

Dressed and Eviscerated Poultry Regulations

made under Section 166 of the
Agriculture and Marketing Act
R.S.N.S. 1989, c. 6

O.I.C. 79-735 (June 19, 1979), N.S. Reg. 96/79
as amended by O.I.C. 79-887 (July 17, 1979), N.S. Reg. 127/79

1 These regulations may be cited as the Dressed and Eviscerated Poultry Regulations.

Interpretation

2 In these regulations

(a) "Act" means Part XVII of the Agriculture and Marketing Act, Revised Statutes of Nova Scotia, 1989, Chapter 6;

(b) "consumer" means a person who buys dressed or eviscerated poultry for use by himself or his household, and not for resale;

(c) "Designated Market Area" includes the Halifax Market Area and the Sydney Market Area;

(d) "dressed" means the removal of the blood and feathers from poultry after slaughter;

(e) "eviscerate" means to remove from dressed poultry the entrails and all other internal organs, the head, the legs at the hock joints, and the oil gland;

(f) "farmers market" means a site controlled by a Municipal Unit where a producer engages in the retail selling of dressed or eviscerated poultry raised on his farm;

(g) "grade" means to mark poultry with one of the terms prescribed in Section 3;

(h) "Halifax Market Area" includes the area within a radius of twenty kilometres from the Dartmouth end of the Angus L. MacDonald Bridge as shown on the map attached to these regulations as Schedule "B";

(i) "inspector" means an inspector appointed under the provisions of the Act;

(j) "Minister" means the Minister of Agriculture;

(k) "poultry" means a chicken, chicken capon, stewing hen, old rooster, turkey, duck or goose;

(l) "poultry station" means one or more rooms or buildings where poultry is killed and dressed, graded or eviscerated, as the case may be, and packed and marked, and in respect of which a certificate of registration has been issued by the Minister or the Minister of Agriculture of Canada;

(m) "producer" means a person who ships, transports or sells dressed or eviscerated poultry, raised on his own farm;

(n) "retailer" means a person, other than a producer, who sells, offers for sale or holds in his possession for sale, dressed or eviscerated poultry to a consumer;

(o) "Sydney Market Area" includes the City of Sydney, Towns of Sydney Mines, North Sydney, New Waterford, Dominion, Glace Bay, and the Municipal Districts Numbers 1, 2, 4, 11, 12, 18, 20, 23, of the County of Cape Breton;

(p) "wholesaler" means a person who sells, holds in possession for sale, or offers for sale, dressed or eviscerated poultry to

(i) a retailer,

(ii) any person other than a consumer for use as food, or in the preparation of food, or

(iii) an operator of a poultry station,

but shall not include a producer.

Subclause 2(p)(iii) erratum: O.I.C. 79-887, N.S. Reg. 127/79.

Administration

3 (1) Except as provided in subsections (2) and (3), dressed or eviscerated poultry

(i) sold,

(ii) offered for sale,

(iii) held in possession for sale, or

(iv) held on the premises after sale,

in a Designated Market Area shall be marked with one of the following terms to indicate the grade:

(a) Canada A,

(b) Canada B,

(c) Canada Utility,

(d) Canada C, or

(e) Canada Canner.

(2) A producer may sell, offer, advertise or hold in possession for sale unmarked dressed or eviscerated poultry, if such poultry was raised on his own farm and is sold directly to consumers other than in or through a retail store.

(3) Subsection (1) does not apply to dressed or eviscerated poultry marked with the name of a foreign country and the name of a grade of that foreign country provided that the dressed or eviscerated poultry meets the requirement for Canada grade equivalent to the grade marked on the dressed or eviscerated poultry.

(4) No person who operates a poultry station shall sell or offer for sale any dressed or eviscerated poultry graded Canada Canner unless it is being sent or conveyed to an establishment registered under the Canada Meat Inspection Act.

4 The grading, grade standards, marking, and packing of dressed or eviscerated poultry shall be in accordance with the Processed Poultry Regulations P.C. 1978-482 made pursuant to the Canada Agricultural Products Standards Act. [now under the Canada Meat Inspection Act.]

5 Subject to Section 6, no person shall sell, offer for sale, send or convey ungraded dressed or eviscerated poultry.

6 (1) A producer may send or convey dressed or eviscerated poultry produced on his own farm to a poultry station for grading.

(2) The operator of a poultry station may send or convey ungraded poultry received by him to another poultry station.

