

Dead Animal Disposal Act

R.R.O. 1990, REGULATION 263

Amended to O. Reg. 302/06

GENERAL

Notice of Currency:* This document is up to date.

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This is the English version of a bilingual regulation.

Licences

1. (1) No person shall transport dead animals except in a vehicle for which the Director has issued a marker. O. Reg. 525/96, s. 1.

(2) The Director shall issue a marker for each vehicle that complies with the Act and this Regulation, that is operated by the holder of a licence to engage in the business of a collector and for which a marker is applied. O. Reg. 525/96, s. 1.

2. (1) A marker expires with December 31 in its year of issue. O. Reg. 525/96, s. 1.

(2) A licence expires with December 31 in its year of issue. O. Reg. 525/96, s. 1.

3. (1) A person entitled to a marker is entitled to one free marker. O. Reg. 525/96, s. 1.

(2) The fee for each additional marker is \$1. O. Reg. 525/96, s. 1.

4. (1) The fee for a licence to engage in the business of a collector is \$10. O. Reg. 525/96, s. 1.

(2) The fee for a licence to engage in the business of an operator of a receiving plant or an operator of a rendering plant is \$50 if the licence begins before July 1 or \$25 if it begins on or after July 1. O. Reg. 525/96, s. 1.

(3) The fee for a licence to engage in the business of a broker is \$100 if the licence begins before July 1 or \$50 if it begins on or after July 1. O. Reg. 525/96, s. 1.

5. The Director may suspend, revoke or refuse to renew a licence if the licensee has ceased to carry on business as a collector, broker, operator of a receiving plant or operator of a rendering plant, as the case may be. O. Reg. 525/96, s. 1.

Disposal of Dead Animals

6. (1) In addition to the methods set out in subsection 3 (1) of the Act, the owner of a dead animal may dispose of it within 48 hours after its death,

(a) by delivering it in a vehicle belonging to the owner to a laboratory for post mortem examination, investigation or loss adjustment;

(b) by carrying out the composting of it on the owner's farm where the animal died or another farm owned by the owner, in accordance with subsection (2); or

(c) by storing the dead animal and disposing of it in accordance with subsection (3). O. Reg. 302/06, s. 1.

(2) For purposes of composting, a dead animal must immediately be covered with at least 60 centimetres of sawdust or other biodegradable material that is high in carbon content. O. Reg. 302/06, s. 1.

(3) The owner of a dead animal may store it before disposing of it if,

(a) within 48 hours of its death it is stored in a refrigerated or frozen state,

(i) at the owner's farm where the dead animal died,

(ii) at another farm owned by the owner of the dead animal, or

(iii) at another farm, if the owner of that farm consents;

(b) it is kept stored in a refrigerated or frozen state at the location where it was originally stored under clause (a);

(c) it is stored for no longer than 14 days following its death if it is stored in a refrigerated state and no longer than 240 days following its death if it is stored in a frozen state;

(d) the owner of the dead animal ensures that it is stored in a manner so that it is hidden from view and protected from scavengers, vermin and decomposition; and

(e) immediately after it is removed from refrigerated or frozen storage, it is disposed of by,

(i) burying it with a covering of at least two feet of earth on the owner's farm where the animal died or another farm owned by the owner,

(ii) using the services of a person licensed as a collector under the Act,

(iii) delivering it, in a vehicle belonging to the owner of the dead animal, to a laboratory for post mortem examination, investigation or loss adjustment, or

(iv) carrying out the composting of it on the owner's farm where the animal died or another farm owned by the owner in accordance with subsection (2). O. Reg. 302/06, s. 1.

(4) If a dead animal that is stored before disposal under subsection (3) becomes decomposed during storage, the owner shall immediately dispose of it by one of the methods referred to in clause (3) (e). O. Reg. 302/06, s. 1.

(5) For the purposes of subsection (3),

“frozen” means kept at a temperature of -18 degrees Celsius or less; (“congelé”)

“refrigerated” means kept at a temperature of 4 degrees Celsius or less. (“réfrigéré”) O. Reg. 302/06, s. 1.

