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B.C. Reg. 101/78
O.C. 534/78

[IMPORTANT INFORMATION](#)

Filed March 13, 1978

Agricultural Produce Grading Act

Hatchery Regulation

[includes amendments up to B.C. Reg. 4/2010, January 14, 2010]

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Interpretation

1 In this regulation,

- "Act"** means the *Agricultural Produce Grading Act*;
- "agent"** means a person, other than a hatchery operator, who sells chicks or receives consignments of chicks for resale or distribution;
- "baby chicks"** means chicks and poults that have never been fed;
- "certificate of registration"** means a permit issued by the minister to operate a hatchery;
- "chicks"** means chickens or turkeys less than 30 days old;
- "custom hatching"** means the hatching of eggs in a registered hatchery for payment where the eggs are not the property of the hatchery;
- "department"** means the minister's ministry;
- "district supervisor"** means an officer of Agriculture Canada designated by the minister for the administration of these regulations;
- "flock"** means all breeding poultry on one premises required to be tested under section 8 of this regulation;
- "fluff"** means chick down and dust as found in a hatching machine following completion of a hatch;

"hatchery" means a building or portion of a building equipped with an incubator capacity of 1 000 or more eggs and used for incubation purposes;

"hatching-eggs" means eggs intended for the production of chicks;

"hatchery supply flock" means a flock that meets the requirements of section 8 of this regulation;

"hatchery supply flock policy" means the poultry improvement and disease control policy set forth in section 8 of this regulation;

"multiplier breeding flock" means a flock containing only the first generation of a primary breeder flock and used only to produce commercial stock;

"operator" means the person who is in charge of operations of a hatchery and includes the owner of the hatchery;

"package" means an inner or outer receptacle or covering used for containing, wrapping or covering hatching-eggs or chicks;

"Poultry Branch" means Poultry Branch, Ministry of Agriculture, Fisheries and Food, Abbotsford, British Columbia;

"primary breeding flock" means a flock of poultry containing one or more generations that is maintained for the purpose of establishing, continuing, or improving parent lines and from which multiplier breeding flocks may be produced;

"refuse" means infertile eggs, dead embryos, egg shells and other debris associated with the operation of a hatchery;

"registered hatchery" means a hatchery in respect of which a certificate of registration has been issued under this regulation;

"sexed chicks" means chicks the sex of which has been determined by examination.

[am. B.C. Regs. 241/83, s. 1; 4/2010, s. 3.]

Hatchery registration

2 (1) No person who hatches chicks or offers chicks for sale or does custom hatching shall operate a hatchery unless that hatchery has been registered under this regulation.

(2) An application for registration shall be made to the district supervisor who, if he is satisfied with the application, shall recommend to the minister that he issue a certificate of registration.

(3) Where a certificate of registration has not previously been issued in respect of a hatchery, the applicant shall submit to the district supervisor plans and specifications of the hatchery showing

(a) all room dimensions and the positions of doors, windows, stairways and drains,

(b) the lighting, heating, and ventilating systems,

(c) the location of hatchery equipment,

(d) a list of materials used on all floors, walls and ceilings, and

(e) the means of control of flies, rodents and other vermin.

(4) The minister shall not issue a certificate of registration in respect of a hatchery unless he is satisfied that

(a) the hatchery is operated in a building separate and apart from other poultry operations,

- (b) the hatchery can be maintained in a clean and sanitary condition,
 - (c) the hatchery can provide adequate space and, where required, separate rooms for receiving and traying eggs, incubation, hatching, equipment cleaning, dry storage, chick sorting, sexing and packing,
 - (d) the hatchery has adequate ventilation and lighting,
 - (e) the floors, walls and ceilings are constructed of washable material with a hard finish,
 - (f) the incubators deliver the standard of heat, humidity and air circulation recommended by the manufacturer, and
 - (g) the hatchery has a satisfactory means of controlling flies, rodents and other vermin.
- (5) Each registered hatchery shall be
- (a) identified by a name and address, and
 - (b) assigned a registration number that is to be used only in respect of that hatchery.
- (6) No operator shall use a registration number other than the number assigned to that hatchery.
- (7) Certificates of registration shall not be assigned.
- (8) Every certificate of registration shall remain in force until revoked, suspended, or surrendered.
- (9) The minister may revoke or suspend a certificate of registration if he is satisfied that
- (a) the hatchery does not comply with the requirements of this regulation,
 - (b) the operator of the hatchery has violated or failed to comply with any of the provisions of the Act or of this regulation, or
 - (c) the hatchery has not operated for a period of 12 consecutive months.
- (10) The minister shall determine the period for which a certificate of registration is revoked or suspended and the operator of the hatchery shall not apply for a certificate in respect of that hatchery until the period has ended.

