

Gouvernement du Québec

## O.C. 1341-2024, 28 August 2024

Act respecting the conservation and development of wildlife  
(chapter C-61.1)

### Possession and sale of an animal —Amendment

Regulation to amend the Regulation respecting the possession and sale of an animal

WHEREAS, under section 69 of the Act respecting the conservation and development of wildlife (chapter C-61.1), no person may sell or purchase an animal, invertebrate or wildlife by-product the sale of which is prohibited by regulation, and the Government may, by regulation, authorize the sale of an animal, invertebrate or wildlife by-product, the sale of which is prohibited by regulation, according to such norms and conditions as the Government may determine;

WHEREAS, under paragraphs 14, 16 and 23 of section 162 of the Act, the Government may, in addition to the other regulatory powers conferred on it by the Act, make regulations determining the provisions of a regulation the infringement of which constitutes an offence, prescribing norms and obligations respecting the transportation, possession, registration and disposal of animals or fish, determining the conditions required for importing or exporting an animal, fish, invertebrate, wildlife by-product or pelt to or from Québec or prohibiting the importing of any animal, invertebrate or wildlife by-product it may indicate;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting the possession and sale of an animal was published in Part 2 of the *Gazette officielle du Québec* of 29 May 2024 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 the Environment, the Fight Against Climate Change, Wildlife and Parks:

THAT the Regulation to amend the Regulation respecting the possession and sale of an animal, attached to this Order in Council, be made.

DOMINIQUE SAVOIE  
*Clerk of the Conseil exécutif*

### Regulation to amend the Regulation respecting the possession and sale of an animal

Act respecting the conservation and development of wildlife  
(chapter C-61.1, s. 69 and s. 162, pars. 14, 16 and 23).

**1.** The Regulation respecting the possession and sale of an animal (chapter C-61.1, r. 23) is amended by replacing the title by “Regulation respecting the sale, importation, possession and disposal of an animal or wildlife by-product”.

**2.** The following is inserted before section 1:

#### “DIVISION I GENERAL

**0.1.** For the purposes of this Regulation, reference to a cervid, a moose or a caribou also applies, wherever permitted by the context, to any part of the animal and its flesh.

**0.2.** For the purposes of this Regulation, a case of chronic wasting disease of cervids is deemed to have been detected on the date on which the information is made available to the public by an authority having jurisdiction in Québec, Canada, another Canadian province or a foreign state.

#### DIVISION II SALE OF AN ANIMAL OR WILDLIFE BY-PRODUCT”

**3.** The following is inserted after section 2:

“**2.1.** The sale of urine or any other by-product of a cervid, except moose, is prohibited.

#### DIVISION III IMPORTATION OF AN ANIMAL OR WILDLIFE BY-PRODUCT

**2.2.** Importation into Québec of urine or any other by-product of a cervid, except moose, is permitted to the extent that

(1) the by-product was collected from a cervid in captivity at a keeping facility;

(2) on the day of collection, there is no reasonable ground to believe that a cervid in captivity at the facility is carrying chronic wasting disease of cervids;

(3) the analysis provided for in section 134.2 of the Regulation respecting animals in captivity (chapter C-61.1, r. 5.1) was performed, as the case may be, by a laboratory approved by the Canadian Food Inspection Agency using a method approved by the latter, or by a foreign laboratory using the method approved by a competent authority of the foreign state where the facility in which the cervid is kept in captivity is located, on all large cervids over 12 months of age that were kept in captivity at the facility and that died in the 6 years preceding the collection;

(4) in the 20 years preceding the collection, none of the cervids in captivity at the facility had been diagnosed with chronic wasting disease of cervids;

(5) in addition to the conditions set out in subparagraphs 1 to 4, at least one of the following conditions is met:

(a) in the 6 years preceding the collection, no cervids in captivity at a keeping facility within a 45-km radius of the keeping facility holding the cervid from which a by-product was collected, or cervids living in the wild within a 100-km radius of that facility had been diagnosed with chronic wasting disease of cervids;

(b) on the day of the collection, the perimeter elements of the keeping facility holding the cervid from which the collection was made prevented, for a period of at least 6 years, any contact between the cervids in captivity at the facility and cervids living in the wild;

(6) in cases where, in the 6 years preceding the collection, a cervid from a different facility was introduced in the facility, on the day the cervid was introduced in the facility, or in the 6 or 20 years prior as the case may be, that other facility met the conditions set out in subparagraphs 2 to 5.