(6) The owner of a dead animal may transport it, in the owner's vehicle, from the owner's farm where the animal died to,

(a) another farm owned by the owner of the dead animal to store it at that farm before disposal in accordance with subsection (3), or for disposal in accordance with this section;

(b) another farm described in subclause (3) (a) (iii) to store it at that farm before disposal in accordance with subclause (3) (e) (ii); or

(c) a common bin owned by a person licensed as a collector under the Act for collection by that collector. O. Reg. 302/06, s. 1.

(7) If the owner of a dead animal places it in a common bin owned by a licensed collector as authorized under clause (6) (c), the dead animal is not considered disposed of under subsection 3 (1) of the Act until the licensed collector takes the dead animal from the common bin. O. Reg. 302/06, s. 1.

Handling of Dead Animals

7. (1) No person shall transport a dead animal in a vehicle unless,

(a) the vehicle has a marker issued by the Director affixed to the inside of the windshield and clearly visible to persons outside the vehicle;

(b) the vehicle is designed and equipped to prevent the leakage of liquids;

(c) the parts of the vehicle that come into contact with any dead animal have an impervious surface that will allow for repeated cleaning and sanitizing; and

(d) the vehicle is designed and equipped in such a manner so as to prevent dead animals from being visible to the public during transport. O. Reg. 302/06, s. 2.

(2) The collector shall remove the marker from the vehicle within ten days after,

(a) ceasing to use the vehicle; or

(b) the 1st day of January of the year following the year of issue. R.R.O. 1990, Reg. 263, s. 7 (2).

8. (1) No person shall transport a dead animal in such a manner that it is visible to the public during transport. O. Reg. 302/06, s. 3.

(2) No person shall transport dead animals in a vehicle in which food for human consumption is being transported. R.R.O. 1990, Reg. 263, s. 8 (2).

(3) No person shall transport dead animals in a vehicle in which a live animal is being transported. R.R.O. 1990, Reg. 263, s. 8 (3); O. Reg. 525/96, s. 2.

(4) A collector shall deliver a dead animal as soon as practicable to a receiving plant or rendering plant but not more than twenty-four hours after the animal is collected. R.R.O. 1990, Reg. 263, s. 8 (4).

Receiving Plants and Rendering Plants

9. (1) No person shall construct or acquire premises for use as a receiving or rendering plant without,

(a) notifying the Director of the intention; and

(b) furnishing the Director with a copy of the plan and specifications of the premises proposed to be used or constructed. R.R.O. 1990, Reg. 263, s. 9 (1); O. Reg. 302/06, s. 4 (2).

(2) A receiving plant or rendering plant shall,

(a) be located in a place free from conditions that might injuriously affect the sanitary operation of the plant; and

(b) be constructed and finished in such a manner that the plant is capable of being maintained in a sanitary condition. R.R.O. 1990, Reg. 263, s. 9 (2).

10. All liquid waste and drainage from the operation of a receiving plant or rendering plant shall be disposed of in a sanitary manner. R.R.O. 1990, Reg. 263, s. 10.

11. Every practicable precaution shall be taken to maintain receiving plants and rendering plants free of flies, rats, mice and other vermin. R.R.O. 1990, Reg. 263, s. 11.

12. The yards of a receiving plant or rendering plant shall be maintained in a clean condition. R.R.O. 1990, Reg. 263, s. 12.

13. No person shall permit,

(a) a dog or cat to be in a receiving plant or a rendering plant;

(b) a dead animal to be kept on the yards of a receiving plant or a rendering plant; or

(c) food for human consumption to be stored at a receiving plant or rendering plant. R.R.O. 1990, Reg. 263, s. 13; O. Reg. 525/96, s. 3.

14. On delivery of dead animals or parts thereof to a receiving or rendering plant, the vehicle or container used in the delivery shall be thoroughly cleaned and, where the cleaning is not followed by a steam process, shall be disinfected so that all disease-producing organisms are destroyed before the vehicle or container leaves the premises of the plant. R.R.O. 1990, Reg. 263, s. 14.

