

## Regulation to amend the Regulation respecting salmon fishing controlled zones\*

An Act respecting the conservation and development of wildlife

(R.S.Q., c. C-61.1, s. 110, 1st par., subpars. 3 and 6 and 2nd par.)

**1.** The Regulation respecting salmon fishing controlled zones is amended in section 16 by replacing “or his helper” in subparagraph 6 of the second paragraph by “, a professional trapping licence holder or a person referred to in sections 5 to 7 of the Regulation respecting trapping activities and the fur trade, made by Order in Council 1027-99 dated 8 September 1999, authorized by the lessee to trap,”.

**2.** This Regulation comes into force on 1 August 2008.

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Gouvernement du Québec

### O.C. 454-2008, 7 May 2008

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

#### Food — Amendments

Regulation to amend the Regulation respecting food

WHEREAS, under paragraphs *d*, *e.5.1*, *e.6*, *f* and *n* of section 40 of the Food Products Act (R.S.Q., c. P-29), the Government may make regulations on the matters listed 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 was published in Part 2 of the *Gazette officielle du Québec* of 27 December 2007 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

## 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.”.

\* The Regulation respecting salmon fishing controlled zones, made by Order in Council 1255-99 dated 17 November 1999 (1999, *G.O.* 2, 4381), was last amended by the regulation made by Order in Council 55-2008 dated 31 January 2008 (2008, *G.O.* 2, 620). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2008, updated to 1 March 2008.

\* 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, 2008, updated to 1 March 2008.

**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 operator must keep the register 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; and

(8) 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) regulatory and legislative standards applicable to food hygiene and safety; and

(4) preparation of continuous training activities related to the rules governing food hygiene and safety.

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 90 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 work experience in the control of food hygiene and safety or in food preparation of at least 2 years for a food handler training certificate, and at least 3 years for a food establishment manager training certificate.

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 20 November 2008 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 20 November 2008 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 21 November 2008 are deemed to comply with section 1.3.1.2.1 introduced by section 1 until 21 November 2009 or until the date of permit renewal if the renewal date is later.

**5.** Operators on 21 November 2008 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 21 November 2009.

**6.** This Regulation comes into force on 21 November 2008.

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## M.O., 2008

### Order number 2008-01 of the Minister of Agriculture, Fisheries and Food dated 7 May 2008

Animal Health Protection Act  
(R.S.Q., c. P-42)

Regulation to amend the Regulation respecting the designation of a contagious disease and an infectious agent, and the confinement of captive birds

THE MINISTER OF AGRICULTURE, FISHERIES AND FOOD,

CONSIDERING section 3 of the Animal Health Protection Act (R.S.Q., c. P-42), which provides that the Minister of Agriculture, Fisheries and Food may make regula-