

Gouvernement du Québec

O.C. 663-2022, 6 April 2022

Act respecting labour standards
(chapter N-1.1)

Labour standards — Amendment

Regulation to amend the Regulation respecting labour standards

Whereas, under the first paragraph of section 40 of the Act respecting labour standards (chapter N-1.1), the Government may, by regulation, determine the minimum wage payable to an employee;

Whereas, under paragraph 1 of section 89 of the Act, the Government may, by regulation, fix labour standards respecting the minimum wage, which may be established on a time basis, a production basis or any other basis;

Whereas, under the first paragraph of section 91 of the Act, the standards contemplated in section 89 may vary according to the field of activity and the type of work;

Whereas the Government made the Regulation respecting labour standards (chapter N-1.1, r. 3);

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 labour standards was published in Part 2 of the *Gazette officielle du Québec* of 19 January 2022 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

Whereas that period has expired and it is expedient to make the Regulation without amendment;

It is ordered, therefore, on the recommendation of the Minister of Labour, Employment and Social Solidarity:

THAT the Regulation to amend the Regulation respecting labour standards, attached to this Order in Council, be made.

YVES OUELLET
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting labour standards

Act respecting labour standards
(chapter N-1.1, s. 40, 1st par., s. 89, par. 1,
and s. 91, 1st par.)

1. The Regulation respecting labour standards (chapter N-1.1, r. 3) is amended in section 3 by replacing “\$13.50” by “\$14.25”.

2. Section 4 is amended by replacing “\$10.80” by “\$11.40”.

3. Section 4.1 is amended

(1) by replacing “\$4.01” in subparagraph 1 of the first paragraph by “\$4.23”;

(2) by replacing “\$1.07” in subparagraph 2 of the first paragraph by “\$1.13”.

4. This Regulation comes into force on 1 May 2022.

105661

M.O., 2022

Order of the Minister of Agriculture, Fisheries and Food dated 1 April 2022

Food Products Act
(chapter P-29)

Pilot project concerning the operation of a chicken slaughterhouse at the farm

MINISTER OF AGRICULTURE, FISHERIES AND FOOD,

CONSIDERING the first paragraph of section 56.1.1 of the Food Products Act (chapter P-29), which provides that the Minister may, by order, authorize the implementation of pilot projects aimed at enabling innovation with respect to food or concerning the disposal of inedible meats, or aimed at studying, improving or defining standards applicable to those matters;

CONSIDERING the first paragraph of section 56.1.1 of the Act, which also provides that the Minister determines the standards and obligations applicable to a pilot project, which may differ from those prescribed by the Act and the regulations, and the Minister may, as part of a pilot project, authorize any person to carry on an activity governed by the Act in compliance with the standards and rules prescribed by the Minister;

CONSIDERING the second paragraph of section 56.1.1 of the Act, which provides that a pilot project is conducted for a period of up to four years, which the Minister may, if the Minister considers it necessary, extend by up to one year;

CONSIDERING the second paragraph of section 56.1.1 of the Act, which also provides that the Minister may determine the provisions of a pilot project whose violation is an offence and determine the amount for which the offender is liable, which may not be less than \$250 or more than \$5,000;

CONSIDERING the third paragraph of section 56.1.1 of the Act, which provides that the publication requirement set out in section 8 of the Regulations Act (chapter R-18.1) does not apply to an order made under that section;

CONSIDERING that, in order to foster sustainable development and proximity circuits, it is expedient to evaluate practices of chicken slaughtering at the farm by a person who raises chickens, in particular with respect to their impact on the wholesomeness of the meat;

CONSIDERING that local and regional development was taken into consideration;

CONSIDERING that it is expedient to authorize the implementation of the Pilot project concerning the operation of a chicken slaughterhouse at the farm;

ORDERS AS FOLLOWS:

The Pilot project concerning the operation of a chicken slaughterhouse at the farm, attached to this Order, is hereby made.

Québec, April 1, 2022

ANDRÉ LAMONTAGNE
The Minister of Agriculture, Fisheries and Food

Pilot project concerning the operation of a chicken slaughterhouse at the farm

Food Products Act
(chapter P-29)

CHAPTER I PRELIMINARY

1. The implementation of a Pilot project concerning the operation of a chicken slaughterhouse at the farm is authorized on the following basis:

(1) evaluating practices of chicken slaughtering at the farm by a person who raises chickens, in particular with respect to their impact on the wholesomeness of the meat;

(2) gathering information regarding the feasibility and relevance of implementing standards for such practices;

(3) where applicable, define standards that could allow the operation of a chicken slaughterhouse at the farm.

