

MEAT INSPECTION ACT

[RSBC 1996] CHAPTER 283

Definitions

1 In this Act:

"approved municipal inspection" means a meat inspection service, provided by a municipality, approved by the minister;

"animal" means a bull, cow, steer, heifer, calf, horse, sheep, swine, goat, domestic rabbit, poultry, deer, reindeer, moose, elk or bison;

"can" includes any hermetically sealed glass bottle, package or container;

"carcass" means the carcass of an animal;

"container" means a receptacle or covering in which a carcass or product is placed;

"establishment" means an abattoir, slaughterhouse, packing house or other premises in which animals are slaughtered, or in which products are prepared for food or are stored;

"farmer" means a person whose recognized occupation is that of farming and who slaughters only animals fed by the person on the person's own farm and has done so for a time satisfactory to the minister;

"food" means an article of food or drink for human consumption and any ingredient used for mixing with food;

"inspector" means an inspector appointed or approved by the minister under this Act or the regulations;

"portion" means one of the usual cuts derived from a carcass, such as sides, quarters, shoulders, hams and bellies and also entire organs, for example tongues, livers and hearts;

"product" means anything derived from a carcass and includes a portion.

Restriction on slaughter

2 In areas established to control the slaughter of animals, a person must not slaughter an animal unless the person is

(a) a genuine farmer slaughtering the person's own animals on the person's own premises, or

(b) licensed under this Act or registered under the Meat Inspection Act (Canada) or any other meat inspection service approved by the minister.

Application for licence

3 (1) The minister may issue a licence to slaughter animals if the application is made in the manner and form prescribed by the minister, and is accompanied by the licence fee set by the regulations.

(2) A licence issued under this section expires at midnight on December 31 of the year in which it was issued.

(3) If a licensee holding a licence issued under this section contravenes this Act, the minister, on proof to the satisfaction of the minister of the contravention and after hearing the licensee if the licensee requests to be heard, may suspend the licence and all rights of the licensee for a period the minister thinks fit or may cancel the licence.

Appointment of inspectors

4 The minister may appoint inspectors to carry out this Act.

Authority to inspect

5 The production by an inspector of a certificate of the inspector's appointment, purporting to be signed by the minister, is evidence of the facts stated in the certificate and conclusive evidence of the authority of the inspector to inspect carcasses, portions or products.

Powers of inspector

6 For carrying into effect this Act or the regulations, an inspector may do one or more of the following:

- (a) enter an establishment and inspect the plant machinery and sanitation and any carcass, portion or product found in it;
- (b) order the work in an establishment, or in any part of the establishment, to stop for a period of time the inspector thinks necessary;
- (c) stop a conveyance that the inspector believes contains a carcass, portion or product, inspect the conveyance and any carcass, portion or product found there, detain the conveyance, direct the conveyance to any place for reinspection of the carcasses, portions or products being transported on the conveyance and dispose of the carcasses, portions or products;
- (d) require the production of copies of, or extracts from, any book, shipping bills, bills of lading or other records relating to a carcass, portion or products.

Inspection of animals intended for slaughter

7 (1) All animals intended for slaughter in an establishment where inspection service is provided must be inspected as provided by the regulations and an animal must not be allowed to enter the parts of an establishment where slaughtering is carried on unless it has undergone inspection.

(2) An animal slaughtered by a farmer may be inspected after slaughter and accepted at an establishment without having been inspected before slaughter.

(3) Post mortem inspection of an animal, the carcass or portion of which is intended for sale, slaughtered by a farmer may be refused at any establishment licensed under this Act unless the premises where the animal was slaughtered and the conditions of slaughtering have been approved as provided for in the regulations.

Disposal of diseased animals

8 An establishment receiving animals affected, or suspected of being affected, with disease must slaughter the animals under the supervision of an inspector and dispose of them as provided by the regulations.

Inspection of carcasses

9 (1) All carcasses and products of animals slaughtered in an establishment must be inspected as provided by the regulations.

(2) A carcass or product found healthy and fit for human food must be marked by an inspector in a manner provided by the regulations.

Inspection and marking of packaged food

10 (1) A carcass or product prepared for food in an establishment and packed in cans, packages or similar receptacles is subject to inspection during the whole course of preparation and packing.