Hatchery operations

3 The operator of a registered hatchery shall

- (a) acquire for incubation, resale, or custom hatching only eggs of hatchery supply flocks,
- (b) before accepting eggs from a flock outside the Province, supply evidence satisfactory to the district supervisor that the flock would comply with the requirements of a hatchery supply flock if it were located in the Province,
- (c) report to the Poultry Branch on forms prescribed by the minister and within 48 hours after the time of hatching the number, source and destination of baby chicks intended for use as a multiplier breeding flock or primary breeding flock,
- (d) prior to January 1 in each year, furnish to the district supervisor a statement in writing showing the flock owners from whom he intends to purchase hatching-eggs and the breeding status of each flock,
- (e) within 30 days after the fact, notify the district supervisor indicating names added to or deleted from the statement referred to in paragraph (d),
- (f) not accept hatching-eggs unless they are packed in clean packing material and cases and the flock or registered hatchery from which the eggs originated is clearly identified on the inside or outside of the case,

- (g) maintain and retain for one year a record of each lot of eggs purchased for hatching or accepted or supplied for custom hatching, listing the name of the flock owner or operator with whom the transaction was completed, the date and number of eggs involved,
- (h) maintain a record satisfactory to the district supervisor listing
- (i) all egg purchases and sales,
- (ii) the results of hatching or custom hatching, including the number of eggs set and chicks hatched,
- (iii) chick purchases and sales,
- (iv) the disposal of surplus chicks, and
- (v) such additional information as the minister may require,
- (i) report weekly to the district supervisor on forms supplied by him statistical information on eggs set and chicks hatched and such additional information as the minister may require,
- (j) not incubate hatching-eggs that are not clean and sound in shell,
- (k) not sell or offer for sale baby chicks or turkey poults unless they are vigorous, healthy and uniform in size,
- (l) keep all setters and hatchers in good working order,
- (m) keep the hatchery building and all equipment in sanitary condition at all times,
- (n) after each hatch, thoroughly clean the interior and exterior of all hatchers and all parts of the hatcher,
- (o) promptly remove from the hatchery refuse from each hatch and dispose of it in a manner satisfactory to the inspector and not allow such refuse to become available for human food,
- (p) thoroughly clean refuse containers after the refuse from each hatch is removed and equip the refuse containers with tight-fitting lids,
- (q) ensure that hatchery personnel are clothed in clean garments,
- (r) provide washroom facilities for hatchery personnel,
- (s) fumigate eggs and incubators according to procedures recommended by the minister or the manufacturer of the incubator,
- (t) not make alterations to the hatchery or hatchery equipment unless he has first submitted to the district supervisor the plans and specifications for the alterations and the district supervisor has approved those plans, and
- (u) provide for laboratory examination a sample of fluff at least once every 6 weeks from each hatching machine in operation and such other samples as may be required by the minister for the purpose of conducting disease-monitoring procedures.

Brooding

- 4 (1)** The operator of a registered hatchery shall not conduct a brooding operation in a room or building having an opening into any other room used for the hatchery operations.
- (2)** A brooding room operated in connection with a registered hatchery shall
- (a) provide a minimum air space of 21.23 dm³ for each chick,
 - (b) have adequate equipment to provide a complete change of air at least 5 times per hour in a manner that will

ensure freedom from draughts,

(c) have floors, walls and ceilings made of washable materials having a hard finish,

(d) have adequate lighting,

(e) have a satisfactory means of controlling flies, rodents and other vermin,

(f) be kept in a clean and sanitary condition, and

(g) be kept clean including the brooder equipment which shall be thoroughly cleaned after the sale of each lot of chicks is completed.

Packing and marking

5 The operator of a registered hatchery shall ensure that

(a) chicks hatched in the hatchery are packed in clean, strong boxes that conform to the applicable requirements for boxes set out in the current Canadian Freight Classification,

(b) the boxes are constructed to afford proper ventilation and shall have new chick box pads in each section of the box, and

(c) every box of chicks packed by or shipped from the hatchery, except those delivered to a purchaser by vehicle bearing the hatchery identification, bears the abbreviation "Reg. No." followed by the number allotted to that hatchery, all in block letters not less than 6 mm high.

Agents and brokers

6 (1) An operator shall furnish prior to January 1 a list of the names and addresses of all persons acting as his agents and shall, whenever a name or address is changed, inform the district supervisor of the change.

(2) An agent or other person selling chicks for his own account or for the operator of a registered hatchery shall keep and make available for inspection accurate records of chick purchases and sales and report to the district supervisor on forms supplied by him such statistical information as may be required by the minister.

(3) Buildings, brooders and display equipment used by an agent or broker in the handling of chicks shall meet the requirements of section 4.

