

(2) for the year 2025 and subsequent years:

(a) at least 30% of the amount due before the end of the fifth month following the publication in the *Gazette officielle du Québec* of the schedule referred to in section 53.31.15 of the Environment Quality Act;

(b) at least 60% of the amount due before the end of the seventh month following the publication in the *Gazette officielle du Québec* of the said schedule;

(c) the balance before the end of the eighteenth month following the publication in the *Gazette officielle du Québec* of the said schedule.”

**21.** Section 8.12 is amended

(1) in the first paragraph,

(a) by striking out “, in whole or in part.”;

(b) by adding “, representing up to 15% of that amount” at the end;

(2) by striking out the second paragraph.

**22.** Section 8.12.2 is amended by striking out the second paragraph.

**23.** Section 8.13 is amended

(1) by inserting “for the years 2022 and 2023” after “municipalities”;

(2) by inserting the following after the first paragraph:

“The amount of the compensation owed to the municipalities for the years 2024 and following must be distributed not later than 30 days after a payment is received from the certified body pursuant to section 8.10.”;

(3) by adding the following at the end:

“Despite the first and second paragraphs, the Société is not required to distribute the amount of the compensation owed to a municipality until that municipality has sent its declaration provided for in section 6.2 for the year concerned.”

**24.** Section 8.14 is amended

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

“The amount payable annually to the Société québécoise de récupération et de recyclage to indemnify it for its management costs and other expenses mentioned in

section 53.31.18 of the Environment Quality Act (chapter Q-2) is equal to 2% of the annual compensation owed to the municipalities under Division IV.”;

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

“If there is more than one certified body, the amount of the indemnity is divided among them in proportion to the compensation owed that is paid to them under the schedule of contributions referred to in section 53.31.15 of the Environment Quality Act.”

**25.** Section 8.15 is amended

(1) in the first paragraph, by replacing “31 December each year” by “the due date for the first payment of the annual compensation provided for in section 8.10”;

(2) by striking out the second paragraph.

**26.** Section 11 of the Regulation to amend the Regulation respecting compensation for municipal services provided to recover and reclaim residual materials, enacted by Order in Council 1302-2013 dated 11 December 2013, is revoked.

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

105715

## M.O., 2022

### Order of the Minister of Agriculture, Fisheries and Food dated 3 May 2022

Food Products Act  
(chapter P-29)

Pilot project concerning the preparation of cooked food having raw goat, sheep or buffalo milk as an ingredient

THE 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 provides that the Minister is to determine 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 provides that the Minister may also 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 it is expedient to evaluate the practices used in artisanal production of raw goat, sheep or buffalo milk, in particular with respect to their impact on the wholesomeness of food;

CONSIDERING that local and regional development has been taken into consideration;

CONSIDERING that it is expedient to authorize the implementation of the Pilot project concerning the preparation of cooked food having raw goat, sheep or buffalo milk as an ingredient;

ORDERS AS FOLLOWS:

The Pilot project concerning the preparation of cooked food having raw goat, sheep or buffalo milk as an ingredient, attached to this Order, is hereby made.

Québec, 3 May 2022

ANDRÉ LAMONTAGNE  
*Minister of Agriculture, Fisheries and Food*

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## **Pilot project concerning the preparation of cooked food having raw goat, sheep or buffalo milk as an ingredient**

Food Products Act  
(chapter P-29, s. 56.1.1)

### **CHAPTER I PRELIMINARY**

**1.** The implementation of a Pilot project concerning the preparation of cooked food having raw goat, sheep or buffalo milk as an ingredient is authorized on the following basis:

(1) evaluating the practices used in artisanal production of raw milk, in particular with respect to their impact on the wholesomeness of food;

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

(3) where applicable, defining standards that could allow the preparation of cooked food having raw milk as an ingredient.

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

(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 address of the farm and plant where the food will be prepared;

(2) provide a protocol describing the manner in which the operations will be carried out, the equipment used and the food that will be prepared; and

(3) provide a report of analysis demonstrating that the water is drinkable if the water does not come from a waterworks system.

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 preparation at the farm of cooked food having raw goat, sheep or buffalo milk as an ingredient is authorized, on the conditions set out in this Order.

