

The Saskatchewan Poultry Regulations

Repealed

by Saskatchewan Regulations 9/2010 (effective March 2, 2010).

Formerly

Saskatchewan Regulations 257/78 (effective August 1, 1978) as amended by Saskatchewan Regulations 29/85; and the *Statutes of Saskatchewan*, 2000, c.50.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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SASKATCHEWAN REGULATIONS 257/78

The Animal Products Act

Title

- 1 These regulations may be cited as “The Saskatchewan Poultry Regulations”.

Interpretations

- 2 In these regulations:

- (a) “**Act**” means The Animal Products Act, 1978;
- (b) “**branch**” means any stationary permanent place of business in addition to the principal place of business of the licensee;
- (c) “**certificate of registration**” means the certificate of registration issued under the Canada Agricultural Products Standards Act by the Minister of Agriculture for Canada;
- (d) “**consumer**” means a person who buys processed poultry for domestic use and not for resale;
- (e) “**container**” means any case, box, carton, cage, coop or other receptacle used to contain poultry products;
- (f) “**custom poultry processing station**” means a place where live poultry, the property of another, are killed, dressed or eviscerated for a consideration;
- (g) “**department**” means the Department of Agriculture for the province;
- (h) “**director**” means the Director of the Animal Industry Branch of the department;
- (i) “**dress**” or “**dressed**” means the removal of blood and feathers from poultry after slaughter;
- (j) “**eviscerate**” or “**eviscerated**” means the removal from dressed poultry of the respiratory, digestive, reproductive and urinary systems, the head, the legs at the hock joints and the oil gland;
- (k) “**grade**” or “**graded**” means to mark dressed or eviscerated poultry according to the Processed Poultry Regulations;
- (l) “**inspector**” means a person appointed as or authorized to be an inspector under the Act;
- (m) “**licensee**” means a person licensed under these regulations;
- (n) “**marketing**” or “**market**” includes selling, offering for sale, advertising, assembling, storing, shipping or transporting in any manner;

- (o) **“poultry”** means a bird of the species *Gallus domesticus*, a turkey, duck, goose;
- (p) **“poultry product”** means live poultry, dressed or eviscerated poultry;
- (q) **“process”** means any part of the work of preparing processed poultry;
- (r) **“processed poultry”** means a dressed or eviscerated chicken, chicken capon, stewing hen, old rooster, turkey, duck, goose or other domestic avian species;
- (s) **“Processed Poultry Regulations”** means The Processed Poultry Regulations as amended from time to time, respecting the grading, packing, marking and inspection of processed poultry as established under The Canada Agricultural Products Standards Act, as amended from time to time;
- (t) **“processed poultry wholesaler”** means any person other than a producer who markets poultry products to:
 - (i) a retailer;
 - (ii) any person in quantities of 50 kg or more of processed poultry; or
 - (iii) a registered poultry station;
- (u) **“producer”** means a person who markets poultry products produced on premises owned or operated by him;
- (v) **“registered poultry station”** means a place where live poultry are killed, dressed, eviscerated, graded, packed or marked and, in respect of which, a certificate of registration has been issued;
- (w) **“retailer”** means a person who markets poultry products and includes establishments which utilize poultry products in the preparation of food products;
- (x) metric units used herein shall be construed with reference to The International System of Units (SI); and
- (y) words not herein defined shall be construed with reference to the interpretations of the Act.

4 Aug 78 SR 257/78 s2.

Licences

3(1) No person shall, unless he is the holder of a valid and subsisting licence issued under these regulations, operate or carry on business in Saskatchewan as:

- (a) a custom poultry processing station;
- (b) a processed poultry wholesaler;
- (c) a registered poultry station;
- (d) a branch operation of any of the businesses mentioned in clauses (a), (b) or (c).

- (2) Licences shall be in the form issued by the department and signed by the minister.
- (3) No licence shall be transferable.
- (4) Every licensee who operates more than one stationary permanent place of business shall obtain a branch licence for each such place of business.
- (5) Every licence shall, unless previously suspended or cancelled, expire on the date indicated on the licence.

4 Aug 78 SR 257/78 s3; 2000, c.50, s.26.

Licences under The Live Stock and Live Stock Products Act

4(1) Licences issued under The Live Stock and Live Stock Products Act and filed as Saskatchewan Regulation 208/70 shall continue and be subject to these regulations and be deemed to have been issued under and meet the requirements of these regulations and such licences shall continue to be in force until December 31, 1978, unless sooner suspended or cancelled pursuant to these regulations.

