

Game Farming Regulations

made under Sections 49 and 113 of the

Wildlife Act

R.S.N.S. 1989, c. 504

O.I.C. 96-672 (August 28, 1996), N.S. Reg. 147/96

Citation

1 These regulations may be cited as "Game Farming Regulations." These regulations cover ratites, wild boar, bison and others added by the Minister from time to time.

Interpretation

2 In these regulations

(a) "abattoir" means a federally or Provincially licensed facility where game animals are slaughtered for human consumption;

(b) "Act" means the Wildlife Act, Revised Statutes of Nova Scotia, 1989, Chapter 504;

(c) "Administrator" means a person appointed as an administrator by the Minister for the purposes of these regulations;

(d) "Agriculture Canada" means the Government of Canada department called Agriculture and Agri-Food Canada;

(e) "carcass" means the intact edible portion of a game animal remaining after the hide, head, feathers, feet and viscera of the animal have been removed;

(f) "Crown" means Her Majesty the Queen in right of the Province;

(g) "Department" means the Department of Agriculture;

(h) "export" means to move the game animal or game animal product out of Nova Scotia;

(i) "game animal" means a member of

(i) the species of wild boar having the scientific name *Sus scrofa*,

(ii) the species of bison having the scientific name *Bison bison*,

(iii) the species of emu belonging to the scientific order *Casuariiformes*,

(iv) the species of ostrich belonging to the scientific order *Struthiformes*,

(v) the species of rhea belonging to the scientific order *Rheiformes*,

that is held in captivity for the purpose of sale, barter, exchange, preservation, consumption, and propagation;

(j) "game farm" means a location where game animals are held in captivity for commercial purposes;

(k) "game farmer" means a person who has been issued a game farming licence and who owns or operates a game farm;

(l) "game meat processor" means a person who is the holder of a valid meat processor licence and who is engaged in the business of slaughtering live game farm animals or processing game farm animal carcasses into wholesale or retail products for sale or trade to the public;

- (m) "import" means bringing game animals into Nova Scotia from any source outside of the boundaries of the Province of Nova Scotia;
- (n) "I.D." means visual identification which is a visible ear tag, wing band, leg band or neck collar unique by number or colour that will distinguish each game animal on a game farm;
- (o) "inspection" means the visual examination of
- (i) game animals or game animal products, or
 - (ii) records kept at any abattoir, game farm, game meat merchandising facility or game meat processing facilities;
- (p) "inspector" means a person designated by the Minister pursuant to the Act;
- (q) "licence" means a valid and subsisting licence issued pursuant to Section 49 of the Wildlife Act;
- (r) "Minister" means Minister of the Department of Agriculture;
- (s) "named disease" means any disease designated by the Minister pursuant to the Livestock Health Services Act;
- (t) "quarantine" means isolation of premises and the prohibition of the movement of animals, animal products, hay, straw, fodder, or any other thing to or from the premises;
- (u) "representative of the Minister" means an employee or employees designated by the Minister of the Department of Agriculture to act on behalf of the Minister;
- (v) "veterinarian" means an official veterinarian of the country of origin of a game farm animal imported into Canada or a veterinarian employed by Agriculture Canada or an individual licensed to practice veterinary medicine in a province of Canada.

Licences

3 (1) No person shall establish or operate a game farm unless that person is the holder of a valid game-farming licence.

(2) A game-farming licence is not required for the purposes of Section 49 of the Act where a person is farming pheasants, quail or wild turkeys.

4 (1) Every person wishing to obtain a game-farming licence shall

- (a) be over the age of nineteen years;
- (b) submit an application to the Administrator on a form provided by or suitable to the Administrator;
- (c) pay an application fee of \$100;
- (d) submit a development plan in a form required by the Administrator;
- (e) submit any additional information that the Administrator may consider necessary.

Issuance

5 (1) Where the Administrator

- (a) receives an application pursuant to Section 4; and

(b) is satisfied that the applicant has complied with these regulations,

the Administrator may issue a licence to the applicant.

(2) The Administrator may impose any terms and conditions on the issue of a licence that the Administrator considers appropriate.