The person importing the urine or by-product of a cervid in Québec must, at the earliest 45 business days and at the latest 10 business days prior to importing, send to the Minister a written notice containing the following documents and information:

(1) an attestation by an authorized person from the competent authority of the foreign state of origin of the by-product indicating that the conditions set out in the first paragraph are met;

(2) the scientific binomen of the species of the animal from which the by-product was collected;

(3) the place from which the by-product is imported;

(4) the anticipated date of importation;

(5) the location where it arrives in Québec;

(6) the place of destination.

**2.3.** Importation into Québec of embryos, semen, ovum or velvet antlers is permitted to the extent that the conditions set out in section 2.2 are met, with the necessary modifications.

#### **DIVISION IV POSSESSION OF AN ANIMAL**

**4.** Sections 3.1 to 4 are replaced by the following:

**“3.1.** Possession of a cervid that died outside Québec is prohibited.

This prohibition does not apply to

(1) the meat or quarters if the brain, eyes, tonsils, retropharyngeal lymph nodes, spinal column, skin and subcutaneous fat, internal organs and reproductive organs have been removed;

(2) the hide, tanned or with the fat removed, and the leather;

(3) the antlers without velvet;

(4) the skull, vertebral column bones, teeth or hooves free of soft tissue and disinfected;

(5) bones not referred to in subparagraph 4.

The first paragraph does not apply to a person who, within the scope of their functions, has in their possession a cervid having died outside Québec:

(1) for the purpose of activities authorized by a meat processing, preserving, storing, packaging and labelling licence delivered under the Safe Food for Canadians Act (S.C. 2012, c. 24);

(2) for scientific, diagnostic or educational purposes in a laboratory or a university-level educational institution;

(3) for the purpose of its salvaging and reclamation in accordance with section 3.8;

(4) for the purpose of its disposal in accordance with section 3.9;

(5) to transport the cervid to a facility for the purposes referred to in subparagraphs 1 to 4.

**3.2.** Despite the first paragraph of section 3.1, a Native person may have in their possession a caribou that died in Labrador, Ontario or on Baffin Island, Nunavut, south of the Arctic Circle.

Where a case of chronic wasting disease of cervids has been detected in the 6 years preceding the death of a caribou in an area identified in Schedule I, the possession by a Native person of a caribou having died in that area is prohibited in the corresponding area as determined by Schedule I, subject to the exceptions provided for in the second paragraph of section 3.1.

**3.3.** Possession of a cervid that died in captivity in Québec is prohibited, subject to the exceptions provided for in the second paragraph of section 3.1, unless:

(1) on the day of the cervid's death, there is no reasonable ground to believe that a cervid kept in captivity at that same facility is carrying chronic wasting disease of cervids;

(2) the analysis provided for in section 134.2 of the Regulation respecting animals in captivity (chapter C-61.1, r. 5.1) was performed by a laboratory approved by the Canadian Food Inspection Agency using a method approved by the latter, on any large cervid over 12 months of age that was kept in captivity at the facility and that died in the 6 years preceding the death of the cervid;

(3) in the 20 years preceding the cervid's death, none of the cervids in captivity at the facility had been diagnosed with chronic wasting disease of cervids;

(4) in addition to the conditions set out in subparagraphs 1 to 3, at least one of the following conditions is met:

(a) in the 6 years preceding the cervid's death, no cervids in captivity at a keeping facility within a 45-km radius of the keeping facility holding the dead cervid, or cervids living in the wild within a 100-km radius of that facility had been diagnosed with chronic wasting disease of cervids;

(b) on the day of the cervid's death, the perimeter elements of the keeping facility where the cervid was kept prevented, for a period of at least 6 years, any contact between the cervids in captivity at the facility and cervids living in the wild;

(5) in cases where, in the 6 years preceding the cervid's death, a cervid from a different facility was introduced in the facility, on the day the cervid was introduced in the facility, or in the 6 or 20 years prior as the case may be, that other facility met the conditions set out in subparagraphs 1 to 4.

The first paragraph does not apply to persons who, within the scope of their functions, have in their possession a cervid having died in captivity in Québec

(1) on the site of the facility where the cervid was in captivity;

(2) in a plant where meat is prepared for human consumption or in a storage depot where it is stored for the purpose of marketing it in the conditions prescribed by the Food Products Act (chapter P-29) and the regulations;

(3) for the purpose of activities authorized by a meat slaughtering, processing, preserving, storing, packaging and labelling licence issued under the Safe Food for Canadians Act (S.C. 2012, c. 24);

(4) for scientific, diagnostic or educational purposes in a laboratory, veterinary establishment or university-level educational institution;

(5) for the purpose of its salvaging and reclamation in accordance with section 3.8;

(6) for the purpose of its disposal in accordance with section 3.9;

(7) to transport the cervid to a location for the purposes referred to in subparagraphs 2 to 6.

