

chapter Q-2, r. 26

Agricultural Operations Regulation

Environment Quality Act
(chapter Q-2, ss. 31.0.6, 53.30, 70, 95.1, 115.27, 115.34 and 124.1; 2017, c. 4, s. 283).

O.C. 695-2002; I.N. 2019-12-01.

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CHAPTER I

OBJECT, SCOPE AND DEFINITIONS

1. The object of this Regulation is to protect the environment, particularly water and soil, against pollution caused by certain agricultural activities.

O.C. 695-2002, s. 1.

2. This Regulation applies to the raising of animals and to the facilities used in the raising of such animals, to the storage facilities for their waste and to the spreading of such waste. It also applies to parcels of land used for crop, except for silviculture, and to the use of fertilizers.

This Regulation does not apply to the raising of canidae and felidae or to fish farming, zoos, parks and zoological gardens.

O.C. 695-2002, s. 2.

3. The following definitions apply to this Regulation:

“agro-environmental fertilization plan” means a plan that determines, for each parcel in an agricultural operation and each annual growing season (maximum of 5 years), the crop grown and the spreading limits for fertilizers; (*plan agroenvironnemental de fertilisation*)

“annual phosphorus (P_2O_5) production” means the annual volume in cubic metres of livestock waste produced per raising site multiplied by the average phosphorus (P_2O_5) concentration in kg/m^3 of the livestock waste; (*production annuelle de phosphore (P_2O_5)*)

“liquid manure management” means a method of removing livestock waste other than by solid manure management; (*gestion sur fumier liquide*)

“livestock waste” means animal urine and fecal matter and includes bedding used as absorbents, contaminated water and precipitation water that came into contact with livestock waste; (*déjections animales*)

“parcel” means a portion of land forming a single block, planted with the same crop and requiring the same fertilization, belonging to the same owner and constituting a lot or part of a lot; (*parcelle*)

“raising facility” means a livestock building or yard where animals are raised; (*installation d'élevage*)

“raising site” means a group of raising facilities and storage facilities that belong to the same owner and where the distance between the facilities does not exceed 150 m; (*lieu d'élevage*)

“solid manure management” means a method of removing livestock waste in a solid state, with the liquids having been absorbed by the solid matter through the use of bedding in sufficient quantity or through other means to reduce the water content in the waste to a value lower than 85% at the outlet of a livestock building; (*gestion sur fumier solide*)

“spreading site” means a group of parcels close together, belonging to the same owner who does not raise livestock; (*lieu d'épandage*) and

“yard” means a pen or part of a pen where livestock is kept and which differs from pastures because the annual phosphorus (P_2O_5) input is greater than the deposits provided for in Schedule I for those pastures. (*cour d'exercice*).

O.C. 695-2002, s. 3.

3.1. In this Regulation, every reference to an agrologist or an engineer is a reference to a person who is a member of a professional order governing that profession in Québec, as well as any other person legally authorized to act in that capacity in Québec.

O.C. 606-2010, s. 1.

CHAPTER II

GENERAL PROHIBITIONS AND OBLIGATIONS RELATED TO LIVESTOCK WASTE

4. It is prohibited to deposit, discharge, spread, receive, keep in deposit or allow the deposit, discharge, spreading or keeping in deposit of livestock waste except to the extent provided for in this Regulation.

Except for fording watercourses, it is prohibited to allow livestock to access watercourses and bodies of water and their riparian strip.

O.C. 695-2002, s. 4.

5. The owner of a lot as well as any person to whom the owner has transferred the custody, control or use of the lot shall take the measures necessary to prevent livestock waste from entering the surface or subsurface water.

Every owner or person who has knowledge of the discharge, deposit, storage or spreading of livestock waste on that lot that contravenes this Regulation shall take the measures required to terminate such discharge, deposit, storage or spreading and to immediately remove such substances from the lot and, if necessary, restore it to its previous condition.

O.C. 695-2002, s. 5.

CHAPTER III

LAYOUT DESIGN STANDARDS FOR RAISING AND STORAGE FACILITIES, SPREADING AND TREATMENT OF LIVESTOCK WASTE

DIVISION I

LOCATION STANDARDS

6. It is prohibited to erect, lay out or expand a raising or storage facility in a watercourse, lake, swamp, natural marsh or pond and the 15 m area on each side or around those areas, measured from the high-water mark, if any.

The first paragraph applies to sections of watercourses whose total flow area (average width multiplied by average height) is greater than 2 m².

This section does not apply to bodies of water reserved for firefighting or crop irrigation.

O.C. 695-2002, s. 6.

DIVISION II

LIVESTOCK WASTE STORAGE

7. (*Obsolete*).

O.C. 695-2002, s. 7.

8. The ground on which a livestock building is constructed or laid out must be protected from any contact with the livestock waste produced by means of a watertight floor.

The livestock building must have the capacity to store, without overflow, all of the livestock waste produced between each of the occasions on which the waste is removed.

O.C. 695-2002, s. 8; O.C. 906-2005, s. 1.

9. Raising sites with liquid or solid manure management must have watertight storage facilities for the livestock waste produced therein.

An operator may have the use of a watertight storage facility as the owner or lessee or as a party to a written storage agreement entered into with a third party.

Each party to a lease must be in possession of a copy of the lease and retain it for a minimum of 5 years after it expires and provide the copy to the Minister of Sustainable Development, Environment and Parks upon request within the time indicated by the Minister.

O.C. 695-2002, s. 9; O.C. 906-2005, s. 2; O.C. 606-2010, s. 2.

9.1. The operator of a spreading site and, despite section 9, the operator of a raising site may store solid manure piles in a cultivated field, on the following conditions:

(1) contaminated water from the pile must not enter the surface water;

(2) runoff must not reach the pile;

(3) the solid manure pile must not contain more than 2,000 kg of phosphorus (P_2O_5) and must be used only for the fertilization needs of the cultivated parcel on which the pile is located or on an adjacent parcel for the growing season during which it is laid out, or, as the case may be, for the growing season following the date of the first input of solid manure forming the pile;

(4) the pile must be laid out at least 100 m from the location of a pile that has been removed for 12 months or less; and

(5) the pile must be completely removed and reclaimed or eliminated, in accordance with section 19, within 12 months of the first input of solid manure forming the pile.

O.C. 906-2005, s. 3; O.C. 606-2010, s. 3.

9.1.1. An operator who, under the second paragraph of section 22, is required to establish an agro-environmental fertilization plan must, if intending to store solid manure piles in a cultivated field, obtain, before laying out each pile in accordance with section 9.1, a recommendation dated and signed by an agrologist pertaining to the conditions for laying out the pile.

The operator must also give an agrologist a written mandate to inspect each pile during the growing season and to write, in a dated and signed report, his or her observations and, where applicable, his or her recommendations. The mandate must also provide that an annual report, written by the agrologist and summarizing all the inspections carried out for all the piles for which a recommendation was made under the first paragraph, will be given to the operator.

Copies of every document produced by an agrologist under this section must be kept by the operator who stores solid manure piles in a cultivated field for a minimum of 5 years from the date of signature and be provided to the Minister upon request within the time indicated by the Minister.

O.C. 606-2010, s. 4; O.C. 671-2013, s. 1.

9.2. An operator of a raising site or spreading site who, in accordance with section 9.1, stores solid manure piles in a cultivated field must keep a storage register for each pile and record in the register the location of the pile, the date of the first input of solid manure forming the pile and the date the pile is completely removed.

The operator of a raising site or spreading site must be in possession of a copy of that register and keep it for a minimum of 5 years from the date on which the pile is completely removed. The operator must provide the copy to the Minister upon request within the time indicated by the Minister.

O.C. 906-2005, s. 3; O.C. 606-2010, s. 5.

9.3. Despite section 9, the storage of solid manure piles near the farm building in which the manure is produced is allowed on the following conditions:

(1) the annual phosphorus (P_2O_5) production resulting from solid manure management of all the buildings of the raising site is 1,600 kg or less;

(2) contaminated water from the pile must not enter the surface water;

(3) runoff must not reach the pile; and

(4) the pile must be completely removed and reclaimed or eliminated, in accordance with section 19, within 12 months of the first input of solid manure forming the pile.

O.C. 906-2005, s. 3; O.C. 606-2010, s. 6; O.C. 671-2013, s. 2.

10. Storage facilities must have the capacity to accumulate, without overflow, for the entire period where the livestock waste may not be spread, the livestock waste produced in the raising facilities as well as all other waste that may be received by the facilities.

O.C. 695-2002, s. 10.

11. Storage facilities must not be equipped with overflow drains or sump drains.

They must be designed in a way that prevents any runoff infiltration.

O.C. 695-2002, s. 11.

12. Storage facilities must be equipped, on the entire outer perimeter, with a drain placed at the same level or below the floor or bottom. The drain must not be connected to the storage facility and its outlet must be linked to a port with a minimum inside diameter of 40 cm accessible for sample-taking.

A permanent marker must indicate the drain outlet's location.

The drain must be functional at all times and evacuate water by gravity or pumping.

O.C. 695-2002, s. 12.

13. The livestock waste removal equipment of raising facilities and storage facilities must be watertight and maintained in a fully watertight condition.

O.C. 695-2002, s. 13.

14. A person who operates a storage facility or who has custody or care of a storage facility shall take every measure to prevent or stop any overflow or leakage of the stored substances.

O.C. 695-2002, s. 14.

15. A person who stores livestock waste in a storage facility shall remove the waste at least once a year before there is any overflow of the substances contained.

O.C. 695-2002, s. 15.

16. An operator of a raising site who ships livestock waste to a storage facility belonging to a third party shall enter into a written agreement for that purpose with the operator of the storage facility.

A notice written by an engineer must accompany the agreement specifying that the storage facility has the capacity to store the additional livestock waste referred to in the agreement.

Each party to the agreement must keep in its possession a copy of that agreement for a minimum of 5 years after it expires and provide that copy to the Minister upon request within the time indicated by the Minister.

The operator of a storage facility must keep a register of delivery and record therein the information relevant to the waste received and provide it to the Minister upon request within the time indicated by the Minister. The owner must keep the register for at least 5 years from the date of expiry of the agreement referred to in the first paragraph.

O.C. 695-2002, s. 16; O.C. 606-2010, s. 7; O.C. 671-2013, s. 3.

17. A yard must be laid out so that no runoff can reach it.

O.C. 695-2002, s. 17.

17.1. Livestock waste accumulated over a year in a yard must be removed and reclaimed or eliminated, in accordance with section 19, at least once a year.

O.C. 906-2005, s. 4.

18. Contaminated water from a yard must not enter the surface water.

O.C. 695-2002, s. 18; O.C. 906-2005, s. 5.

DIVISION III

LIVESTOCK WASTE DISPOSAL

19. A person who stores livestock waste must reclaim or eliminate it.

Reclamation is effected by spreading in accordance with this Regulation or by treatment and transformation into useful products by a person authorized under the Environment Quality Act (chapter Q-2).

Elimination is effected by destruction by a person authorized under the Environment Quality Act.

O.C. 695-2002, s. 19.

DIVISION IV

SPREADING OF FERTILIZERS

20. The operator of a raising site who spreads livestock waste and, where applicable, other fertilizers must have, at the beginning of each annual growing season and for all the season, cultivated parcels that correspond to the total area required for the purpose of spreading the waste or surplus waste and other fertilizers.

An operator may own or lease cultivated parcels or enter into written spreading agreements with a third party for the use of cultivated parcels.

The calculation of the minimum area required to comply with the first paragraph must be made in accordance with Schedule I.

O.C. 695-2002, s. 20; O.C. 606-2010, s. 8.

20.1. The operator of a spreading site who spreads fertilizers must have, at the beginning of each annual growing season and for all the season, cultivated parcels that correspond to the total area required for the purpose of spreading fertilizers.

The minimum area required to comply with the first paragraph must be calculated in accordance with Schedule I.

O.C. 606-2010, s. 9.

21. Each party to a lease or spreading agreement must keep a copy of that lease or agreement for a minimum of 5 years after it expires and provide it to the Minister upon request within the time indicated by the Minister.

O.C. 695-2002, s. 21; O.C. 606-2010, s. 10.

22. Spreading fertilizers is permitted only for the purpose of fertilizing the soil of a cultivated parcel. It may be carried out only in compliance with an agro-environmental fertilization plan established in accordance with the provisions of this Regulation according to each parcel to be fertilized.

