

Regulations and other Acts

Gouvernement du Québec

O.C. 1187-2011, 30 November 2011

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

Food — Amendment

Regulation to amend the Regulation respecting food

WHEREAS, under paragraphs *a*, *c*, *e.5.1*, *e.6*, *f*, *l* and *n* of section 40 of the Food Products Act (R.S.Q., c. P-29), the Government may make regulations on the various matters set forth therein, in particular to determine standards respecting the composting of certain animals, inedible meat, hygiene and sanitation training and the water used to prepare and preserve food;

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 1 June 2011 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.

GILLES PAQUIN,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting food

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

1. The Regulation respecting food (c. P-29, r. 1) is amended in section 1.3.1.2.1 by replacing the second paragraph by the following:

“The first paragraph does not apply to applicants for a permit or renewal of a permit required under subparagraph *c*, *d*, *k.1*, *k.2* or *k.3* of the first paragraph of section 9 of the Act, paragraph 4 of section 1.3.5.B.1 or 1.3.5.C.1, or section 1.3.5.J.1. The first paragraph does not apply 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 resource or residence does not have more than 9 residents.”.

2. Section 1.3.1.12.1 is replaced by the following:

“**1.3.1.12.1.** In order to obtain a dismembering plant permit in the “composting” category, the applicant must be a poultry, goat, sheep or hog producer.”.

3. Section 1.3.4.9.1 is replaced by the following:

“**1.3.4.9.1.** A dismembering plant permit in the “composting” category authorizes its holder, subject to section 7.4.9, to operate a dismembering plant for the purpose of composting inedible poultry or hog meat from dead animals in a raising site or inedible goat or sheep meat from animals from his or her livestock, in a plant complying with section 7.2.11.1.”.

4. Section 2.1.3.1 is amended by striking out “for human consumption,” in the first paragraph.

5. The following is inserted after section 2.2.4.5:

“**2.2.4.5.1.** A person who holds a certificate of qualification equivalent to the certificate obtained through the training described in the first paragraph of section 2.2.4.4 or 2.2.4.5, or recognized by a department or a government body elsewhere in Canada, is deemed to hold a certificate referred to in the second paragraph of those sections.”.

6. Section 2.2.4.8 is replaced by the following:

“**2.2.4.8.** A home childcare provider within the meaning of the Education Childcare Act (R.S.Q., c. S-4.1.1), a 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 (R.S.Q., c. S-4.2) and the operator of a residence for the elderly referred to in section 346.0.1 of that Act are exempt from the application of sections 2.2.4.1 to 2.2.4.3, if they do not provide care for more than 9 residents.”.

Despite the foregoing, the home childcare provider, the person responsible for an intermediate resource or a family-type resource and the operator of a residence for the elderly 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;
- (5) environmental sources of food contamination.

The persons 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 operating 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 operating premises, have completed the training described in the second paragraph.

The second and third paragraphs do not apply to a person responsible for an intermediate resource or a family-type resource and the operator of a residence for the elderly, if the resource or residence has fewer than 4 residents.

A person who holds an equivalent certificate of qualification issued or recognized by a department or a government body elsewhere in Canada is deemed to have completed the training provided for in the second paragraph.”.

7. Section 6.2.4 is revoked.

8. Section 7.1.1 is amended

(1) by replacing “bones, fat, viscera, intestines, paunches, lungs, udders, heads or feet coming, in whole or in part, from the animals or parts thereof mentioned in paragraph A and in subparagraph *a*” in subparagraph *c* of paragraph B by “any part of an animal”;

(2) by replacing “suet, pig fat or bones coming in whole or in part, from the animals or parts thereof mentioned in paragraph A and in subparagraph *a*” in subparagraph *d* of paragraph B by “any part of an animal, or a meat product”;

(3) by replacing “coming, in whole or in part, from the” in paragraph C by “including, in whole or in part, the”;

(4) by adding “, except the oil or fat salvaged or received for purposes other than feeding animals” at the end of paragraph C.

9. Section 7.1.7 is amended by replacing “farmer” in the third paragraph by “farm producer” and “herd” by “livestock”.

10. Section 7.2.1 is replaced by the following:

“**7.2.1.** A dismembering plant operated under the “raw meat” category permit must be located on the lot of the operator’s mink ranch, fox ranch, kennel or zoo or on an adjoining lot.

A dismembering plant operated under the “composting” category permit by a goat or sheep producer must be located on the lot of the raising site or on an adjoining lot.”.

11. Sections 7.3.1., 7.3.1.1 and 7.3.1.2 are replaced by the following:

“**7.3.1.** A farm producer must, within 48 hours after the death of an animal of the producer’s livestock, dispose of the inedible meat from the animal, using one of the following methods:

(1) incineration in a facility complying with the provisions of the Environment Quality Act (R.S.Q., c. Q-2);

(2) salvaging by the operator of a dismembering plant or by a salvager;

(3) in the case of inedible poultry or hog meat, delivery to a dismembering plant operated under a “composting” category permit;

(4) in the case of inedible goat or sheep meat, shipping to an elimination site or delivery to a person carrying out the removal of waste to be shipped solely to an elimination site;

(5) burial in the producer's agricultural operation in accordance with the following requirements:

(a) the burial site is not situated within the 20-year flood zone of a watercourse or body of water;

(b) the burial site is situated not less than 75 metres from any watercourse or body of water and 150 metres from a drinking water intake on the surface or underground;

(c) the bottom of the pit is situated above groundwater level and, before inedible meat is placed in the pit, covered entirely with quicklime or an equivalent chemical;

(d) inedible meat is placed under the natural level of the ground at the edges of the pit and is immediately covered with quicklime or an equivalent chemical and with a layer of earth at least 60-centimetres thick;

(e) the ground is levelled.

