

Fish Inspection Act  
Loi sur l'inspection du poisson

R.R.O. 1990, REGULATION 456

No Amendments

## QUALITY CONTROL

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This Regulation is made in English only.

### Interpretation

1. In this Regulation,

"breaded fish" means fish or fish flesh that is coated with batter and breading;

"can" means any hermetically sealed glass or metal container;

"canned fish" means any fish that is sealed in a can and is sterilized;

"cannery" means an establishment where canned fish is produced for human consumption;

"comminuted fish flesh" means fish flesh that has been ground to a fine, uniform consistency;

"semi-preserving establishment" means an establishment where fish is prepared by salting or pickling in brine, vinegar, sugar, spices or any combination of those salting or pickling agents and packed so that it may be kept fit for human consumption for a minimum of six months by means of refrigeration without freezing;

"shrimp cocktail" means shrimp meat packed with sauce, spices, seasonings or flavourings or any combination of those ingredients; and

"sterilized", in respect of canned fish, means fish that has been treated with heat to prevent spoilage and to destroy all pathogenic organisms. R.R.O. 1990, Reg. 456, s. 1.

2. For the purposes of section 7 of the Act,

"decomposed", with respect to fish, means fish that has an offensive or objectionable odour, flavour, colour or textural defect associated with spoilage;

"tainted", with respect to fish, means fish that is rancid or has an abnormal odour or flavour;

"unwholesome", with respect to fish, means fish that has in or upon it micro-organisms of public health significance or substances toxic or aesthetically offensive to man. R.R.O. 1990, Reg. 456, s. 2.

### PART I

#### GENERAL

3. Fish shall be packed in new, clean and sound containers. R.R.O. 1990, Reg. 456, s. 3.

4. (1) An inspector may detain fish or any container of fish for the purpose of inspection and for the purpose of identifying such fish, the inspector may attach to any of the fish or any container of fish a numbered tag furnished by the Ministry. R.R.O. 1990, Reg. 456, s. 4 (1).
- (2) Where fish or any container of fish is detained under subsection (1), the inspector shall deliver or mail to the owner or the owner's agent a notice of detention. R.R.O. 1990, Reg. 456, s. 4 (2).
- (3) Where fish or any container of fish is detained under subsection (1) on premises owned by a person who is not the owner of the fish, a copy of the notice of detention referred to in subsection (2) shall be delivered or mailed to that person. R.R.O. 1990, Reg. 456, s. 4 (3).
- (4) No person shall move, sell or otherwise dispose of fish or any container of fish detained under subsection (1) unless that person has obtained a release therefor from an inspector. R.R.O. 1990, Reg. 456, s. 4 (4).
- (5) Where an inspector is satisfied that,
- (a) fish and any container of fish detained under subsection (1) meet the requirements of this Regulation, he or she shall prepare a release authorizing the disposition of the fish for human consumption; or
- (b) fish or any container of fish detained under subsection (1) does not meet the requirements of this Regulation, he or she may mark the fish or container accordingly and shall prepare a release authorizing the disposition of the fish for any purpose other than human consumption,
- and shall deliver or mail one copy of the release referred to in clause (a) or (b) to the owner of the fish or the owner's agent and one copy to the person, if any, on whose premises the fish was found. R.R.O. 1990, Reg. 456, s. 4 (5).
5. Where an inspector is satisfied that fish and any container of fish meet the requirements of this Regulation, the inspector shall, on request, issue an inspection certificate. R.R.O. 1990, Reg. 456, s. 5.
6. An appeal made under section 4 of the Act shall be made by notice in writing to the Minister within thirty days of the decision of the inspector. R.R.O. 1990, Reg. 456, s. 6.
7. (1) No reinspection shall be ordered as a result of an appeal unless the appellant is able to satisfy the Minister that the identity of the fish or containers to be reinspected has been preserved. R.R.O. 1990, Reg. 456, s. 7 (1).
- (2) No reinspection shall be ordered as a result of an appeal where the decision of the inspector appealed from is in respect of the presence of a poisonous or harmful substance in or upon the fish or containers. R.R.O. 1990, Reg. 456, s. 7 (2).
8. Where fish or containers have been approved under this Regulation and upon reinspection are found not to meet the requirements of this Regulation, any inspection marks and quality designations on such fish or containers shall be removed or obliterated and any inspection certificate that may have been issued for the fish or containers is void. R.R.O. 1990, Reg. 456, s. 8.
9. All receptacles, including vehicle bodies, boxes, tubs and barrels used to transport fish to or from any establishment shall be clean and shall be disinfected when necessary. R.R.O. 1990, Reg. 456, s. 9.
10. Fish that is intended for human consumption shall be adequately iced or chilled while being held or transported and shall be protected from contamination and the weather. R.R.O. 1990, Reg. 456, s. 10.

