C;

(2) bear, for each carcass and any other parts of the same animal that are identified to that carcass, a tag which indicates in indelible characters:

(a) the name of the permit holder who caught the seal;

(b) the seal species, among those listed in Schedule I to the Marine Mammal Regulations;

(c) the date of the catch;

(d) the sealing area, among those illustrated in Schedule III to the Marine Mammal Regulations, where the seal was caught.

A number may stand in lieu of the tag referred to in subparagraph 2 of the first paragraph where it refers directly to a document accompanying the products and including in indelible characters the particulars prescribed by that subparagraph.”.

6. The following is inserted after section 6.3.3.2.1:

“**6.3.3.2.2** In addition to the rooms and compartments prescribed by section 6.3.3.2, a wholesale delicatessen plant that receives unskinned seals referred to in subparagraph *c* of the fourth paragraph of section 6.2.1 or the adipose tissue attached to the skin must include:

(1) a cold chamber kept at a temperature between 0 °C and 4 °C preserving the seals or the adipose tissue attached to the skin, until they are skinned or processed;

(2) a room for skinning seals or for separating the adipose tissue from the skin.

The refrigerated room or compartment of the delicatessen plant referred to in subparagraph *i* of the first paragraph of section 6.3.3.2 must include separate areas for the preservation of skins and for the preservation of meat, offal, meat products or other waste discarded.”.

7. Section 6.4.1.17 is amended by inserting the words “as well as the meat of a seal” after the words “The meat of an animal”.

8. The following is inserted after section 6.4.4.8:

“**6.4.4.9** In a wholesale delicatessen plant referred to in section 6.3.3.2.2, skins in the refrigerated room or compartment referred to in subparagraph *i* of the first paragraph of section 6.3.3.2 must be preserved in an area separate from the area used for preserving meat, offal, meat products or other waste discarded.”.

9. The following is added after section 6.4.4.11:

“**6.4.4.12** An operator referred to in section 6.2.1.3 may keep carcasses or other seal parts in his plant, provided that, upon their receipt, those products:

(1) are contained in a package or receptacle and kept at an internal temperature not exceeding 4 °C;

(2) bear, for each carcass and any other parts of the same animal that are identified to that carcass, a tag which indicates in indelible characters:

(a) the name of the permit holder who caught the seal;

(b) the seal species, among those listed in Schedule I to the Marine Mammal Regulations;

(c) the date of the catch;

(d) the sealing area, among those illustrated in Schedule III to the Marine Mammal Regulations, where the seal was caught.

A number may stand in lieu of the tag referred to in subparagraph 2 of the first paragraph where it refers directly to a document accompanying the products and including in indelible characters the particulars prescribed by that subparagraph.

6.4.4.13 An operator referred to in section 6.2.1.3 must, each time he receives seals at his plant, examine them and keep a register that states in respect of each seal, in indelible characters:

(1) the name of the permit holder who caught the seal;

(2) the seal species, among those listed in Schedule I to the Marine Mammal Regulations;

(3) the weight of the seal;

(4) the date of the catch;

(5) the sealing area, among those illustrated in Schedule III to the Marine Mammal Regulations, where the seal was caught;

(6) the date of reception at the plant;

(7) the internal temperature of the seal or carcass;

(8) any abnormalities observed and what treatment was applied;

(9) the signature of the person responsible for examining the seals, the date of the signature and, in block letters, the identity and capacity of the person signing.

6.4.4.14 The register shall be kept at the plant of the operator referred to in section 6.2.1.3 for inspection purposes for at least 12 months following the date of the last entry.”

10. The reference “R.S.C. 1985, c. 25, 1st Supp.” is substituted for the reference “R.S.C. 1970, c. M-7” in the first paragraph of section 6.5.1.1.

11. The words “or seals” are inserted after the word “hares” in the second paragraph of section 6.5.2.8.

12. Section 6.5.2.24 is amended

(1) by substituting the words “registered in accordance with the Meat Inspection Act” for the words “registered under the Meat Inspection Act (R.S.C., 1970, c. M-7)” in subparagraph *a* of the first paragraph;

(2) by substituting the words “referred to in subparagraph *a*, a wholesale delicatessen plant whose operator holds the permit prescribed by subparagraph *b* of the first paragraph of section 9 of the Act or an establishment registered in accordance with” for the words “or plant whose operator is an authorized operator or in a plant registered under” in subparagraph *b* of the first paragraph;

(3) by substituting the following for the second and third paragraphs:

“The first paragraph does not apply to unskinned caribou, eviscerated or not, to unskinned and uneviscerated hares and to eviscerated seals, whether skinned or not.”