The following must establish a plan:

(1) operators of liquid manure raising sites and operators of solid manure raising sites whose annual phosphorus (P_2O_5) production is greater than 1,600 kg; and

(2) operators of spreading sites whose cumulative area is greater than 15 ha, excluding pasture areas and grasslands. For market crops or fruit production, the cumulative area is reduced to 5 ha;

(3) operators of raising sites with solid manure management whose annual phosphorus (P_2O_5) production is 1,600 kg or less and who have cultivated parcels whose cumulative area is that referred to in subparagraph 2.

O.C. 695-2002, s. 22; O.C. 1330-2002, s. 1; O.C. 906-2005, s. 6.

23. The agro-environmental fertilization plan must contain all the information required for its implementation such as fertilizer doses and the spreading periods and methods.

O.C. 695-2002, s. 23.

24. The plan must be signed by an agrologist. It may also be signed by persons who cultivate a parcel included in their agricultural operation, or by one of the partners or shareholders of the operation, provided that the signatory holds an attestation for a training course on implementing an agro-environmental fertilization plan given under a program of studies authorized by the Minister of Higher Education, Research, Science and Technology.

The signatory shall certify that the agro-environmental fertilization plan complies with this Regulation.

O.C. 695-2002, s. 24; O.C. 606-2010, s. 11; S.Q. 2013, c. 28, s. 204.

25. An agrologist or a person referred to in the first paragraph of section 24 shall ensure the follow-up of the recommendations of the plan and, at the end of the crop season, attach to the plan a report on the fertilization actually carried out.

O.C. 695-2002, s. 25.

26. A copy of the plan shall be kept by the person who cultivates a parcel referred to in the plan, by the owner of that parcel and, where applicable, by any mandatary authorized by the Minister.

Those persons and, where applicable, the mandatary must keep a copy of the plan for a minimum of 5 years after it ceases to have effect and, upon request and within the time indicated by the Minister, provide the Minister with the plan or, if so authorized by the Minister, with a summary of the plan.

O.C. 695-2002, s. 26; O.C. 606-2010, s. 12.

27. A person who cultivates a parcel on which the spreading of fertilizers is authorized under an agro-environmental fertilization plan shall keep, for each parcel of the agricultural operation and for each annual growing season, a spreading register and, in respect of the fertilizers spread, record the relevant information such as the doses, spreading periods and methods.

That person and the owner of the parcel must keep a copy of the document for a minimum of 5 years from the end of the last spreading period. They must provide the document to the Minister upon request within the time indicated by the Minister.

O.C. 695-2002, s. 27; O.C. 606-2010, s. 13.

28. *(Revoked).*

O.C. 695-2002, s. 28; O.C. 606-2010, s. 40; O.C. 671-2013, s. 4.

28.1. The operator of a raising site, other than a raising site with solid manure management whose annual phosphorus (P_2O_5) production is 1,600 kg or less, must give a written mandate to an agrologist to have the livestock waste produced on the site and spread on cultivated parcels characterized. The mandate must be given by the operator to the agrologist before 1 April of the year where characterization must be carried out in accordance with this Regulation.

Characterization consists in determining the annual volume of livestock waste produced and its fertilizing content so as to establish the raising site's annual phosphorus (P_2O_5) production which must be taken into account to carry out the agro-environmental fertilization plan and any phosphorus report concerning that site.

For the purpose of determining the fertilizing content of animal waste, the operator must have the number of livestock waste samples determined by the agrologist analyzed by a laboratory accredited by the Minister under section 118.6 of the Environment Quality Act (chapter Q-2), with regard to the following parameters:

- total nitrogen;
- calcium;
- magnesium;
- dry matter;
- total phosphorus;
- potassium.

In addition, where for the purposes of the third paragraph of section 31, the agrologist who prepared the agro-environmental fertilization plan indicated therein that it is necessary, the analysis must also pertain to the following parameters:

- ammoniacal nitrogen;

— carbon/nitrogen ratio.

In order to complete characterization, the mandate given to the agrologist must also provide that the latter is to evaluate, using the method of his or her choice, the annual volume of animal waste produced on the raising site.

The operator must keep a copy of every laboratory's certificate of analysis and of the characterization report made by the agrologist pursuant to his or her mandate for a minimum of 5 years from the date of signature and provide them to the Minister upon request within the time indicated by the Minister.

O.C. 606-2010, s. 14; O.C. 671-2013, s. 5.



This section comes into force on:

— 1 January 2011 for operators of a raising site with liquid manure management having an annual phosphorus (P_2O_5) production of more than 5,000 kg;

— 1 January 2012 for operators of a raising site with liquid manure management having an annual phosphorus (P_2O_5) production of 5,000 kg or less;

— 1 January 2013 for operators of a raising site with solid manure management having an annual phosphorus (P_2O_5) production of more than 3,200 kg;

— 1 January 2014 for operators of a raising site with solid manure management having an annual phosphorus (P_2O_5) production of more than 1,600 kg without exceeding 3,200 kg. (O.C. 606-2010, s. 41)

28.2. The annual phosphorus (P_2O_5) production of a raising site referred to in section 28.1 may, despite that section, be determined in accordance with section 50.01 by using the data of Schedule VI instead of the data in Schedule VII referred to in the first paragraph of that section.

In such a case, an operator referred to in section 28.1 and availing himself or herself of this section must so notify an agrologist in writing and give the agrologist a written mandate to establish, in the manner provided for in the first paragraph, the annual phosphorus (P_2O_5) production of the operator's raising site.

The annual phosphorus (P_2O_5) production so established must be used to carry out the agro-environmental fertilization plan and any phosphorus report concerning the raising site and will be taken into account throughout the year for which the annual production was established. The annual phosphorus (P_2O_5) production will also be taken into account for subsequent years unless the operator notifies the agrologist in writing of the his or her decision to be subject to section 28.1 and gives the agrologist a mandate to characterize the animal waste produced by the operator's raising site in accordance with that section. The operator is then deemed to be a new operator with respect to compulsory consecutive characterization that must be carried out for the first 2 years of existence of a raising site, in accordance with the third paragraph of section 28.3. In such a case, the operator may not avail himself or herself of this section again before the expiry of the 5-year period provided for in section 28.3.

The operator must keep a copy of the annual phosphorus (P_2O_5) production as calculated by the agrologist pursuant to his or her mandate and of any notice provided for in this section for a minimum of 5 years from the date of signature and provide them to the Minister upon request within the time indicated by the Minister.



This section comes into force on:

— 1 January 2011 for operators of a raising site with liquid manure management having an annual phosphorus (P_2O_5) production of more than 5,000 kg;

— 1 January 2012 for operators of a raising site with liquid manure management having an annual phosphorus (P_2O_5) production of 5,000 kg or less;

— 1 January 2013 for operators of a raising site with solid manure management having an annual phosphorus (P_2O_5) production of more than 3,200 kg;

— 1 January 2014 for operators of a raising site with solid manure management having an annual phosphorus (P_2O_5) production of more than 1,600 kg without exceeding 3,200 kg. (O.C. 606-2010, s. 41)

O.C. 606-2010, s. 14; O.C. 671-2013, s. 6.

28.3. Characterization as provided for in sections 28.1 and 28.2 must be made, for each 5-year period of existence of the raising site, at least 2 consecutive years included in that 5-year period.

For a raising site existing on 5 August 2010, characterization is compulsory for that site's operator for the first 2 years that follow the date of coming into force of sections 28.1 to 28.3.

For a raising site established as of 5 August 2010, characterization is compulsory for the year of establishment and the subsequent year. However, where a raising site is established after 1 April of a year, characterization must be made for the 2 full years that follow the year of establishment.

The time elapsed between 2 non-consecutive characterizations may not exceed 5 years.



This section comes into force on:

— 1 January 2011 for operators of a raising site with liquid manure management having an annual phosphorus (P_2O_5) production of more than 5,000 kg;

— 1 January 2012 for operators of a raising site with liquid manure management having an annual phosphorus (P_2O_5) production of 5,000 kg or less;

— 1 January 2013 for operators of a raising site with solid manure management having an annual phosphorus (P_2O_5) production of more than 3,200 kg;

— 1 January 2014 for operators of a raising site with solid manure management having an annual phosphorus (P_2O_5) production of more than 1,600 kg without exceeding 3,200 kg. (O.C. 606-2010, s. 41)

O.C. 606-2010, s. 14.

29. The operator of a parcel cultivated under an agro-environmental plan must have its phosphorus content and percentage saturation analyzed by a laboratory accredited by the Minister under section 118.6 of the Environment Quality Act (chapter Q-2).

The analysis must pertain to all the parameters necessary for the parcel's use, and the following parameters are mandatory:

— aluminum;

— calcium;

— magnesium;

— organic matter;

- pH (water);
- pH (buffer);
- phosphorus;
- potassium.

The operator and the owner of the parcel must be in possession of a copy of the certificate of analysis and keep it for a minimum of 5 years from the date of signature and provide it to the Minister upon request within the time indicated by the Minister.

The analysis must not have been made more than 5 years prior to the fertilization year.

O.C. 695-2002, s. 29; O.C. 606-2010, s. 15.

29.1. The spreading of the following fertilizing materials or a product containing any amount of such materials on a parcel of land where a crop for human consumption is grown, or on pasture land, is prohibited:

- (1) compost from all or any part of a carcass of a mammal or fowl, including a carcass originating outside Québec; and
- (2) sludge from a municipal wastewater treatment plant or any other wastewater treatment or collection system, including sludge originating outside Québec.

Subparagraph 1 of the first paragraph does not apply:

- (1) to food waste compost composed of organic, vegetal or animal matter, of domestic origin or derived from the preparation, consumption or distribution of food or drink; or
- (2) to sewage sludge compost from a wastewater treatment plant of a slaughterhouse, rendering plant or other meat processing plant.

The first paragraph does not apply to the fertilizing materials to which it refers if they are certified compliant with CAN/BNQ Standard 0413-200 or 0413-400, or with BNQ Standard 0419-090.

O.C. 906-2005, s. 7; O.C. 1006-2007, s. 1.

30. The spreading of fertilizers is prohibited in the following areas:

- (1) a watercourse or body of water as well as within its riparian strip the boundaries of which are defined by municipal by-law; and
- (2) in the absence of a riparian strip defined by municipal by-law:
 - (a) in a watercourse, a lake, a swamp having a minimum area of 10,000 m² or a pond as well as within its 3 m riparian strip; and
 - (b) in an agricultural ditch and within a 1 m strip from it.

Subparagraph *a* of subparagraph 2 of the first paragraph applies to the sections of watercourses whose total flow area (average width multiplied by the average height) is greater than 2 m².

Livestock waste must be spread in such manner that there is no runoff from the waste into the areas described in the first paragraph.

For the purpose of determining the riparian strip from the sites referred to in the first paragraph, the measurement shall be taken from the high-water mark. Where there is a slope, that space shall include a width of at least 1 m at the top of the slope.

O.C. 695-2002, s. 30.

31. Fertilizers must be spread on ground that is not frozen or covered with snow.

Fertilizers may only be spread between 1 April and 1 October of each year.

Notwithstanding the foregoing, fertilizers may be spread after 1 October on ground that is not frozen or covered with snow if the agrologist who prepared the agro-environmental fertilization plan specifies a new prohibition period. In addition, if the fertilizers to be spread are from livestock waste, the proportion of that waste must be lower than 35% of the annual volume produced by the raising site.

O.C. 695-2002, s. 31; O.C. 906-2005, s. 8.

32. The spreading of livestock waste with mobile or stationary spreading equipment designed to project livestock waste at a distance of more than 25 m is prohibited.

Livestock waste from liquid manure management must be spread with low-ramp equipment or other low-trajectory broadcast equipment whose exit point put in place to project liquid manure is at a maximum height of 1 m above the ground and that projects manure over a distance of not more than 2 m to reach the ground.

Despite the second paragraph, livestock waste from liquid manure management exclusively from dairy or beef cattle raising, except veal calf raising, may also be spread with low-trajectory broadcast equipment whose exit point put into place to project liquid manure is at a maximum height of 1.2 m above the ground and that projects manure over a distance of not more than 5.5 m to reach the ground.

Livestock waste from solid manure management from raisings referred to in the third paragraph may also be spread by means of equipment provided for in the second and third paragraphs, provided that the waste's water content has reached at least 85% before spreading, by being exposed to natural precipitations, by adding water until that water content is reached, or by a combination of both methods.

O.C. 695-2002, s. 32; O.C. 906-2005, s. 9; O.C. 606-2010, s. 16.