15. Every plant shall have available a supply of potable hot and cold water adequate for the efficient operation of the plant. R.R.O. 1990, Reg. 263, s. 15.

16. Every plant shall be equipped with accommodation for washing and dressing for employees. R.R.O. 1990, Reg. 263, s. 16.

17. Every receiving plant shall have one or more buildings and shall have adequate rooms for,

(a) receiving and processing of dead animals;

(b) refrigeration of meats in storage where the meat is being processed in the manner described in section 20; and

(c) holding of offal and any parts of the dead animals for disposal. R.R.O. 1990, Reg. 263, s. 17; O. Reg. 302/06, s. 5.

18. (1) Subject to subsection (3), all entrails, bones, waste meat and refuse of dead animals delivered to a receiving plant shall be disposed of by,

(a) delivering it to a rendering plant;

(b) burying it with a covering of at least two feet of earth; or

(c) delivering it to a facility that is approved under the Environmental Protection Act to receive and process this material. O. Reg. 302/06, s. 6.

(2) Subject to subsection (3), all entrails, bones, waste meat and refuse of dead animals delivered to a rendering plant shall be disposed of by,

(a) sterilizing it by means of heat;

(b) burying it with a covering of at least two feet of earth; or

(c) delivering it to a facility that is approved under the Environmental Protection Act to receive and process this material. O. Reg. 302/06, s. 6.

(3) The operator of a receiving plant or rendering plant may dispose of the contents of the digestive tracts of dead animals, which are not disposed of in one of the methods set out in subsections (1) and (2), in another sanitary manner. O. Reg. 302/06, s. 6.

(4) An operator of a receiving plant shall not dispose of the entire carcass of a dead animal except by one of the methods described in subsection (1). O. Reg. 302/06, s. 6.

(5) An operator of a rendering plant shall not dispose of the entire carcass of a dead animal except by one of the methods described in subsection (2). O. Reg. 302/06, s. 6.

(6) If an operator of a receiving plant or a rendering plant is approved under the Environmental Protection Act to receive and process material described in subsections (1), (2), (4) and (5) and processes the material in accordance with that approval, the operator is deemed to have met the criteria set out in clause (1) (c) or (2) (c), as the case may be. O. Reg. 302/06, s. 6.

(7) Except as provided in this Regulation, no person shall take delivery of, receive or process the entrails, bones, waste meat or refuse of dead animals unless such entrails, bones, waste meat or refuse have been sterilized by means of heat at a rendering plant. O. Reg. 302/06, s. 6.

19. No person shall advertise for dead animals or fallen animals unless the person is the holder of a licence as a collector. R.R.O. 1990, Reg. 263, s. 19.

20. (1) If the operator of a receiving plant or rendering plant is processing a dead animal to obtain meat from it, the operator shall, within 24 hours of receipt of the dead animal or, if the dead animal is frozen, within 24 hours of thawing,

(a) cut all meat obtained from a dead animal into portions or mechanically process the animal into a meat and bone product;

(b) denature the meat and meat and bone product from a dead animal in portions not more than five kilograms by applying charcoal or another denaturant approved by the Director to the surface of the meat and meat and bone product in sufficient quantities that the application of more denaturant would not affect the colour of the surface; and

(c) package the meat and meat and bone product portions in containers or wrapping that is legibly marked "NOT FOR HUMAN CONSUMPTION" and with the plant number, in characters at least five centimetres in height on at least four sides or places. O. Reg. 525/96, s. 4; O. Reg. 302/06, s. 7.

(2) Every container or wrapping in which meat obtained from a dead animal is packaged shall have an exterior surface sufficiently absorbent so that the marking "NOT FOR HUMAN CONSUMPTION" will not become illegible during handling, storage or transportation. O. Reg. 525/96, s. 4.

(3) Subsection (1) does not apply to the storing, at a receiving plant or rendering plant, of meat obtained from a dead animal,

(a) where the plant's operator is a fur farmer and does not use the meat except,

(i) to manufacture the meat, with additives, into food for the operator's fur-bearing animals or for the fur-bearing animals of another fur farmer and the meat is manufactured by the next business day after the dead animal is delivered to the plant, or

(ii) to feed the meat to the operator's fur-bearing animals if it is fed by the next business day after the dead animal is delivered to the plant; or

(b) where, in the case of a rendering plant, the meat is sterilized by heat by the next business day after the dead animal is delivered to the plant. O. Reg. 525/96, s. 4.