**3.4.** Possession of embryos, semen, ovum or velvet antlers is prohibited unless they were collected from a cervid in captivity in a keeping facility to the extent that

(1) on the day of the collection, there is no reasonable ground to believe that a cervid kept at the same facility is carrying chronic wasting disease of cervids;

(2) the analysis provided for in section 134.2 of the Regulation respecting animals in captivity (chapter C-61.1, r. 5.1) was performed, as the case may be, by a laboratory approved by the Canadian Food Inspection Agency using a method approved by the latter, or by a foreign laboratory using the method approved by a competent authority of the foreign state where the facility in which the cervid is kept in captivity is located, on all large cervids over 12 months of age that were kept in captivity at the facility and that died in the 6 years preceding the collection;

(3) in the 20 years preceding the collection, none of the cervids in captivity at the facility had been diagnosed with chronic wasting disease of cervids;

(4) in addition to the conditions set out in paragraphs 1 to 3, at least one of the following conditions is met:

(a) in the 6 years preceding the collection, no cervids in captivity at a keeping facility within a 45-km radius of the keeping facility holding the cervid from which a by-product was collected, or cervids living in the wild within a 100-km radius of that facility had been diagnosed with chronic wasting disease of cervids;

(b) on the day of the collection, the perimeter elements of the keeping facility holding the cervid from which the collection was made prevented, for a period of at least 6 years, any contact between the cervids in captivity at the facility and cervids living in the wild;

(5) in cases where, in the 6 years preceding the collection, a cervid from a different facility was introduced in the facility, on the day the cervid was introduced in the facility, or in the 6 or 20 years prior as the case may be, that other facility met the conditions set out in subparagraphs 1 to 4.

**3.5.** The zones below are defined as follows:

**Zone A:** the area within a 45-km radius of the site where a case of chronic wasting disease of cervids was detected in a cervid living in the wild or in captivity or, if detected on Anticosti Island, as the case may be, the entire surface area of Anticosti, for a period of 6 years following the detection;

**Zone B:** the area within a radius of between 45 km and 100 km of the site, other than Anticosti Island, where a case of chronic wasting disease of cervids was detected in a cervid living in the wild, for a period of 6 years following the detection;

**Zone AB:** an area composed of contiguous A and B zones.

For the purposes of the first paragraph, where the 6-year period following the detection ends between 1 September and 31 December, it is extended until 31 December of that year.

**3.6.** The possession of a cervid, other than a caribou and subject to the exceptions provided for in the second paragraph of section 3.1, that had lived in the wild and is dead within a zone A is allowed only in that zone and in any other zone A area that partly overlaps it.

The possession of a cervid, other than a caribou and subject to the exceptions provided for in the second paragraph of section 3.1, that had lived in the wild and is dead within a zone B is allowed only in the zone AB that comprises it and in any other AB zone that partly overlaps it.

Despite the first and second paragraphs, possession of such a cervid is also permitted outside the zones in which possession is permitted for the purpose of having the animal registered in accordance with the third paragraph of section 21 of the Regulation respecting hunting activities (chapter C-61.1, r. 1) as made by section 1 of the Regulation to amend the Regulation respecting hunting activities, made by Order in Council number 1343-2024 dated 28 August 2024.

Despite the first and second paragraphs, where no plant for preparing meat for human consumption in compliance with the Food Products Act (chapter P-29) and the regulations accepts the cervid in that zone, possession thereof is allowed outside that zone only for the purpose of going to the nearest plant that accepts the cervid.

The first and second paragraphs do not apply to persons who, within the scope of their functions, have such a cervid in their possession

(1) in a plant where cervid meat is prepared for human consumption in the conditions prescribed by the Food Products Act (chapter P-29) and the regulations, for the purposes of the fourth paragraph;

(2) for scientific, diagnostic or educational purposes in a laboratory, veterinary establishment or university-level educational institution;

(3) for the purpose of the cervid's salvaging and reclamation in accordance with section 3.8;

(4) for the purpose of the cervid's disposal in accordance with section 3.9;

(5) to transport the cervid to a location for the purposes referred to in subparagraphs 1 to 4.

