

Gouvernement du Québec

**O.C. 1216-2020, 18 November 2020**

Food Products Act  
(chapter P-29)

**Food**

— **Amendment**

Regulation to amend the Regulation respecting food

WHEREAS, under paragraph *c* of section 40 of the Food Products Act (chapter P-29), the Government may, by regulation, prohibit or regulate in particular the disposal or elimination of inedible products;

WHEREAS, under paragraph *n* of section 40 of the Act, the Government may exempt any class of person, establishment or activity it determines from the application of the Act or the regulations, or any provision thereof, on such conditions as it may determine;

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

WHEREAS, by Order in Council 177-2020 dated 13 March 2020, the Government declared a public health emergency and took certain measures to protect the health of the population;

WHEREAS, under section 12 of the Regulations Act (chapter R-18.1), a proposed regulation may be made without having been published in the *Gazette officielle du Québec* as provided for in section 8 of that Act, if the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS, under section 13 of that Act, the reason justifying the absence of such publication must be published with the regulation;

WHEREAS, under section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the urgency of the situation requires it and the reason justifying such coming into force must be published with the regulation;

WHEREAS the Government is of the opinion that the urgency due to the following circumstances justifies the absence of prior publication and such coming into force of the Regulation to amend the Regulation respecting food:

— the current COVID-19 pandemic has led to the application of public health measures that affect in particular the efficiency of slaughterhouses that had to reduce their production capacity to apply social distancing measures or temporarily suspend their activities, creating significant livestock surpluses that must be eliminated;

— new disposal rules must be set out immediately to prevent the accumulation of animal carcasses or the implementation of other practices that present public health, environmental and biosafety risks;

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.

YVES OUELLET,  
*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 by inserting the following after section 7.3.1:

“**7.3.1.1.** Where, as the result of a public health situation, a volume of inedible meat must be eliminated that exceeds the capacity of the operators of incinerators and dismembering plants and the salvagers referred to in the first paragraph of section 7.3.1, a farm producer who, because of that situation, cannot use the disposal methods set out in subparagraphs 1 to 3 of the first paragraph of that section may, subject to the provisions of the fourth paragraph, within 48 hours of the death of an animal of the producer’s livestock, dispose of the inedible meat from the animal by sending it to an engineered landfill site governed by Division II of Chapter II of the Regulation respecting the landfilling and incineration of residual materials (chapter Q-2, r. 19) or delivering it to a person who removes waste for the sole purpose of sending it to such a site. This paragraph does not apply to inedible goat or sheep meat.

If the inedible meat is disposed of by burial in the producer’s agricultural operation in accordance with subparagraph 5 of the first paragraph of section 7.3.1, only the carcasses of animals that have died from natural causes or following an accident may be disposed of.

The holder of a permit to operate a slaughterhouse referred to in subparagraph *a* or *a.1* of the first paragraph of section 9 of the Act, and a person exempted from holding a permit referred to in subparagraph *a* of the first paragraph of that section, may also use an elimination method provided for in the first paragraph.

The Minister authorizes the disposal of inedible meat in an engineered landfill site when the conditions set out in the first paragraph are met.

For the purposes of the provisions of the first paragraph, the operator of an engineered landfill site and a person who removes waste for the sole purpose of sending it to such a site are, respectively, exempted from holding the permit referred to in subparagraph *c* or subparagraph *d* of the first paragraph of section 9 of the Act. In addition, the requirement to install a sign set out in the first paragraph of section 7.1.5 and the requirement set out in the first paragraph of section 7.3.8 do not apply to the operator of a landfill site and to the truck bodies and trailers or containers used.

This section ceases to have effect 6 months after the day on which the public health emergency declared by Order in Council 177-2020 dated 13 March 2020 ends.”

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

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Gouvernement du Québec

## **O.C. 1228-2020, 18 November 2020**

Educational Childcare Act  
(chapter S-4.1.1)

### **Educational Childcare — Amendment**

Regulation to amend the Educational Childcare Regulation

WHEREAS, under subparagraph 14.1 of the first paragraph of section 106 of the Educational Childcare Act (chapter S-4.1.1), the Government may, by regulation, for part or all of Québec, determine the elements comprising the education records of the children to whom the childcare provider provides childcare, the medium to be used and the standards for keeping, using, storing, reproducing and communicating the information the records contain;

WHEREAS, by Order in Council 177-2020 dated 13 March 2020, the Government declared a public health emergency and took certain measures to protect the health of the population;

WHEREAS the public health emergency has been renewed to date;

WHEREAS, under section 12 of the Regulations Act (chapter R-18.1), a proposed regulation may be made without having been published if the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS, under section 13 of that Act, the reason justifying the absence of such publication must be published with the regulation;

WHEREAS, under section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority making it is of the opinion that the urgency of the situation requires it and the reason justifying such coming into force must be published with the regulation;

WHEREAS the Government is of the opinion that the urgency owing to the following circumstances warrants the absence of prior publication and such coming into force of the Regulation to amend the Educational Childcare Regulation:

— the inability for childcare providers to ensure that a periodic portrait of the child’s development, compatible with the Educational Childcare Act, the Educational Childcare Regulation (S-4.1.1, r. 2) and the use for which it is intended, is prepared in November 2020 and sent to parents not later than 15 December 2020, owing to the present circumstances, chiefly because of the irregular attendance of children during the greater part of the public health emergency and the absence, turnover and deployment of childcare staff to duties justified by the public health emergency;

IT IS ORDERED, therefore, on the recommendation of the Minister of Families:

THAT the Regulation to amend the Educational Childcare Regulation, attached hereto, be made.

YVES OUELLET,  
*Clerk of the Conseil exécutif*

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