2. To be authorized to participate in the pilot project, the applicant

(1) apply to the Minister using the prescribed form, in which the following information must be provided:

(a) the applicant's name, address, telephone number and email address; the same information is also required with regard to the applicant's representative if that representative is a legal person, partnership or association without legal personality;

(b) the Québec business number assigned to the applicant under the Act respecting the legal publicity of enterprises (chapter P-44.1), where applicable;

(c) the name under which the slaughterhouse will operate, where applicable;

(d) the address of the farm on which the slaughterhouse will be located;

(2) provide a description of the project;

(3) if the water that will be supplied to the slaughterhouse does not come from a waterworks system, provide a report of analysis demonstrating that that water is drinkable; and

(4) certify that the applicant will have facilities and equipment that comply with sections 5 to 8 of this Order.

An application to participate in the Pilot project must be accompanied by a statement that the information and documents provided under the first paragraph are true, and be signed by the person making the application.

CHAPTER II PROVISIONS APPLICABLE TO THE PILOT PROJECT

DIVISION I GENERAL

3. The operation of a chicken slaughterhouse at the farm is authorized for the exclusive purpose of retail sale under the conditions provided for in this Order.

“Chicken slaughterhouse at the farm” means mobile or stationary facilities, either temporary or permanent, that are situated on the farm and where chickens are raised, including the equipment and material found there that is used to slaughter chickens.

4. Persons authorized to participate in a pilot project, hereinafter referred to as “authorized operators”, may only slaughter chickens in their slaughterhouses at the farm.

The chickens slaughtered must be raised on the site of the farm where the slaughterhouse is situated.

The maximum number of chickens that may be slaughtered under the Pilot project is set at 300 per year.

DIVISION II PROVISIONS RELATING TO FACILITIES AND EQUIPMENT

5. The chicken slaughterhouse at the farm must be dedicated exclusively to slaughtering operations. It must be laid out so as to preserve the wholesomeness of products and the sanitary conditions of the operation.

6. The slaughterhouse must include areas dedicated to the following activities:

- (1) slaughtering;
- (2) dressing.

The areas must also be laid out so as to

(1) prevent the introduction of any undesirable substance; and

(2) ensure that carcasses cannot be contaminated by surfaces, in particular the floor, or by any other species of animal, including insects and rodents.

7. The areas of the chicken slaughterhouse at the farm must also be laid out in such manner that there is a continuous progression of the chickens before and during slaughtering, and of the resulting carcasses, without any possibility of backtracking, overlapping or crossing over between live chickens, carcasses and inedible meat.

8. The chicken slaughterhouse at the farm must be equipped with

- (a) knives used to slaughter and dress chickens;
- (b) equipment for heat sterilizing the knives at 82°C, such as a sanitation device, or for sterilizing them by way of a chemical process, in the slaughtering and dressing areas;

(c) a cold and hot drinkable running water supply at least 60°C;

(d) hygienic handwashing equipment;

(e) equipment for restraining chickens, rendering them unconscious and bleeding them;

(f) scalding and plucking equipment making it possible to fully remove the chickens’ feathers;

(g) suspension equipment for gutting carcasses;

(h) equipment for rinsing carcasses;

(i) cold storage facilities in which the internal temperature of carcasses may be lowered to a maximum of 4°C, and cold storage facilities at a maximum temperature of 4°C used exclusively to store carcasses;

(j) equipment intended solely to salvage inedible meat to prevent it from being introduced into the food chain or from becoming a source of contamination, in particular with regard to the products; and

(k) a waste water recovery or drainage system.

The equipment and material must not be capable of affecting the wholesomeness of products.

DIVISION III PROVISIONS RELATING TO THE OPERATION OF A SLAUGHTERHOUSE

9. Authorized operators are prohibited from slaughtering chickens that show any visible sign of disease or anomaly or that come from a diseased flock.

10. Authorized operators are prohibited from slaughtering chickens which have been administered a medication or have consumed a medicinal food before the expiry of the waiting period indicated in the prescription of a veterinarian or, in other cases, on the packaging of, or in a document provided with the medication or medicinal food.

11. Authorized operators must, at least 72 hours before chickens are slaughtered, send the following information to the person designated by the Minister, using the sheet prescribed by the Minister:

- (1) the information provided for in subparagraphs a to d of subparagraph 1 of the first paragraph of section 2;
- (2) the date of slaughter of the chickens;
- (3) the number of chickens that will be slaughtered;

(4) any medication or vaccine administered to the chickens that will be slaughtered within 60 days before the date of slaughter;

(5) the total number of chickens present at the farm, specifying the number of chickens that

- (a) died within 60 days before the date of slaughter; and
- (b) are sick;

(6) the date and the signature of the authorized operator.

Authorized operators must also declare that

(1) the medication or vaccine withdrawal period is over;

(2) the chickens that will be slaughtered show no visible signs of disease; and

(3) the chickens that will be slaughtered pose no other risk with regard to food safety or human health.

The sheet must be kept on the operation site for 1 year following the date of slaughter of the chickens.

12. Authorized operators must inform the person designated by the Minister, as soon as possible, of any change to the information referred to in the first or second paragraph of section 11.

