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(no amdt)

ALBERTA REGULATION 252/2002
Livestock and Livestock Products Act
WEIGHING OF BEEF CARCASSES REGULATION

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Definitions

1(1) In this Regulation,

(a) "beef carcass" means an entire carcass of one head of cattle except for

- (i) the hide,
- (ii) the head,
- (iii) the portion of the fore-leg below the knee joint,
- (iv) the portion of the hind-leg below the hock joint,
- (v) the alimentary system, liver, kidneys, spleen, genital tract and genitalia, mammary system, heart and lungs,
- (vi) the membranous portion of the diaphragm and pillar of the diaphragm,
- (vii) the spinal cord,
- (viii) internal fats that have been removed in accordance with good commercial practice, including kidney fat, pelvic fat, heart fat and udder fat,
- (ix) the portion of the tail posterior to the first coccygeal vertebra, and
- (x) any other portion of that entire carcass that has been removed in accordance with the Meat Inspection Act or the Meat Inspection Act (Canada) or the regulations under either;

(b) "federal laws" means the Canada Agricultural Products Act (Canada) or the regulations under that Act, or both;

(c) "grade" means the carcass grade under the federal laws;

(d) "grader" means a person designated as a grader under the federal laws;

(e) "operator" means a person who operates a meat packing plant or an abattoir;

(f) "Regulatory Services Branch" means the Regulatory Services Branch of the Minister's Department;

(g) "sale weight" means the weight of a beef carcass after following section 3(1) (a) to (d);

(h) "tare" means the allowance with respect to tare items that is determined and deductible under section 3(1);

(i) "tare items" means the equipment that is used for supporting the beef carcass while it is being weighed but which does not form part of the beef carcass;

(j) "weight supervisor" means a person appointed as an inspector under section 35 of the Act.

(2) For the purposes of this Regulation, cattle is purchased or sold by live weight if it is purchased or sold based on the weight of the entire animal before slaughter.

Application

2 Subject to sections 5(1)(g) and 7, this Regulation does not apply with respect to cattle that are sold to an operator by live weight.

Sale weight of beef carcass, and the tare

3(1) Where a beef carcass is weighed to determine its sale weight, the operator shall

- (a) weigh the beef carcass and tare items together
 - (i) without removing any portion of the beef carcass, and
 - (ii) immediately before placing the beef carcass in a cooler, and
- (b) deduct an allowance for the weight of tare items from the combined actual weight of the beef carcass and the tare items,
- (c) quantify that allowance as equal to the weight of the tare items assumed under section 5(1)(d) or the average weight of the tare items declared under section 6(e), whichever is lower, and
- (d) shall not deduct any other allowance in respect of the weight of the tare items or any allowance at all for shrinkage.

(2) The operator shall record the sale weight on a standard sale weight sheet in the form approved by the weight supervisor.

Sale weight and grade information

4(1) For each beef carcass that is weighed for sale weight and graded, the operator shall inform the person from whom the operator purchased the animal of

- (a) the sale weight of the beef carcass, and
- (b) the grade or grade name assigned to the beef carcass under the federal laws.

(2) The sale weights and grades or grade names required under subsection (1) must be certified by a grader and listed on a grading certificate issued under the federal laws or on a form established by the Minister.

(3) An operator shall designate one or more persons, who are satisfactory to the weight supervisor, to be the scale operator or operators for the meat packing plant or abattoir.

(4) Following the weighing of each lot of beef carcasses, the responsible scale operator shall, at the next interruption of the slaughter, provide the weight supervisor with a signed copy of the sale weight sheet on which the sale weight of each beef carcass is recorded.

Duties of weight supervisor

5(1) A weight supervisor shall

- (a) check the accuracy of the weighing mechanism at least twice on each day when beef carcasses are weighed for sale weight,
- (b) check the actual weight of the tare items regularly to ensure
 - (i) that the tare is uniform over extended periods, and
 - (ii) that the average weight of tare items established under section 6(e) is adhered to within plus or minus 225 grams,
- (c) mark and set aside any tare items that fail to comply with section 6(e),
- (d) post on the weighing mechanism a notice signed by the weight supervisor indicating the assumed weight of the tare items that is to be used in quantifying the tare,

(e) order the operator to re-weigh any beef carcasses that the weight supervisor considers have not been weighed or recorded properly,

(f) if the weight supervisor finds that there has been any non-compliance with the Act or this Regulation, promptly order the operator to take any action necessary to achieve compliance, and

(g) inform the grader of any cattle purchased by live weight and give the grader a copy of the live weight sheet signed by the operator.

(2) A weight supervisor shall conduct the checks under subsection (1)(a) at times that do not interfere with the operation of the meat packing plant or abattoir unless the weight supervisor has reason to believe that the weighing mechanism is faulty.

Duties of operator

6 An operator shall

(a) supply for the use of a weight supervisor adequate test weights for checking weighing mechanisms and arrange for annual certification of the test weights under the Weights and Measures Act (Canada),

(b) supply for the use of a weight supervisor in weighing tare items a suitable weighing mechanism certified under the Weights and Measures Act (Canada),

(c) provide all necessary assistance to a weight supervisor who is performing any of the duties under section 5,

(d) provide adequate storage for test weights supplied under clause (a) and maintain the weights in a clean condition,

(e) establish and declare to the weight supervisor the average weight of the tare items over an extended period,

(f) for cattle purchased by the weight of the beef carcass or by the weight and grade of the beef carcass, prepare a manifest that indicates

(i) the number and sex of cattle purchased from each person, and

(ii) the method used to identify the lot of cattle and beef carcasses,

and provide a copy of the manifest to the weight supervisor before the animals are slaughtered,

(g) report any serious malfunction of a weighing mechanism or any other irregularity to the Regulatory Services Branch within 24 hours of its discovery, and

(h) submit to the Regulatory Services Branch each month reports on the actual weight of the tare items and a log of weighing mechanism inspection reports in the form established by the Minister.

Weight sheet

7 A grader shall retain the copy of the live weight sheet given under section 5(1)(g) for 90 days after its receipt.

Repeal

8 The Weighing of Beef Carcasses Regulation (AR 33/98) is repealed.

Expiry

9 For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be repassed in its present or an amended form following a review, this Regulation expires on November 30, 2009.