**3.7.** The possession of a caribou, subject to the exceptions provided for in the second paragraph of section 3.1, that had lived in the wild and is dead within one of the following zones is prohibited outside of that zone if a case of chronic wasting disease of cervids was detected in the zone in the 6 years preceding the caribou's death:

(1) the Fort George and Vieux Comptoir beaver reserves, Mistassini and Saguenay beaver reserves, for the portions situated north of the parallel of latitude 53° N, except the portion situated north of the parallel of latitude 54° N and east of the meridian of longitude 67°30' W, and the New Québec beaver reserve, except the portion situated north of the parallel of latitude 56° N and east of the meridian of longitude 67°30' W and the portion situated south of the parallel of latitude 56° N and east of the meridian of longitude 66°30' W;

(2) the New Québec beaver reserve, for the portion situated east of the meridian of longitude 67°30' W, and the Saguenay beaver reserve, for the portion situated north of the parallel of latitude 54° N and east of the meridian of longitude 67°30' W;

(3) the Rupert and Nottaway beaver reserves, for the portions situated east of the meridian of longitude 77° W, the Abitibi beaver reserve, for the portion situated east of the meridian of longitude 77° W and north of the parallel of latitude 48°30' N, the Roberval beaver reserve, for the portion situated north of the parallel of latitude 48°30' N, the Mistassini beaver reserve, for the portion situated south of the parallel of latitude 53° N, and the Bersimis beaver reserve;

(4) south of the Abitibi, Roberval, Bersimis and Saguenay beaver reserves, and the Abitibi and Roberval beaver reserves, for the portions situated south of the parallel of latitude 48°30' N;

(5) the Saguenay beaver reserve, for the portion situated south of the parallel of latitude 53° N, except Anticosti Island.

(6) the Rupert, Nottaway and Abitibi beaver reserves, for the portions situated west of the meridian of longitude 77° W.

The first paragraph does not apply to persons who, within the scope of their functions, have such a caribou in their possession

(1) for scientific, diagnostic or educational purposes in a laboratory, veterinary establishment or university-level educational institution;

(2) for the purpose of its salvaging and reclamation, in accordance with section 3.8;

(3) for the purpose of its disposal, in accordance with section 3.9;

(4) to transport the caribou to a location for the purposes referred to in paragraphs 1 to 3.

For the purposes of this section, the beaver reserves are those established pursuant to the Regulation respecting beaver reserves (chapter C-61.1, r. 28).

#### **DIVISION V** **DISPOSAL OF AN ANIMAL OR A WILDLIFE** **BY-PRODUCT**

**3.8.** Only a dismembering plant operated in accordance with the Regulation respecting food (chapter P-29, r. 1) may proceed to the reclamation of a dead cervid.

A dismembering plant may only use a dead cervid to make rendered fat containing not more than 0.15% of insoluble impurities or a product derived from it, subject to the exceptions provided for in the second paragraph of section 3.1, in the following cases:

(1) where the cervid was in the possession of a person pursuant to the third paragraph of section 3.1;

(2) where possession of the cervid is not permitted under the first paragraph of section 3.3 or where it was in the possession of a person pursuant to the second paragraph of section 3.3;

(3) where the cervid, except a caribou, having lived in the wild died in a zone A or B;

(4) where before its death, the caribou had lived in the wild in one of the zones described in the first paragraph of section 3.7 and a case of chronic wasting disease of cervids was detected in that zone in the 6 years before the caribou's death.

In the cases referred to in the second paragraph, the salvager referred to in the Regulation respecting food may salvage and transport the cervid only for the purpose of such a reclamation at the dismembering plant.

**3.9.** Where a person is found in possession of a cervid or a cervid by-product whose sale or possession are prohibited, or the conditions for the importation of which are not met, the person must without delay dispose thereof or proceed to its reclamation in accordance with section 3.8.