11. Fish that is intended for human consumption shall be protected from contamination and the weather during loading and unloading. R.R.O. 1990, Reg. 456, s. 11.

12. Frozen fish, while under the control of a carrier, shall be kept refrigerated in such a manner that, when it is delivered to its destination, the temperature of such fish will not have increased more than 10°F from the temperature at the time it was loaded. R.R.O. 1990, Reg. 456, s. 12.

13. No person shall sell or offer for sale cans of fish,

(a) that have not been properly sealed;

(b) the tops or bottoms of which have been distorted outwards; or

(c) that are otherwise defective. R.R.O. 1990, Reg. 456, s. 13.

## PART II LABELLING

14. No person shall mark or label a container of fish with a quality designation or sell a container of fish that is so marked or labelled unless,

(a) a standard for that quality has been specified in this Regulation or the Fish Inspection Regulations (Canada); and

(b) the fish in that container meets that standard. R.R.O. 1990, Reg. 456, s. 14.

## PART III CODE MARKINGS

15. (1) Every carton and case in which containers of fish are packed at an establishment shall be legibly marked on one end in such a manner that the name of the establishment and the day, month and year of processing can be determined by an inspector. R.R.O. 1990, Reg. 456, s. 15 (1).

(2) Every container in which pickled, spiced or marinated fish are packed shall be legibly marked in such a manner that the name of the establishment and the day, month and year of processing can be determined by an inspector. R.R.O. 1990, Reg. 456, s. 15 (2).

16. (1) Every can of fish that is packed in an establishment shall be embossed on one end in such a manner that the name of the establishment and the day, month and year of processing can be determined by an inspector. R.R.O. 1990, Reg. 456, s. 16 (1).

(2) Where a can of fish is embossed with a code marking, a copy of the key to every such code marking shall be sent to the Minister each year before the commencement of processing operations. R.R.O. 1990, Reg. 456, s. 16 (2).

17. Despite subsection 16 (1), any hermetically sealed glass container containing fish is exempt from the embossing requirement referred to in that subsection, if such container or the label affixed to it is otherwise permanently marked in such a manner that the name of the establishment and the day, month and year of processing can be determined by an inspector. R.R.O. 1990, Reg. 456, s. 17.

## PART IV CANNED FISH

18. Canned fish shall be sterilized so that the product,

(a) is free from micro-organisms capable of development under normal conditions of storage; and

(b) does not contain any substances originating from micro-organisms in amounts that may represent a hazard to health. R.R.O. 1990, Reg. 456, s. 18.

19. All canned fish, except canned fish packed in flat drawn cans, shall have sufficient vacuum to ensure that can ends do not bulge when the product is heated to a temperature of 95°F. R.R.O. 1990, Reg. 456, s. 19.

#### PART V FRESH OR FROZEN FISH

##### Breaded Fish

20. (1) Fish sticks for sale in Ontario shall,

(a) if cooked, contain a minimum of 66 per cent by weight of fish flesh;

(b) if uncooked, contain a minimum of 75 per cent by weight of fish flesh;

(c) weigh not less than one ounce each;

(d) be free from defects; and

(e) not be prepared from comminuted fish flesh. R.R.O. 1990, Reg. 456, s. 20 (1).

(2) In this section,

"fish sticks" means uniform, rectangular portions of breaded fish flesh. R.R.O. 1990, Reg. 456, s. 20 (2).

