

PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 488

, Approved and Ordered July 20, 2021



Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that, effective October 1, 2021,

- (a) the Meat Inspection Regulation, B.C. Reg. 349/2004, is amended as set out in the attached Appendix 1, and
- (b) the Violation Ticket Administration and Fines Regulation, B.C. Reg. 89/97, is amended as set out in the attached Appendix 2.



Attorney General and Minister Responsible for Housing



Minister of Agriculture, Food and Fisheries



Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: *Food Safety Act*, S.B.C. 2002, c. 28, s. 23 (2) and (4);
Offence Act, R.S.B.C. 1996, c. 338, s. 132 (2)

Other: OIC 798/2004; OIC 262/97

R20505703

APPENDIX 1

1 Section 1 of the Meat Inspection Regulation, B.C. Reg. 349/2004, is amended

(a) by adding the following definitions:

“**carcass**” includes a part of a carcass in respect of which no further processing has occurred;

“**farmgate slaughter establishment**” means a slaughter establishment in respect of which a farmgate plus licence or farmgate licence has been issued; ,

(b) in the definition of “food premises” by striking out “, B.C. Reg. 210/99”,

(c) in the definition of “food safety plan” by striking out “rural” in both places,

(d) in paragraph (a) of the definition of “food safety plan” by striking out “section 5 (6) (d)” and substituting “section 6 (1) (c)”;

(e) by adding the following definition:

“**ID number**” means one or both of the following, as applicable:

(a) the identifying number issued by the minister with respect to a licensed slaughter establishment;

(b) if a licence holder is participating in a traceability program, a unique identifier, composed of a series of numbers and letters, issued by the minister with respect to the premises on which the holder’s slaughter establishment is located; ,

(f) by repealing the definition of “licence” and substituting the following:

“**licence**” means a licence, referred to in section 5 of the Act, issued under this regulation; ,

(g) by adding the following definition:

“**licensed abattoir**” means a slaughter establishment in respect of which an abattoir licence has been issued; , *and*

(h) by repealing the definitions of “rural slaughter establishment” and “Stikine Region”.

2 Section 2 is repealed and the following substituted:

When Act does not apply

2 (1) The Act does not apply to a slaughter establishment that is registered under the *Safe Food for Canadians Act* (Canada).

(2) The Act does not apply to the slaughter of an animal if all of the following conditions are met:

(a) the slaughter occurs on the premises of the animal’s owner;

(b) the slaughter is for the purposes of the personal consumption of the animal by

- (i) the owner or the owner's immediate household or immediate family members, or
- (ii) the owner's employees, if the employees are employed on the premises where the slaughter occurs;
- (c) no part of the animal is sold to or otherwise made available for consumption by the public.

3 *Part 2 is repealed and the following substituted:*

PART 2 – DESIGNATION AND LICENSING

Slaughter establishments must be licensed

- 4** (1) Slaughter establishments are designated as being subject to Part 2 of the Act.
- (2) A person must not operate a slaughter establishment unless the person holds a licence.

Application for abattoir licence

- 5** (1) A person may apply for an abattoir licence by submitting to the minister all of the following:
- (a) an application;
 - (b) any additional information the minister requires for the purpose of evaluating the application.
- (2) An applicant must submit records and information required under this section in the form and manner specified by the minister.

Application for farmgate plus or farmgate licence

- 6** (1) A person may apply for a farmgate plus licence or a farmgate licence by submitting to the minister all of the following:
- (a) an application;
 - (b) evidence of having successfully completed training that, in the opinion of the minister, is relevant to the operation of a farmgate slaughter establishment;
 - (c) a written food safety plan that identifies
 - (i) possible sources of contamination in the slaughter establishment before, during and after slaughter, and
 - (ii) the steps to be taken to ensure that carcasses in the slaughter establishment are not contaminated or are not otherwise made unfit for human consumption;
 - (d) any additional information the minister requires for the purpose of evaluating the application.
- (2) In addition to the requirements of subsection (1), a person applying for a farmgate plus licence must submit to the minister a feasibility study report prepared in accordance with section 6.1.