DIVISION V

TREATMENT OR DISPOSAL OF LIVESTOCK WASTE

33. An operator of a raising site who ships the livestock waste produced to a facility authorized under the Environment Quality Act (chapter Q-2) to treat and transform it into useful products or dispose of it shall enter into an agreement with the operator of that facility.

Each party to the agreement shall keep a copy of the agreement for a minimum of 5 years after it expires. They must provide it to the Minister upon request within the time indicated by the Minister.

O.C. 695-2002, s. 33; O.C. 606-2010, s. 17.

34. An operator of a raising site who ships the livestock waste produced to a facility authorized under the Environment Quality Act (chapter Q-2) to treat and transform it into useful products or dispose of it shall keep a shipping register and record the relevant information on the waste shipped.

The operator must keep a copy of the document for a minimum of 5 years after the date of the last shipment. The operator must provide it to the Minister upon request within the time indicated by the Minister.

O.C. 695-2002, s. 34; O.C. 606-2010, s. 18.

DIVISION VI

MISCELLANEOUS

35. Every operator of a raising site referred to in subparagraphs 1 and 3 of the second paragraph of section 22 must have a phosphorus report of the raising site drawn up yearly and signed by an agrologist, establishing the annual phosphorus production volume combined with any other fertilizer used, as well as the volume that may be spread in accordance with Schedule I on the lots available.

Every operator of a spreading site referred to in subparagraph 2 of the second paragraph of section 22 must have a phosphorus report of the spreading site drawn up yearly and signed by an agrologist, establishing the annual phosphorus volume received from all fertilizer as well as the volume that may be spread in accordance with Schedule I on the lots available.

The report must be updated upon any change in the raising or spreading site that may have an impact on data taken into consideration while the phosphorous report was being drawn up.

The operator must immediately notify in writing an agrologist of any change referred to in the preceding paragraph and give the agrologist the mandate to update within 30 days his or her phosphorus report to take that change into account. In addition, the operator must immediately inform in writing the director of the Centre de contrôle environnemental of the Ministère du Développement durable, de l'Environnement et des Parcs in the region where the raising site or spreading site is situated, of the change where the operator no longer has cultivated parcels corresponding to the required area pursuant to section 20, 20.1 or 50.

The yearly phosphorus report and any update due to a change must be dated and signed by an agrologist. The operator's signature on the report and each of its updates certifies that the information provided to the agrologist is accurate. They must be given on the form prescribed by the Minister, available on the website of the Ministère du Développement durable, de l'Environnement et des Parcs.

The report and any update must contain the identity of the operator, a description of the raising site, specify the number of animals present and planned on the site, the categories provided for in Schedule VII to which the animals belong and, for the raising site and spreading site, a description of all fertilizers produced, where applicable, received or used, as well as all information on the fertilization and area of parcels available, treatment, transformation or disposal of any fertilizer.

O.C. 695-2002, s. 35; O.C. 1330-2002, s. 2; O.C. 606-2010, s. 19; O.C. 269-2012, s. 1.

35.1. As of 1 January 2011, every operator of a raising site or spreading site referred to in section 35 must send the yearly phosphorus report to the Minister not later than 15 May of each year.

Where, after a change in the raising site or spreading site, the operator no longer has cultivated parcels corresponding to the area required pursuant to section 20, 20.1 or 50, the operator must immediately send to the Minister the update of the phosphorus report made in accordance with section 35.

The transmission to the Minister must be done electronically using the electronic services, by an agrologist mandated for that purpose by the operator.

When the yearly phosphorus report or update is sent electronically, the agrologist certifies that

- (1) the report or update was established in accordance with section 35;
- (2) the operator's signature on the report or update certifies that the information provided to the agrologist is accurate.

Once the yearly phosphorus report or update has been sent to the Minister, the Minister acknowledges its receipt and admissibility by email to the agrologist and, where applicable, to the operator if the document sent

indicates the operator's email address. The agrologist must ensure that the confirmation of receipt and admissibility of the yearly phosphorus report or update sent to the Minister is held by the operator.

O.C. 269-2012, s. 2.

35.2. The operator must keep a copy of the yearly phosphorus report and, as the case may be, of each subsequent update for a minimum of 5 years from the date of signature by the agrologist.

The operator must also keep for a minimum of 5 years

(1) a copy of the notice given to the agrologist pursuant to the fourth paragraph of section 35, as of the date on which the notice is sent;

(2) a copy of any document confirming the receipt and admissibility of the yearly phosphorus report or update sent to the Minister, as of the date on which it was received in accordance with the fourth paragraph of section 35.1.

The operator must provide a copy on request to the Minister within the time indicated by the Minister.

O.C. 269-2012, s. 2.

36. Every operator of a raising site must, at the request of the Minister and within the time indicated by the Minister send to the Minister a true copy certified by La Financière agricole du Québec of the most recent final payment statement it issued to the operator with respect to the insured units.

O.C. 695-2002, s. 36; O.C. 606-2010, s. 20.

37. Wastewater from farm dairies must be recovered according to one of the following methods:

(1) for an operation with liquid manure management, water must flow into the storage facility or, where permitted, into a sewer system; or

(2) for an operation with solid manure management equipped with a storage facility and a holding basin, water must flow into the holding basin or, where permitted, into a sewer system.

For a raising site with solid manure management existing on 15 June 2002 and equipped with a storage facility and a holding basin that does not have sufficient capacity to recover liquid dairy waste, the requirement in subparagraph 2 of the first paragraph applies only where the number of livestock is increased for that site and the increase justifies the increased storage capacity.

O.C. 695-2002, s. 37.

38. Livestock waste must be transported in a watertight container.

O.C. 695-2002, s. 38.

CHAPTER IV

DECLARATION OF COMPLIANCE AND AUTHORIZATION

O.C. 695-2002, c. IV; I.N. 2019-12-01.

DIVISION I

DECLARATION OF COMPLIANCE

O.C. 695-2002, Div. I; I.N. 2019-12-01.

39. With the exception of the projects for which an authorization is required, declaration of compliance must be given to the director of the Direction de l'analyse et de l'expertise of the Ministère du Développement durable, de l'Environnement et des Parcs in the region where the project is situated at least 30 days before

- (1) implementing a new raising site with liquid manure management;
- (2) implementing a new raising site with solid manure management whose annual phosphorus (P_2O_5) production will be greater than 1,600 kg;
- (3) increasing, in a raising site, the annual phosphorus (P_2O_5) production to raise the annual phosphorus (P_2O_5) production to more than 1,600 kg or to make the production equal to or above one of the following production thresholds: 2,100 kg, 2,600 kg, 3,100 kg, 3,600 kg or 4,100 kg without, however, reaching 4,200 kg; however, where an increase is such that more than one threshold will be reached or exceeded, only a declaration of compliance for the highest threshold is required. In addition, the declaration of compliance given for reaching or exceeding a threshold is valid until a declaration of compliance for an increase to reach or exceed a subsequent higher threshold is required; and
- (4) transferring, in a raising facility, from solid manure to liquid manure management.

For the purposes of subparagraph 3 of the first paragraph,

(1) as of 1 January 2011, in the case of an existing raising site for which the operator is required to establish an agro-environmental fertilization plan under section 22, the increase is calculated by subtracting from the annual phosphorus (P_2O_5) production provided for in the project, the production resulting from the number of animals present and planned on the site and specified in the yearly phosphorus report for the first growing season following that date. The latter report is used to calculate whether any subsequent threshold has been reached or exceeded, for the entire lifetime of the raising site; and

(2) in the case of a raising site established as of 1 January 2011 for which the operator is required to establish an agro-environmental fertilization plan under section 22, the increase is calculated by subtracting from the annual phosphorus (P_2O_5) production provided for in the project, the production resulting from the number of animals present and planned on the site and specified in the yearly phosphorus report for the first growing season of the raising site. The latter report is used to calculate whether any subsequent threshold has been reached or exceeded, for the entire lifetime of the raising site.

The declaration of compliance must be signed by the operator and signed by an agrologist and who will follow up the project. The agrologist's signature certifies that the proposed project complies with this Regulation.

Where applicable, the confirmation of an engineer stating that the existing storage facility will be sufficient to receive the additional livestock waste must also be attached to the declaration of compliance.

Within 60 days of carrying out the project, the agrologist must provide the director of the Direction de l'analyse et de l'expertise in the region where the project is situated with a certificate stating that the project complies with this Regulation and the declaration of compliance.

O.C. 695-2002, s. 39; O.C. 906-2005, s. 10; O.C. 606-2010, s. 21; S.Q. 2017, c. 4, s. 262; I.N. 2019-12-01.

40. A declaration of compliance for erection work or increased storage capacity must be given to the director of the Direction de l'analyse et de l'expertise in the region where the raising site is situated at least 30 days before the project is carried out.

The declaration of compliance must be signed by the operator and by an engineer who will supervise the work. The engineer's signature certifies that the proposed work complies with this Regulation.

Within 60 days of carrying out the project, the engineer must provide the director of the Direction de l'analyse et de l'expertise in the region where the raising site is situated with a certificate stating that the work complies with this Regulation and the declaration of compliance.

O.C. 695-2002, s. 40; O.C. 606-2010, s. 22; I.N. 2019-12-01.

41. Every declaration of compliance must be given on the form provided by the Minister and include the requested documents.

The declaration of compliance must contain the identification of the operator, a brief description and the location of the project, the date proposed for its completion, as well as an update, based on the project, of the phosphorus report provided for in section 35.

O.C. 695-2002, s. 41; O.C. 606-2010, s. 23; I.N. 2019-12-01.

DIVISION II

AUTHORIZATION

O.C. 695-2002, Div. II; I.N. 2019-12-01.

42. Despite section 2 of the Regulation respecting the application of the Environment Quality Act (chapter Q-2, r. 3), the following projects are subject to section 22 of the Environment Quality Act (chapter Q-2):

(1) implementing a new raising site where the annual phosphorus (P_2O_5) production will be equal to or greater than 4,200 kg; and

(2) increasing, in a raising site, the annual phosphorus (P_2O_5) production to raise the production to 4,200 kg or more, without, however, reaching 5,200 kg, or to make the production equal to or greater than the 4,200 kg production threshold increased by 1,000 kg or a multiple of 1,000 kg, calculated according to the following formula: $[4,200 \text{ kg} + (1,000 \text{ kg} \times 1, 2, 3, 4, \text{ etc.})]$; however, where an increase is such that more than one threshold will be reached or exceeded, only the highest threshold reached or exceeded is subject to section 22 of the Environment Quality Act. In addition, the authorization referred to in section 22 of the Environment Quality Act issued for reaching or exceeding a threshold is valid until an authorization for an increase to reach or exceed a subsequent higher threshold is required.

For the purposes of subparagraph 2 of the first paragraph,

(1) as of 1 January 2011, in the case of an existing raising site for which the operator is required to establish an agro-environmental fertilization plan under section 22, the increase is calculated by subtracting from the annual phosphorus (P_2O_5) production provided for in the project, the production resulting from the number of animals present and planned on the site and specified in the yearly phosphorus report for the first

growing season following that date. The latter report is used to calculate whether any subsequent threshold has been reached or exceeded, for the entire lifetime of the raising site; and

(2) in the case of a raising site established as of 1 January 2011 for which the operator is required to establish an agro-environmental fertilization plan under section 22, the increase is calculated by subtracting from the annual phosphorus (P_2O_5) production provided for in the project, the production resulting from the number of animals present and planned on the site and specified in the yearly phosphorus report for the first growing season of that raising site. The latter report is used to calculate whether any subsequent threshold has been reached or exceeded, for the entire lifetime of the raising site.

However, an increase of the annual phosphorus production within the limits already authorized by a certificate of authorization issued before 5 August 2010 is not subject to this section.

O.C. 695-2002, s. 42; O.C. 606-2010, s. 24; S.Q. 2017, c. 4, s. 263; I.N. 2019-12-01.

43. Every application for an authorization must be given on the form provided by the Minister and include the requested documents.

The application for an authorization, in addition to containing the information required under the Regulation respecting the application of the Environment Quality Act (chapter Q-2, r. 3), must also include the agro-environmental fertilization plan referred to in section 22, the plans and specifications of the storage facility, if applicable, and the information relating to the reclamation of livestock waste or to its elimination in accordance with section 19.

O.C. 695-2002, s. 43; O.C. 606-2010, s. 25; I.N. 2019-12-01.

CHAPTER V

PENALTIES

DIVISION I

MONETARY ADMINISTRATIVE PENALTIES

O.C. 671-2013, s. 7.

