

to amend the Regulation respecting the possession and sale of an animal, published in the *Gazette officielle du Québec* on the same date, to avoid the propagation of the chronic wasting disease of cervids.

Further information on the draft Regulation may be obtained by contacting Caio Alcântara-Vasconcelos, analyst, wildlife regulations, Direction des affaires législatives, Ministère de l'Environnement, de la Lutte contre les changements climatiques, de la Faune et des Parcs, 880, chemin Sainte-Foy, 2^e étage, Québec (Québec) G1S 4X4; telephone: 418 627-8691, extension 707524; email: caio.alcantaravasconcelos@environnement.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Jacob Martin-Malus, Assistant Deputy Minister for Biodiversity, Wildlife and Parks, Ministère de l'Environnement, de la Lutte contre les changements climatiques, de la Faune et des Parcs, 880, chemin Sainte-Foy, local 2.40, 2^e étage, Québec (Québec) G1S 4X4; email: dal@environnement.gouv.qc.ca.

BENOIT CHARETTE

Minister of the Environment, the Fight Against Climate Change, Wildlife and Parks

Regulation to amend the Regulation respecting the landfilling and incineration of residual materials

Environment Quality Act
(chapter Q-2, s. 70, pars. 2 and 5)

Act respecting certain measures enabling the enforcement of environmental and dam safety legislation
(chapter M-11.6, s. 30, 1st par.)

1. The Regulation respecting the landfilling and incineration of residual materials (chapter Q-2, r. 19) is amended by replacing section 11 by the following:

“**11.** The operator of an engineered landfill must also accept

(1) inedible meat referred to in paragraph 5 of section 8 from the administrative region in which the landfill is situated; and

(2) inedible meat and other residual materials from the administrative region in which the landfill is situated in respect of meat and other residual materials subject to

section 3.9 of the Regulation respecting the sale, importation, possession and disposal of an animal or wildlife by-product (chapter C-61.1, r. 23), as enacted by section 4 of the Regulation to amend the Regulation respecting the possession and sale of an animal, published as a draft in the *Gazette officielle du Québec* on the same date.

In cases where the meat and other residual materials referred to in the first paragraph are from an administrative region where there is no engineered landfill, the operator of the engineered landfill situated closest to the place where they are from is required to accept them.

For the purposes of this section, “Administrative region” means any region established by the Décret concernant la révision des limites des régions administratives du Québec (chapter D-11, r. 1).”.

2. Section 149.3 is amended by inserting “and other residual materials” after “meat” in paragraph 1.

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

106848

Draft Regulation

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

Possession and sale of an animal —Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting the possession and sale of an animal, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation has three objectives. The first is to improve the regulation of the transportation and disposal of parts that pose a risk of spreading the chronic wasting disease of cervids. The second is to set out measures to govern caribou parts that pose a risk. Finally, the draft Regulation clarifies certain provisions of the Regulation respecting the possession and sale of an animal (chapitre C-61.1, r. 23), whose name will be changed to Regulation respecting the sale, importation, possession and disposal of an animal or wildlife by-product to preclude any misunderstandings and errors of application.

In the event that the disease is detected in Québec, the estimated cost for enterprises resulting from the draft Regulation is \$406,278.92, with recurring costs of \$12,635.00 per year.

Further information on the draft Regulation may be obtained by contacting Caio Alcântara-Vasconcelos, analyst, wildlife regulations, Direction des affaires législatives, Ministère de l'Environnement, de la Lutte contre les changements climatiques, de la Faune et des Parcs, 880, chemin Sainte-Foy, 2^e étage, Québec (Québec) G1S 4X4; telephone: 418 627-8691, extension 707524; email: Caio.Alcantara-Vasconcelos@environnement.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Jacob Martin-Malus, Assistant Deputy Minister for biodiversity, wildlife and parks, Ministère de l'Environnement, de la Lutte contre les changements climatiques, de la Faune et des Parcs, 880, chemin Sainte-Foy, local 2.40, 2^e étage, Québec (Québec) G1S 4X4; email: dal@environnement.gouv.qc.ca.