13. The Minister may set a date of slaughter different from the date set by the authorized operator in subparagraph 2 of the first paragraph of section 11.

14. Authorized operators must, at least once per year, have a veterinarian see to the sanitary and preventative management of their chicken operation.

Copies of the veterinarian's report and, where applicable, the prescriptions must be sent to the person designated by the Minister within 30 days following the date of the veterinarian's visit. Operators must also keep the report and prescriptions on the farm site for 2 years following the date of the visit.

15. Slaughtering operations must not damage the carcass or affect its preservation.

"Slaughtering operations" means rendering chickens unconscious, bleeding them and dressing them, which includes scalding, full plucking and gutting.

16. Chickens must be bled, scalded and plucked in the slaughtering area.

When carrying out those operations, the following prescriptions must be complied with:

(1) the chickens must be placed on the restraining equipment referred to in subparagraph e of the first paragraph of section 8, restrained, rendered unconscious and bled in accordance with sections 141 to 143 of the Safe Food for Canadians Regulations (SOR/2018-108);

(2) bleeding must be complete;

(3) scalding and plucking must be carried out using the equipment referred to in subparagraph f of the first paragraph of section 8 and the water from the scalding equipment must be renewed according to the volume of the operations.

17. Dressing must be carried out in the area intended for that purpose and comply with the following prescriptions:

(1) scalded and plucked carcasses must be placed on the suspension equipment referred to in subparagraph g of the first paragraph of section 8 for gutting;

(2) the feathers, stumps and hairs must be removed;

(3) the head and oil gland must be removed;

(4) the carcasses must be rinsed with cold water;

(5) the carcasses must then be gutted by opening them;

(6) offals may be collected, where applicable;

(7) the carcasses must be rinsed a final time on the outside and on the inside so as to not be soiled with residue from gutting;

(8) the feet must be cut off at the tarsal joint.

18. The internal temperature of carcasses must be lowered immediately after gutting by placing the carcasses in the facility referred to in subparagraph i of the first paragraph of section 8.

19. The chickens must be whole, meaning they must not have been dismembered, cut, treated or processed, unless the authorized operator holds the permit referred to in subparagraph m of the first paragraph of section 9 of the Food Products Act (chapter P-29).

Any preparation other than that provided for in this Division is prohibited in the chicken slaughterhouse at the farm.

20. The whole chickens must be stored in a facility referred to in subparagraph i of the first paragraph of section 8 that can maintain their internal temperature at a maximum of 4°C.

21. The slaughtering and dressing areas must be cleaned adequately; in particular, blood must be removed after each day of slaughter and, during operations, as often as necessary to ensure the sanitation of the premises.

22. The material and equipment located in the dressing area that come into contact with the chickens must be clean. They must be disinfected before each day of slaughter or before each new session in the event of an interruption.

23. Feathers and viscera must be placed in the equipment intended solely to salvage inedible meat referred to in subparagraph j of the first paragraph of section 8. They must be removed from the areas at the end of each day.

24. Authorized operators may dispose of inedible chicken meat in accordance with section 7.3.1 of the Regulation respecting food (chapter P-29, r. 1).

DIVISION IV PROVISIONS RELATING TO SALE

25. Subject to them holding the permit referred to in subparagraph m of the first paragraph of section 9 of the Food Products Act, authorized operators may only sell at retail whole chickens and their offals on their farm's site or at a public market.

26. A label bearing the following information must be affixed on the packaging:

- (1) the date of slaughter and the date of packaging;
- (2) the name and contact information of the authorized operator;
- (3) the net weight of the product;
- (4) the following notice: "NOTICE: this product is derived from chickens not slaughtered under permanent inspection by the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation".

27. A sign must be installed at the place of retail, in view of consumers, indicating the following: "NOTICE: the products sold here are derived from chickens not slaughtered under permanent inspection by the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation".

DIVISION V OFFENCES

28. Every authorized operator who contravenes

- (1) the third paragraph of section 11,
- (2) the second paragraph of section 14, or
- (3) any of sections 21 to 23, 26 and 27,

is guilty of an offence and is liable to a fine of \$250 to \$1,000.

29. Every authorized operator who contravenes

- (1) any of sections 4 to 10,
- (2) the first or second paragraph of section 11,
- (3) section 12,
- (4) the first paragraph of section 14 or 15, or
- (5) any of sections 16 to 20, 24 and 25,

is guilty of an offence and is liable to a fine of \$1,000 to \$5,000.

Every authorized operator who

- (1) has made a false or misleading statement in a document prescribed by this Order, or
- (2) does not comply with the slaughter date set by the Minister under section 13,

is guilty of an offence and is liable to the fine provided for in the first paragraph.

CHAPTER III MISCELLANEOUS AND FINAL

30. The Food Products Act and the Regulation respecting food apply, to the extent that they are consistent with this Order.

31. This Order comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*. It is revoked on the fourth anniversary date of its coming into force.

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