

Draft Regulations

Draft Regulation

Transport Act
(R.S.Q., c. T-12)

Brokerage of bulk trucking services — 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 the brokerage of bulk trucking services, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to allow brokerage permits for bulk trucking services expiring on 31 March 2008 to be renewed automatically for a one-year period ending on 31 March 2009.

Study of the matter has shown no financial impact on enterprises or the public, including small and medium-sized businesses.

Further information may be obtained by contacting Yanick Blouin, Ministère des Transports du Québec, 700, boulevard René-Lévesque Est, 2^e étage, Québec (Québec) G1R 5H1; telephone: 418 644-4719, extension 2345; fax: 418 644-5178.

Any interested person wishing to comment on the draft Regulation may submit written comments to the Minister of Transport, 700, boulevard René-Lévesque Est, 29^e étage, Québec (Québec) G1R 5H1, within the 45-day period.

JULIE BOULET,
Minister of Transport

Regulation to amend the Regulation respecting the brokerage of bulk trucking services*

Transport Act
(R.S.Q., c. T-12, s. 5, par. f)

1. The Regulation respecting the brokerage of bulk trucking services is amended by replacing section 37.1 by the following:

“**37.1.** Every brokerage permit expiring on 31 March 2008 is automatically renewed for a one-year period ending on 31 March 2009.”

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

8474

Draft Regulation

Food Products 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, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to require certain operators to assign responsibility for the control of food hygiene and safety on the operating premises to the holder of a food establishment manager training certificate. The draft Regulation also requires the operators to ensure that at least one employee holding a food

* The Regulation respecting the brokerage of bulk trucking services, made by Order in Council 1483-99 dated 17 December 1999 (1999, *G.O.* 2, 5079), was last amended by the regulation made by Order in Council 201-2007 dated 21 February 2007 (2007, *G.O.* 2, 1137). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2007, updated to 1 September 2007

handler training certificate or a food establishment manager training certificate is present on the operating premises during operating hours, or that at least 10% of the personnel assigned to product preparation or to washing or cleaning material and equipment in contact with the products hold one of the certificates. The draft Regulation also sets out the training content requirements and the examination requirements for the issue of a training certificate.

Study of the matter has shown that the draft Regulation will have only a marginal financial impact on small and medium-sized businesses.

Further information may be obtained by contacting Jean-Pierre Mailhot, Direction de la qualité et des services à la clientèle, 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 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, 12^e étage, Québec (Québec) G1R 4X6.

LAURENT LESSARD,
*Minister of Agriculture
Fisheries and Food*

Regulation to amend the Regulation respecting food*

Food Products Act
(R.S.Q., c. P-29, s. 40, pars. *d*, *e.5.1*, *e.6*, *f* and *n*)

1. The Regulation respecting food is amended by inserting the following after section 1.3.1.2:

“1.3.1.2.1. In addition to complying with the requirements of section 1.3.1.1, an applicant for a permit or renewal of a permit referred to in the first paragraph of section 9 of the Act must state in the application that upon the issue or renewal of the permit, responsibility for the control of food hygiene and safety on the premises or in the vehicle will be assigned to the holder of a food establishment manager training certificate described in

section 2.2.4.5, and specify that person's name and certificate number.

The first paragraph does not apply to applicants for a permit or renewal of a permit required under subparagraph *c*, *d*, *k.1* or *k.2* of the first paragraph of section 9 of the Food Products Act or paragraph 4 of section 1.3.5.B.1 or 1.3.5.C.1, to persons responsible for an intermediate resource referred to in section 302 of the Act respecting health services and social services (R.S.Q., c. S-4.2) or to operators of a residence for the elderly referred to in section 346.0.1 of that Act if the residence does not have more than nine residents.”.