(4) The operator of a receiving plant or rendering plant who stores meat obtained from a dead animal shall freeze the meat and maintain it at an internal temperature of not more than minus 18°C. O. Reg. 525/96, s. 4.

21. No person shall, unless such meat has been treated for purposes of identification or processed in the manner prescribed in this Regulation,

(a) freeze or store at a receiving plant or a rendering plant meat obtained from a dead animal;

(b) sell, offer for sale, transport, deliver or supply to any person or otherwise dispose of meat obtained from a dead animal; or

(c) take delivery of, receive or process meat obtained from a dead animal. R.R.O. 1990, Reg. 263, s. 21.

22. Revoked: O. Reg. 302/06, s. 8.

23. A broker who resells meat or meat and bone product from a dead animal after altering its form in any way that reduces or eliminates the colour of the surface that resulted from the denaturing of the meat or meat and bone product in accordance with clause 20 (1) (b) shall,

(a) further denature the meat or meat and bone product as required under clause 20 (1) (b); and

(b) repackage the meat or meat and bone product as required under clause 20 (1) (c). O. Reg. 525/96, s. 5.

24. It is a condition of every licence that the licensee keeps the records required to be kept under section 14 of the Act in the form approved by the Ministry. O. Reg. 525/96, s. 5.

25. A collector shall keep the records in the vehicle in which the animal was transported. O. Reg. 525/96, s. 5.

26. Revoked: O. Reg. 525/96, s. 5.

27. Where an inspector inspects any vehicle used in the transportation of dead animals or any receiving or rendering plant, the inspector shall make a report to the Director showing the conditions found upon inspection. R.R.O. 1990, Reg. 263, s. 27.

28. (1) An inspector who seizes a dead animal or meat therefrom under clause 15 (3) (c) of the Act, shall,

(a) attach a tag to the dead animal or meat;

(b) forthwith thereafter notify the owner or the person who had possession thereof in writing of,

(i) the seizure, and

(ii) the grounds on which the inspector believes that there is a contravention of the Act or this Regulation in respect thereof; and

(c) direct that such dead animal or meat be detained in the place where it was found or be removed to another place designated by the inspector. R.R.O. 1990, Reg. 263, s. 28 (1); O. Reg. 525/96, s. 6 (1).

(2) An inspector who is satisfied,

(a) that the owner of the dead animal or meat that is under seizure complies with; or

(b) that such dead animal or meat has been made to comply with,

the Act or this Regulation in respect thereof shall remove the tag and release the dead animal or meat from the seizure. R.R.O. 1990, Reg. 263, s. 28 (2).

(3) Where, after a hearing, the Director finds that there is a contravention of the Act or this Regulation by the owner or person who has possession of a dead animal or meat that is under seizure, the Director may direct that such dead animal or meat be destroyed or otherwise disposed of in such manner as the Director considers advisable. R.R.O. 1990, Reg. 263, s. 28 (3).

(4) Where a person is convicted of an offence against the Act or this Regulation in respect of a dead animal or meat that is under seizure, the Director may direct that such dead animal or meat be destroyed or otherwise disposed of in such manner as the Director considers advisable. R.R.O. 1990, Reg. 263, s. 28 (4).

(5) The proceeds, if any, realized from the disposal of a dead animal or meat under subsection (3) or (4) shall be paid to the Minister of Finance. R.R.O. 1990, Reg. 263, s. 28 (5).

(6) Where a dead animal or meat therefrom is under seizure, no person shall,

(a) remove the tag attached by the inspector; or

(b) sell, offer to sell, move, allow or cause to be moved, receive or process such dead animal or meat. R.R.O. 1990, Reg. 263, s. 28 (6); O. Reg. 525/96, s. 6 (2).

Forms 1-13 Revoked: O. Reg. 525/96, s. 7.