

Caution:

This consultation draft is intended to facilitate dialogue concerning its contents. Should the decision be made to proceed with the proposal, the comments received during consultation will be considered during the final preparation of the regulation. The content, structure, form and wording of the consultation draft are subject to change as a result of the consultation process and as a result of review, editing and correction by the Office of Legislative Counsel.

CONSULTATION DRAFT

ONTARIO REGULATION

to be made under the

FOOD SAFETY AND QUALITY ACT, 2001

Amending O. Reg. 31/05

(MEAT)

1. (1) Clause (a) of the definition of “meat product” in subsection 1 (1) of Ontario Regulation 31/05 is revoked and the following substituted:

- (a) a carcass or a part of a carcass derived from a food animal that,
 - (i) has been approved for use as food after receiving a post mortem inspection in accordance with this Regulation,
 - (ii) has been identified as edible in accordance with the *Safe Food for Canadians Regulations* (Canada), or
 - (iii) has been imported in accordance with the *Safe Food for Canadians Act* (Canada) and the *Safe Food for Canadians Regulations* (Canada);

(2) The definition of “outside of a slaughter plant” in subsection 1 (1) of the Regulation is revoked and the following substituted:

“outside of a slaughter plant” means any place other than,

- (a) a slaughter plant operated by a licensee, or
- (b) an establishment identified in a licence that is issued under the *Safe Food for Canadians Act* (Canada) and that authorizes the slaughter of food animals under that Act;

2. Subsection 2 (2) of the Regulation is revoked and the following substituted:

(2) Subject to subsection (3), Parts III to X, XII, XIII and XIV of this Regulation do not apply with respect to activities undertaken by an operator at a meat plant if the activity is a prescribed activity under the *Safe Food for Canadians Regulations* (Canada) and is conducted by an operator who holds a licence under the *Safe Food for Canadians Act* (Canada).

(3) Parts III to X, XII, XIII and XIV of this Regulation do apply with respect to activities described in subsection (2) if they are conducted in respect of meat products that,

- (a) are separated by physical or other effective means from food processed under a licence issued under the *Safe Food for Canadians Act* (Canada); and
- (b) are intended for distribution or sale exclusively in Ontario.

3. (1) Clauses 3 (1) (a) and (b) of the Regulation are revoked and the following substituted:

- (a) the carcass, part of the carcass or meat product,
 - (i) was derived from a food animal that received an ante mortem inspection and approval for slaughter in accordance with this Regulation, or
 - (ii) has been identified as edible in accordance with the *Safe Food for Canadians Regulations* (Canada);
- (b) the slaughter of the food animal took place,
 - (i) at a slaughter plant operated by the licensee in accordance with the licence and this Regulation, or
 - (ii) at an establishment identified in a licence that is issued under the *Safe Food for Canadians Act* (Canada) and that authorizes the slaughter of food animals under that Act; and

(2) Section 3 of the Act is amended by adding the following subsection:

(1.1) Despite subclause (1) (b) (ii), the prohibitions in subsection (1) shall apply with respect to a carcass, part of a carcass or meat product derived from a food animal that was slaughtered at an establishment identified in a licence referred to in that subclause if,

- (a) the carcass, part of a carcass or meat product is processed at the establishment as a part of a processing line of meat products that are,
 - (i) intended for sale exclusively in Ontario, and

- (ii) kept separate physically or by other effective means from any foods being processed for sale outside Ontario; and
- (b) the person who processed the carcass, part of a carcass or meat product is not licensed under this Regulation to operate a slaughter plant.

(3) Subsection 3 (2) of the Regulation is amended by striking out “*Meat Inspection Act (Canada)*” at the end and substituting “*Safe Food for Canadians Act (Canada) and the Safe Food for Canadians Regulations (Canada)*”.

4. Subsection 5 (3) of the Regulation is revoked and the following substituted:

(3) A person is exempt from the requirement to hold a licence to carry on an activity mentioned in subsection (1) or (2) at a meat plant if the activity is a prescribed activity under the *Safe Food for Canadians Regulations (Canada)* and is conducted in accordance with a licence issued under the *Safe Food for Canadians Act (Canada)*.

(4) Subsection (3) does not apply to any activity mentioned in subsection (1) or (2) carried out at a meat plant at which a prescribed activity under the *Safe Food for Canadians Regulations (Canada)* is carried out if the activity is in relation to meat products that are intended for distribution or sale exclusively in Ontario and are separated by physical or other effective means from food that is processed under the *Safe Food for Canadians Act (Canada)*.