4 Aug 78 SR 257/78 s4.

Conditions respecting licensing

- 5(1) Every person required to be licensed under these regulations shall make application to the director for a licence in the form issued by the department.
- (2) Any person applying on behalf of a partnership, firm or association may be required to provide to the director the name and address of every member of the partnership, firm or association and the minister may withhold the issuance of a licence until he is satisfied that such information has been provided.
- (3) On application, payment of the prescribed fee and fulfillment of other obligations under these regulations, the minister may issue to the applicant a licence.
- (4) The minister or any person authorized by the minister, may require an applicant to furnish a list of employees or other agents authorized to buy or arrange for the purchase or sale of any class or classes of poultry products of on his behalf.
- (5) The minister may withhold the issuing of a licence where the applicant does not hold a valid and subsisting certificate of registration or has not made provision to grade poultry products in accordance with the Processed Poultry Regulations or any other act or regulations, whether of the province or of Canada, regulating such a person.
- (6) The minister may withhold the issuance of a licence until the full nature of the applicant's business can be ascertained.

(7) Every licensee shall at all times comply with the Act and these regulations or any other act or regulations, whether of the province or of Canada, regulating the licensee.

(8) The minister may refuse any application for a new licence or the renewal of an existing licence where an applicant has failed to comply with the provisions of the Act or these regulations or any other act or regulations, whether of the province or of Canada, regulating such a person.

4 Aug 78 SR 257/78 s5; 2000, c.50, s.26.

Licensing fees

6(1) The fee for a licence shall be \$30.

(2) The fee for the renewal of a licence, made by an applicant holding a valid and subsisting licence, shall be \$30 where the prescribed fee and the application for licence renewal is received by the director by November 30 or such later date approved or authorized by the director with respect to any application.

(3) The fee for the renewal of a licence, made by an applicant holding a valid and subsisting licence, shall be \$60 with respect to any application received by the director after November 30 and which date has not been extended by the director under subsection (2).

(4) Notwithstanding subsections (1), (2), or (3), where the applicant holds one valid licence issued under these regulations, other licences required by the applicant under these regulations, other than branch licences, shall be issued without charge.

4 Aug 78 SR 257/78 s6; 26 Apr 85 SR 29/85 s2.

Licences to be displayed or produced

7 Every licensee shall ensure that his licence is displayed at all times in a conspicuous place in his business premises.

4 Aug 78 SR 257/78 s7.

Suspension or cancellation of licences

8 Where a licensee has failed to comply with any provisions of the Act or these regulations or has failed to comply with any of the provisions of any other act or regulations, whether of the province or of Canada, regulating the licensee, the minister may:

(a) suspend the licence and, in such case, such notice of suspension in writing shall be given to the licensee and the licensee shall surrender forthwith his licence to the director;

(b) reinstate a suspended licence if the licensee, within 30 days of the notice of suspension of his licence furnishes evidence to the satisfaction of the director that the licensee can comply with the provisions of these regulations on account of which the licence was suspended and the director shall give to the licensee notice in writing that his licence has been removed from suspense, together with the reinstatement of the licence; or

(c) where the licence has not been removed from suspense within the 30 days referred to in clause (b), cancel the licence and the director shall give notice of the cancellation by registered mail.

4 Aug 78 SR 257/78 s8; 2000, c.50, s.26.

Payment for poultry products

9(1) Every licensee shall ensure that a producer receives payment in full or final settlement within seven days of the purchase of poultry products by the licensee.

(2) Notwithstanding subsection (1), where a producer supplies poultry products to a licensee on consignment, the licensee shall ensure that the producer receives payment in full or final settlement within seven days of the time when the poultry products are sold.

4 Aug 78 SR 257/78 s9.

Compliance with director's requirements

10 Where, in the opinion of an inspector, the director or his designate, the premises of a licensee are not satisfactory for the grading, storing or handling of poultry products in which the licensee is authorized to deal, or that the licensee is handling the said poultry products in an unsatisfactory manner, or the licensee is otherwise in default of any regulation and upon notice in writing of such default from the director, the licensee shall comply with such requirements, and within the time the director may specify, to remedy any such default.

4 Aug 78 SR 257/78 s10.

Transportation of poultry products

11(1) Every operator of a vehicle transporting poultry products shall ensure at all times that the vehicle and containers are in a clean and sanitary condition satisfactory to an inspector.

(2) Every person transporting poultry products in any vehicle shall ensure that there is adequate protection against abnormal temperature which may be detrimental to the product and shall provide efficient means of preventing unnecessary movement of the containers of poultry products carried therein.

(3) Poultry products shall not be transported in any vehicle at the same time as other livestock, volatile petroleum products, hides, fruits, vegetables, or any other commodity that may damage or impart flavours or odours to the poultry products so transported.