21. Breaded scallops for sale in Ontario shall,

(a) if cooked, contain a minimum of 66 per cent by weight of scallop meat; and

(b) if uncooked, contain a minimum of 75 per cent by weight of scallop meat. R.R.O. 1990, Reg. 456, s. 21.

22. (1) Shrimp cocktail shall be prepared from sound, cooked, peeled shrimp meat. R.R.O. 1990, Reg. 456, s. 22 (1).

(2) Shrimp cocktail shall contain not less than 36 per cent by weight of shrimp meat. R.R.O. 1990, Reg. 456, s. 22 (2).

#### PART VI GENERAL CONSTRUCTION AND EQUIPMENT REQUIREMENTS FOR ESTABLISHMENTS

23. The surface of a floor in a wet working area of an establishment shall be sloped for drainage purposes and shall be constructed of durable and impervious material that permits rapid disposal of waste and that can be readily cleaned. R.R.O. 1990, Reg. 456, s. 23.

24. A floor in a dry working area of an establishment shall be constructed of material that can be readily cleaned. R.R.O. 1990, Reg. 456, s. 24.

25. Drains in an establishment shall be of a type and size sufficient to carry off process effluents and water from cleaning operations and shall be equipped with traps or other devices to prevent the entry of gases or vermin into the establishment through the drains. R.R.O. 1990, Reg. 456, s. 25.

26. The inside surfaces of walls in a wet working area of an establishment shall be constructed of smooth, durable, waterproof and light-coloured material that can be thoroughly cleaned up to a height of not less than four feet. R.R.O. 1990, Reg. 456, s. 26.

27. Every room in an establishment in which fish is processed shall have a ceiling that is free from cracks, crevices and open joints and is constructed of smooth, light-coloured material that can be readily cleaned. R.R.O. 1990, Reg. 456, s. 27.

28. Every establishment shall be equipped with a natural or mechanical ventilation system that will provide clean air, remove undesirable odours, steam and smoke and prevent condensation in rooms where work is performed. R.R.O. 1990, Reg. 456, s. 28.

29. Every establishment shall contain toilet facilities that are constructed and located in such a manner as to prevent the contamination of the establishment or the water supply of the establishment. R.R.O. 1990, Reg. 456, s. 29.

30. The room in which a toilet facility in an establishment is located shall,

(a) have self-closing doors;

(b) be ventilated to the outside;

(c) have walls and a ceiling that are smooth, light in colour and that can be readily cleaned; and

(d) have a floor that is constructed of impervious material and that can be readily cleaned. R.R.O. 1990, Reg. 456, s. 30.

31. Every establishment shall be provided with sanitary washbasins in locations that are visible from the working area, equipped with hot and cold running water, liquid or powdered soap and air dryers or single service towels. R.R.O. 1990, Reg. 456, s. 31.

32. (1) Every establishment shall be provided with a supply of potable water that has a coliform bacteria count of not more than two per hundred millimetres and is under a minimum operating pressure of twenty pounds per square inch. R.R.O. 1990, Reg. 456, s. 32 (1).

(2) Despite subsection (1), an establishment may be provided with water other than water referred to in subsection (1) for fire protection, boilers or auxiliary services provided that there is no connection between the water system used for fire protection, boilers or auxiliary services and the system providing water for other purposes. R.R.O. 1990, Reg. 456, s. 32 (2).

33. The frames and legs on all equipment on which fish is processed shall be constructed of metal or other durable and impervious material, other than wood, that can be readily cleaned. R.R.O. 1990, Reg. 456, s. 33.

34. A table in an establishment shall be so constructed that it and the area beneath it can be readily cleaned. R.R.O. 1990, Reg. 456, s. 34.

35. (1) A bin or receptacle in which offal is stored shall be watertight, constructed of metal or other durable and impervious material, other than wood, and, where necessary to prevent contamination of the establishment or any fish processed in the establishment, be equipped with a well-fitted cover. R.R.O. 1990, Reg. 456, s. 35 (1).