- (3) An applicant must submit records and information required under this section in the form and manner specified by the minister.

Feasibility study for farmgate plus licence

- 6.1** (1) For the purpose of conducting a feasibility study, an applicant for a farmgate plus licence must do all of the following:
- (a) consult with
 - (i) all licence holders operating licensed abattoirs within 100 km of the applicant's proposed slaughter establishment, and
 - (ii) the municipality and regional district within which the proposed slaughter establishment is to be located;
 - (b) determine the need for slaughter capacity of the species proposed to be slaughtered in the area in which the proposed slaughter establishment is to be located, including
 - (i) whether any existing licensed abattoirs can provide slaughter services in the area,
 - (ii) whether animals must be transported over marine waters to a licensed abattoir if not slaughtered at the proposed slaughter establishment, and
 - (iii) the need for specialized slaughter capacity in the area, if specialized slaughter is proposed to be offered;
 - (c) determine whether a licensed abattoir would be viable in the area in which the proposed slaughter establishment is to be located.
- (2) An applicant for a farmgate plus licence must prepare a feasibility study report that includes a description of all of the following:
- (a) the geographic location of the proposed slaughter establishment;
 - (b) the consultations referred to in subsection (1) (a);
 - (c) the determinations made under subsection (1) (b) and (c) and the reasons for those determinations.

Slaughter maximums for farmgate slaughter establishments

- 6.2** (1) In this section, "**compliance year**" means the one-year period that
- (a) begins,
 - (i) in the case of a new licence, on the date that the licence is issued, and
 - (ii) in any other case, on the anniversary of the licence issue date, and
 - (b) ends immediately before the next anniversary of the licence issue date.
- (2) A holder of a farmgate plus licence must ensure that, in any compliance year, no more than 25 animal units are slaughtered at the licence holder's slaughter establishment.
- (3) A holder of a farmgate licence must ensure that, in any compliance year, no more than 5 animal units are slaughtered at the licence holder's slaughter establishment.

Posting licence

- 7 A licence holder must post the holder's licence in a conspicuous location in the holder's slaughter establishment.

Licence expiry

- 7.1 A licence expires on the earliest of the following dates that applies:
- (a) the date that is 5 years from the date on which the licence was
 - (i) issued, if subparagraph (ii) does not apply, or
 - (ii) last renewed;
 - (b) the date stated in the licence;
 - (c) the date that the licence is cancelled under the Act.

Class A, B, D or E licences

- 7.2 (1) In this section:
- “deemed licence”** means a licence that, under subsection (2), is deemed to be an abattoir licence or a farmgate plus licence;
- “former Part 2”** means Part 2 as it read immediately before its repeal on the transition date;
- “transition date”** means the date on which this section came into force.
- (2) Subject to subsection (4), a person is deemed to hold a licence issued under Part 2 if, immediately before the transition date, the person held a licence issued under the former Part 2 as follows:
- (a) a Class A or B licence is deemed to be an abattoir licence;
 - (b) a Class D or E licence is deemed to be a farmgate plus licence.
- (3) A person who holds a deemed licence continues to be subject to all terms, restrictions and conditions imposed under the person's Class A, B, D or E licence except a restriction or condition with respect to
- (a) the area in which meat products from the person's slaughter establishment are sold to consumers, and
 - (b) the types of persons to whom meat products from the person's slaughter establishment may be sold.
- (4) A person continues to hold a deemed licence until the earliest of the following dates that applies:
- (a) in the case of a person who held a Class A or B licence, the date that is 5 years from
 - (i) the date that the Class A or B licence was issued, if issued less than 5 years before the transition date, or
 - (ii) the transition date, if subparagraph (i) does not apply;
 - (b) in the case of a person who held a Class D or E licence, the date that the Class D or E licence was to expire;
 - (c) the date that the person's deemed licence is cancelled under the Act.

4 Section 8 is amended by adding the following subsection:
(0.1) This section applies to the construction or alteration of a slaughter establishment that is intended to be a licensed abattoir.