BENOIT CHARETTE

Minister of the Environment, the Fight Against Climate Change, Wildlife and Parks

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, 1st par. 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 added 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, another Canadian province, Canada 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 kept in captivity at a keeping facility;

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

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

(4) in the 20 years preceding the collection, none of the cervids kept in captivity at the facility had been diagnosed with the 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 was met:

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

(b) the perimeter elements of the keeping facility where the cervid from which a by-product was collected was kept prevented any contact between the cervids kept 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 jurisdiction 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 of which urine or a 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-covered 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 or 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 the chronic wasting disease of cervids has been detected in the 6 years preceding the death of a caribou in a sector identified in Schedule I, the possession by a Native person of a caribou having died in that sector is prohibited in the corresponding sector 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 at that facility is carrying the chronic wasting disease of cervids;
- (2) in the 6 years preceding the cervid’s death, large cervids over 12 months of age that died in captivity at that facility were subject to the analysis provided for in section 134.2 of the Regulation respecting animals in captivity (chapter C-61.1, r. 5.1) and that analysis was performed by a laboratory and according to a method approved by the Canadian Food Inspection Agency;
- (3) in the 20 years preceding the cervid’s death, none of the cervids kept in captivity at the facility had been diagnosed with the 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 kept in captivity at a keeping facility within a 45-km radius of the keeping facility where the dead cervid was kept, or cervids living in the wild within a 100-km radius of that facility had been diagnosed with the chronic wasting disease of cervids;

(b) the perimeter elements of the keeping facility where the dead cervid was kept prevent any contact between the cervids kept 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 kept in captivity;

(2) in a plant where cervid meat is prepared for human consumption or in a storage depot where it is stored for the purpose of marketing 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 delivered 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-covered 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 the chronic wasting disease of cervids;

(2) in the 6 years preceding the collection, large cervids over 12 months of age that died in captivity at that facility had been subject to the analysis provided for in section 134.2 of the Regulation respecting animals in captivity (chapter C-61.1, r. 5.1) and that analysis was performed by a laboratory and according to a method approved by the Canadian Food Inspection Agency or by a foreign laboratory using a method approved by a competent authority of the jurisdiction the cervid came from;

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

(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 kept in captivity at a keeping facility within a 45-km radius of the keeping facility where the cervid from which a by-product was collected was kept, or cervids living in the wild within a 100-km radius of that facility had been diagnosed with the chronic wasting disease of cervids;

(b) the perimeter elements of the keeping facility where the cervid from which a by-product was collected was kept prevent any contact between the cervids kept 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 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 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, a draft of which was published on the same date in the *Gazette officielle du Québec*.

Despite the first and second paragraphs, if in the zone where possession of the cervid is allowed no plants where cervid meat is prepared for human consumption in the conditions prescribed by the Food Products Act (chapter P-29) and the regulations accept the cervid, possession thereof is allowed outside that zone only for the purpose of travelling to the closest 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 third 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 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, 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 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;

(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.

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).

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.

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 weight of alkaline solution to the weight of 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).

Where possession is permitted under the first paragraph of section 3.3, the person must proceed to the disposal in accordance with the Regulation respecting food.

Despite the first and second 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.

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 first and second paragraphs of this section.

Despite the first and second 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 requirements of the Environment Quality Act and the regulations.

Despite the first and second 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 requirements of the Environment Quality Act and the regulations.

“SCHEDULE I

(Section 3.2)

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

Sector where a case of chronic wasting disease of cervids has been detected	Sector where possession of a dead caribou is prohibited
North of the parallel of latitude 54°N in Labrador	North of the parallel of latitude 56°N, for the portion situated west of the meridian of longitude 67°30'W, between the parallel of latitude 56°N and the parallel of latitude 54°N, for the portion situated west of the meridian of longitude 66°30'W, and south of the parallel of latitude 54°N
North of the parallel of latitude 49°N in Ontario	Everywhere in Quebec except the Rupert, Nottaway and Abitibi beaver reserves, 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, the analysis referred to in subparagraph 3 of sections 3.3 and 3.4 of the Regulation respecting the possession and sale of an animal, as made by section 5 of this Regulation, must have been carried out since 14 July 2022 on all cervids over 12 months of age that died in captivity at the facility concerned.

7. Sections 3.5 and 3.6 of the Regulation respecting the possession and sale of an animal, as made by section 5 of this Regulation, do not apply to cases of the chronic wasting disease of cervids detected before 1 January 2019.

DIVISION VI

PENAL

4. A 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:

8. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*, except section 5 insofar as it makes sections 3.8 and 3.9 of the Regulation respecting the possession and sale of an animal, which comes into force on 1 September 2025.

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