

Regulations and other Acts

Gouvernement du Québec

O.C. 643-2016, 6 July 2016

Food Products Act
(chapter P-29)

Food — Amendment

Regulation to amend the Regulation respecting food

WHEREAS, under paragraph *a* of section 40 of the Food Products Act (chapter P-29), the Government may, by regulation, prescribe rules respecting the sale of a product;

WHEREAS, under paragraph *e* of section 40 of the Act, the Government may, by regulation, establish categories of products, require the grading of products and set standards of composition, quality and colour;

WHEREAS, under paragraph *j* of section 40 of the Act, the Government may, by regulation, prescribe rules respecting containers and in particular their size, capacity and characteristics, the inscriptions, labelling or packaging of products;

WHEREAS the Government made the Regulation respecting food (chapter P-29, r. 1);

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 Regulation to amend the Regulation respecting food was published in Part 2 of the *Gazette officielle du Québec* of 30 March 2016 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.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting food

Food Products Act
(chapter P-29, s. 40)

1. The Regulation respecting food (chapter P-29, r. 1) is amended in section 8.1.1 by replacing “or” in paragraph *k* by “and”.

2. Sections 8.2.3 and 8.2.4 are amended by replacing “material” by “materials”.

3. The heading of Division 8.4 of Chapter 8 is replaced by the following: “MAPLE SYRUP CATEGORIES, COMPOSITION STANDARDS AND QUALITY STANDARDS”.

4. The following is added after the heading of Division 8.4 of Chapter 8:

“**8.4.0.1.** The categories of maple syrup are

- (1) “Category A”;
- (2) “Processing Category”.”.

5. Section 8.4.1 is amended

(1) by replacing the part preceding paragraph *a* by the following:

““Category A” maple syrup must meet the following requirements:”;

(2) by replacing paragraph *a* by the following:

“(a) be produced exclusively by the concentration of maple sap or by the dilution or solution of a maple product, other than maple sap, in drinking water;”;

(3) by replacing paragraph *e* by the following:

“(e) not have undergone fermentation and be free from mould;”;

(4) by replacing paragraph *g* by the following:

“(g) have, in dry soluble extracts at 20°C, a minimum content of 66% and a maximum content of 68.9%.”;

- (5) by striking out paragraph *h*;
- (6) by striking out paragraph *i*;
- (7) by adding the following second paragraph:
 ““Category A” maple syrup must also meet the requirements in Schedule 8.A to this Regulation.”.

6. The following is added after section 8.4.1:

“8.4.1.1. Maple syrup, other than “Category A” maple syrup, may be graded as “Processing Category” if it meets the following requirements:

- (a) be produced exclusively by the concentration of maple sap or the dilution or solution of a maple product, other than maple sap, in drinking water;
- (b) be clean, wholesome and edible;
- (c) have a minimum content in dry soluble extracts of 66% at 20°C.”.

7. The second paragraph of section 8.4.2 is struck out.

8. Section 8.4.3 is amended

- (1) by replacing paragraph *a* by the following:

“(a) be produced exclusively by the concentration of maple sap or maple syrup, or the dilution or solution of a maple product, other than maple sap, in drinking water;”;

- (2) by replacing paragraph *e* by the following:

“(e) not have undergone fermentation and be free from mould;”;

- (3) by striking out paragraph *h*.

9. Section 8.4.4 is amended by striking out “kept for retail or” in the second paragraph.

10. The heading of Division 8.5 of Chapter 8 is amended by replacing “COMPULSORY GRADING AND INSPECTION” by “GRADING”.

11. Section 8.5.1 is replaced by the following:

“8.5.1. Maple syrup may be graded only on the following conditions:

- (a) meet the provisions of section 8.4.1 or 8.4.1.1;

(b) in the case of maple syrup referred to in section 8.4.1, have determined its colour grade in accordance with Schedule 8.B.

Maple syrup must be graded by the maple grove operator or the maker.”.

12. The heading of Division 8.6 of Chapter 8 is replaced by the following: “STANDARDS RESPECTING THE SALE, CONTAINERS AND PACKAGINGS”.

13. Section 8.6.1 is amended

- (1) by replacing the first paragraph by the following:

“Maple products intended for retail must be sold in a small container. In the case of maple syrup, only “Category A” maple syrup may be sold at retail.”;

- (2) by adding “graded “Category A”” after “maple syrup” in the second paragraph;

- (3) by replacing “*a, b, c, e* and *f*” in the second paragraph by “*a, c* and *d*”.

14. Section 8.6.2 is replaced by the following:

“8.6.2. Small containers containing a maple product must be new and made of nontoxic materials.”.

15. The following is added after section 8.6.5:

“8.6.5.1. Maple syrup graded “Processing Category” must be placed in a large container.”.

16. Section 8.6.6 is amended by adding the following paragraph after the second paragraph:

“Large containers of maple syrup graded “Processing Category” must be identified by the name “maple syrup” followed by the designation “Processing Category”.”.