5. Subsection 67 (3) of the Regulation is revoked and the following substituted:

(3) No person shall slaughter a food animal at a place other than,

- (a) at a slaughter plant operated by a licensee; or
- (b) an establishment identified in a licence that is issued under the *Safe Food for Canadians Act (Canada)* and that authorizes the slaughter of food animals under that Act, subject to subsection (3.1).

(3.1) The slaughter of a food animal at an establishment referred to in clause (3) (b) shall be carried out only by a person who is licensed to operate a slaughter plant under this Regulation if the meat products derived from the food animal,

- (a) are intended for sale exclusively in Ontario; and
- (b) will be processed in a manner that keeps them separated physically or by other effective means from any foods being processed for sale outside Ontario.

6. (1) Clause 84 (1) (b) of the Regulation is revoked and the following substituted:

- (b) has been identified as edible in accordance with the *Safe Food for Canadians Regulations* (Canada);

(2) Clause 84 (1) (c) of the Regulation is amended by striking out “*Meat Inspection Act* (Canada) and the regulations made under it” at the end and substituting “*Safe Food for Canadians Act* (Canada) and the *Safe Food for Canadians Regulations* (Canada)”.

7. (1) Clause 101 (b) of the Regulation is revoked and the following substituted:

- (b) it has been received from a person who holds a licence under the *Safe Food for Canadians Act* (Canada) in respect of labelling and packaging that food and it has been either stamped with an inspection legend or labelled at the establishment identified in the licence in accordance with that the *Safe Food for Canadians Act* (Canada) and the *Safe Food for Canadians Regulations* (Canada);

(2) Clause 101 (c) of the Regulation is amended by striking out “*Meat Inspection Act* (Canada) and the regulations made under it” at the end and substituting “*Safe Food for Canadians Act* (Canada) and the *Safe Food for Canadians Regulations* (Canada)”.

(3) Clause 101 (d) of the Regulation is amended by striking out the portion before subclause (i) and substituting the following:

- (d) the meat product is not received directly from a meat plant or person referred to in clause (a) or (b) but it meets the following requirements:

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(4) Subclause 101 (d) (i) of the Regulation is revoked and the following substituted:

- (i) the meat product was packaged and labelled at a meat plant described in clause (a) or by the person referred to in clause (b) and bears an inspection legend that was stamped on it or applied in accordance with Part XII or with the *Safe Food for Canadians Act* (Canada) and the *Safe Food for Canadians Regulations* (Canada),

8. (1) Subclause 102 (1) (a) (iii) of the Regulation is revoked and the following substituted:

- (iii) it is a meat product received from a person who holds a licence under the *Safe Food for Canadians Act* (Canada) in respect of labelling and packaging that food and it has been either stamped with an inspection legend or labelled at the establishment identified in the licence in accordance with the *Safe Food for Canadians Act* (Canada) and the *Safe Food for Canadians Regulations* (Canada),

(2) Subclause 102 (1) (a) (iv) of the Regulation is amended by striking out “*Meat Inspection Act (Canada) and the regulations made under it*” at the end and substituting “*Safe Food for Canadians Act (Canada) and the Safe Food for Canadians Regulations (Canada)*”.

9. (1) Subclause 104 (1) (a) (iii) of the Regulation is revoked and the following substituted:

- (iii) it has been received from a person who holds a licence under the *Safe Food for Canadians Act (Canada)* in respect of the labelling and packaging of that food and it has been either stamped with an inspection legend or labelled at the establishment identified in the licence in accordance with the *Safe Food for Canadians Act (Canada)* and the *Safe Food for Canadians Regulations (Canada)*;

(2) Subclause 104 (1) (a) (iv) of the Regulation is amended by striking out “*Meat Inspection Act (Canada) and the regulations made under it*” at the end and substituting “*Safe Food for Canadians Act (Canada) and the Safe Food for Canadians Regulations (Canada)*”.

10. (1) Subclause 112 (1) (a) (v) of the Regulation is revoked and the following substituted:

- (v) it is a meat product received from a person who holds a licence under the *Safe Food for Canadians Act (Canada)* in respect of the labelling and packaging of that food and it has been either stamped with an inspection legend or labelled at the establishment identified in the licence in accordance with the *Safe Food for Canadians Act (Canada)* and the *Safe Food for Canadians Regulations (Canada)*;

(2) Subclause 112 (1) (a) (vi) of the Regulation is amended by striking out “*Meat Inspection Act (Canada) and the regulations made under it*” at the end and substituting “*Safe Food for Canadians Act (Canada) and the Safe Food for Canadians Regulations (Canada)*”.

11. Subsection 115 (2) of the Regulation is amended by striking out “*Meat Inspection Act (Canada) and the regulations made under it*” and substituting “*Safe Food for Canadians Act (Canada) and the Safe Food for Canadians Regulations (Canada)*”.

Commencement

12. [Commencement]