43.1. A monetary administrative penalty of \$250 in the case of a natural person or \$1,000 in other cases may be imposed on any person who fails

(1) to comply with the conditions provided for in the third paragraph of section 9 relating to the lease referred to therein;

(2) to comply with the conditions provided for in the third paragraph of section 9.1.1 relating to documents produced by an agrologist;

(3) to comply with the conditions provided for in section 9.2 relating to a storage register;

(4) to ensure that a permanent marker indicates the the drain outlet's location in accordance with the second paragraph of section 12;

(5) to comply with the conditions provided for in section 16 relating to a storage agreement;

(6) to comply with the conditions provided for in section 21 relating to the agreement or lease referred to therein;

(7) to hold an agro-environmental fertilization plan signed by an authorized person and whose compliance has been certified by the signatory in accordance with section 24;

(8) to comply with the conditions provided for in section 33 relating to an agreement for the treatment or disposal of livestock waste;

(9) to comply with the conditions provided for in section 34 relating to a shipping register;

(10) to comply with the conditions provided for in the fifth paragraph of section 35 relating to a phosphorus report;

(11) to send the phosphorous report in accordance with the third, fourth or fifth paragraph of section 35.1;

(12) to keep the documents in accordance with the conditions provided for in section 35.2;

(13) to send, at the request of the Minister, the most recent final payment statement with respect to the insured units in accordance with section 36;

(14) to provide a certificate of compliance of the project as provided for in the fifth paragraph of section 39;

(15) to provide a certificate of compliance of the project as provided for in the third paragraph of section 40.

O.C. 671-2013, s. 7.

43.2. A monetary administrative penalty of \$350 in the case of a natural person or \$1,500 in other cases may be imposed on any person who fails

(1) to comply with the requirements provided for in the second paragraph of section 9.1.1 relating to the inspections and reports provided for therein;

(2) to attach to the plan, at the end of the crop season, the report on the fertilization actually carried out provided for in section 25;

(3) to keep a copy of the plan referred to in section 26 in accordance with the conditions provided for therein;

(4) to keep a spreading register, to record the relevant information, to keep it during the period referred to or to provide it to the Minister upon request in accordance with section 27;

(5) to keep a copy of every laboratory's certificate of analysis or of the characterization report made by the agrologist for the period referred to or to provide it to the Minister upon request in accordance with the sixth paragraph of section 28.1;

(6) to keep a copy of the annual phosphorus production as calculated for the period referred to and to provide it to the Minister upon request in accordance with the fourth paragraph of section 28.2;

(7) to keep a copy of the certificate of analysis for the period referred to or to provide it to the Minister upon request in accordance with the third paragraph of section 29.

O.C. 671-2013, s. 7.

43.3. A monetary administrative penalty of \$500 in the case of a natural person or \$2,500 in other cases may be imposed on any person who fails

(1) to obtain, before laying out each pile, a recommendation dated and signed by an agrologist pertaining to the conditions for laying out the pile in accordance with the first paragraph of section 9.1.1;

(2) to remove and reclaim or eliminate at least once a year livestock waste accumulated over the year in a yard as provided for in section 17.1;

- (3) to own or lease cultivated parcels or enter into written spreading agreements with a third party for the use of cultivated parcels in accordance with the second paragraph of section 20;
- (4) to ensure that an agro-environmental plan complies with the prescriptions in section 23;
- (5) to ensure a follow-up of the recommendations contained in the agro-environmental plan at the end of crop season in accordance with section 25;
- (6) to have animal waste analyzed by a laboratory accredited by the Minister for the parameters provided for in the third or fourth paragraph of section 28.1;
- (7) to comply with the frequencies of characterization provided for in sections 28.1 and 28.2 in accordance with section 28.3;
- (8) to have analyzed, by a laboratory accredited by the Minister, the phosphorus content and percentage saturation of a cultivated parcel in accordance with the first paragraph of section 29;
- (9) to hold a phosphorus report or an update of the report containing the information provided for in the sixth paragraph of section 35.

O.C. 671-2013, s. 7.

43.4. A monetary administrative penalty of \$750 in the case of a natural person or \$3,500 in other cases may be imposed on any person who fails

- (1) to protect by means of a watertight floor the soil on which a livestock building is constructed or laid out from any contact with the livestock waste produced therein or to use a building that has the capacity to store, without overflow, all of the livestock waste produced therein between each waste removal in accordance with section 8;
- (2) to have a storage facility having the capacity to accumulate, without overflow, for the entire period where the livestock waste may not be spread, the livestock waste produced in the raising facilities as well as all other waste that may be received by the facility in accordance with section 10;
- (3) to have a storage facility that complies with the conditions provided for in section 11;
- (4) to have a storage facility that complies with the conditions provided for in the first or third paragraph of section 12;
- (5) to maintain in a fully watertight condition livestock waste removal equipment in accordance with section 13;
- (6) to remove, before there is any overflow of the substances contained, livestock waste stored in a storage facility in accordance with section 15;
- (7) to lay out a yard so that no runoff can reach it in accordance with section 17;
- (8) to reclaim or eliminate livestock waste stored according to the conditions provided for in section 19;
- (9) to give a written mandate to an agrologist to characterize the livestock waste in accordance with the first or fifth paragraph of section 28.1;
- (10) to comply with the conditions provided so that the annual phosphorus production of a raising site may be determined in accordance with section 50.01 using the data of Schedule VI as provided for in the first or third paragraph of section 28.2;
- (11) to notify in writing and give an agrologist a written mandate to establish the annual phosphorus production in the case provided for in the second paragraph of section 28.2;

(12) to comply with the spreading period or the spreading conditions provided for in the second or third paragraph of section 31;

(13) to comply with the spreading conditions provided for in section 32;

(14) to comply with the conditions related to the phosphorus report provided for in the first, second, third or fourth paragraph of section 35;

(15) to comply with the conditions related to the time limits for sending the phosphorus report or the report's update as specified in the first or second paragraph of section 35.1;

(16) to recover wastewater from farm dairies on the conditions provided for in section 37;

(17) to transport livestock waste in accordance with section 38.

O.C. 671-2013, s. 7.

43.5. A monetary administrative penalty of \$1,000 in the case of a natural person or \$5,000 in other cases may be imposed on any person who fails

(1) to prohibit livestock from having access to watercourses and bodies of water and their riparian strip in accordance with the second paragraph of section 4;

(2) to have a watertight storage facility for a raising site with liquid or solid manure management in accordance with the first paragraph of section 9;

(3) to comply with the conditions provided for in section 9.1 for storing solid manure piles in a cultivated field;

(4) to comply with the conditions set in section 9.3 for storing solid manure piles near a farm building;

(5) to take every measure to prevent or stop any overflow or leakage from a storage facility in accordance with section 14;

(6) to comply with the conditions related to spreading or establish an agro-environmental fertilization plan provided for in section 22;

(7) to give a declaration of compliance to the Direction de l'analyse et de l'expertise in the region where the project is situated within the time prescribed, in the cases and on the conditions provided for in the first, second, third or fourth paragraph of section 39;

(8) to give a declaration of compliance to the director of the Direction de l'analyse et de l'expertise in the region where the raising site is situated in accordance with the conditions provided for in the first or second paragraph of section 40;

(9) to comply with the prohibition of cultivation provided for in the first paragraph of section 50.3;

(10) to comply with the conditions for moving a cultivated parcel provided for in section 50.4.

O.C. 671-2013, s. 7; I.N. 2019-12-01.

43.6. A monetary administrative penalty of \$1,500 in the case of a natural person or \$7,500 in other cases may be imposed on any person who fails

(1) to comply with the prohibition of erecting, laying out or expanding a raising or storage facility in a watercourse, lake, swamp, natural marsh or pond and the 15 m area on each side or around those areas, as provided for in section 6;

(2) to have, at the beginning of each annual growing season and for all the season, cultivated parcels that correspond to the total area required for the purpose of spreading livestock waste or surplus waste and other fertilizers in accordance with the first paragraph of section 20;

(3) to have, at the beginning of each annual growing season and for all the season, cultivated parcels that correspond to the total area required for the purpose of spreading fertilizers in accordance with the first paragraph of section 20.1;

(4) to spread fertilizers on ground that is not frozen or covered with snow in accordance with the first paragraph of section 31;

(5) to comply with the deadlines provided for in section 50.

O.C. 671-2013, s. 7.

43.7. A monetary administrative penalty of \$2,000 in the case of a natural person or \$10,000 in other cases may be imposed on any person who fails

(1) to comply with the prohibition of depositing, discharging, spreading, receiving, keeping in deposit or allowing the deposit, discharge, spreading or keeping in deposit of livestock waste except to the extent provided for in this Regulation in accordance with the first paragraph of section 4;

(2) to take the measures necessary to prevent livestock waste from entering the surface or subsurface water or to take the measures required to terminate the discharge, deposit, storage or spreading of livestock waste and to immediately remove such substances from the lot or to restore it to its previous condition in accordance with section 5;

(3) to comply with the prohibition to the effect that contaminated water from a yard must not enter the surface water in accordance with section 18;

(4) to comply with the prohibition of spreading on a parcel of land where a crop for human consumption is grown, or on pasture land fertilizing materials or a product containing any amount of such materials mentioned in section 29.1;

(5) to comply with the conditions for spreading provided for in section 30.

O.C. 671-2013, s. 7.

DIVISION II

PENAL SANCTIONS

O.C. 671-2013, s. 8.

44. Every person who contravenes the third paragraph of section 9 or 9.1.1, section 9.2, the second paragraph of section 12, section 16, 21, 24, 33 or 34, the fifth paragraph of section 35, the third, fourth or fifth paragraph of section 35.1, section 35.2 or 36, the fifth paragraph of section 39 or the third paragraph of section 40 commits an offence and is liable, in the case of a natural person, to a fine of \$1,000 to \$100,000 or, in other cases, to a fine of \$3,000 to \$600,000.

O.C. 695-2002, s. 44; O.C. 1098-2004, s. 1; O.C. 906-2005, s. 11; O.C. 606-2010, s. 26; O.C. 671-2013, s. 8.

44.1. Every person who contravenes the second paragraph of section 9.1.1, section 26 or 27, the sixth paragraph of section 28.1, the fourth paragraph of section 28.2 or the third paragraph of section 29 commits an offence and is liable, in the case of a natural person, to a fine of \$2,000 to \$100,000 or, in other cases, to a fine of \$6,000 to \$600,000.

Every person who fails to attach to the plan, at the end of the growing season, the fertilization report actually carried out provided for in section 25 also commits an offence and is liable to the same fines.

O.C. 671-2013, s. 8.

44.2. Every person who contravenes the first paragraph of section 9.1.1, section 17.1, the second paragraph of section 20, section 23, the third or fourth paragraph of section 28.1, section 28.3, the first paragraph of section 29 or the sixth paragraph of section 35 commits an offence and is liable, in the case of a natural person, to a fine of \$2,500 to \$250,000 or, in other cases, to a fine of \$7,500 to \$1,500,000.

Every person who fails to ensure the follow-up of the recommendations contained in the agro-environmental plan at the end of the crop season in accordance with section 25 also commits an offence and is liable to the same fines.

O.C. 671-2013, s. 8.

44.3. Every person who contravenes section 8, 10 or 11, the first or third paragraph of section 12, section 13, 15, 17 or 19, the first or fifth paragraph of section 28.1, the first, second or third paragraph of section 28.2, the second or third paragraph of section 31, section 32, the first, second, third or fourth paragraph of section 35, the first or second paragraph of section 35.1 or section 37 or 38 commits an offence and is liable, in the case of a natural person, to a fine of \$4,000 to \$250,000 or, in other cases, to a fine of \$12,000 to \$1,500,000.

O.C. 671-2013, s. 8.

44.4. Every person who

(1) contravenes the second paragraph of section 4, the first paragraph of section 9, section 9.1, 9.3, 14 or 22, the first, second, third or fourth paragraph of section 39, the first or second paragraph of section 40, the first paragraph of section 50.3 or section 50.4,

(2) pursuant to this Regulation, makes a declaration, communicates information or files a document that is false or misleading,

commits an offence and is liable, in the case of a natural person, to a fine of \$5,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$15,000 to \$3,000,000.

O.C. 671-2013, s. 8.

44.5. Every person who contravenes section 6, the first paragraph of section 20, the first paragraph of section 20.1, the first paragraph of section 31 or section 50 commits an offence and is liable, in the case of a natural person, to a fine of \$8,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$24,000 to \$3,000,000.

O.C. 671-2013, s. 8.