17. Section 8.7.1 is replaced by the following:

“8.7.1. Small maple product containers with a capacity greater than 60 ml or with a mass greater than 60 g must bear, on their main surface, in conspicuous, indelible and legible characters in conformity with Schedule 8.C, the following inscriptions:

- (a) the name of the product followed, in the case of maple syrup, by its designation and its colour grade;

(b) the exact indication of the net quantity expressed in litre or in kilogram or, if less than 1 litre, in millilitres or, if less than 1 kg, in grams;

(c) the indication of the origin;

(d) the name and address of the maple grove operator, maker, preparer, conditioner, packager, supplier or distributor.

The inscriptions provided for in subparagraphs *c* and *d* of the first paragraph may appear on a surface other than the main surface.”.

18. Section 8.7.2 is amended by striking out “Table B of”.

19. Section 8.7.3 is revoked.

20. Section 8.7.4 is amended

(1) by striking out “As of 1 January 1981,” in the first paragraph;

(2) by replacing the second paragraph by the following:

“The packaging in which are placed the small containers referred to in the first paragraph must bear, directly or on its label, the following inscriptions:

(a) the name of the product;

(b) the indication of the origin;

(c) the name and address of the maple grove operator, maker, preparer, conditioner, packager, supplier or distributor;

(d) the number of small containers it contains and the net quantity in each.”.

21. Section 8.7.5 is amended by replacing “8.7.1, 8.7.3 and 8.7.4” by “8.7.1 and 8.7.4”.

22. The following is added after section 8.7.7:

“**8.7.8.** A maple grove operator or maker who grades maple syrup must, in addition to the requirements provided for in this Chapter, identify the graded maple syrup containers using a lot number or production code in conspicuous, indelible and legible characters.”.

23. Section 8.8.3 is amended by striking out “As of 1 January 1981,” in the first paragraph.

24. Section 8.8.4 is amended by striking out “does not contain more than 15% water and” in the first paragraph.

25. Section 8.8.6 is revoked.

26. Schedule 8.A is replaced by the following:

“**SCHEDULE 8.A**
(s. 8.4.1)

REQUIREMENTS RESPECTING “CATEGORY A”
MAPLE SYRUP

1. “Category A” maple syrup must meet the following requirements:

(a) be clear, of a uniform colour and free from sediment and from any cloudiness or turbidity;

(b) be of one of the following colour grades:

i. golden, delicate taste;

ii. amber, rich taste;

iii. dark, robust taste;

iv. very dark, strong taste;

(c) have a maple flavour characteristic of its colour grade and be free from insoluble calcium malate, caramel or sap taste and any objectionable odour or taste.”.

27. Schedule 8.B is replaced by the following:

“**SCHEDULE 8.B**
(ss. 8.5.1 and 8.7.2)

COLOUR GRADES OF “CATEGORY A”
MAPLE SYRUP

1. The determination of the light transmission of “Category A” maple syrup is made with a spectrophotometer equipped with optical cells with parallel windows having a 10 mm path length at a wavelength of 560 nm, the colour values being expressed in percentage of light transmission, using as a reference glycerol with an analytical purity representing 100% of transmission.

2. “Category A” maple syrup is of the colour grade mentioned in column I of the table where its percentage of light transmission corresponds to that of column II.

Column I Colour grade	Column II Percentage of light transmission	
Golden, delicate taste	not less than	75.0
Amber, rich taste	less than but at least	75.0 50.0
Dark, robust taste	less than but at least	50.0 25.0
Very dark, strong taste	less than	25.0

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

However, the sale of maple syrup meeting the former provisions of Chapter 8 of the Regulation respecting food is allowed until 12 December 2017.

102690

Gouvernement du Québec

O.C. 644-2016, 6 July 2016

Food Products Act
(chapter P-29)

Fresh fruits and vegetables — Revocation

Regulation to revoke the Regulation respecting fresh fruits and vegetables

WHEREAS, under paragraph *a* of section 40 of the Food Products Act (chapter P-29), the Government may, by regulation, prescribe rules respecting the sale of a product, the preservation, handling, preparation, conditioning, transportation or storing of a product with intent to sell it;

WHEREAS, under paragraph *b* of section 40 of the Act, the Government may, by regulation, prohibit or regulate the use of substances capable of impairing the quality or wholesomeness of a product;

WHEREAS, under paragraph *e* of section 40 of the Act, the Government may, by regulation, establish classes, categories, appellations, qualifiers or designations of products and prohibit any unlawful use thereof, require the grading of products and set standards of composition, form, quality, wholesomeness, colour and presentation;

WHEREAS, under paragraph *j* of section 40 of the Act, the Government may, by regulation, prescribe rules respecting containers and in particular their size, capacity and characteristics, the inscriptions, labelling or packaging of products;

WHEREAS the Government made the Regulation respecting fresh fruits and vegetables (chapter P-29, r. 3);

WHEREAS it is expedient to revoke the Regulation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to revoke the Regulation respecting fresh fruits and vegetables was published in Part 2 of the *Gazette officielle du Québec* of 6 April 2016 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 without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Agriculture, Fisheries and Food:

THAT the Regulation to revoke the Regulation respecting fresh fruits and vegetables, attached to this Order in Council, be made.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

Regulation to revoke the Regulation respecting fresh fruits and vegetables

Food Products Act
(chapter P-29, s. 40)

1. The Regulation respecting fresh fruits and vegetables (chapter P-29, r. 3) is revoked.

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

102691