

M.O., 2010**Order of the minister of Agriculture,
Fisheries and Food dated 5 July 2010**

An Act respecting reserved designations
and added-value claims
(R.S.Q., c. A-20.03)

CONCERNING the Regulation respecting reserved
designations

THE MINISTER OF AGRICULTURE, FISHERIES AND FOOD,

CONSIDERING paragraphs 1, 2 and 3 of section 57
of the Act respecting reserved designations and added-
value claims (R.S.Q., c. A-20.03), which provide that
the Minister may make regulations to determine criteria
and requirements for the recognition of reserved desig-
nations, to prescribe the documents and information that
must be submitted with an application for recogni-
tion and to determine the standards and criteria that an
accreditation manual prepared by the Board must set out
and that certification bodies must meet in order to obtain
accreditation;

CONSIDERING the making of the Regulation respecting
reserved designations by M.O. 1997 of the Minister of
Agriculture, Fisheries and Food dated 10 September 1997;

CONSIDERING that, by reason of the number of provi-
sions in that Regulation that need to be amended, it is
expedient to replace the Regulation;

CONSIDERING the publication of a draft Regulation
respecting reserved designations in Part 2 of the *Gazette
officielle du Québec* of 30 September 2009, in accor-
dance with sections 10 and 11 of the Regulations Act
(R.S.Q., c. R-18.1), 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 draft
Regulation with amendments that take the comments
received into account;

ORDERS AS FOLLOWS:

The Regulation respecting reserved designations,
attached to this Minister's Order, is hereby made.

Québec, 5 July 2010

*The minister of Agriculture,
Fisheries and Food,*
CLAUDE BÉCHARD

**Regulation respecting reserved
designations**

An Act respecting reserved designations
and added-value claims
(R.S.Q., c. A-20.03, s. 57)

1. A reserved designation may be recognized where it
designates products which, by reason of their special
characteristics or method of production, are distinguish-
able from the other products in the same class and where
the following criteria and requirements are met:

(1) in the case of a reserved designation relating to
a method of production, the product must result from a
comprehensive system of cultivation, breeding or pro-
cessing, whose standards make it possible to achieve
distinctive objectives;

(2) in the case of a reserved designation relating to a
link with a terroir, the product must comply with the
following:

(a) in the case of a protected geographical indication,
the product must have a specific quality, a reputation or
another characteristic attributable to its geographical
origin. In addition, its development, processing or produc-
tion must take place in the geographical area delimited
on the basis of the link between those characteristics
and its geographical origin;

(b) in the case of a designation of origin, the quality
or features of the product must derive exclusively or
essentially from its geographical site, comprising natural
and human factors. In addition, its development, process-
ing and production must take place in the geographical
area delimited on the basis of the link between the quality
or features of the product and its geographical site;

(3) in the case of a reserved designation relating to
a specificity, the product must have a characteristic or a
group of characteristics that clearly distinguishes it from
other similar products in the same class; in the case of a
traditional specificity, the product must be distinguish-
able by a characteristic inherited from at least one prior
generation, whether the characteristic results from the
raw material used, the product's composition or the method
by which the product is obtained.

In addition, a reserved designation relating to the method
of production must designate or describe the method of
production, a reserved designation relating to a link with
a terroir must include a toponym related to the delimited
geographical area and a reserved designation relating to
a specificity must express the claimed specificity.

2. An application for the recognition of a reserved designation is made by a person or partnership directly involved in the production or processing of the product concerned, or by a group of such persons or partnerships. Other interested persons may join in the application.

The application includes at least the following information and documents:

(1) the identification of the applicant, the nature of its activities and, where applicable, its legal structure, constituting act and internal by-laws. In the case of a group of applicants, that information also includes a list of the group members and the nature of their activities;

(2) the scope of the reserved designation, a list or the class of products that may be certified, a description of the product bearing the designation, the characteristics that distinguish it from other products of the same category, the benefits of such a type of production, the economic data and opportunities, the distribution network and the problems related to product imitation or forgery;

(3) a specification manual compliant with section 3;

(4) a study comparing the main elements of the specification manual for the reserved designation whose recognition is applied for with the corresponding elements in a specification manual for a similar designation.