2. The following is inserted after section 2.2.4:

“2.2.4.1. An operator of premises or a vehicle where food for human consumption is prepared to be sold or to furnish services for remuneration or where an activity forming part of a restaurateur's business is carried on must assign responsibility for the control of food hygiene and safety on the premises or in the vehicle to the holder of a food establishment manager training certificate.

2.2.4.2. In addition to complying with the requirement of section 2.2.4.1, the operator must also

(1) ensure that the person responsible for the control of food hygiene and safety or at least one member of the operator's personnel who holds a food handler training certificate or a food establishment manager training certificate is present on the premises or in the vehicle during operating hours; or

(2) ensure that at least 10% of the operator's personnel assigned to product preparation or to washing or cleaning material and equipment in contact with the products, including the person responsible for the control of food hygiene and safety, hold a food handler training certificate or a food establishment manager training certificate.

2.2.4.3. An operator referred to in section 2.2.4.1 must maintain a register in which the number of personnel assigned to product preparation or to washing or cleaning material and equipment in contact with the products is entered, including the person responsible for the control of food hygiene and safety on the premises or in the vehicle, and the names of the persons who hold a food handler training certificate or a food establishment manager training certificate.

* The Regulation respecting food (R.R.Q., 1981, c. P-29, r.1) was last amended by the regulation made by Order in Council 1023-2006 dated 8 November 2006 (2006, *G.O.* 2, 3584). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2007, updated to 1 September 2007

The operator must keep the register and a copy of the training certificates at the operating premises for as long as those persons are members of the operator's personnel and for 12 months after they have ceased to be members of the personnel.

2.2.4.4. Food handler training must be of a minimum of 6 hours and cover the following subjects:

- (1) microbiological, physical and chemical hazards associated with food hygiene and safety;
- (2) food storage temperatures;
- (3) food origins;
- (4) food labelling;
- (5) work methods that prevent food contamination;
- (6) general principles of hygiene for persons in contact with food or with material or equipment in contact with food;
- (7) material and equipment cleaning, sanitizing and disinfecting procedures;
- (8) material and equipment maintenance procedures; and
- (9) environmental sources of food contamination.

A food handler training certificate is issued to a person who has obtained a mark of at least 60% on the examination prepared by the Institut de technologie agroalimentaire.

2.2.4.5. Food establishment manager training must be of a minimum of 12 hours and cover the following subjects, in addition to the subjects listed in the first paragraph of section 2.2.4.4:

- (1) analysis and assessment of hazards;
- (2) hazards management, including the establishment of appropriate procedures;
- (3) statutes and regulations relating to the safety of food products; and
- (4) training activities planning.

A food establishment manager training certificate is issued to a person who has obtained a mark of at least 60% on the examination prepared by the Institut de technologie agroalimentaire.

2.2.4.6. Candidates who fail the examination referred to in the second paragraph of section 2.2.4.4 or section 2.2.4.5 may retake the examination within 30 days after the date on which the notice of failure is received without having to retake the training described in the first paragraph of those sections.

2.2.4.7. A person is exempt from the training required under the first paragraph of section 2.2.4.4 or 2.2.4.5 if the person applies in writing for an exemption to the Institut de technologie agroalimentaire, stating his or her name, address and telephone number, and the training for which the training exemption is applied for, and attaches documents proving

(1) that the person has taken training in which the applicant acquired knowledge equivalent to that provided in the training described in the first paragraph of section 2.2.4.4 or 2.2.4.5; or

(2) that the person has at least 5 years' work experience in the control of food hygiene and safety or in food preparation.

The person referred to in the first paragraph must achieve a mark of at least 60% on the examination prepared by the Institut de technologie agroalimentaire. A person who fails the examination is subject to section 2.2.4.4 or 2.2.4.5.

2.2.4.8. The person responsible for an intermediate resource or a family-type resource referred to in section 302 or 310 of the Act respecting health services and social services and the operator of a residence for the elderly referred to in section 346.0.1 of that Act that does not have more than nine residents are exempt from the application of sections 2.2.4.1 to 2.2.4.3.