**4.** Persons authorized to participate in a pilot project, hereinafter referred to as “authorized operators”, may only prepare, as part of the pilot project, food

(1) prepared with raw milk from goats, sheep or buffalo that is collected on the site of the farm where the preparation takes place;

(2) cooked in a preparation plant provided for that purpose;

(3) that is not a dairy product within the meaning of the Food Products Act (chapter P-29) and the regulations.

**5.** Unless otherwise provided in this pilot project, the provisions of the Food Products Act (chapter P-29) and the regulations applicable to the production of raw milk and the preparation of food apply to authorized operators, with the necessary modifications.

More specifically, Chapter 11 of the Regulation respecting food (chapter P-29, r. 1) applies to the production of raw milk, with the necessary modifications. Authorized operators may use raw milk collected at their farms in the preparation of food without the raw milk having to go to a dairy plant and being collected or tested by a tester. Authorized operators are also exempted from holding a tester permit referred to in section 8.2 of the Food Products Act (chapter P-29) and a dairy plant permit referred to in subparagraph *k.1* of the first paragraph of section 9 of the Act.

In case of conflict, the provisions of this pilot project prevail over any inconsistent provision of the Act and the regulations.

### DIVISION II PROVISIONS RELATING TO THE PRODUCTION OF RAW GOAT, SHEEP OR BUFFALO MILK

**6.** Authorized operators are exempted from complying with sections 11.2.2 to 11.2.20 of the Regulation respecting food (chapter P-29, r. 1). The place where milking is carried out must be laid out to ensure the wholesomeness of the raw milk collected.

**7.** Authorized operators are prohibited from using raw milk from an animal that shows any visible sign of disease or anomaly or that comes from a diseased herd.

**8.** Authorized operators are prohibited from using raw milk from an animal that has been administered a medication or has consumed a medicinal food, before the expiry of the waiting period indicated in the prescription of the veterinarian or, in other cases, on the packaging of, or in a document provided with the medication or medicinal food.

**9.** Authorized operators must implement a monthly milk quality monitoring program to ensure that the raw milk standards provided for in Schedule 11.A of the Regulation respecting food (chapter P-29, r.1) are met with respect to total mesophilic aerobic bacteria, the number of somatic cells and the absence of inhibitor in the milk produced by the herd.

Every sample taken under the first paragraph must be sent to the Minister’s laboratory or to any other laboratory designated by the Minister.

Authorized operators must keep, on the farm site, the copies of the reports obtained as part of the monthly milk quality monitoring program in a register for a period of 12 months after their receipt.

**10.** Authorized operators must, at least once a year, have a veterinarian see to the sanitary and preventative management of their goat, sheep or buffalo herd.

Copies of the veterinarian’s visit 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, prescriptions and individual health sheets of the animals on the farm site for 2 years following the date of the visit.

**DIVISION III**  
PROVISION RELATING TO THE PREPARATION  
AND SALE OF FOOD

**11.** Authorized operators are exempted from section 11.7 of the Regulation respecting food (chapter P-29, r. 1). They must, however, cook the food that has raw milk as an ingredient to ensure the wholesomeness and specify the conditions of cooking in the protocol to be provided under subparagraph 2 of the first paragraph of section 2 of this Order.

**12.** Subject to them holding the permit referred to in subparagraph m of the first paragraph of section 9 of the Food Products Act (chapter P-29), authorized operators may only sell at retail food prepared in accordance with this Order on their farm's site or at a public market.

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

- (1) the date of packaging and durable life;
- (2) the name and contact information of the authorized operator or, where applicable, the name under which the preparation plant is operated and its contact information;
- (3) the net weight of the product;
- (4) a list of all ingredients and their components in descending order of predominance.

**DIVISION IV**  
OFFENCES

**14.** Every authorized operator who contravenes

- (1) the third paragraph of section 9,
- (2) the second paragraph of section 10, or
- (3) section 13,

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

**15.** Every authorized operator who contravenes

- (1) any of sections 4 to 8,
- (2) the first or second paragraph of section 9,
- (3) the first paragraph of section 10, or

(4) section 11 or 12,

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

Every authorized operator who has made a false or misleading statement in a document prescribed by this Order is guilty of an offence and is liable to the fine provided for in the first paragraph.

**CHAPTER III**  
FINAL

**16.** 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 day of the fourth anniversary of its coming into force.

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