5 Section 9 is amended by striking out “slaughter establishment” wherever it appears and substituting “licensed abattoir”.

6 Section 9.1 is amended

(a) in subsection (1) by striking out “must not operate a rural slaughter establishment” and substituting “must not operate a farmgate slaughter establishment”,

(b) in subsection (1) (b), (c), (d), (g) and (h) by striking out “rural” wherever it appears,

(c) by repealing subsection (2) and substituting the following:

(2) A farmgate plus or farmgate licence holder must complete training, as specified by the minister, relevant to the operation of a farmgate slaughter establishment. ,
and

(d) in subsection (3) by striking out “The holder of a Class D or E licence for a rural slaughter establishment” and substituting “A farmgate plus or farmgate licence holder”.

7 The heading to Division 1 of Part 4 is repealed and the following substituted:

Division 1 – Inspection and Slaughter at Licensed Abattoirs .

8 Section 10 is repealed and the following substituted:

Inspection requirements for abattoirs

10 An inspector must have regard to the requirements related to food safety and animal health established under Part 6, Division 7, Subdivisions E, G and H of the Safe Food for Canadians Regulations (Canada) when doing the following:

- (a) conducting an inspection of an animal or carcass in a licensed abattoir;
- (b) determining if an animal or carcass in a licensed abattoir is to be passed, held or condemned.

9 Section 11 is amended by adding “of a licensed abattoir” after “livestock area”.

10 Section 12 is amended

(a) in subsections (1) and (4) by striking out “A licence holder” and substituting “An abattoir licence holder”,

(b) in subsections (2) and (3) by striking out “a licence holder” and substituting “an abattoir licence holder”, and

(c) in subsections (5) and (6) by striking out “the licence holder” and substituting “the abattoir licence holder”.

11 Sections 13 and 13.1 are repealed and the following substituted:

Humane slaughter

- 13** An abattoir licence holder must ensure that an animal in the licensed abattoir is kept before slaughter and slaughtered in accordance with the requirements relating to the humane treatment of animals established under Part 6, Division 7, Subdivision C of the Safe Food for Canadians Regulations (Canada).

Holding in slaughter area for inspection

- 13.1** An abattoir licence holder must ensure that, after the slaughter of an animal at the holder's licensed abattoir, the carcass is not removed from the slaughter area until inspection under section 15 is completed.

Exception to movement prohibition

- 13.2** (1) Despite section 13.1, a carcass may be removed before inspection from the slaughter area of a licensed abattoir if all of the following conditions are met:
- (a) the abattoir licence holder applies to the minister, in the form and manner specified by the minister, for an exemption from that section;
 - (b) the application identifies a temporary holding area that is located separately from the livestock area, storage area, slaughter area or the held area referred to in section 15;
 - (c) the minister
 - (i) grants the exemption referred to in paragraph (a), and
 - (ii) approves the temporary holding area identified in the application, with or without directions respecting the storage of the carcass and of the slaughtered animal and of any parts removed from the carcass.
- (2) If an exemption is granted, the abattoir licence holder must ensure all of the following:
- (a) that carcasses are moved to the temporary holding area only at the direction of an inspector;
 - (b) that, if any part is removed from a carcass that is moved to the temporary holding area, the carcass and removed part are marked or labelled in a manner that they may be readily linked as coming from the same slaughtered animal;
 - (c) that a carcass is not removed from the temporary holding area until inspection of the carcass under section 15 is complete.
- (3) For the purposes of subsection (2) (a), an inspector may give directions respecting a single carcass or a class of carcasses.

12 Section 14 (1) is amended

- (a) **by striking out** "licence holder" **in both places and substituting** "abattoir licence holder", **and**
- (b) **by striking out** "slaughter establishment" **in both places and substituting** "licensed abattoir".