44.6. Every person who contravenes the first paragraph of section 40, section 5, 18 or 29.1 or the first or third paragraph of section 30 commits an offence and is liable, in the case of a natural person, to a fine of \$10,000 to \$1,000,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 3 years, or to both the fine and imprisonment, or, in other cases, to a fine of \$30,000 to \$6,000,000.

O.C. 671-2013, s. 8.

44.7. Every person who contravenes any other requirement imposed by this Regulation also commits an offence and is liable, where no other penalty is provided for in this Division or the Environment Quality Act

(chapter Q-2), to a fine of \$1,000 to \$100,000 in the case of a natural person or, in other cases, to a fine of \$3,000 to \$600,000.

O.C. 671-2013, s. 8.

CHAPTER VI

TRANSITIONAL AND MISCELLANEOUS

DIVISION I

(Obsolete)

O.C. 695-2002, Div. I; O.C. 1098-2004, s. 2.

45. *(Obsolete)*.

O.C. 695-2002, s. 45; O.C. 1098-2004, s. 3.

46. *(Obsolete)*.

O.C. 695-2002, s. 46; O.C. 1330-2002, s. 3; O.C. 1098-2004, s. 4; O.C. 906-2005, s. 12.

47. *(Obsolete)*.

O.C. 695-2002, s. 47; O.C. 1330-2002, s. 4; O.C. 1098-2004, s. 5; O.C. 906-2005, s. 13.

47.1. *(Obsolete)*.

O.C. 1098-2004, s. 5; O.C. 906-2005, s. 14.

48. *(Revoked)*.

O.C. 695-2002, s. 48; O.C. 1330-2002, s. 5; O.C. 1098-2004, s. 6.

48.1. *(Obsolete)*.

O.C. 1330-2002, s. 6.

DIVISION I.1

(Revoked)

O.C. 906-2005, s. 15; O.C. 671-2013, s. 9.

48.2. *(Revoked)*.

O.C. 906-2005, s. 15; O.C. 606-2010, s. 27.

48.3. *(Revoked)*.

O.C. 906-2005, s. 15; O.C. 606-2010, s. 27.

48.4. *(Revoked)*.

O.C. 906-2005, s. 15; O.C. 671-2013, s. 9.

DIVISION II

MISCELLANEOUS

49. *(Revoked).*

O.C. 695-2002, s. 49; O.C. 606-2010, s. 28; O.C. 671-2013, s. 9.

50. The operator of a raising site existing on 15 June 2002 that was established in accordance with the law and whose annual phosphorus (P_2O_5) production combined with any other fertilizer used, if any, is greater than the phosphorus (P_2O_5) load that may be spread in accordance with Schedule I shall take the measures required to reduce that excess and comply with the following deadlines:

— from 1 April 2010, have available the areas required for the entire phosphorus (P_2O_5) load.

This section does not apply to operators of raising sites existing on 15 June 2002 who increase the number of animals in relation to the operating rights; operators must then have available the areas required for the entire phosphorus (P_2O_5) load produced combined with the load of any other fertilizer used.

O.C. 695-2002, s. 50; O.C. 671-2013, s. 10.

50.01. Despite the definition of “annual phosphorus (P_2O_5) production” provided for in section 3, the annual phosphorus (P_2O_5) production is determined, for the purposes of sections 9.3, 22, 28, 28.1, 39, 42 and 48.4, by multiplying the number of animals present and planned of a category in a raising site, specified in the yearly phosphorus report applicable to the growing season in progress or, as the case may be, in its latest update, by the factor assigned to that category in Schedule VII.

Where the number of animals present in a raising site at any time during a growing season is higher than the number specified in the phosphorus report or its latest update, the highest number must be used for the purpose of calculating the annual phosphorus production.

If more than one category of animals is present or planned in the raising site, the annual phosphorus production is the total obtained by adding the production of each category.

O.C. 606-2010, s. 29.

50.1. For the purposes of section 50.3, the area used for the crop cultivation concerned corresponds to the total area of each cultivated parcel.

For the purposes of subparagraphs 1 and 2 of the second paragraph of that section, the area used for crop cultivation during the 2004 or 2005 growing season may include, if applicable, the area of any other lot or part of a lot that has been cultivated at least once in the preceding 14 growing seasons.

O.C. 1098-2004, s. 7; O.C. 906-2005, s. 16; O.C. 269-2012, s. 3.

50.1.1. For the purposes of subparagraph 2.1 of the second paragraph of section 50.3, the area used for the cultivation of the trees concerned may include the area of any other lot or part of a lot of a raising site or spreading site where such trees have been cultivated at least once

(a) since the 2004 growing season for such a site situated in the territory of a municipality listed in Schedule II or III;

(b) since the 2005 growing season for such a site situated in the territory of a municipality listed in Schedule V.

The owner of a raising site or spreading site must, before restoring such an area to cultivation, declare it on the form provided by the Minister of Sustainable Development, Environment and Parks. In support of the declaration, the owner must attach one of the following documents to the declaration:

— a true copy certified by the Minister of Agriculture, Fisheries and Food of an aerial photograph of the raising site or spreading site on which the Minister indicates the year of the photograph, clearly identifies the area used for the cultivation of the trees concerned and specifies the area in hectares;

— a true copy certified by the Minister of Agriculture, Fisheries and Food of the part relating to areas under cultivation of a registration slip of the agricultural operation;

— a copy of the part relating to areas under cultivation of the agro-environmental fertilization plan of the agricultural operation, certified true by the agrologist who established the plan.

The declaration of the owner of the raising site or spreading site must be received by the Minister not later than 26 April 2015.

O.C. 269-2012, s. 4.

50.2. *(Revoked).*

O.C. 1098-2004, s. 7; O.C. 906-2005, s. 17.

50.3. No person may cultivate crops in the territory of a municipality listed in any of Schedules II to V. The prohibition does not apply to the following crop cultivation: trees, other than the types referred to in subparagraph 2.1 of the second paragraph, shrubs, blueberry, cranberry, strawberry or raspberry plants and vines.

Crop cultivation to which the prohibition applies is however authorized

(1) in a raising site or spreading site situated in the territory of a municipality listed in Schedule II or III and existing on 16 December 2004, over an area that does not exceed the area of that site used for such crop cultivation during the 2004 growing season;

(2) in a raising site or spreading site situated in the territory of a municipality listed in Schedule V and existing on 19 October 2005, over an area that does not exceed the area of that site used for such crop cultivation during the 2005 growing season;

(2.1) in a raising site or spreading site situated in the territory of a municipality listed in Schedules II, III and V and existing on 26 April 2012 over an area that does not exceed the area of that site used for crop cultivation during the 2011 growing season for the cultivation of fruit trees or conifers cultivated and used for ornamental purposes and harvested without their root systems; or

(3) on land whose area used for crop cultivation does not exceed 1 hectare.

O.C. 1098-2004, s. 7; O.C. 906-2005, s. 18; O.C. 606-2010, s. 30; O.C. 269-2012, s. 5.

50.3.1. Despite the first paragraph of section 50.3, crop cultivation to which the prohibition applies is permitted before the planting of land intended for crop cultivation to which the prohibition does not apply or between 2 production cycles on a parcel used for crop cultivation to which the prohibition does not apply for a maximum period of 24 months, on the following conditions:

(a) an agrologist recommends it in writing to the person who cultivates the parcel or land;

(b) the agrologist's recommendation shows that the chosen crop will allow to solve a phytosanitary problem affecting the parcel or will improve the physicochemical and biological properties of the soil of the parcel or, before its planting, of the land concerned;

(c) the agrologist's recommendation specifies the area in hectares of the chosen crop, its duration and the designation of the parcel or land.

The recommendation must be kept by the person who cultivates the parcel or land for a minimum of 5 years from the date of signature by the agrologist or be attached to the agro-environmental fertilization plan where the person is required to establish an agro-environmental fertilization plan under section 22. The person who cultivates the parcel or land must provide a copy of that recommendation to the Minister on request within the time indicated by the Minister.

O.C. 269-2012, s. 6.

50.4. The owner of a raising site or a spreading site referred to in subparagraph 1, 2 or 2.1 of the second paragraph of section 50.3 may move a cultivated parcel provided that the owner sends a written notice to that effect to the director of the Centre de contrôle environnemental in the region where the raising site or spreading site is situated at least 30 days before seeding or planting the new parcel. The owner must indicate to the Minister the designation and the area in hectares of the parcel that will no longer be used for crop cultivation to which the prohibition applies and of the new parcel, as well as the name of the municipality where each parcel is situated.

O.C. 906-2005, s. 19; O.C. 606-2010, s. 31; O.C. 269-2012, s. 7.

50.5. Subject to section 35, any document, declaration of compliance or notice sent to the Minister, to the director of a Direction régionale de l'analyse et de l'expertise or to the regional director of a Centre de contrôle environnemental under this Regulation must be sent by registered mail or by any other means providing proof of receipt.

O.C. 606-2010, s. 32; O.C. 269-2012, s. 8; I.N. 2016-01-01 (NCCP); I.N. 2019-12-01.

51. (*Obsolete*).

O.C. 695-2002, s. 51; O.C. 906-2005, s. 20.

52. The requirement related to the agro-environmental fertilization plan under section 22 applies from

— 1 April 2003 for operators of spreading sites; and

— 1 April 2004 for raising sites with solid manure management whose annual phosphorus (P₂O₅) production is less than 3,200 kg but greater than 1,600 kg.

O.C. 695-2002, s. 52.

53. The provisions of this Regulation apply to the immovables in a reserved area or an agricultural zone established under the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1).

O.C. 695-2002, s. 53.

54. This Regulation replaces the Regulation respecting the reduction of pollution from agricultural sources (O.C. 742-97, 97-06-04).

O.C. 695-2002, s. 54.

55. The Minister shall, not later than 15 June 2005, and thereafter every 5 years, report to the Government on the implementation of this Regulation, in particular on the necessity of changing the manure management standards based on current scientific and technical knowledge.

O.C. 695-2002, s. 55; O.C. 606-2010, s. 33.

56. Section 7 relating to the storage of solid manure piles in cultivated fields ceases to have effect on 19 October 2005.

Sections 45 and 47.1 concerning limited activity territories and swine production cease to have effect on 15 December 2005.

O.C. 695-2002, s. 56; O.C. 1197-2003, s. 1; O.C. 1098-2004, s. 8; O.C. 883-2005, s. 1.

57. *(Omitted).*

O.C. 695-2002, s. 57.

SCHEDULE I

(ss. 3, 20, 35 and 50)

CHARTS OF MAXIMUM ANNUAL DEPOSITS FOR ALL FERTILIZERS USED ON A PARCEL ACCORDING TO THE CROP GROWN AND EXPRESSED IN KILOGRAMS OF TOTAL PHOSPHORUS (P₂O₅) PER HECTARE

CORN

Phosphorus content (kg P/ha)	Percentage of phosphorus saturation (P/A1)	Crop yields (MT/ha at 15% humidity)		
		< 7	7 to 9	> 9
0 - 30	-	140	150	160
31 - 60	-	130	140	150
61 - 90	-	120	130	140
91 - 120	-	110	120	130
121 - 150	-	100	110	120
151 - 250	<5	90	100	110
	5 to 10	75	85	95
	>10	50	60	70
251 - 500	≤10	65	75	85
	>10	50	60	70
501 and more	-	40	50	60

CEREAL (OATS, WHEAT, BARLEY) AND SOYA

ENVIRONMENT QUALITY — AGRICULTURAL OPERATIONS

MEADOWS AND PASTURES

Phosphorus content (kg P/ha)	Percentage of phosphorus saturation (P/A1)	Crop yields (MT/ha at 15% humidity)		
		< 2.5 ¹	2.5 to 3.5 ¹	> 3.5 ¹
		< 5 ²	5 to 7 ²	> 7 ²
0 - 30	-	120	130	140
31 - 60	-	110	120	130
61 - 90	-	100	110	120
91 - 120	-	90	100	110
121 - 150	-	80	90	100
151 - 250	<5	70	80	90
	5 à 10	55	65	75
	>10	30	40	50
251 - 500	≤10	45	55	65
	>10	30	40	50
501 and more	-	20	30	40

¹ THIS LINE REFERS TO CEREAL AND SOYA.

² THIS LINE REFERS TO MEADOWS AND PASTURES.