Despite the foregoing, the person responsible and the operator, if the residence has at least four persons, must assign responsibility for the control of food hygiene and safety on the operating premises to a person who has completed 3 hours and 30 minutes of training provided by an authorized person within the meaning of subparagraph *f* of the first paragraph of section 1 of the Food Products Act, on the following subjects:

- (1) food storage temperatures;
- (2) work methods to prevent food contamination;
- (3) general principles of hygiene for persons in contact with food or with material or equipment in contact with food;

(4) material and equipment cleaning, sanitizing and disinfecting procedures; and

(5) environmental sources of food contamination.

The person responsible and the operator must also

(1) ensure that the person responsible for the control of food hygiene and safety or at least one member of the personnel who has completed the training described in the second paragraph is present on the premises while food is being prepared and the material and equipment in contact with the food is being washed or cleaned; or

(2) ensure that at least 10% of the personnel assigned to product preparation or to washing or cleaning material and equipment in contact with the products, including the person responsible for the control of food hygiene and safety on the premises, have completed the training described in the second paragraph.

2.2.4.9. The holder of a permit required under subparagraph *k.1* or *k.2* of the first paragraph of section 9 of the Food Products Act or under paragraph 4 of section 1.3.5.B.1 or 1.3.5.C.1, the person referred to in section 1.3.5.B.5 and the operator of an establishment registered under the Meat Inspection Act (R.S.C. 1985, 1st Supp., c. 25) are exempt from the application of sections 2.2.4.1 to 2.2.4.3.”.

3. The holder of a food hygiene and safety certificate for food handlers on (*insert the date preceding the date of coming into force of this Regulation*) issued by the Minister of Agriculture, Fisheries and Food is deemed to hold a food handler training certificate under this Regulation.

The holder of a food hygiene and safety certificate for food establishment managers on (*insert the date preceding the date of coming into force of this Regulation*) issued by the Minister of Agriculture, Fisheries and Food is deemed to hold a food establishment manager training certificate under this Regulation.

4. Operators holding a permit under the first paragraph of section 9 of the Act on (*insert the date of coming into force of this Regulation*) are deemed to comply with section 1.3.1.2.1 introduced by section 1 until (*insert the date that is 12 months after the date of coming into force of this Regulation*) or until the date of permit renewal if the renewal date is later.

5. Operators on (*insert the date of coming into force of this Regulation*) of premises or a vehicle where food for human consumption is prepared to be sold or to furnish services for remuneration, or where an activity forming part of a restaurateur’s business is carried on, must comply with sections 2.2.4.1 to 2.2.4.3 introduced by section 2 before (*insert the date that is 12 months after the date of coming into force of this Regulation*).

6. This Regulation comes into force six months after the date of publication in the *Gazette officielle du Québec*.

8473

Draft Rules

An Act respecting lotteries, publicity contests and amusement machines
(R.S.Q., c. L-6)

Video lottery machines

— Rules

— Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Rules to amend the Rules concerning video lottery machines, appearing below, may be approved by the Government on the expiry of 45 days following this publication.

Under the proposed Rules, a person who currently possesses video lottery machines at the same geographic address under two or more site operator’s licences will be allowed to operate the machines as a group, insofar as the group does not exceed 10 machines.

Study of the matter has shown no negative impact on enterprises.

Further information may be obtained by contacting Gilles Paquet, Régie des alcools, des courses et des jeux, 560, boulevard Charest Est, Québec (Québec) G1K 3J3; telephone: 418 646-2307; fax: 418 646-5204; e-mail: gilles.paquet@racj.gouv.qc.ca

Any interested person wishing to comment on the draft Regulation may submit written comments to François Côté, Secretary, Régie des alcools, des courses et des jeux, 560, boulevard Charest Est, Québec (Québec) G1K 3J3, within the 45-day period.

JACQUES P. DUPUIS,
Minister of Public Security