

(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.

8722

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-

tions on the matters set forth therein, including on the sanitary conditions applicable to places where animals are kept;

CONSIDERING the making of the Regulation respecting the designation of a contagious disease and an infectious agent, and the confinement of captive birds, which prescribes in particular the sanitary conditions applicable to places where birds are kept in captivity;

CONSIDERING that it is expedient to change the sanitary conditions applicable to places where birds are kept in captivity to adapt them to the current level of risk of having the Asian avian influenza virus introduced into Québec;

CONSIDERING the publication in Part 2 of the *Gazette officielle du Québec* of 13 February 2008, 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 the designation of a contagious disease and an infectious agent, and the confinement of captive birds, with a notice that it could be made on the expiry of 45 days following that publication;

CONSIDERING that it is expedient to make the Regulation with amendments that follow up on the comments received;

ORDERS AS FOLLOWS:

The Regulation to amend the Regulation respecting the designation of a contagious disease and an infectious agent, and the confinement of captive birds, attached hereto, is hereby made.

Québec, 7 May 2008

LAURENT LESSARD,
*Minister of Agriculture,
Fisheries and Food*

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

Animal Health Protection Act
(R.S.Q., c. P-42, s. 3, par. 3)

1. The Regulation respecting the designation of a contagious disease and an infectious agent, and the confinement of captive birds is amended by replacing the title by the following: “Regulation respecting the designation of a contagious disease and an infectious agent, and the sanitary conditions applicable to places where birds are kept in captivity”.

2. Sections 3 to 8 are replaced by the following:

“**3.** An owner or custodian of birds may not keep his or her birds and migrating waterfowl at the same municipal address at the same time.

For the purposes of this Regulation, “migrating waterfowl” means ducks, swans and wild geese.

4. An owner or custodian of birds must keep the birds in a building or fenced area at all times so that they cannot escape.

Despite the foregoing, in the case of waterfowl kept for recreational purposes on a body of water, the body of water is not required to be fenced.

5. An owner or custodian of birds must feed and water the birds inside a building or use feeders and water fountains that are protected in such a manner that migrating waterfowl cannot have access to them or soil them.

6. No person may use surface water to clean the premises, buildings or stock-raising material or to water the birds, unless the water has been treated to inactivate a possible virus identified in paragraph 1 of section 1.

7. Despite section 4, as of (*insert the date of coming into force of this section*), every owner or custodian of birds must

* The Regulation respecting the designation of a contagious disease and an infectious agent, and the confinement of captive birds, made by Order 2005-01 of the Minister of Agriculture, Fisheries and Food dated 3 November 2005 (2005, *G.O.* 2, 4729A), has not been amended since it was made.

(1) confine or keep the birds inside a facility laid out in a manner that prevents direct contact between the birds and migrating waterfowl;

(2) inform the Minister without delay of the death of any bird having access to the outdoors that does not result from slaughtering or an injury; and

(3) refrain from organizing or participating in any gathering of birds, including fairs, exhibitions or competitions.”.

3. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*, except section 7 introduced by section 2, which comes into force on the date determined by the Minister of Agriculture, Fisheries and Food.

8724

M.O., 2008

Order number 2008-04 of the Minister of Transport dated 12 May 2008

Highway Safety Code
(R.S.Q., c. C-24.2)

CONCERNING the end of the annual thaw periods for the year 2008

THE MINISTER OF TRANSPORT,

CONSIDERING section 419 of the Highway Safety Code (R.S.Q., c. C-24.2), according to which the Minister of Transport may, by an order published in the *Gazette officielle du Québec*, determine the locations where the movement of all or some road vehicles designated by the Minister is restricted or prohibited by reason of thawing, rain, erosion or flooding and the periods during which such measures apply;

CONSIDERING the Vehicle Load and Size Limits Regulation, made by Order in Council 1299-91 dated 18 September 1991, under subparagraphs 17 and 18 of the first paragraph of section 621 of the Highway Safety Code, according to which the maximum load limits applicable during thaw periods are determined for various classes of road vehicles and combinations of road vehicles;

CONSIDERING Order 2008-01 dated 20 March 2008, published in the *Gazette officielle du Québec* of 22 March 2008, according to which the Minister of Transport determined the annual thaw periods for the year 2008;

CONSIDERING that it is expedient to advance the date scheduled for the end of the thaw period in zones 2 and 3;

ORDERS AS FOLLOWS:

The date and time of the beginning and end of the thaw periods for the year 2008 are hereby determined

— for zone 2, from 31 March, 00:01, to 24 May, 00:01;

— for zone 3, from 31 March, 00:01, to 24 May, 00:01.

This Order takes effect from the date of its publication in the *Gazette officielle du Québec*.

JULIE BOULET,
Minister of Transport

8725

M.O., 2008

Order number AM 2008-019 of the Minister of Natural Resources and Wildlife dated 17 April 2008

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1)

CONCERNING the Regulation to amend the Regulation respecting trapping and the fur trade

THE MINISTER OF NATURAL RESOURCES AND WILDLIFE,

CONSIDERING sections 54.1 and 56 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1) which provide that the Minister may make regulations on the matters mentioned therein;

CONSIDERING section 164 of the Act which provides that a regulation made under sections 54.1 and 56 of the Act is not subject to the publication requirements set out in section 8 of the Regulations Act (R.S.Q., c. R-18.1);

CONSIDERING the making of the Regulation respecting trapping and the fur trade by Minister's Order 99026 dated 31 August 1999, which prescribes the conditions for the trapping of any animal or class of animals and the fur trade;

Considering that it is expedient to amend certain provisions of the Regulation;