NOTES

(1) This Schedule is used to calculate the minimum area required to comply with section 20 or 20.1 of the Regulation. The minimum area required corresponds to the areas necessary to dispose of the phosphorus (P_2O_5) load from the raising site, from which the phosphorus (P_2O_5) load, if any, treated or eliminated in accordance with section 19 has been subtracted. The load of any other fertilizer used in conjunction with livestock waste on cultivated parcels must be considered in the calculation of the minimum area in accordance with the conditions of this Schedule.

(2) This Schedule refers to a total maximum deposit of phosphorus (P_2O_5) and not to a deposit of available phosphorus (P_2O_5). The deposit of phosphorus (P_2O_5) is based on the type of crops, crop yield, richness of the soil and phosphorus saturation rate of the parcel in question.

(3) The values of maximum deposits are not fertilization recommendations. An agrologist may, in an agro-environmental fertilization plan, recommend fertilization for a given parcel greater than the value appearing in this Schedule.

Notwithstanding the foregoing, if the total deposit recommended by an agrologist for all parcels and the years referred to in the agro-environmental fertilization plan is greater than the deposit calculated by using this Schedule, the agrologist preparing the plan will have to specify in the plan the agrological and environmental reasons justifying the excess and inform the director of the Direction de l'analyse et de l'expertise in the region where the raising site or spreading site is situated thereof in writing.

The agrologist must, through fertilization recommendations, ensure that the level of soil phosphorus saturation (P/Al) is lowered to a value less than 7.6% for soil with a clay content greater than 30% and to 13.1% for soil with a clay content equal to or less than 30% and that it is maintained below that value.

(4) The deposit calculated using this Schedule is the sum of the deposits of phosphorus (P_2O_5) that may be spread on each of the parcels referred to in the agro-environmental plan. The deposit of phosphorus (P_2O_5) that may be spread on a parcel is obtained by multiplying the number of hectares of the parcel by the value indicated in this Schedule for the parcel in question.

(5) In the absence of analysis of the soil specifying the richness of the soil and the phosphorus saturation rate of a parcel, it is possible to use the average value of the analyses of neighbouring parcels. If no analysis is available, the deposit value that must be retained is the value corresponding to a soil richness of 501 and more.

(6) The crop yield for a given parcel is determined from the actual yields of the last 5 years in the following manner:

— for an agricultural operation where a crop is insured by an individual crop insurance program of La Financière agricole du Québec, the crop yield for the agricultural operation shall be used;

— for an agricultural operation where a crop is insured by a collective crop insurance program of La Financière agricole du Québec, the average value of the zone of the agricultural area shall be used; and

— for an agricultural operation where a crop is not insured by La Financière agricole du Québec, the operation's crop yield measured according to a method recognized by La Financière agricole du Québec or the average value for the zone of agricultural area determined under the collective crop insurance program shall be used.

(7) For an agricultural operation that operates parcels referred to in an agro-environmental fertilization plan with types of crops that are not referred to in the chart, the maximum deposits of phosphorus (P_2O_5) on those parcels in particular shall be set by the agrologist preparing the plan. The agrologist shall also specify in the plan the reasons justifying the values of the recommended maximum deposits.

O.C. 695-2002, Sch. I; O.C. 606-2010, s. 34.

SCHEDULE II

(s. 50.3)

LIST OF MUNICIPALITIES

48028	Acton Vale	V
31056	Adstock	M
93042	Alma	V
55008	Ange-Gardien	M
19037	Armagh	M
27028	Beauceville	V
48005	Béthanie	M
42040	Bonsecours	M
46090	Brigham	M
46070	Brome	VL
47005	Bromont	V
39030	Chesterville	M
44037	Coaticook	V
44071	Compton	M
41038	Cookshire-Eaton	V
61013	Crabtree	M
40047	Danville	V
31020	Disraeli	P
44023	Dixville	M
33040	Dosquet	M
49058	Drummondville	V
46050	Dunham	V
46085	Eas Farnham	M
44010	East Hereford	M
46112	Farnham	V
38047	Fortierville	M
26005	Frampton	M
47017	Granby	V
45043	Hatley	M
93025	Hébertville-Station	VL
19070	Honfleur	M
32058	Inverness	M
78042	Ivry-sur-le-Lac	M
14050	Kamouraska	M
31105	Kinnear's Mills	M
19090	La Durantaye	P
29030	La Guadeloupe	VL
54035	La Présentation	M
46075	Lac-Brome	V
28053	Lac-Etchemin	M
30095	Lambton	M
32072	Laurierville	M
49025	L'Avenir	M
42045	Lawrenceville	VL
33123	Leclercville	M
49020	Lefebvre	M
60040	L'Épiphanie	P
25213	Lévis	V
51015	Louiseville	V
32065	Lyster	M

ENVIRONMENT QUALITY — AGRICULTURAL OPERATIONS

39165	Maddington	CT
42065	Maricourt	M
44060	Martinville	M
42075	Melbourne	CT
56097	Mont-Saint-Grégoire	M
41037	Newport	M
39045	Norbertville	VL
32080	Notre-Dame-de-Lourdes	P
49080	Notre-Dame-du-Bon-Conseil	P
33085	Notre-Dame-du-Sacré-Coeur-d' Issoudun	P
50113	Pierreville	M
32045	Plessisville	P
32033	Princeville	V
42032	Racine	M
55037	Rougemont	M
48015	Roxton	CT
48010	Roxton Falls	VL
47047	Roxton Pond	M
31130	Sacré-Coeur-de-Jésus	P
31095	Saint-Adrien-d'Irlande	M
33045	Saint-Agapit	M
39085	Saint-Albert	M
14035	Saint-Alexandre-de-Kamouraska	M
63025	Saint-Alexis	P
47010	Saint-Alphonse-de-Granby	M
61040	Saint-Ambroise-de-Kildare	P
14040	Saint-André	M
19062	Saint-Anselme	M
33090	Saint-Apollinaire	M
51025	Saint-Barnabé	P
54105	Saint-Barnabé-Sud	M
28025	Saint-Benjamin	M
29100	Saint-Benoît-Labre	M
26055	Saint-Bernard	M
54115	Saint-Bernard-de-Michaudville	M
93030	Saint-Bruno	M
40025	Saint-Camille	CT
55023	Saint-Césaire	V
19097	Saint-Charles-de-Bellechasse	M
39060	Saint-Christophe-d'Arthabaska	P
54060	Saint-Dominique	M
33017	Sainte-Agathe-de-Lotbinière	M
78032	Sainte-Agathe-des-Monts	V
51055	Sainte-Angèle-de-Prémont	M
42050	Sainte-Anne-de-la-Rochelle	M
39150	Sainte-Anne-du-Sault	M
56105	Sainte-Brigide-d'Iberville	M
47055	Sainte-Cécile-de-Milton	CT
48020	Sainte-Christine	P
19055	Sainte-Claire	M
31060	Sainte-Clotilde-de-Beauce	M
39117	Sainte-Clotilde-de-Horton	M
49100	Saint-Edmond-de-Grantham	P
33080	Saint-Édouard-de-Lotbinière	P
44055	Sainte-Edwidge-de-Clifton	CT
39090	Sainte-Élizabeth-de-Warwick	M
38035	Sainte-Françoise	M

ENVIRONMENT QUALITY — AGRICULTURAL OPERATIONS

14025	Sainte-Hélène	M
54095	Sainte-Hélène-de-Bagot	M
26040	Sainte-Hénédine	P
63060	Sainte-Julienne	M
26022	Saint-Elzéar	M
54025	Sainte-Madeleine	VL
26035	Sainte-Marguerite	P
26030	Sainte-Marie	V
38015	Sainte-Marie-de-Blandford	M
63005	Sainte-Marie-Salomé	P
61050	Sainte-Mélanie	M
29112	Saint-Éphrem-de-Beauce	M
28030	Sainte-Rose-de-Watford	M
46105	Sainte-Sabine	M
39105	Sainte-Séraphine	P
75028	Sainte-Sophie	M
38040	Sainte-Sophie-de-Lévrard	P
32023	Sainte-Sophie-d'Halifax	M
63030	Saint-Esprit	M
49105	Saint-Eugène	M
51040	Sainte-Ursule	P
62007	Saint-Félix-de-Valois	M
33052	Saint-Flavien	M
31030	Saint-Fortunat	M
42020	Saint-François-Xavier-de-Brompton	P
27065	Saint-Frédéric	P
52085	Saint-Gabriel-de-Brandon	P
40032	Saint-Georges-de-Windsor	M
14045	Saint-Germain	P
49048	Saint-Germain-de-Grantham	M
19075	Saint-Gervais	M
33035	Saint-Gilles	P
19068	Saint-Henri	M
44015	Saint-Herménégilde	M
29038	Saint-Honoré-de-Shenley	M
54100	Saint-Hugues	M
54048	Saint-Hyacinthe	V
46095	Saint-Ignace-de-Stanbridge	M
26063	Saint-Isidore	M
31140	Saint-Jacques-de-Leeds	M
33065	Saint-Janvier-de-Joly	M
57033	Saint-Jean-Baptiste	M
62015	Saint-Jean-de-Matha	M
75017	Saint-Jérôme	V
47040	Saint-Joachim-de-Shefford	P
27043	Saint-Joseph-de-Beauce	V
14030	Saint-Joseph-de-Kamouraska	P
27050	Saint-Joseph-des-Érables	M
54110	Saint-Jude	M
27055	Saint-Jules	P
26070	Saint-Lambert-de-Lauzon	P
19050	Saint-Lazare-de-Bellechasse	M
19020	Saint-Léon-de-Standon	P
51035	Saint-Léon-le-Grand	P
54072	Saint-Liboire	M
63065	Saint-Liguori	P
63048	Saint-Lin-Laurentides	V

ENVIRONMENT QUALITY — AGRICULTURAL OPERATIONS

54120	Saint-Louis	M
49030	Saint-Lucien	P
19025	Saint-Malachie	P
44003	Saint-Malo	M
29045	Saint-Martin	P
19110	Saint-Michel-de-Bellechasse	M
33030	Saint-Narcisse-de-Beaurivage	P
48050	Saint-Nazaire-d'Acton	P
19015	Saint-Nazaire-de-Dorchester	P
19045	Saint-Nérée	P
52070	Saint-Norbert	P
39042	Saint-Norbert-d'Arthabaska	M
27035	Saint-Odilon-de-Cranbourne	P
14070	Saint-Pacôme	M
14018	Saint-Pascal	V
33025	Saint-Patrice-de-Beaurivage	M
61005	Saint-Paul	M
55015	Saint-Paul-d'Abbotsford	M
51060	Saint-Paulin	M
29065	Saint-Philibert	M
14060	Saint-Philippe-de-Néri	P
54008	Saint-Pie	V
61020	Saint-Pierre	VL
31135	Saint-Pierre-de-Broughton	M
19082	Saint-Raphaël	M
63035	Saint-Roch-de-l'Achigan	M
63040	Saint-Roch-Ouest	M
39145	Saint-Rosaire	P
26010	Saints-Anges	P
27070	Saint-Séverin	P
54090	Saint-Simon	P
29125	Saint-Simon-les-Mines	M
38005	Saint-Sylvère	M
33007	Saint-Sylvestre	M
48045	Saint-Théodore-d'Acton	P
39135	Saint-Valère	M
54065	Saint-Valérien-de-Milton	CT
44005	Saint-Venant-de-Paquette	M
27008	Saint-Victor	M
50023	Saint-Wenceslas	M
28005	Saint-Zacharie	M
50090	Saint-Zéphirin-de-Courval	P
26048	Scott	M
47035	Shefford	CT
46030	Stanbridge Station	M
44050	Stanstead-Est	M
42005	Stoke	M
30110	Stratford	CT
31084	Thetford Mines	V
27060	Tring-Jonction	VL
48038	Upton	M
33070	Val-Alain	M
42060	Valcourt	CT
42095	Val-Joli	M
26015	Vallée-Jonction	M
39062	Victoriaville	V
32085	Villeroy	M

ENVIRONMENT QUALITY — AGRICULTURAL OPERATIONS

47030	Warden	VL
39077	Warwick	V
41098	Weedon	M
41065	Westbury	CT
49040	Wickham	M
40017	Wotton	M
51020	Yamachiche	M.

O.C. 695-2002, Sch. II; O.C. 1098-2004, s. 9; O.C. 906-2005, s. 21; O.C. 606-2010, s. 35.