Sales and advertising

7 No operator of a registered hatchery shall

(a) in respect of hatching-eggs, chicks, poultry, a flock, or a hatchery, apply or use a term, letters, description, or breeding designation unless the hatching-eggs, chicks, or poultry, or the flock or hatchery comply with the term, letters, description, or breeding designation used, or

(b) have any business connection with or use his name or his firm's name in connection with a hatchery operating other than as a registered hatchery, or

(c) advertise or offer for sale chicks as sexed chicks unless the percentage of accuracy of the sexing is stated and guaranteed, or

(d) advertise, sell, or offer for sale chicks hatched in the hatchery under any name or registration number other than the name and registration number set out in his certificate of registration.

Hatchery supply flock policy

8 (1) Chicks intended for use in a multiplier breeding flock or a primary breeding flock shall be registered with the Poultry Branch on forms prescribed by the minister.

(2) to (4) Repealed. [B.C. Reg. 241/83, s. 2.]

(5) During the period that a flock is registered under the Hatchery Supply Flock Policy, sanitary conditions of the premises, ventilation of the poultry houses and the general health of the flock shall be maintained to the satisfaction of the minister.

(6) All chickens or turkeys in a multiplier breeding flock or in a primary breeding flock that do not meet the physical requirements for birds in such a flock shall be removed from the premises or shall be segregated without mating.

(7) Repealed. [B.C. Reg. 241/83, s. 2.]

(8) Hatchery supply flocks shall be kept separate from all other poultry.

(9) to (12) Repealed. [B.C. Reg. 241/83, s. 2.]

(13) All chickens or turkeys registered under the Hatchery Supply Flock Policy may be inspected at any time without notice and no person shall interfere with an inspector or prevent him from having free access to all flocks, premises and records.

(14) Multiplier breeding flocks and primary breeding flocks shall be submitted for such inspection and tests for disease as may be considered advisable by the minister and, where the results of the inspection and tests are satisfactory, the minister shall issue a notice of inspection.

(15) In the event of an outbreak of disease, the registered flock owner shall notify the Poultry Branch at once and, if the minister considers such action advisable, the flock or all flocks on that premises shall be placed under quarantine and any required testing, cleansing and disinfecting shall be carried out by the registered flock owner.

(16) No hatching-eggs, chicks, poults or breeding stock shall be sold from a registered flock while it is under quarantine.

(17) Repealed. [B.C. Reg. 241/83, s. 2.]

[am. B.C. Reg. 241/83, ss. 2, 3.]

Detention

9 (1) An inspector may place under detention packages, hatching-eggs, or chicks that do not comply with the Act or this regulation by attaching to each lot a numbered tag, hereinafter referred to as a "detention tag", on which shall be clearly written

(a) the words "under detention, Ministry of Agriculture, Fisheries and Food, Province of British Columbia",

(b) a brief description of the lot being detained,

(c) the reason for detention,

(d) the date, and

(e) the inspector's signature.

(2) Immediately after attaching the detention tag the inspector shall deliver or mail to the owner of the packages, hatching-eggs or chicks, or his agent, a notice of detention and, where the packages, hatching-eggs or chicks are on premises other than that of the owner, a copy of the notice of detention shall also be delivered or mailed to the person on whose premises the packages, hatching-eggs, or chicks are located.

- (3) An inspector may make such orders and give such directions as he considers necessary for the proper preservation and safeguarding of packages, hatching-eggs or chicks on which a detention tag has been placed and a person to whom such an order is made or direction given shall comply with its terms.
- (4) Except as authorized in writing by an inspector, no person shall alter or remove a detention tag placed on packages, hatching-eggs or chicks by an inspector.
- (5) Except as authorized in writing by an inspector, no person shall remove, sell, or otherwise dispose of packages, hatching-eggs or chicks contained in a lot on which a detention tag has been placed by an inspector.
- (6) Where an inspector is satisfied that the packages, hatching-eggs or chicks held under detention comply with this regulation, he shall complete a notice of release.
- (7) The inspector shall deliver or mail a copy of the notice of release to the owner of the packages, hatching-eggs or chicks and a copy to the person on whose premises the packages, hatching-eggs or chicks are located.

Offence

10 A person who contravenes section 2 (1), (6), 3, 5 (c), 6 (2), 7 or 9 (4) commits an offence.

Schedule A

(Section 8)

Number of birds registered in flock	Number of birds to be tested
425 or less	all birds
426 - 500	425
501 - 600	475
601 - 700	525
701 - 800	550
801 - 900	575
901 - 1 000	600
1 001 - 1 500	650
1 501 - 2 000	700
2 001 - 3 000	750
3 001 - 4 000	800
4 001 - 5 000	850
5 001 or more	925

[Provisions of the *Agricultural Produce Grading Act*, R.S.B.C. 1996, c. 11, relevant to the enactment of this regulation: section 14]

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