13 Section 14.1 is amended

- (a) in subsections (1) and (2) by striking out “licence holder” wherever it appears and substituting “abattoir licence holder”, and**
- (b) in subsection (1) by striking out “slaughter establishment” wherever it appears and substituting “licensed abattoir”.**

14 Section 15 is amended

- (a) in subsection (1) by striking out “slaughter establishment” and substituting “licensed abattoir”, and**
- (b) in subsections (3) and (4) by striking out “licence holder” and substituting “abattoir licence holder”.**

15 Section 16 (1) is repealed and the following substituted:

- (1) An abattoir licence holder must ensure that an impression of the inspection legend stamp is not a part of the name or logo of the holder’s licensed abattoir.

16 Section 17 is repealed.

17 Sections 20, 21, 22, 24, 28, 31, 32 and 35 are amended

- (a) by striking out “A licence holder” and substituting “An abattoir licence holder”, and**
- (b) by striking out “slaughter establishment” wherever it appears and substituting “holder’s licensed abattoir”.**

18 Section 23 is repealed and the following substituted:

Storage

- 23** An abattoir licence holder must not permit anything that is not required for the operation of the holder’s licensed abattoir to be stored in that holder’s licensed abattoir.

19 Section 25 is amended

- (a) by striking out “A licence holder” and substituting “An abattoir licence holder”, and**
- (b) by striking out “a slaughter establishment” and substituting “the holder’s licensed abattoir”.**

20 Section 26 is amended

- (a) by striking out “A licence holder” wherever it appears and substituting “An abattoir licence holder”,**

- (b) *by striking out* “slaughter establishment” *wherever it appears and substituting* “holder’s licensed abattoir”;
- (c) *in subsection (1) (e) by striking out* “washes his or her hands” *and substituting* “engages in proper handwashing”, *and*
- (d) *in subsection (3) by striking out* “that establishment” *and substituting* “that holder’s licensed abattoir”.

21 Section 27 is amended

- (a) *in subsection (1) in the definition of “critical control point” by striking out* “a slaughter establishment, or a step in the establishment’s procedures” *and substituting* “a licensed abattoir, or a step in the licensed abattoir’s procedures”, *and*
- (b) *in subsection (2) by striking out* “A licence holder” *and substituting* “An abattoir licence holder” *and by striking out* “slaughter establishment” *and substituting* “holder’s licensed abattoir”.

22 The following Division is added:

Division 6.1 – Sale of Carcasses and Meat Products

Restriction on abattoir sales

29.1 (1) In this section:

“**inspected and passed**” means inspected, and passed by an inspector, under the Act or the *Safe Food for Canadians Act* (Canada);

“**store**” means to store for the purpose of sale.

- (2) An abattoir licence holder must not store or sell
 - (a) a carcass slaughtered at the holder’s slaughter establishment unless the carcass has been inspected and passed, or
 - (b) a meat product made from a carcass slaughtered at the holder’s slaughter establishment unless the carcass from which the meat product was made has been inspected and passed.

Restriction on farmgate sales

29.2 A farmgate licence holder must not sell carcasses slaughtered at the holder’s slaughter establishment or meat products made from a carcass slaughtered at the holder’s slaughter establishment except as follows:

- (a) sales must be made directly to consumers only;
- (b) sales must be made only from a location that is
 - (i) a food premises located on the same property as the slaughter establishment,
 - (ii) a temporary food market located in the regional district in which the slaughter establishment is located, or
 - (iii) a temporary food market located within 50 km of the slaughter establishment.

Requirements for labelling carcasses

29.3 A licence holder who sells a carcass slaughtered at the holder's slaughter establishment must ensure that the purchaser is given, in writing, all of the following information:

- (a) the name, address and ID number of the slaughter establishment;
- (b) the net weight of the carcass.

Requirements for labelling packaged meat products

29.4 (1) A licence holder who sells a packaged meat product made from a carcass slaughtered at the holder's slaughter establishment must ensure that the package is labelled with all of the following information:

- (a) the name and address of the slaughter establishment;
- (b) a description of the contents of the package;
- (c) the net weight or volume of the contents of the package.

(2) In addition to the requirements under subsection (1),

- (a) a farmgate plus licence holder must include a label with
 - (i) the ID number of the slaughter establishment, and
 - (ii) the words, "Not Government Inspected", and
- (b) a farmgate licence holder must include a label with
 - (i) the ID number of the slaughter establishment, and
 - (ii) the words, "Not Government Inspected; For sale only in the regional district of [*name of regional district in which the farmgate slaughter establishment is located*], or at a temporary food market within 50 km of the slaughter establishment. Not for resale".