SCHEDULE III

(s. 50.3)

LIST OF MUNICIPALITIES

46005	Abercorn	VL
92030	Albanel	M
40043	Asbestos	V
41055	Ascot Corner	M
50013	Aston-Jonction	M
30055	Audet	M
45085	Austin	M
45035	Ayer's Cliff	VL
62906	Baie-de-la-Bouteille	NO
50100	Baie-du-Febvre	M
44045	Barnston-Ouest	M
70022	Beauharnois	V
31008	Beaulac-Garthby	M
19105	Beaumont	M
38010	Bécancour	V
46035	Bedford	V
57040	Beloeil	V
52035	Berthierville	V
73015	Blainville	V
45095	Bolton-Est	M
46065	Bolton-Ouest	M
58033	Boucherville	V
58007	Brossard	V
76043	Brownsburg-Chatham	V
41070	Bury	M
59030	Calixa-Lavallée	P
67020	Candiac	V
57010	Carignan	V
57005	Chambly	V
51080	Charette	M
60005	Charlemagne	V
41020	Chartierville	M
67050	Châteauguay	V
62047	Chertsey	M
42110	Cleveland	CT
59035	Contrecoeur	V
30090	Courcelles	P
46080	Cowansville	V
39155	Daveluyville	V
67025	Delson	V
38070	Deschailions-sur-Saint-Laurent	M
31015	Disraeli	V
41117	Dudswell	M
69075	Dundee	CT
49015	Durham-Sud	M
41060	East Angus	V
31122	East Broughton	M
45093	Eastman	M
69050	Elgin	CT
62053	Entrelacs	M

ENVIRONMENT QUALITY — AGRICULTURAL OPERATIONS

77011	Estérel	V
69010	Franklin	M
46010	Frelighsburg	M
30025	Frontenac	M
92055	Girardville	M
69060	Godmanchester	CT
76025	Gore	CT
50065	Grand-Saint-Esprit	M
76052	Grenville-sur-la-Rouge	M
39010	Ham-Nord	CT
41075	Hampden	CT
45055	Hatley	CT
69005	Havelock	CT
93020	Hébertville	M
68015	Hemmingford	CT
56042	Henryville	M
69045	Hinchinbrooke	CT
69025	Howick	VL
69055	Huntingdon	V
31040	Irlande	M
61025	Joliette	V
42070	Kingsbury	VL
39097	Kingsey Falls	V
41027	La Patrie	M
67015	La Prairie	V
50085	La Visitation-de-Yamaska	M
22040	Lac-Beauport	M
22030	Lac-Delage	V
62914	Lac-des-Dix-Milles	NO
30080	Lac-Drolet	M
76020	Lachute	V
62910	Lac-Legendre	NO
30030	Lac-Mégantic	V
62902	Lac-Minaki	NO
56023	Lacolle	M
16902	Lac-Pikauba	NO
29095	Lac-Poulin	VL
78095	Lac-Supérieur	M
23057	L'Ancienne-Lorette	V
52017	Lanoraie	M
78015	Lantier	M
94265	Larouche	M
60028	L'Assomption	V
33060	Laurier-Station	VL
52007	Lavaltrie	V
38020	Lemieux	M
60035	L'Épiphanie	V
67055	Léry	V
41085	Lingwick	CT
58227	Longueuil	V
33115	Lotbinière	M
45072	Magog	V
52095	Mandeville	M
38028	Manseau	M
55048	Marieville	V
30035	Marston	CT
64015	Mascouche	V

ENVIRONMENT QUALITY — AGRICULTURAL OPERATIONS

53010	Massueville	VL
57025	McMasterville	VL
67045	Mercier	V
30040	Milan	M
76030	Mille-Isles	M
74005	Mirabel	V
78055	Montcalm	M
14005	Mont-Carmel	M
57035	Mont-Saint-Hilaire	V
77050	Morin-Heights	M
30045	Nantes	M
68030	Napierville	VL
50072	Nicolet	V
92040	Normandin	V
45050	North Hatley	VL
19010	Notre-Dame-Auxiliatrice-de-Buckland	P
39015	Notre-Dame-de-Ham	M
62055	Notre-Dame-de-la-Merci	M
61045	Notre-Dame-de-Lourdes	M
30010	Notre-Dame-des-Bois	M
29120	Notre-Dame-des-Pins	P
61030	Notre-Dame-des-Prairies	V
46100	Notre-Dame-de-Stanbridge	P
49075	Notre-Dame-du-Bon-Conseil	VL
56015	Noyan	M
45020	Ogden	M
45115	Orford	CT
69037	Ormstown	M
57030	Otterburn Park	V
38055	Parisville	P
77030	Piedmont	M
30020	Piopolis	M
32040	Plessisville	V
45030	Potton	CT
75040	Prévost	V
23027	Québec	V
62037	Rawdon	M
60013	Repentigny	V
55057	Richelieu	V
42098	Richmond	V
77065	Saint-Adolphe-d'Howard	M
40010	Saint-Adrien	M
53015	Saint-Aimé	P
56055	Saint-Alexandre	M
63020	Saint-Alexis	VL
51065	Saint-Alexis-des-Monts	P
27015	Saint-Alfred	M
62025	Saint-Alphonse-Rodriguez	M
59015	Saint-Amable	M
76008	Saint-André-d'Argenteuil	M
69070	Saint-Anicet	P
33095	Saint-Antoine-de-Tilly	M
57075	Saint-Antoine-sur-Richelieu	M
46017	Saint-Armand	M
23072	Saint-Augustin-de-Desmaures	V
30005	Saint-Augustin-de-Woburn	P
57020	Saint-Basile-le-Grand	V

ENVIRONMENT QUALITY — AGRICULTURAL OPERATIONS

45080	Saint-Benoît-du-Lac	M
68005	Saint-Bernard-de-Lacolle	P
56065	Saint-Blaise-sur-Richelieu	M
49125	Saint-Bonaventure	M
14010	Saint-Bruno-de-Kamouraska	M
58037	Saint-Bruno-de-Montarville	V
63055	Saint-Calixte	M
50030	Saint-Célestin	VL
61035	Saint-Charles-Borromée	M
57057	Saint-Charles-sur-Richelieu	M
69017	Saint-Chrysostome	M
42100	Saint-Claude	M
52075	Saint-Cléophas-de-Brandon	M
75005	Saint-Colomban	P
62065	Saint-Côme	P
29057	Saint-Côme-Linière	M
67035	Saint-Constant	V
52062	Saint-Cuthbert	M
28040	Saint-Cyprien	P
68035	Saint-Cyprien-de-Napierville	P
49070	Saint-Cyrille-de-Wendover	M
54017	Saint-Damase	M
62075	Saint-Damien	P
19030	Saint-Damien-de-Buckland	P
53005	Saint-David	P
42025	Saint-Denis-de-Brompton	P
57068	Saint-Denis-sur-Richelieu	M
62060	Saint-Donat	M
77022	Sainte-Adèle	V
55030	Sainte-Angèle-de-Monnoir	M
56060	Sainte-Anne-de-Sabrevois	P
77035	Sainte-Anne-des-Lacs	P
53065	Sainte-Anne-de-Sorel	M
73035	Sainte-Anne-des-Plaines	V
28015	Sainte-Aurélie	M
69065	Sainte-Barbe	P
62020	Sainte-Béatrix	M
22045	Sainte-Brigitte-de-Laval	M
49085	Sainte-Brigitte-des-Saults	P
67030	Sainte-Catherine	V
45060	Sainte-Catherine-de-Hatley	M
38060	Sainte-Cécile-de-Lévrard	P
30050	Sainte-Cécile-de-Whitton	M
68020	Sainte-Clotilde-de-Châteauguay	P
33102	Sainte-Croix	M
92050	Saint-Edmond-les-Plaines	M
68045	Saint-Édouard	P
52030	Sainte-Élisabeth	P
62070	Sainte-Émélie-de-l'Énergie	M
50005	Sainte-Eulalie	M
52040	Sainte-Geneviève-de-Berthier	P
39035	Sainte-Hélène-de-Chester	M
59010	Sainte-Julie	V
28045	Sainte-Justine	M
51075	Saint-Élie-de-Caxton	M
50095	Saint-Elphège	P
78020	Sainte-Lucie-des-Laurentides	M

ENVIRONMENT QUALITY — AGRICULTURAL OPERATIONS

62030	Sainte-Marcelline-de-Kildare	M
77012	Sainte-Marguerite-du-Lac-Masson	V
54030	Sainte-Marie-Madeleine	P
70012	Sainte-Martine	M
50057	Sainte-Monique	M
50050	Sainte-Perpétue	P
31050	Sainte-Praxède	P
28065	Sainte-Sabine	P
70030	Saint-Étienne-de-Beauharnois	M
45100	Saint-Étienne-de-Bolton	M
29025	Saint-Évariste-de-Forsyth	M
53025	Sainte-Victoire-de-Sorel	P
78047	Saint-Faustin-Lac-Carré	M
91042	Saint-Félicien	V
49005	Saint-Félix-de-Kingsey	M
32013	Saint-Ferdinand	M
50128	Saint-François-du-Lac	M
52080	Saint-Gabriel	V
22025	Saint-Gabriel-de-Valcartier	M
14075	Saint-Gabriel-Lalemant	M
93035	Saint-Gédéon	M
29013	Saint-Gédéon-de-Beauce	M
29073	Saint-Georges	V
56010	Saint-Georges-de-Clarenceville	M
53085	Saint-Gérard-Majella	P
49113	Saint-Guillaume	M
62912	Saint-Guillaume-Nord	NO
29020	Saint-Hilaire-de-Dorset	P
75045	Saint-Hippolyte	P
67040	Saint-Isidore	P
41012	Saint-Isidore-de-Clifton	M
63013	Saint-Jacques	M
31025	Saint-Jacques-le-Majeur-de-Wolfestown	P
68040	Saint-Jacques-le-Mineur	P
31100	Saint-Jean-de-Brébeuf	M
56083	Saint-Jean-sur-Richelieu	V
31045	Saint-Joseph-de-Coleraine	M
40005	Saint-Joseph-de-Ham-Sud	P
53050	Saint-Joseph-de-Sorel	V
31035	Saint-Julien	M
58012	Saint-Lambert	V
50042	Saint-Léonard-d'Aston	M
39170	Saint-Louis-de-Blandford	P
70035	Saint-Louis-de-Gonzague	P
28060	Saint-Luc-de-Bellechasse	M
30072	Saint-Ludger	M
28075	Saint-Magloire	M
49095	Saint-Majorique-de-Grantham	P
54125	Saint-Marcel-de-Richelieu	M
57050	Saint-Marc-sur-Richelieu	M
55065	Saint-Mathias-sur-Richelieu	M
67005	Saint-Mathieu	M
57045	Saint-Mathieu-de-Beloeil	M
51070	Saint-Mathieu-du-Parc	M
68050	Saint-Michel	P
62085	Saint-Michel-des-Saints	M
53032	Saint-Ours	V

ENVIRONMENT QUALITY — AGRICULTURAL OPERATIONS

68025	Saint-Patrice-de-Sherrington	P
56035	Saint-Paul-de-l'île-aux-Noix	P
19005	Saint-Philémon	P
67010	Saint-Philippe	M
49130	Saint-Pie-de-Guire	P
32050	Saint-Pierre-Baptiste	P
46025	Saint-Pierre-de-Véronne-à-Pike-River	M
38065	Saint-Pierre-les-Becquets	M
72043	Saint-Placide	M
28020	Saint-Prosper	M
68055	Saint-Rémi	V
39020	Saint-Rémi-de-Tingwick	P
29050	Saint-René	P
53020	Saint-Robert	P
30070	Saint-Robert-Bellarmin	M
53040	Saint-Roch-de-Richelieu	M
30100	Saint-Romain	M
39130	Saint-Samuel	P
77043	Saint-Sauveur	V
30085	Saint-Sébastien	M
51030	Saint-Sévère	P
39005	Saints-Martyrs-Canadiens	P
70040	Saint-Stanislas-de-Kostka	M
60020	Saint-Sulpice	P
29005	Saint-Théophile	M
61027	Saint-Thomas	M
92045	Saint-Thomas-Didyme	M
70005	Saint-Urbain-Premier	M
56030	Saint-Valentin	M
19117	Saint-Vallier	M
62080	Saint-Zénon	M
41080	Scotstown	V
22020	Shannon	M
43027	Sherbrooke	V
53052	Sorel-Tracy	V
46045	Stanbridge East	M
45008	Stanstead	V
22035	Stoneham-et-Tewkesbury	CU
30105	Stornoway	M
45105	Stukely-Sud	VL
46058	Sutton	V
64008	Terrebonne	V
39025	Tingwick	P
69030	Très-Saint-Sacrement	P
42078	Ulverton	M
42055	Valcourt	V
78010	Val-David	VL
78100	Val-des-Lacs	M
78005	Val-Morin	M
30015	Val-Racine	P
59020	Varenes	V
56005	Venise-en-Québec	M
59025	Verchères	M
47025	Waterloo	V
44080	Waterville	V
76035	Wentworth	CT
77060	Wentworth-Nord	M

ENVIRONMENT QUALITY — AGRICULTURAL OPERATIONS

42088	Windsor	V
53072	Yamaska	M.

O.C. 1098-2004, s. 10; O.C. 906-2005, s. 21; O.C. 606-2010, s. 36.