A person having in their possession a cervid that, unless reclaimed in accordance with section 3.8, must be disposed of under the first paragraph, subject to the exceptions provided for in the second paragraph of section 3.1, or a person having a cervid in their possession within the scope of their functions under sections 3.1, 3.3, 3.6 or 3.7, or a person having in their possession a cervid that died in a zone identified in sections 3.2, 3.5 or 3.7 and who wishes to dispose of the cervid, must do so using one of the following methods:

(1) incineration, at a temperature equal to or greater than 850°C for the period of time necessary to reduce all organic material to ash in a facility compliant with the Environment Quality Act (chapter Q-2) and the regulations, and the ashes are transported to an engineered landfill compliant with the Environment Quality Act (chapter Q-2) and the regulations, or used to manufacture concrete or cement;

(2) alkaline hydrolysis at a temperature of 150°C and pressure of at least 400 kPa, in an alkaline solution of sodium hydroxide (NaOH) or potassium hydroxide (KOH) at a 1.5:1 ratio of alkaline solution to anatomic waste, for at least 180 minutes per cycle;

(3) thermal hydrolysis, at a temperature of 180 °C and a pressure of at least 1200 kPa for at least 40 minutes per cycle;

If no service of disposal corresponding to the methods described in the first paragraph is available within a 25-km radius of the place where disposal has become necessary, the person may proceed to the disposal by landfilling in an engineered landfill or by incineration in an incineration facility compliant with the Environment Quality Act (chapter Q-2) and the regulations, the ashes from which are moved to an engineered landfill or used to manufacture concrete or cement. If neither of those services for disposal is accessible, the person may proceed to the disposal by landfilling in another landfill subject to the Regulation respecting the landfilling and incineration of residual materials (chapter Q-2, r. 18).



Despite the second and third paragraphs, where possession of a cervid is permitted under subparagraph 1 of the second paragraph of section 3.3, a person may also dispose of a cervid by landfilling at the farm if the landfilling is done in a fenced area inaccessible to coyotes, bears, wolves and cervids living in the wild and in compliance with the requirements of Regulation respecting food (chapter P-29, r. 1).

Where a person carries out the reclamation of a cervid carcass to make rendered fat in accordance with the second paragraph of section 3.8, the person must dispose of all other products and waste resulting from the processing using one of the methods listed in the second and third paragraphs of this section.

Despite the second and third paragraphs, in all cases, a person may also dispose of a cervid that had lived in the wild at the place where it died. Where hunters butcher their own meat, they may also dispose of a cervid that was living in the wild in their household garbage if the garbage is to be disposed of by landfilling or incineration in facilities that comply with the Environment Quality Act and the regulations.

Despite the second and third paragraphs, in diagnostic laboratories, samples must first be decontaminated by autoclaving at 134°C and a pressure of three BAR (31 psi) for one hour before landfilling or incineration in facilities that comply with the Environment Quality Act and the regulations.

DIVISION VI  
PENAL

4. Every person who
- (1) contravenes sections 3, 3.1 or 3.3, the first paragraph of section 3.7, or sections 3.8 or 3.9; or

(2) fails to comply with the conditions set out in sections 2.2 or 2.3, the first paragraph of section 3.2, or sections 3.4 or 3.6,
- is guilty of an offence.”
5. The following Schedule is added at the end:

“**SCHEDULE I**  
(section 3.2)

PROHIBITED AREAS FOLLOWING THE  
DETECTION OF A CASE OF CHRONIC WASTING  
DISEASE OF CERVIDS

Area where a case of chronic wasting disease of cervids has been detected	Area where possession of a dead caribou is prohibited
North of the parallel of latitude 54° N in Labrador	South of the parallel of latitude 54° N and west of the meridian of longitude 67°30' W
North of the parallel of latitude 49° N in Ontario	Everywhere in Quebec except the Rupert, Nottaway and Abitibi beaver reserves established pursuant to the Regulation respecting beaver reserves (chapter C-61.1, r. 28), for the portions situated west of the meridian of longitude 77° W
On Baffin Island in Nunavut	Everywhere in Québec

TRANSITIONAL AND FINAL

6. Until 14 July 2028, analysis referred to in subparagraphs 2 of the first paragraphs of section 3.3 and 3.4. Regulation respecting the sale, importation, possession and disposal of an animal or wildlife by-product (chapter C-61.1, r. 23), as made by section 4 of this Regulation, must have been carried out on all large cervids over 12 months of age that were kept in captivity at the facility and that died on 14 July 2022 or later.
7. Sections 3.5 and 3.6 of the Regulation respecting the sale, importation, possession and disposal of an animal or wildlife by-product, as made by section 4 of this Regulation, do not apply to cases of chronic wasting disease of cervids detected before 1 January 2019.
8. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*, except section 4 insofar as it makes sections 3.8 and 3.9 of the Regulation respecting the sale, importation, possession and disposal of an animal or wildlife by-product, which comes into force on 1 September 2025.

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