3. The specification manual provided for in section 2 must include

(1) in the case of a reserved designation relating to a method of production,

(a) the reserved designation whose recognition is applied for;

(b) a description of the method of production and of the principles and objectives on which it relies and that make it distinguishable;

(c) a description of the specific practices involved in that method of production;

(d) control points and their assessment methods;

(e) references concerning the control structure;

(f) labelling requirements, if any;

(2) in the case of a reserved designation relating to a link with a terroir,

(a) the reserved designation whose recognition is applied for;

(b) a description of the product, including any raw materials used, where applicable, and the main physical, chemical, microbiological or organoleptic characteristics of the product;

(c) the delimitation of the geographical area;

(d) the elements mentioned, as the case may be, in subparagraphs *a* or *b* of subparagraph 2 of the first paragraph of section 1 establishing that the product originates from that geographical area;

(e) a description of the method by which the product is obtained and, where applicable, the local, fair and constant methods;

(f) the elements mentioned, as the case may be, in subparagraphs *a* or *b* of subparagraph 2 of the first paragraph of section 1 establishing the link with the geographical origin or geographical site;

(g) control points and their assessment methods;

(h) references concerning the control structure;

(i) labelling requirements, if any;

(3) in the case of a reserved designation relating to a specificity,

(a) the reserved designation whose recognition is applied for;

(b) a description of the method by which the product is obtained, including the nature and characteristics of the raw material and ingredients used, in reference to its specificity;

(c) a description of the product's main physical, chemical, microbiological or organoleptic distinctive characteristics;

(d) in the case of a reserved designation relating to a traditional specificity, the elements that make it possible to assess the product's traditional character according to subparagraph 3 of the first paragraph of section 1;

(e) control points and their assessment methods;

(f) references concerning the control structure;

(g) labelling requirements, if any.

4. Except in case of inconsistency, the requirements of the international standard ISO/CEI 17011 – General requirements for accreditation bodies accrediting conformity assessment bodies – apply to the Conseil des appellations réservées et des termes valorisants (“the Board”) with respect to the accreditation of a certification body.

The accreditation manual prepared by the Board, for the assessment of applications for accreditation made by certification bodies, must correspond to the international standard ISO/CEI Guide 65 – General requirements for bodies operating product certification systems.

Where the International Organization for Standardization (ISO) amends or replaces a standard referred to in this section, the amended or replaced standard applies 6 months after it is published by the Organization.

The Board provides certification bodies with the accreditation manual they must comply with when applying for accreditation.

5. This Regulation replaces the Regulation respecting reserved designations, made by Minister’s Order 1997 of the Minister of Agriculture, Fisheries and Food, dated 10 September 1997.

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

9966

Notice

Amendments to the Rules of Practice of the Superior Court of the district of Quebec in civil matters (C-25, r. 1.02)

Notice is hereby given, to be published in the *Gazette officielle du Québec*, that the judges of the Superior Court appointed for the district of Quebec, at their annual meeting on May 30th, 2010, have established the Rules of Practice in civil matters (2010) to amend the Rules of Practice of the Superior Court of the district of Quebec in civil matters, the text of which appears below, in virtue of the inherent power of the Court and of section 47 of the Code of Civil Procedure (R.S.Q., c. C-25).

Québec, 29 June 2010

ROBERT PIDGEON,
Senior Associate Chief Justice

Superior Court (District of Québec)

Rules of practice in civil matters (2010)*

1. The Rules of practice in civil matters of the Superior Court (District of Québec) (C-25, r. 1.02) are amended as follows:

2. Section 17.5 is replaced by the following:

“**17.5.** A commercial case is heard in the Administrative Division when the estimated duration is more than 3 hours.”.

Sections 4.1 to 4.6 apply to the management of those cases, with the necessary modifications.”.

3. Section 17.8 is revoked.

4. The following is added after section 17.9:

“**17.10.** Urgent commercial cases are heard by the judge in chambers.”.

9965

* Made under the inherent jurisdiction of the Court and article 47 of the Code of Civil Procedure.