(2) After all the requirements of this Act regarding inspection have been complied with, all cans, packages and receptacles must be marked by an inspector in a manner provided by the regulations.

Reinspection of carcass for deterioration

11 The inspector may at any time reinspect a carcass or product in order to find out whether, after the first inspection of it, it has undergone decomposition, or has otherwise deteriorated, or has been tampered with or adulterated by the use of preservatives.

Condemnation of carcass or product if unfit for food

12 A carcass or product found, on inspection or reinspection, to be unhealthy or unfit for food, or that contains ingredients or preservatives that may render it unfit for food

- (a) must be marked by an inspector as provided by the regulations,
- (b) is then deemed unfit for food, and
- (c) must be disposed of as provided by the regulations.

Power of minister to refuse to certify food

13 If this Act or the regulations are not complied with in an establishment, the minister may refuse inspection, marking and certification of the food prepared in it.

Prohibition

14 An establishment under inspection must not offer or expose or have in its possession for sale an article subject to inspection under this Act unless all requirements of this Act respecting the article have been complied with.

Shipping or transporting carcass or product

15 A person must not ship or transport within British Columbia a carcass or product subject to inspection under this Act, except as provided by the regulations.

Offences and penalties

16 (1) A person who does any of the following commits an offence:

- (a) obstructs an inspector or refuses to permit an inspector to examine a carcass or product in the person's possession or under the person's control;
- (b) provides an inspector with any false information;
- (c) alters, effaces, obliterates or removes, or causes to be altered, effaced, obliterated or removed, wholly or partially, any mark, tag, label or certificate placed on or attached to any article under this Act or the regulations;
- (d) uses or imitates, without authority, any mark, tag, label or certificate prescribed under this Act or the regulations;
- (e) knowingly sells or offers for sale meat from immature, diseased or treated animals that have received medicinal or other treatment which may make the meat unfit for food;
- (f) contravenes section 2, 7, 8, 9, 14 or 15.

(2) In a prosecution for an offence under this Act or the regulations, evidence that a person is regularly engaged in the business of dealing in meat or meat products is evidence of the person's knowledge of the source of supply of the meat or meat products.

(3) In a prosecution for an offence under this Act or regulations, it is not necessary for the informant or person prosecuting to prove that the carcass or product in respect to which the prosecution is instituted was produced in British Columbia, or in a designated part of British Columbia.

(4) In a prosecution for an offence under this Act or the regulations, if the defendant pleads or alleges that the carcass or product was not produced in British Columbia, or in a designated part of British Columbia, the burden of proof is on the defendant.

(5) Section 5 of the Offence Act does not apply to

- (a) this Act, or
- (b) the regulations.

Power to make regulations

17 (1) The Lieutenant Governor in Council may make regulations referred to in section 41 of the Interpretation Act.

(2) Without limiting subsection (1), the Lieutenant Governor in Council may make regulations providing for one or more of the following:

- (a) suitable classification of establishments;
- (b) standards for construction and equipment of establishments;

- (c) procedures for the slaughtering and inspection of animals and carcasses;
- (d) the supervision of all practices in an establishment;
- (e) the general sanitation of an establishment;
- (f) standards for containers, packages, labels and tags;
- (g) control and supervision of feed lots, yards and holding pens adjacent to an establishment under inspection and for the care and disposition of animals in these feed lots, yards and holding pens;
- (h) areas for the control of the slaughtering of animals or of animals designated by regulation and for the storage and sale of
 - (i) all meat and meat products within those areas, or
 - (ii) meat and meat products designated by regulation within those areas;
- (i) approved municipal inspection;
- (j) the withdrawal of inspection at an establishment;
- (k) the hours of inspection in any one day or week, and the rates of overtime pay to be paid by the operator;
- (l) the volume of business required before inspection will be granted and for the volume of business at which inspection will be withdrawn;
- (m) the inspection fees to be paid by the operator of an establishment and by a farmer for home or custom slaughtered carcasses at an establishment, and the charge that may be made by the operator of an establishment for the facilities and services provided for presentation and inspection;
- (n) the release for general animal food of condemned or rejected or inedible carcasses or portions and for the denaturing or decharacterizing of the material;
- (o) requirements for construction, equipment, practices, operations and sanitation at premises where animals, the carcasses or portions of which are intended for sale, are slaughtered by a farmer.