Expiry and renewal

6 (1) Unless renewed pursuant to subsection (2), a licence expires on March 31 of each year following the year of issue or renewal, as the case may be.

(2) Unless sooner suspended or cancelled, every licence is renewable annually upon payment of a fee of \$10.

Suspension

7 The Administrator may, for any period that is considered appropriate, suspend, cancel or refuse to renew a licence, if the game farmer fails to comply with these regulations.

Conditions of licence

8 No game farmer shall

(a) operate a game farm on Crown land;

(b) obtain game farm animals from within the Province other than from a game farm operated by a game farmer;

(c) obtain game farm animals from outside the Province in a manner contrary to the Act or regulations made pursuant to the Act, or contrary to any legislation in effect in the jurisdiction in which the game farm animals are obtained.

Escape from captivity

9 (1) No game farmer shall allow game animals to roam free, escape from captivity or be released to the wild.

(2) Every game farmer whose game animals escape from captivity shall

(a) notify the Administrator within 24 hours of the game farmer becoming aware of the escape;

(b) make all reasonable efforts to restore the escaped game animals to captivity; and

(c) subsequently, within 15 days, report the full details of the escape and recovery to the Administrator.

(3) Any game animals not recovered within 15 days of the date of notification to the Minister of the escape shall become the property of the Crown.

(4) Every game farmer is liable for the cost of recovering escaped game farm animals.

Import and export

10 (1) No person shall import or export live game animals without an import or export permit issued pursuant to these regulations.

(2) The Administrator may issue an import licence to a game farmer upon receipt of

(a) a statement from the applicant setting out the particulars of the animals to be imported sufficient to satisfy the Administrator that the animals are within the meaning of game animals as defined in these regulations; and

(b) a copy of a veterinarian's certificate certifying that the game animals to be imported were tested and examined within 30 days prior to the date of the importation and are free from all named diseases, sound, and appear in good health.

(3) Imported game animals must go into quarantine upon arrival at the receiving premises and if they cannot be adequately isolated from the rest of the animals, all animals on that farm will be considered to be under quarantine.

(4) The Administrator may issue an export permit for export of game animals upon application by a game farmer.

(5) Any person who has been issued an export permit shall submit to the Administrator, within 10 days of the date of the export, a copy of the record of sale required by clause 23(f) and a copy of any veterinarian's report required by the jurisdiction into which the game animals are being exported.

Quarantine

11 The Administrator may authorize the release of game animals from quarantine upon

(a) confirmation in writing that the game animals have been held in quarantine for not less than fourteen days;

(b) receipt of a written report from a veterinarian confirming that the game animals held in quarantine pursuant to clause (a) have been examined and either exhibit no signs of disease or have been successfully treated for any disease apparent while in quarantine;

(c) confirmation in writing that each game animal imported has been positively and uniquely identified in accordance with these regulations; and

(d) receipt of a written report from a veterinarian confirming that the game animals have been tested while in quarantine pursuant to clause (a) and are free from named diseases.

Reports re: diseased game animals

12 (1) The Minister may designate any disease of animals as a named disease.

(2) Where the Minister designates a disease pursuant to subsection (1), the designation shall be published as soon as is reasonably possible in the Royal Gazette Part II.

(3) No person shall, without the authorization of the Administrator, hold any game animal that the person knows or suspects is infected with a named disease or allow that game animal to be transferred to another person.

(4) In the case of game birds, the named diseases are Newcastle disease, Salmonella pullorum, fowl typhoid and Salmonella enteritidis.

(5) In the case of bison, the named diseases are brucellosis and tuberculosis.

(6) In the case of wild boars, the only named disease, if purchasing within Canada, is trichinosis.

13 (1) The owner of a game animal shall immediately report to the Administrator when the farmer knows or suspects that the game animal is infected with a named disease or knows or suspects that the game animal has been in contact with an animal infected with a named disease.

(2) An infected animal shall not be disposed of, slaughtered or moved from the farm, except after having been reported and only at the direction of a veterinarian.

14 (1) Every game farmer shall, if a game animal is found dead, immediately report the death to the Administrator and shall not dispose of the game animal until directed to do so by the Administrator.