(2) A concrete or other impervious surface, sloped for drainage purposes, shall be placed under an elevated offal bin. R.R.O. 1990, Reg. 456, s. 35 (2).

36. No wood shall be used in the construction of a conveyor in an establishment where the wood will come in contact with fish. R.R.O. 1990, Reg. 456, s. 36.

37. Flumes for conveying fish shall be constructed of non-corrodible material, other than wood, that can be thoroughly cleaned. R.R.O. 1990, Reg. 456, s. 37.

38. Every working surface in a processing room in an establishment shall be provided with an illumination having a minimum intensity of twenty foot-candles. R.R.O. 1990, Reg. 456, s. 38.

## PART VII

### ADDITIONAL CONSTRUCTION AND EQUIPMENT REQUIREMENTS FOR CANNERIES

#### Fresh-Fish, Freezing or Semi-Preserving Establishments

39. No cannery and no fresh-fish, freezing or semi-preserving establishment shall have exposed pipe over any working surface on which fish is processed. R.R.O. 1990, Reg. 456, s. 39.

40. Every cannery and every fresh-fish, freezing or semi-preserving establishment shall be provided with hot water that is maintained at a minimum temperature of 110°F in sufficient quantity for the operations of the cannery or fresh-fish, freezing or semi-preserving establishment, as the case may be. R.R.O. 1990, Reg. 456, s. 40.

41. Every cannery and every fresh-fish, freezing or semi-preserving establishment shall be provided with facilities for disinfecting the protective hand coverings used in processing areas. R.R.O. 1990, Reg. 456, s. 41.

42. Every cutting, filleting and skinning board in a cannery and a fresh-fish, freezing or semi-preserving establishment shall be made of planed lumber or other material that is smooth and without cracks. R.R.O. 1990, Reg. 456, s. 42.

43. Every surface in a cannery and a fresh-fish, freezing or semi-preserving establishment, other than a cutting, filleting and skinning board on which fish is processed, shall be made of a non-corrodible material, other than wood, and every joint on the surface shall be smooth and watertight. R.R.O. 1990, Reg. 456, s. 43.

44. Every receptacle, tray, tank, vat and utensil used for processing fish in a cannery and a fresh-fish, freezing or semi-preserving establishment shall be made of a non-corrodible material, other than wood, and shall have smooth surfaces free from cracks and crevices. R.R.O. 1990, Reg. 456, s. 44.

45. Every box, cart, bin and other receptacle used in a cannery and a fresh-fish, freezing or semi-preserving establishment for holding fish, other than live fish, before it is further processed or shipped, shall be constructed so as to provide drainage and, where made of wood, be constructed of planed lumber or waterproof plywood and be coated with a durable and waterproof material free of contaminants. R.R.O. 1990, Reg. 456, s. 45.

46. Every conveyor belt in a cannery and a fresh-fish, freezing or semi-preserving establishment that comes in contact with fish, other than canned fish or packaged fish, shall be fitted with a spray washer and, where practical, a scraper. R.R.O. 1990, Reg. 456, s. 46.

47. No person shall use a wire mesh utensil in processing fish in a cannery or a fresh-fish, freezing or semi-preserving establishment. R.R.O. 1990, Reg. 456, s. 47.

48. No person shall use an enamelled utensil in processing fish in a cannery or a fresh-fish, freezing or semi-preserving establishment. R.R.O. 1990, Reg. 456, s. 48.

49. Every cannery shall be provided with steam of a supply and at a pressure sufficient for the operations of the cannery. R.R.O. 1990, Reg. 456, s. 49.

50. Every freezing facility in a fresh-fish, freezing or semi-preserving establishment shall be capable of reducing the temperature at the centre of a one-inch thick block of unpackaged fillets to -5°F in two hours or less. R.R.O. 1990, Reg. 456, s. 50.

51. (1) Every freezing facility in a fresh-fish, freezing or semi-preserving establishment where round or dressed fish is blast frozen shall be capable of freezing fish by means of air at a temperature of -20°F or colder, moving at a velocity of not less than four hundred feet per minute. R.R.O. 1990, Reg. 456, s. 51 (1).