(4) Notwithstanding subsection (3), poultry products may be transported where such items are separated in a manner that will not endanger or impair the quality, appearance or flavour of the poultry products.

(5) Live poultry shall not be transported in any manner that is deemed by an inspector to be inhumane or injurious to the poultry.

4 Aug 78 SR 257/78 s11.

Reporting and records to be maintained

12(1) Every licensee shall furnish the department and the Poultry Division of Agriculture Canada with a report of all purchases, sales, holdings or other information pertaining to the poultry products handled, in such form and at such time as the department or the Poultry Division may direct.

(2) Every licensee shall maintain a complete record of all transactions and retain such records for a period of not less than 36 months and shall furnish an inspector, the director or his designate upon demand with such information as he may require for the purpose of administering and enforcing these regulations.

4 Aug 78 SR 257/78 s12.

Canada regulations to apply to marketing poultry products within Saskatchewan

13(1) The interpretations and the whole of Part I of The Processed Poultry Regulations, insofar as they are not inconsistent with any other regulation in these regulations, *mutatis mutandis*, shall apply to poultry products and the regulating of poultry products, including the grading, packing, marking and marketing of poultry products in Saskatchewan, and shall be deemed to be made pursuant to the Act and by reference are hereby incorporated and made part of these regulations in respect of regulating poultry products, including the grading, packing, marking and marketing of poultry products in Saskatchewan.

(2) No person shall grade, pack, mark or market processed poultry that is not in accordance with these regulations.

(3) Notwithstanding subsections (1) and (2), the following persons shall be exempt:

- (a) a producer who markets directly to consumers;
- (b) a person who sells processed poultry marked with the name of a foreign country and the name of a grade of that foreign country provided that the processed poultry meets the standards for the Canada grade equivalent.

4 Aug 78 SR 257/78 s13.

Disposition of Canada Canner

14 No person shall market processed poultry graded Canada Canner unless it is being sent or conveyed to:

- (a) a registered poultry station; or
- (b) an establishment registered under The Meat Inspection Regulations (Canada), as amended from time to time.

4 Aug 78 SR 257/78 s14.

Processed poultry deemed to be for sale

15 All processed poultry on the premises of a retailer or wholesaler shall be deemed to be for sale.

4 Aug 78 SR 257/78 s15.

Detention of product

16(1) An inspector may place under detention any processed poultry that does not comply with these regulations.

(2) Where processed poultry is detained, a numbered detention tag shall be attached to the product, to a sample of the product or to a container of the product and shall include the following additional information:

- (a) a brief description of the lot or lots being detained;
- (b) the reason for detention;
- (c) the date of detention; and
- (d) the inspector's signature.

(3) Where the processed poultry under detention is not in containers, an inspector may require the person in possession of the processed poultry to place such processed poultry into containers and the containers shall be marked in accordance with subsection (2).

4 Aug 78 SR 257/78 s16.

17 Immediately after attaching the detention tag, the inspector shall notify the owner of the processed poultry or his agent of the detention by a notice of detention in the form issued or approved by the department and where such processed poultry are on premises other than that of the owner, a copy of the notice of detention shall also be forwarded to the person on whose premises the processed poultry is detained.

4 Aug 78 SR 257/78 s17.

18 Except as authorized by an inspector:

- (a) no person shall alter or remove a detention tag or alter any marks made by an inspector pursuant to sections 16 and 17;
- (b) no person shall remove, sell or otherwise dispose of processed poultry placed under detention by an inspector pursuant to sections 16 and 17.

4 Aug 78 SR 257/78 s18.

19(1) Where an inspector is satisfied that processed poultry held under detention complies with the Processed Poultry Regulations, and these regulations, he shall issue a notice of release in a form issued or approved by the department.

(2) The inspector shall forward one copy of the notice of release to the owner of the processed poultry, or his agent, and where such processed poultry is on premises other than that of the owner, one copy to the person on whose premises the processed poultry was detained.

4 Aug 78 SR 257/78 s19.

Advertising of product

20 Every retailer of processed poultry in any advertisement pertaining to processed poultry wherein the price appears, shall ensure that the grade name is stated in a clear and conspicuous manner.

4 Aug 78 SR 257/78 s20.

21 Every person who advertises processed poultry shall ensure that such advertisement states the kind of processed poultry and whether the processed poultry is dressed or eviscerated, and where, in the case of turkeys, ducks and geese, shall ensure that the advertisement states whether they are young or mature and all such designation shall be clear and conspicuous.

4 Aug 78 SR 257/78 s21.