SCHEDULE IV

(Revoked).

O.C. 906-2005, s. 22; O.C. 606-2010, s. 37.

SCHEDULE V

(s. 50.3)

LIST OF MUNICIPALITIES

46040	Bedford	CT
68010	Hemmingford	VL
50035	Saint-Célestin	M
28035	Saint-Louis-de-Gonzague	M
56050	Saint-Sébastien	P
45025	Stanstead	CT.

O.C. 906-2005, s. 22; O.C. 606-2010, s. 38.

SCHEDULE VI

(s. 28.2)

ANNUAL PHOSPHORUS (P₂O₅) PRODUCTION

Type of animal	Category ¹	Factor ((P ₂ O ₅)/animal space (kg)) ²
Dairy cattle	Dairy cow of a breed other than Canadienne or Jersey and its 11-day calf	62.2
	Dairy heifer of a breed other than Canadienne or Jersey (> 15 month until first lactation)	38.8
	Dairy heifer calf of a breed other than Canadienne or Jersey (from 12 days to 15 months)	16.4
	Jersey dairy cow and its 11-day calf	28.1
	Jersey dairy heifer (> 15 months until first lactation)	17.5
	Jersey dairy heifer calf (from 12 days to 15 months)	7.4
	Canadienne dairy cow and its 11-day calf	56.5
	Canadienne dairy heifer (> 15 months until first lactation)	35.3
	Canadienne dairy heifer calf (from 12 days to 15 months)	15.0
	Dairy bull	25.1
	Slaughter cow and its calf	32.9

ENVIRONMENT QUALITY — AGRICULTURAL OPERATIONS

	Slaughter heifer (> 15 months until first calving)	23.5
	Slaughter heifer calf (from 8 months to 15 months)	15.7
	Feeder cattle (backgrounding cattle and finishing cattle)	30.5
	Backgrounding cattle (from 268 to 400 kg)	19.1
Beef cattle	Finishing cattle (> 400 kg)	37.7
	Slaughter bull (\leq 12 months)	22.9
	Slaughter bull (> 12 months)	30.8
	Adult buffalo - male or female	29.9
	Grain-fed calf (nursery and finishing)	12.0
	Grain-fed calf nursery (from 64 to 95 kg)	5.46
	Finishing grain-fed calf (> 95 to 286 kg)	14.4
	Veal calf	5.56
	Sow and unweaned piglets	12.7
	Gilt	8.04
	Weanling (\leq 25 kg)	1.49
Suidae	Feeder pig (> 25 kg until live weight at slaughter \leq 107 kg)	4.60
	Feeder pig (> 25 kg until live weight at slaughter \leq 107 kg)	5.70

ENVIRONMENT QUALITY — AGRICULTURAL OPERATIONS

	Boar	21.5
	Adult wild boar - male or female	16.6
	Broiler - male (≤ 3.0 kg)	0.313
	Broiler - female (≤ 3.0 kg)	0.246
	Roaster - male or female (> 3.0 kg)	0.362
	Broiler turkey - male or female (≤ 9.9 kg)	0.724
	Heavy turkey - male or female (> 9.9 kg)	1.57
	Pullet - eggs for consumption	0.188
Poultry	Laying hen - eggs for consumption	0.456
	Pullet - hatching eggs	0.185
	Rooster - hatching eggs	0.226
	Laying hen - hatching eggs	0.710
	Quail (meat) - male or female	0.054
	Pheasant - male or female	0.214
	Guinea fowl - male or female	0.223
	Peacock - male or female	0.600
	Ewe and its milk-fed lambs	6.54
	Adult ram	7.25

ENVIRONMENT QUALITY — AGRICULTURAL OPERATIONS

Ovine	Replacement ewe lamb (final live weight \leq 55 kg)	1.61
	Light lamb - male or female (final live weight \leq 30 kg)	0.292
	Heavy lamb - male or female (final live weight \leq 47 kg)	0.894
Caprine	Angora goat (\geq 1 year)	7.20
	Dairy goat (\geq 1 year)	7.20
	Slaughter goat	7.20
	Adult billy goat	7.20
	Nanny goat or kid (from 3 days to 364 days)	2.76
Anatidae	Goose - male or female	0.708
	Duck - male or female	0.769
	Peking duck - male or female	0.595
Cervidae	Red deer - male or female	2.84
	White-tailed deer - male or female	2.84
	Elk - male or female	5.81
	Fallow deer - male or female	2.84
Equidea	Stallion	22.6
	Gelding	27.8
	Mare and its unweaned offspring	32.2

ENVIRONMENT QUALITY — AGRICULTURAL OPERATIONS

	Colt or filly	16.1
Struthionidae and ratitae	Ostrich - male or female	31.0
	Feeder ostrich - male or female	12.0
	Rhea - male or female	12.0
	Emu - male or female	10.1
	Feeder emu - male or female	3.56
Leporidae	Female rabbit and its offspring until slaughter	6.61
Fur animals	Female chinchilla and its unweaned offspring	0.132
	Female mink and its offspring until slaughter	0.983
	Adult mink - male	0.502
Other types	Llama - male or female	2.76

(1) A category of animal not listed in the Schedule is deemed to have an annual phosphorus (P_2O_5) production/animal space referred to in the following table based on the live weight of the animal at the end of the raising period:

Live weigh of the animal at the end of the raising period (kg)	Factor $((P_2O_5)/\text{animal space (kg)})^2$
< 1	0.12
≥ 1 and < 5	0.6

ENVIRONMENT QUALITY — AGRICULTURAL OPERATIONS

≥ 5 and < 10	1.2
≥ 10 and < 20	2.4
≥ 20 and < 100	12
≥ 100 and < 500	30
≥ 500	60

(2) Where the animals are not raised in a raising facility, the factor “ $(P_2O_5)/\text{animal space (kg)}$ ” is replaced by the factor “ $(P_2O_5)/\text{animal (kg)}$ ”.

O.C. 606-2010, s. 39; O.C. 269-2012, s. 9.

SCHEDULE VII

(ss. 35 and 50.01)

ANNUAL PHOSPHORUS (P₂O₅) PRODUCTION

Type of animal	Category ¹	Factor ((P ₂ O ₅)/animal space (kg)) ²
Dairy cattle	Dairy cow of a breed other than Canadienne or Jersey and its 11-day calf	51.8
	Dairy heifer of a breed other than Canadienne or Jersey (> 15 month until first lactation)	32.3
	Dairy heifer calf of a breed other than Canadienne or Jersey (from 12 days to 15 months)	13.7
	Jersey dairy cow and its 11-day calf	23.4
	Jersey dairy heifer (> 15 months until first lactation)	14.6
	Jersey dairy heifer calf (from 12 days to 15 months)	6.2
	Canadienne dairy cow and its 11-day calf	47.1
	Canadienne dairy heifer (> 15 months until first lactation)	29.4
	Canadienne dairy heifer calf (from 12 days to 15 months)	12.5
	Dairy bull	20.9
	Slaughter cow and its calf	27.4

ENVIRONMENT QUALITY — AGRICULTURAL OPERATIONS

	Slaughter heifer (> 15 months until first calving)	19.6
	Slaughter heifer calf (from 8 months to 15 months)	13.1
	Feeder cattle (backgrounding cattle and finishing cattle)	25.4
	Backgrounding cattle (from 268 to 400 kg)	15.9
Beef cattle	Finishing cattle (> 400 kg)	31.4
	Slaughter bull (\leq 12 months)	19.1
	Slaughter bull (> 12 months)	25.7
	Adult buffalo - male or female	24.9
	Grain-fed calf (nursery and finishing)	10.0
	Grain-fed calf nursery (from 64 to 95 kg)	4.55
	Finishing grain-fed calf (> 95 to 286 kg)	12.0
	Veal calf	4.63
	Sow and unweaned piglets	10.6
	Gilt	6.70
	Weanling (\leq 25 kg)	1.24
Suidae	Feeder pig - male or female (\leq 25 kg until slaughter)	4.75
	Boar	17.9

ENVIRONMENT QUALITY — AGRICULTURAL OPERATIONS

	Adult wild boar - male or female	13.8
Poultry	Broiler - male (≤ 3.0 kg)	0.261
	Broiler - female (≤ 3.0 kg)	0.205
	Roaster - male or female (> 3.0 kg)	0.302
	Broiler turkey - male or female (≤ 9.9 kg)	0.603
	Heavy turkey - male or female (> 9.9 kg)	1.31
	Pullet - eggs for consumption	0.157
	Laying hen - eggs for consumption	0.380
	Pullet - hatching eggs	0.154
	Rooster - hatching eggs	0.188
	Laying hen - hatching eggs	0.592
	Quail (meat) - male or female	0.045
	Pheasant - male or female	0.178
	Guinea fowl - male or female	0.186
	Peacock - male or female	0.500
	Ovine	Ewe and its milk-fed lambs
Adult ram		6.04
Replacement ewe lamb (final live weight ≤ 55 kg)		1.34

ENVIRONMENT QUALITY — AGRICULTURAL OPERATIONS

	Light lamb - male or female (final live weight \leq 30 kg)	0.243
	Heavy lamb - male or female (final live weight \leq 47 kg)	0.745
Caprine	Angora goat (\geq 1 year)	6.0
	Dairy goat (\geq 1 year)	6.00
	Slaughter goat	6.00
	Adult billy goat	6.00
	Nanny goat or kid (from 3 days to 364 days)	2.30
Anatidae	Goose - male or female	0.590
	Duck - male or female	0.641
	Peking duck - male or female	0.496
Cervidae	Red deer - male or female	2.37
	White-tailed deer - male or female	2.37
	Elk - male or female	4.84
	Fallow deer - male or female	2.37
Equidea	Stallion	18.8
	Gelding	23.2
	Mare and its unweaned offspring	26.8
	Colt or filly	13.4

ENVIRONMENT QUALITY — AGRICULTURAL OPERATIONS

	Ostrich - male or female	25.8
Struthionidae and ratitae	Feeder ostrich - male or female	10.0
	Rhea - male or female	10.0
	Emu - male or female	18.45
	Feeder emu - male or female	2.97
Leporidae	Female rabbit and its offspring until slaughter	6.61
Fur animals	Female chinchilla and its unweaned offspring	0.110
	Female mink and its offspring until slaughter	0.819
	Adult mink - male	0.418
Other types	Llama - male or female	2.30

(1) A category of animal not listed in the Schedule is deemed to have an annual phosphorus (P_2O_5) production/animal space referred to in the following table based on the live weight of the animal at the end of the raising period:

Live weigh of the animal at the end of the raising period (kg)	Factor $((P_2O_5)/\text{animal space (kg)})^2$
< 1	0.1
≥ 1 and < 5	0.5
≥ 5 and < 10	1
≥ 10 and < 20	2

ENVIRONMENT QUALITY — AGRICULTURAL OPERATIONS

≥ 20 and < 100	10
≥ 100 and < 500	25
≥ 500	50

(2) Where the animals are not raised in a raising facility, the factor “(P₂O₅)/animal space (kg)” is replaced by the factor “(P₂O₅)/animal (kg)”.

O.C. 606-2010, s. 39; O.C. 269-2012, s. 9.

UPDATES

O.C. 695-2002, 2002 G.O. 2, 2643
O.C. 1330-2002, 2002 G.O. 2, 6237
O.C. 1197-2003, 2003 G.O. 2, 3393
O.C. 1098-2004, 2004 G.O. 2, 3459
O.C. 883-2005, 2005 G.O. 2, 4107A
O.C. 906-2005, 2005 G.O. 2, 4449A
O.C. 1006-2007, 2007 G.O. 2, 3225
O.C. 606-2010, 2010 G.O. 2, 2211
O.C. 269-2012, 2012 G.O. 2, 1051
O.C. 671-2013, 2013 G.O. 2, 1780
S.Q. 2013, c. 28, s. 204
S.Q. 2017, c. 4, ss. 262 and 263