(2) Where fish is frozen by the method referred to in subsection (1), the fish shall be removed from the freezing facility immediately after the temperature at the centre of the thickest section of the fish reaches -5°F. R.R.O. 1990, Reg. 456, s. 51 (2).

52. Every cannery shall be equipped with one or more retorts equipped with,

(a) a mercury-in-glass thermometer;

(b) a pressure gauge;

(c) a steam spreader; and

(d) venting valves. R.R.O. 1990, Reg. 456, s. 52.

#### PART VIII

#### GENERAL OPERATING REQUIREMENTS FOR ESTABLISHMENTS

53. No person who,

(a) is known to be suffering from a communicable disease;

(b) is a known carrier of a communicable disease; or

(c) has an infected wound or open lesion on any part of his or her body,

shall be employed in any working area of an establishment. R.R.O. 1990, Reg. 456, s. 53.

54. Every person engaged in handling or processing fish in an establishment shall wash his or her hands thoroughly with warm water and liquid or powdered soap immediately before commencing each work shift and after each absence from duty. R.R.O. 1990, Reg. 456, s. 54.

55. No employee who handles fish with his or her bare hands in an establishment shall wear finger-nail polish. R.R.O. 1990, Reg. 456, s. 55.

56. All waterproof garments in an establishment shall be thoroughly cleaned after each work shift. R.R.O. 1990, Reg. 456, s. 56.

57. No person in an establishment shall smoke or spit in a working area. R.R.O. 1990, Reg. 456, s. 57.

58. Every toilet facility in an establishment shall be maintained in a clean condition and contain a supply of toilet tissue at all times. R.R.O. 1990, Reg. 456, s. 58.

59. All sewage from an establishment, including liquid waste from fish processing operations, shall be disposed of in such a manner that the sewage is inaccessible to flies and the water supply for the establishment does not become contaminated. R.R.O. 1990, Reg. 456, s. 59.
60. Offal and other refuse shall be removed from the processing area of an establishment at least once a day. R.R.O. 1990, Reg. 456, s. 60.
61. No person shall use an offal bin or receptacle in an establishment for a purpose other than the retention of offal. R.R.O. 1990, Reg. 456, s. 61.
62. No person shall permit a dog or other animal to be in an establishment. R.R.O. 1990, Reg. 456, s. 62.
63. Every operator of an establishment shall maintain a rodent and insect control program in the establishment and, where a pesticide is used, it shall be used in such a manner that the pesticide does not contaminate any fish in the establishment. R.R.O. 1990, Reg. 456, s. 63.
64. No unnecessary material or equipment shall be stored in a working area of an establishment. R.R.O. 1990, Reg. 456, s. 64.
65. The grounds and beach of an establishment shall be kept clean. R.R.O. 1990, Reg. 456, s. 65.
66. Every establishment shall be equipped with brushes, brooms, hoses and other equipment and material for the cleaning of the establishment. R.R.O. 1990, Reg. 456, s. 66.
67. Except where it is to be further processed, frozen fish shall be protected to prevent a rise in the temperature of the fish when it is outside a refrigerated area. R.R.O. 1990, Reg. 456, s. 67.
68. Every establishment and all equipment and utensils used in the operation of an establishment shall be kept in good repair and in a clean and sanitary condition. R.R.O. 1990, Reg. 456, s. 68.

## PART IX

### ADDITIONAL OPERATING REQUIREMENTS FOR CANNERIES

#### Fresh-Fish, Freezing or Semi-Preserving Establishments

69. Every operator of a cannery shall keep at the cannery a record for a period of not less than twelve months of the sterilization treatment used for each batch of fish at the cannery. R.R.O. 1990, Reg. 456, s. 69.
70. All water used in a cannery for cooling canned fish shall be chlorinated to give a chlorine residual of at least two parts per million. R.R.O. 1990, Reg. 456, s. 70.
71. (1) All fish which are to be canned shall be thoroughly washed prior to canning. R.R.O. 1990, Reg. 456, s. 71 (1).
- (2) Round fish shall be thoroughly washed prior to processing. R.R.O. 1990, Reg. 456, s. 71 (2).
- (3) Where fish has been dressed, it shall be thoroughly washed prior to further processing. R.R.O. 1990, Reg. 456, s. 71 (3).
72. (1) No ice, other than ice made from water referred to in subsection 32 (1), shall be used in a cannery or a fresh-fish, freezing or semi-preserving establishment. R.R.O. 1990, Reg. 456, s. 72 (1).