No resale of purchases from farmgate licence holder

29.5 A person must not resell either of the following:

- (a) a carcass slaughtered at the slaughter establishment of a farmgate licence holder;
- (b) a meat product made from a carcass slaughtered at the slaughter establishment of a farmgate licence holder.

Resale requirements if purchase from farmgate plus licence holder

29.6 (1) This section applies if a person purchases either of the following:

- (a) a carcass slaughtered at the slaughter establishment of a farmgate plus licence holder;
- (b) a meat product made from a carcass slaughtered at the slaughter establishment of a farmgate plus licence holder.

(2) A person who purchases a carcass or meat product referred to in subsection (1) must not resell the carcass or meat product except as follows:

- (a) if the carcass or meat product is packaged, the package must be labelled with the ID number of the slaughter establishment and the words, "Not Government Inspected";

- (b) if the carcass or meat product is not packaged, the person must advise the purchaser, in writing, that the carcass, or the carcass from which the meat product was made, was not government inspected.

23 Section 30 is repealed.

24 Section 34 is amended

- (a) *by striking out* “A licence holder” *and substituting* “An abattoir licence holder”,
- (b) *by striking out* “the licence holder” *and substituting* “the holder”, *and*
- (c) *by striking out* “slaughter establishment” *and substituting* “holder’s licensed abattoir”.

25 Section 36 is repealed and the following substituted:

Offences

- 36** A person who contravenes any of the following provisions commits an offence:
- (a) section 4 (2) [*slaughter establishments must be licensed*];
 - (b) section 6.2 [*slaughter maximums for farmgate slaughter establishments*];
 - (c) section 7 [*posting licence*];
 - (d) sections 8 (1) and (2), 9 and 9.1 [*Obligations of Operators*];
 - (e) sections 11 to 13.1, 13.2 (2), 14 (1) (c), 14.1 (2) (b), 15 (3) and (4) and 16 [*Inspection and Slaughter at Licensed Abattoirs*];
 - (f) sections 18 to 29.6 and 30 to 35 [*operating, labelling and sale*].

26 Schedule 2 is repealed.

APPENDIX 2

1 Schedule 2 of the Violation Ticket Administration and Fines Regulation, B.C. Reg. 89/97 is amended by striking out everything under the heading “Food Safety Act” and substituting the following as indicated:

1	2	3	4	5
Provision	Contravention	Fine	Victim Surcharge Levy	Ticketed Amount
Meat Inspection Regulation, B.C. Reg. 349/2004				
section 13.2 (2) (a)	Movement of carcass to temporary holding area without inspector’s direction	\$350	\$53	\$403
section 13.2 (2) (b)	Fail to mark or label carcass or part as required	\$350	\$53	\$403
section 13.2 (2) (c)	Removal of carcass from temporary holding area before inspection is complete	\$350	\$53	\$403
section 18 (a)	Fail to protect carcass from contamination	\$350	\$53	\$403
section 18 (b)	Unsanitary processing of carcass	\$350	\$53	\$403
section 29 (1)	Fail to keep records of individual animals	\$350	\$53	\$403
section 29 (2)	Fail to keep records of flocks or shipments of poultry or rabbits	\$350	\$53	\$403

section 29.1	Storage or sale of uninspected carcass or meat product	\$350	\$53	\$403
section 29.2	Prohibited sale of carcass or meat product	\$350	\$53	\$403
section 29.3	Fail to label carcass as required	\$350	\$53	\$403
section 29.4	Fail to label meat products as required	\$350	\$53	\$403
section 29.5	Prohibited resale of carcass or meat product	\$350	\$53	\$403
section 29.6 (2) (a)	Fail to label resold carcass or meat product as required	\$350	\$53	\$403
section 29.6 (2) (b)	Fail to advise purchaser about resold carcass or meat product as required	\$350	\$53	\$403