Despite the first paragraph, the producer may keep the meat under refrigeration for not more than 14 days following the death of the animal or under deep freezing for not more than 240 days following that date, provided that the inedible meat is placed under refrigeration or deep freezing at the agricultural operation where the animal died, kept in such manner that animals may not come into contact with the meat and provided that the meat is not in decomposition. The producer must immediately dispose of all inedible meat that does not comply with one of those requirements.

For the purposes of this section, "watercourse or body of water" includes ponds, marshes and swamps but excludes all intermittent streams."

12. Section 7.3.5 is replaced by the following:

"**7.3.5.** Only the following persons may hold inedible meat:

(1) a salvager;

(2) the operator of a dismembering plant;

(3) the operator of a storage depot referred to in section 7.6.2;

(4) in the case of inedible goat or sheep meat, the operator of an elimination site or a person carrying out the removal of waste to be shipped solely to an elimination site;

(5) subject to sections 6.4.1.16, 7.1.8 and 7.3.1, a farm producer and a person referred to in section 7.1.8."

13. Section 7.3.13 is replaced by the following:

"**7.3.13.** The operator of a dismembering plant or the salvager must, as soon as he or she salvages inedible meat referred to in paragraph A or in subparagraph *b* of paragraph B of section 7.1.1, enter the following information in a register:

(1) the operator's or salvager's name and address, permit number and the registration number of the vehicle used;

(2) the address of the salvaging site and, if applicable, the name of the preceding holder of inedible meat and his or her address, if different from the address of the salvaging site;

(3) the date of salvaging;

(4) for each species, the approximate weight of the inedible meat and the number of carcasses of more than 40 kilograms;

(5) the identification number assigned under section 22.1 of the Animal Health Protection Act (R.S.Q., c. P-42) or under the Health of Animals Act (S.C. 1990, c. 21) to the animal from which the inedible meat comes;

(6) for the salvager, the name and address of the operator of the dismembering plant or of the elimination site to which the inedible meat is sold or delivered and, for each species of inedible meat sold or delivered, the approximate weight and the number of carcasses of more than 40 kilograms.

The register must be kept in the vehicle used for salvaging until complete unloading. It must be kept for 7 years at the principal establishment of the operator or salvager, as the case may be.

The operator or salvager must send to the Minister the information referred to in the first paragraph within 6 months of the salvaging."

14. Section 7.4.10 is replaced by the following:

"**7.4.10.** The operator of a dismembering plant must, as soon as he or she purchases or receives inedible meat, also enter the following information in the registers provided for in section 2.2.5:

(1) for each species, the approximate weight of the inedible meat and a description of the meat, as well as the number of carcasses of more than 40 kilograms;

(2) the identification number assigned under section 22.1 of the Animal Health Protection Act (R.S.Q., c. P-42) or under the Health of Animals Act (S.C. 1990, c. 21) to the animal from which the inedible meat comes.

The operator must send to the Minister the information referred to in the first paragraph and in section 2.2.5 within 6 months after purchasing or receiving the meat.

7.4.10.1. The operator of a dismembering plant holding a “composting” category permit must keep a register specifying, for each section of composting inedible meat that he or she operates, the following information:

(1) the date on which the inedible meat is introduced into the plant;

(2) for each species, the approximate weight of inedible meat and the number of carcasses of more than 40 kilograms;

(3) the internal temperature at intervals not exceeding 72 hours.

The register must be kept at the operator’s principal establishment for 1 year. “.

15. Section 7.4.11 is replaced by the following:

“**7.4.11.** The operator of a dismembering plant must, as soon as he or she sells or delivers processed oil or fat, also indicate in the registers provided for in section 2.2.6, the specific type of oil or fat.”.

16. Section 7.7 is revoked.

17. Section 11.7.12 is amended by inserting “or any other recognition of equivalent qualification issued or recognized by a department or government body elsewhere in Canada” in the first paragraph after “Institut de technologie agroalimentaire”.

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

1780

Gouvernement du Québec

O.C. 1188-2011, 30 November 2011

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

Safety and welfare of cats and dogs

Regulation respecting the safety and welfare of cats and dogs

WHEREAS, under section 55.9.14.1 of the Animal Health Protection Act (R.S.Q., c. P-42), the Government may by regulation fix, for the purposes of section 55.9.2 of the Act, standards for the custody and transportation of animals;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation respecting the safety and welfare of cats and dogs was published in Part 2 of the *Gazette officielle du Québec* of 22 June 2011 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 respecting the safety and welfare of cats and dogs, attached to this Order in Council, be made.

GILLES PAQUIN,
Clerk of the Conseil exécutif

Regulation respecting the safety and welfare of cats and dogs

Animal Health Protection Act
(R.S.Q., c. P-42, s. 55.9.14.1)

CHAPTER I OBJECT

1. This Regulation establishes standards for the keeping of cats (*Felis catus*) and their hybrids, and the keeping of dogs (*Canis familiaris*) and their hybrids, in order to provide for their safety and welfare.