(2) Except for fire protection, boilers or auxiliary services, no water, other than water referred to in subsection 32 (1), shall be used in a cannery or a fresh-fish, freezing or semi-preserving establishment. R.R.O. 1990, Reg. 456, s. 72 (2).

73. All protective hand coverings worn by employees in any processing area in a cannery or a fresh-fish, freezing or semi-preserving establishment shall be disinfected immediately after each break in a work shift and at the end of every work shift. R.R.O. 1990, Reg. 456, s. 73.

74. (1) Except for a filleter, skinner, scaler, handler of round or dressed fish or a worker in a frozen storage room in a fresh-fish, freezing or semi-preserving establishment, every employee engaged in a fish processing operation in a cannery or a fresh-fish, freezing or semi-preserving establishment shall wear a clean overall, smock or coat and headgear that completely covers the hair. R.R.O. 1990, Reg. 456, s. 74 (1).

(2) All protective outer garments worn by an employee in a fish processing operation in a cannery shall be kept thoroughly cleaned. R.R.O. 1990, Reg. 456, s. 74 (2).

(3) A filleter, skinner, scaler or handler of round or dressed fish in a fresh-fish, freezing or semi-preserving establishment shall wear clean outer garments and headgear that completely covers the hair. R.R.O. 1990, Reg. 456, s. 74 (3).

(4) A worker in a frozen storage room in a fresh-fish, freezing or semi-preserving establishment shall wear clean outer garments. R.R.O. 1990, Reg. 456, s. 74 (4).

75. (1) Every utensil that comes in contact with fish before it is canned or packaged shall be thoroughly cleaned and disinfected at least once during each work shift and at the end of each work shift. R.R.O. 1990, Reg. 456, s. 75 (1).

(2) Every utensil referred to in subsection (1) shall be air-dried and stored in a sanitary manner at the end of each working day. R.R.O. 1990, Reg. 456, s. 75 (2).

76. All equipment, including conveyor belts and tables, that comes in contact with fish that is being processed, other than canned and packaged fish, shall be cleaned and disinfected at the end of each work shift. R.R.O. 1990, Reg. 456, s. 76.

77. Every floor in a wet working area in a cannery and a fresh-fish, freezing or semi-preserving establishment shall be thoroughly washed and disinfected daily. R.R.O. 1990, Reg. 456, s. 77.

## PART X

### ADDITIONAL OPERATING REQUIREMENTS FOR FROZEN-STORAGE ESTABLISHMENTS

78. Every room in a frozen-storage establishment in which frozen fish is stored shall be maintained at a temperature of -15°F or colder. R.R.O. 1990, Reg. 456, s. 78.

79. (1) Every storage room in a frozen-storage establishment shall be equipped with a thermometer or other temperature-measuring device that is located in such a place that it indicates the average air temperature of the room. R.R.O. 1990, Reg. 456, s. 79 (1).

(2) The temperature in a storage room in a frozen-storage establishment shall be read and recorded at least once each day and the record shall be retained for a period of not less than twelve months. R.R.O. 1990, Reg. 456, s. 79 (2).

80. No odoriferous substance shall be stored with fish in a holding or storage room in a frozen-storage establishment. R.R.O. 1990, Reg. 456, s. 80.

## PART XI

## TRANSPORTATION OF FISH

81. Every vehicle used for the marketing of fish shall contain facilities that,

(a) protect the fish from contamination and weather;

(b) are in good repair and in a clean and sanitary condition;

(c) where fresh or semi-preserved fish are being transported will maintain the fish in a chilled condition; and

(d) where frozen fish are being transported will prevent the temperature of the frozen fish from increasing more than 10°F during transportation. R.R.O. 1990, Reg. 456, s. 81.