(2) Where the Administrator suspects that a named disease may have caused the death of the game animal, the Administrator may direct the owner of the game animal to have the animal examined by a veterinarian and to report the veterinarian's findings to the Administrator.

15 Where a named disease is found to have infected a game animal on a game farm the Administrator may

(a) order the game farm quarantined until satisfied that the disease is under control; or

(b) order any game animal that is infected with a named disease to be destroyed.

Enclosures

16 (1) No game farmer shall hold game animals unless the game animals are retained in enclosures prescribed by the Minister.

(2) No game farmer shall tether game animals in any manner.

17 The Administrator shall from time to time set out minimum requirements for

(a) perimeter fencing;

(b) stocking density;

(c) shelters;

(d) capture and restraining facilities.

18 No game farmer shall hold game animals unless the enclosure is securely locked so as to prevent public access to the enclosure or the escape of the game animals.

Care and handling of game animals

19 (1) Every game farmer shall ensure the game animals have adequate shelter, food and water.

(2) The handling of any game animals shall be carried out in accordance with generally accepted practices respecting management, husbandry or slaughter.

Game farm animal identification

20 Every game farmer shall ensure that

(i) all game animals held have I.D.s,

(ii) all game animals born on the game farm are provided with I.D.s within 60 days of birth,

(iii) all game animals imported are provided with I.D.s prior to importation.

Slaughter of game animals

21 (1) The slaughter of game animals for resale shall only be carried out in

- (a) a Provincially inspected abattoir designated by the Minister; or
- (b) an abattoir registered under the Meat Inspection Act (Canada) SC, 1985, c. 17.

(2) The slaughter of game animals shall be conducted in a humane manner.

Sale of game farm animals and products

22 (1) Every game farmer shall provide abattoirs used by the game farm with an invoice indicating

- (a) the name and address of the game farmer and, if different, the name and address of the game farm;
- (b) if the game animals are being sold, the name and address of the purchaser;
- (c) the species, sex and age of all game animals purchased; and
- (d) a list of all I.D.s and positive, unique and visual identification.

(2) No game farmer shall sell or trade live game animals to anyone other than a game farmer or an abattoir as referred to in Section 21.

(3) No game meat processor shall purchase or trade live game animals from anyone other than a game farmer.

Records

23 Every game farmer shall

- (a) maintain a permanent written record accounting for all births, deaths, purchases and transfer of game animals on or from that farm;
- (b) use the I.D. of each game animal as the key identification in maintaining the record;
- (c) indicate in the record all I.D.s for each game animal, including age and sex;
- (d) record any change in identification for each game animal on the date the change occurs;
- (e) upon receipt of a game animal, or within 60 days of the birth of a game animal on a game farm, as the case may be, enter the I.D. of the game animal in the record;
- (f) upon sale of a game animal, game meat or animal product of a game animal, enter into the record
 - (i) the I.D. that pertains to the game animal or animal product involved,
 - (ii) the name and address of the buyer,
 - (iii) the identification of the buyer where the sale was to an abattoir or a game farmer, and
 - (iv) the name and address of the abattoir and the date of the slaughter where the sale was to an abattoir.

Inspection

24 Every game farmer shall make their game farm and all game animals held on their farm available for inspection at all reasonable times by the Administrator.

Transportation

25 Every game farmer shall transport, or cause to be transported, all game animals in a covered vehicle.

Liability

26 Despite anything in the Act or regulations,

(a) the Minister shall not be liable for injury or property damage caused by game animals or by the escape from captivity of game animals; and

(b) the Minister shall not be liable for the loss or death of any game animal through escape from captivity or death from disease, notwithstanding that the Administrator may have required a game animal to be destroyed due to escape or disease.

Offence

27 Any person who fails to comply with these regulations or hinders or obstructs a representative of the Minister in carrying out their functions pursuant to these regulations is guilty of an offence and is liable on summary conviction to a fine not exceeding \$2000.

General

28 Any game farmer on the date these regulations come into effect shall

(a) apply for a licence within thirty days;

(b) comply with the requirements of these regulations relating to the operation of game farms;

(c) have game animals examined and tested for disease as the Minister may determine.

Effective date of new regulations

29 These regulations shall come into force on, from and after September 1, 1996.

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