13. Section 6.5.2.25 is amended

(1) by substituting the words “in the form of carcasses, sides or quarters unless, at the time of their receipt and as long as they are preserved in that state in” for the words “or meat products unless, when they entered” in the first paragraph;

(2) by substituting the following for the second and third paragraphs:

“That prohibition does not apply to guinea fowl, pheasant, partridge, quail, hare or seal meat, to unskinned caribou, eviscerated or not, to uneviscerated and unskinned hares or to unskinned seals.

For the purposes of this section, only the meat inspection legend provided for and placed in accordance with the Meat Inspection Regulations, 1990, has the same value as the stamper referred to in section 6.5.2.6.”

14. Section 6.5.2.26 is amended

(1) by striking out the words “who, even occasionally, makes wholesale sales to a restaurant operator” in the part preceding subparagraph *a* of the first paragraph;

(2) by substituting the words “registered in accordance with” for the words “registered under” in subparagraph *a* of the first paragraph;

(3) by substituting the words “referred to in subparagraph *a*, a wholesale delicatessen plant whose operator holds the permit prescribed by subparagraph *b* of the first paragraph of section 9 of the Act or an establishment registered in accordance with” for the words “or plant whose operator is an authorized operator or in a plant registered under” in subparagraph *b* of the first paragraph;

(4) by substituting the following for the second paragraph:

“The rule concerning source prescribed in subparagraph *a* of the first paragraph does not apply to caribou, hare or seal meat or to meat products derived from such meat.”;

(5) by deleting the fourth paragraph;

(6) by deleting subparagraph *c* of the fifth paragraph.

15. Section 6.5.2.27 is amended

(1) by substituting the words “may not hold or use meat in the form of carcasses, sides or quarters unless, at the time of their receipt and as long as they are preserved in that state in his establishment, those products” for the words “who, even occasionally, makes wholesale sales to a restaurant operator is prohibited from holding or using, whatever their destination, meat or meat products unless, when they entered his establishment, they” in the first paragraph;

(2) by deleting the second paragraph;

(3) by substituting the following for the third paragraph:

“That prohibition does not apply to guinea fowl, pheasant, partridge, quail, hare or seal meat or to unviscerated and unskinned hares.”;

(4) by substituting the following for the fourth paragraph:

For the purposes of this section, only the meat inspection legend provided for and placed in accordance with the Meat Inspection Regulations, 1990, has the same value as the stamper referred to in section 6.5.2.6.”.

16. Section 6.5.2.28 is amended

(1) by substituting the words “registered in accordance with” for the words “registered under” in subparagraph *a* of the first paragraph;

(2) by deleting subparagraph *c* of the second paragraph;

(3) by substituting the following for the third and fourth paragraphs:

“The rule concerning source prescribed in subparagraph *a* of the first paragraph does not apply to caribou, hare or seal meat or to meat products derived from such meat; however, caribou meat, seal meat or meat products derived therefrom must come from:

(*a*) for caribou, an animal slaughtered in conformity with subparagraph *b* of the fourth paragraph of section 6.2.1 which underwent a *post mortem* inspection in a delicatessen plant operated by an authorized operator or in an establishment registered in accordance with the Meat Inspection Act;

(*b*) for seal, a seal referred to in section 6.2.1.2.”.

17. The following is substituted for section 6.5.2.29:

“**6.5.2.29** A restaurant operator must not hold or use meat in the form of carcasses, sides or quarters unless those products, at the time of their receipt and as long as they are preserved in that state in his establishment, bear the stamp provided for in and affixed in accordance with section 6.5.2.6 or unless they are placed in a package bearing the reproduction of the stamper or a label or sticker reproducing it.

That prohibition does not apply to guinea fowl, pheasant, partridge, quail, hare or seal meat.

For the purposes of this section, only the meat inspection legend provided for and placed in accordance with the Meat Inspection Regulations, 1990, has the same value as the stamper referred to in section 6.5.2.6.”.

18. The reference “subparagraph *a* of the first paragraph of section 6.5.2.26 and in the first” is substituted for the reference “fourth paragraph of section 6.5.2.26 and in the second” in the second paragraph of section 6.5.2.30.

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