

## Regulations and other Acts

Gouvernement du Québec

### O.C. 1160-2012, 5 December 2012

An Act respecting the Société des alcools du Québec  
(chapter S-13)

#### Cider and other apple-based alcoholic beverages —Amendment

Regulation to amend the Regulation respecting cider and other apple-based alcoholic beverages

WHEREAS, under subparagraphs 1, 2, 3, 5 and 10 of the first paragraph of section 37 of the Act respecting the Société des alcools du Québec (chapter S-13), the Government may make regulations on the matters set forth therein, including regulations determining the conditions for making and bottling alcoholic beverages and their composition and alcoholic content, establishing classes, names or marks, determining the specifications of alcoholic beverage containers and the inscription or indications they are required to bear;

WHEREAS the Government made the Regulation respecting cider and other apple-based alcoholic beverages (chapter S-13, r. 4) on 5 November 2008;

WHEREAS it is expedient to amend the Regulation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation to amend the Regulation respecting cider and other apple-based alcoholic beverages was published in Part 2 of the *Gazette officielle du Québec* of 7 March 2012, with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Finance and Economy, the Minister for Industrial Policy and the Banque de développement économique du Québec, the Minister of Agriculture, Fisheries and Food and the Minister of Public Security:

THAT the Regulation to amend the Regulation respecting cider and other apple-based alcoholic beverages, attached to this Order in Council, be made

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

#### Regulation to amend the Regulation respecting cider and other apple-based alcoholic beverages

An Act respecting the Société des alcools du Québec  
(chapter S-13, s. 37, 1st par., subpars. 1, 2, 3, 5 and 10)

**1.** The Regulation respecting cider and other apple-based alcoholic beverages (chapter S-13, r. 4) is amended in section 1 in the definition of “apple juice”

- (1) by replacing “the juice of apples” by “apple juice”;
- (2) by replacing “or” after “dehydration of the apples” by “and by”;
- (3) by inserting “heat or” after “the action of”;
- (4) by adding “or on the juice” after “on the apples”.

**2.** Section 2 is amended

- (1) by replacing “have been” in subparagraph 2 of the first paragraph by “may have been”;
- (2) by replacing “10%” in subparagraph 3 of the first paragraph by “15%”;
- (3) by replacing “fermentation” in subparagraphs 9 and 10 of the first paragraph by “production”;
- (4) by adding the following after subparagraph 13 of the first paragraph:

“(14) “flavoured apple mistelle”: apple mistelle to which fruits, fruit juice, honey or maple syrup have been added, the finished product having the sensory characteristics of apples;

(15) “fire cider”: cider obtained by the fermentation of juice of apples that has a pre-fermentation sugar content of not less than 28° Brix achieved solely by heat, producing

a finished product with a residual sugar content of not less than 80 g per litre and an actual alcoholic strength of more than 9% by volume but not more than 15% by volume.”;

(5) by replacing “and apple mistelle” in the second paragraph by “, apple mistelle and flavoured apple mistelle”;

(6) by adding the following sentence at the end of the second paragraph:

“Despite the foregoing, cider cocktail is deemed to be light cider for the purposes of its marketing.”.

**3.** The Regulation is amended by replacing the heading of Division II by the following:

“PRODUCTION AND BOTTLING REQUIREMENTS”.

**4.** Section 11 is amended

(1) by inserting “may also derive” after “production and”

(2) by replacing “and apple mistelle” by “, apple mistelle and flavoured apple mistelle”.

**5.** Section 13 is amended by replacing “aperitif cider and flavoured cider” by “aperitif cider, flavoured cider and flavoured apple mistelle”.

**6.** The following is inserted after section 13:

**“13.1.** Holders of a small-scale production permit that are cider producers must have a minimum of 1 hectare of apple trees on their land and press and transform at their establishment, into cider or another apple-based alcoholic beverage, the apples they grow on their land or on leased land, and must bottle, bag or barrel themselves at their establishment the cider and alcoholic beverages they make for marketing purposes.

**13.2.** Holders of a cider maker permit must transform, at their establishment, apples or apple juice into cider or another apple-based alcoholic beverage, and must bottle, bag or barrel themselves at their establishment the cider and alcoholic beverages they make for marketing purposes; the apples used may be grown by the permit holder or purchased from an apple producer in accordance with the rules applicable to the product made.”.

**7.** Section 14 is amended by replacing the second paragraph by the following:

“Despite the foregoing, a holder of a cider maker permit may subcontract the pressing of his or her apples in Québec for the purposes of producing an ice cider, provided that no juice concentration or freezing is performed during such pressing and that a traceability system be implemented and maintained, in respect of the apples used by the permit holder to make all of the holder’s ice cider, between the raw material and the finished product certified by an accredited certification body, approved by the Minister of Agriculture, Fisheries and Food.

In addition, the permit holder may make ice cider by using no more than 50% of Québec apples not grown by the permit holder.”.

**8.** Section 17 is amended by replacing “1 to 7” in the second paragraph by “1, 3, 4, 5, 6 and 7”.

**9.** The following is inserted after section 17:

**“17.1.** The words “Made and bottled on the property” on a container is reserved exclusively for cider produced under the small-scale production permit described in section 13.1.”.

**10.** Section 19 is amended

(1) by inserting “, flavoured apple mistelle” in the first paragraph after “flavoured ciders”;

(2) by striking out “be followed by the word “vintage” and” in the second paragraph;

(3) by replacing “in which all the apples used in the production of the alcoholic beverage were grown” in the second paragraph by “of the growing season of all the apples used in the production of the alcoholic beverage”.

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

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