

Gouvernement du Québec

O.C. 1122-2004, 2 December 2004

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

Food — Amendments

Regulation to amend the Regulation respecting food

WHEREAS, under paragraphs *c*, *f* and *g* of section 40 of the Food Products Act (R.S.Q., c. P-29), the Government may make regulations respecting the various matters set forth therein;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting food, attached hereto, was published in Part 2 of the *Gazette officielle du Québec* of 14 July 2004 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS no comments have been received in respect of the draft Regulation;

WHEREAS it is expedient to make the Regulation to amend the Regulation respecting food, without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Agriculture, Fisheries and Food:

THAT the Regulation to amend the Regulation respecting food, attached to this Order in Council, be made.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting food*

Food Products Act
(R.S.Q., c. P-29, s. 40, pars. *c*, *f* and *g*)

1. The Regulation respecting food is amended by inserting the following after section 1.3.1.12:

* The Regulation respecting food (R.R.Q., 1981, c. P-29, r.1) was last amended by the regulation made by Order in Council 647-2001 dated 30 May 2001 (2001, *G.O.* 2, 2641). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2004, updated to 1 September 2004.

1.3.1.12.1. A person applying for a dismembering plant permit in the “composting” category must be a poultry producer.”.

2. Section 1.3.4.1 is amended

(1) by replacing “8” in the introductory paragraph by “9”;

(2) by inserting the following after paragraph *h*:

“(i) dismembering plant permit, “composting” category.”.

3. The following is inserted after section 1.3.4.9:

1.3.4.9.1. A permit of the dismembering plant “composting” category authorizes its holder, subject to section 7.4.9, to operate a dismembering plant for the purpose of composting poultry carcasses and eggs from the permit holder’s livestock exclusively, in a plant that conforms to section 7.2.11.1.”.

4. Section 1.3.6.3 is amended by inserting the following after paragraph *h*:

“(i) \$30 for a permit of the “composting” category.”.

5. Section 7.1.6 is amended by inserting the following after the first paragraph:

“Despite the first paragraph, an animal admitted, received or held in a dismembering plant in the “composting” category must be dead before it enters the composting facility.”.

6. Section 7.2.1 is amended by inserting the following after the second paragraph:

“A dismembering plant referred to in section 7.2.11.1 must be built on the site of the permit holder’s agricultural operation.”.

7. The following is inserted after section 7.2.11:

7.2.11.1. A dismembering plant operated under a “composting” category permit must have a composting facility with

(a) an impervious concrete platform designed so that runoff from rain and snow flows outside the facility and the leachate resulting from the composting is retained inside the facility;

(b) a roof with cornices to prevent rain and snow from entering the facility;

(c) primary and secondary composting areas each having a maximum height of 1.8 metres; and

(d) a structure that prevents access to the facility by live animals.”.

8. Section 7.2.15 is amended by inserting “or “composting”” after ““rendering plant””.

9. Section 7.2.18 is amended by inserting the following after the second paragraph:

“This section does not apply to a dismembering plant referred to in section 7.2.11.1.”.

10. Section 7.2.21 is amended by inserting the following after the first paragraph:

“This section does not apply to a dismembering plant referred to in section 7.2.11.1.”.

11. Section 7.2.23 is amended by inserting the following after the second paragraph:

“This section does not apply to a dismembering plant referred to in section 7.2.11.1.”.

12. Section 7.4.3 is amended by inserting the following after the first paragraph:

“Despite the first paragraph, inedible meat held by the operator of a dismembering plant referred to in section 7.2.11.1 must enter the composting facility on the day of the animal’s death.”.

13. Section 7.4.4 is amended by inserting the following after the first paragraph:

“Despite the first paragraph, the operator of a dismembering plant referred to in section 7.2.11.1 who holds inedible meat and cannot treat it in accordance with section 7.4.3 must dispose of it by another authorized procedure.”.

14. Section 7.4.5 is amended by inserting “, “composting”” in the first paragraph after ““rendering plant””.

15. Section 7.4.9 is amended by inserting the following after subparagraph *l* of the first paragraph:

“(m) in the case of the dismembering plant operated under a “composting” category permit, sales, shipping and delivery operations in relation to inedible meat are prohibited.”.

16. Section 7.4.10 is amended by inserting the following after the fifth paragraph:

“In the case of a dismembering plant operated under a “composting” category permit, the operator must, for each day of operation, maintain a register indicating, for each primary composting area in operation, the name of the person in charge, the date on which carcasses enter the area and their number, approximate weight and species. The register must be kept for at least one year after the date of the last entry.”.

17. Section 7.4.15 is amended by inserting the following after the first paragraph:

“This section does not apply to a dismembering plant referred to in section 7.2.11.1.”.

18. The following is inserted after section 7.4.16:

“7.4.16.1. The operation of a composting facility by a dismembering plant referred to in section 7.2.11.1 and the use of the compost produced by the facility must comply with the Environment Quality Act and the regulations thereunder.”.

19. Schedule 1.3.A to the Regulation is amended in section 1 of item B entitled “Information about the category of permit applied for” by inserting “Composting” in the “Dismembering plant” category under “Special preparation”.

20. Schedule 1.3.B to the Regulation is amended in section 1 entitled “Dismembering plant” by inserting “Composting” under “Special preparation”.

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