(3) Ungraded dressed or eviscerated poultry may be sold, offered for sale, sent or conveyed in areas outside of a Designated Market Area.

(4) A producer may convey dressed or eviscerated poultry to a farmers market located in a Designated Market Area to be sold by himself or his employees to a consumer.

7 No person shall sell, offer for sale, hold in his possession for sale or hold on his premises after sale dressed or eviscerated poultry which is unfit for human consumption.

Advertising

8 No person shall advertise any untrue, deceptive or misleading information in respect of dressed or eviscerated poultry offered for sale or held in possession for sale or distribution.

9 In any advertisement pertaining to dressed or eviscerated poultry wherein the price of such poultry appears, the grade name shall be stated in letters of at least equal size and prominence to the price.

10 Any advertisement relating to poultry shall state the kind of poultry and whether the poultry is dressed or eviscerated, and in the case of turkeys, ducks or geese shall state whether they are young or mature, and all to be in letters of at least equal size and prominence to those of the grade name.

11 All poultry on the premises of a retailer or wholesaler shall be deemed to be for sale.

Detention

12 (1) An inspector may place under detention any dressed or eviscerated poultry that does not comply with the Act or these regulations by

(a) attaching to at least one package of the lot a numbered tag, hereinafter referred to as a "detention tag", and as detailed in Schedule "A", Form 1.

(b) marking each container in the lot with a mark consisting of the letters "DET" and the number of the detention tag inside a design of a circle.

(2) Where the poultry detained is not in packages, an inspector may require the owner to place such poultry into packages and the packages shall be marked in accordance with subsection (1).

13 Immediately after attaching the detention tag and marking the packages, the inspector shall deliver or mail to the owner of the poultry or his agent a duly completed Notice of Detention, in the form prescribed by Schedule "A" Form II and where such poultry is in 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 poultry is found.

14 An inspector may make such orders and give such directions as to him appear necessary for the proper preservation and safeguarding of any poultry respecting which a detention tag has been placed on a package, or package marked pursuant to Section 12, and every person to whom any such order is made or direction given shall comply therewith according to its terms.

15 Except as authorized by an inspector, no person shall alter or remove a detention tag placed on a package of poultry or alter any marks made on packages by an inspector.

16 Except with the written permission of an inspector, no person shall remove, sell or otherwise dispose of any poultry contained in a package on which a detention tag has been placed, or in a package marked by an inspector.

17 (1) Where an inspector is satisfied that poultry held under detention comply with these regulations, he shall complete a "Notice of Release" in the form prescribed in Schedule "A" Form III.

(2) The inspector shall deliver or mail one copy of the Notice of Release to the owner of the poultry and one copy to the person on whose premises the poultry was found.

18 Any poultry forfeited under Section 169 of the Act shall be disposed of in such manner as the Minister directs.

Schedule "A" - Forms

Form I - Under Detention
Nova Scotia Department of Agriculture
Dressed and Eviscerated Poultry Regulations

Held under authority of Section 169 Agriculture and Marketing Act and regulations thereunder

Description _____
Quantity detained _____
Violation _____
Date _____ Lot number _____

Inspector

Form II - Notice of Detention
Nova Scotia Department of Agriculture
Dressed and Eviscerated Poultry Regulations

Place of detention _____ Date _____
To _____ Address _____
You are hereby notified that _____ (quantity)
_____ (description)
Located _____
And hereby placed under detention and identified by Detention Tag No. _____. Reason for detention

Violation of Section _____ of the Dressed and Eviscerated Poultry Regulations made under the
Agriculture and Marketing Act
How notice was served: Mail () Delivered personally ()
Copies to _____

No person shall move, sell or otherwise dispose of this product until authorized by an inspector.
Acknowledged by _____ (Inspector)

Form III - Notice of Release

Nova Scotia Department of Agriculture
Dressed and Eviscerated Poultry Regulations

Place _____ Date _____

To _____

Address _____

With reference to the (quantity, description) which were placed under detention by
_____ on _____ and identified by Detention Tag _____
_____ (Inspector) _____ (Date)

No.(s) _____ detention is hereby withdrawn.

Reason for release _____

Copies to:
_____ (Inspector)

Schedule "B" - Map

[The map contained in Schedule "B" is not available in this format. For more information or to obtain a copy, contact the Registry of Regulations or the Department of Agriculture.]

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Last updated: 20-04-2006