

PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

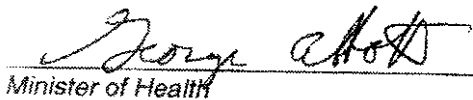
Order in Council No. 344 , Approved and Ordered JUN - 5 2008



Lieutenant Governor
Administration

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the ~~Lieutenant Governor~~ ^{Administrator}, by and with the advice and consent of the Executive Council, orders that the Meat Inspection Regulation, B.C. Reg. 349/2004, is amended as set out in the attached Schedule.


Minister of Health
Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section:- Food Safety Act, S.B.C. 2002, c. 28, s. 23

Other (specify):- OIC 798/2004

May 27, 2008

Resub R/490/2008/12

SCHEDULE

1 Section 5 of the Meat Inspection Regulation, B.C. Reg. 349/2004, is amended

(a) in subsection (3) by striking out “and” at the end of paragraph (a), by adding “and” to the end of paragraph (b) (ii), and by adding the following paragraph:

(c) as of the date this paragraph comes into force, the transitional slaughter establishment is operating in a location of the Province that is more than 100 km, or, if separated by marine waters, 15 nautical miles, from a slaughter establishment that

- (i) is operated under a Class A or B licence,
- (ii) slaughters animals of the same species as are slaughtered at the transitional slaughter establishment, and
- (iii) slaughters animals that are not owned by the licence holder, , **and**

(b) by adding the following subsection:

- (4) If a person holds a Class C licence as of the date subsection (3) (c) comes into force, subsection (3) (c) does not apply to the licence or any application to renew the licence made before December 31, 2009.

2 The following section is added:

Plan exemption for certain Class C applicants

5.1 (1) In this section:

“business plan” means a plan relating to the proposed operation of

- (a) a particular Class A or B slaughter establishment, or
 - (b) a Class A or B slaughter establishment in a particular area,
- including a plan that assists in determining whether operation of that Class A or B slaughter establishment or operation in that area would be feasible;

“feasibility study” means a study to determine whether operation of a Class A or B slaughter establishment would be feasible generally in an area.

- (2) This section applies to applicants for a Class C licence to whom both of the following criteria apply:
- (a) the term of the licence, if a licence is issued, will not include any period following December 31, 2009;
 - (b) a feasibility study or business plan is being or is proposed to be undertaken, or has been completed but further steps are required
 - (i) to increase the feasibility of operating a Class A or B slaughter establishment,
 - (ii) to implement recommendations of the feasibility study, or
 - (iii) to implement the business plan.
- (3) The minister may exempt applicants described in subsection (2) of this section from the requirement to have a plan under section 5 (3) (b) if, in the minister's

opinion, it is necessary to maintain slaughter capacity in the area in which the transitional slaughter establishment is operating.

- (4) For the purposes of making a determination under subsection (3), the minister must consider all of the following:
- (a) both
 - (i) the need for slaughter capacity of the species to be slaughtered at the transitional slaughter establishment, and
 - (ii) potential challenges to the sustainability of a Class A or B slaughter establishmentin the area in which the transitional slaughter establishment will operate or is operating;
 - (b) the volume of animals proposed to be slaughtered during the term of the licence;
 - (c) the remoteness of the location of the transitional slaughter establishment, including its proximity to a Class A or B slaughter establishment.
- (5) For the purposes of making a determination under subsection (3), the minister may refer the application to the minister responsible for the *Animal Disease Control Act* and that minister may provide an opinion in respect of the matters listed in subsection (4).

3 Section 17 (2) is repealed and the following substituted:

- (2) A Class C licence holder must ensure that packages containing meat products produced at a transitional slaughter establishment operated by the licence holder include a label printed with the words
- “Not Government Inspected – Not for Resale”.

4 The Schedule is amended by striking out “The areas comprising all the land within the boundaries of School District No. 61 (Greater Victoria), School District No. 62 (Sooke) and School District No. 63 (Saanich).” and substituting “The area comprising all the land of Vancouver Island.”