

The Saskatchewan Egg Regulations

being

Saskatchewan Regulations 269/78 (effective August 1, 1978)
as amended by Saskatchewan Regulations 27/85; and by the
Statutes of Saskatchewan, 2000, c.50

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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SASKATCHEWAN REGULATIONS 269/78

The Animal Products Act

Title

- 1 These regulations may be cited as “The Saskatchewan Egg Regulations”.

Interpretations

- 2 In these regulations:

- (a) “**Act**” means *The Animal Products Act, 1978*;
- (b) “**branch**” means any stationary permanent place of business in addition to the principal place of business of the licensee;
- (c) “**contributor**” means a person who supplies eggs to a processed egg station or registered egg station;
- (d) “**carton**” means a container constructed to contain 6, 12, 18, 24, or 30 eggs with a separate compartment for each egg;
- (e) “**certificate of registration**” means the certificate of registration issued under the Canada Agricultural Products Standards Act by the Minister of Agriculture for Canada;
- (f) “**clean**” means free from dirt, residue of egg and foreign odours;
- (g) “**consumer**” means a person who buys eggs for domestic use and not for resale;
- (h) “**container**” means any case, box, carton or other receptacle used to contain eggs or egg product;
- (i) “**department**” means the Department of Agriculture for the province;
- (j) “**director**” means the Director of the Animal Industry Branch of the department;
- (k) “**domestic hen**” means a female bird of the *Gallus domesticus*;
- (l) “**egg wholesaler or egg product wholesaler**” means any person other than a producer who markets eggs or egg products to:
 - (i) a retailer;
 - (ii) any person in quantities of 15 dozen or more for use as food or in the preparation of food products;
 - (iii) a processed egg station; or
 - (iv) a registered egg station;

- (m) **“egg”** means an egg of the domestic hen, but does not include a hatching egg;
- (n) **“egg product”** or **“processed egg product”** means frozen eggs, liquid egg, dried egg or any of these in a mixture containing other ingredients;
- (o) **“Egg Regulations”** means The Egg Regulations, as amended from time to time, under The Canada Agricultural Products Standards Act, as amended from time to time, respecting inter alia the grading, packing, marking and inspection of eggs;
- (p) **“grade cracks”** means eggs which possess the following characteristics:
 - (i) the shell is cracked but the internal contents are not leaking; and
 - (ii) upon candling, the egg meets the standards of at least Canada C;
- (q) **“grade”** or **“graded”** means to mark eggs or egg product in accordance with The Egg Regulations, The Processed Egg Regulations and these regulations;
- (r) **“hatchery”** means any place, building or premises equipped with an incubator and used for incubation purposes;
- (s) **“inspector”** means a person appointed as or authorized to be an inspector under the Act;
- (t) **“Licensee”** means any person licensed under these regulations;
- (u) **“marketing”** or **“market”** includes selling, offering for sale, advertising, assembling, storing, shipping or transporting in any manner;
- (v) **“operator”** means a person who is in charge of a registered egg station or a processed egg station and includes the owner thereof;
- (w) **“process”** means any part of the work of preparing egg product;
- (x) **“Processed Egg Regulations”** means The Processed Egg Regulations, as amended from time to time, under The Canada Agricultural Standards Products Act, as amended from time to time, respecting inter alia the grading, packing, marking and inspection of processed egg;
- (y) **“processed egg station”** or **“egg product station”** means a place where egg product is processed and packed, and in respect of which a certificate of registration has been issued;
- (z) **“producer”** means a person who markets eggs produced on premises owned or operated by him;
- (aa) **“producer egg grader”** means a person who grades eggs produced on premises owned or operated by him;
- (bb) **“reject”** means any egg which does not meet the requirements of any of the grades specified in accordance with The Egg Regulations and these regulations or which has been in an incubator;

- (cc) **“registered egg station”** means a place where eggs are graded, packed or marked, and in respect of which a certificate of registration has been issued;
- (dd) **“retailer”** means a person who markets eggs to a consumer and includes establishments which utilize eggs or egg product in the preparation of food products;
- (ee) **“ungraded eggs”** means eggs in containers which are not marked in accordance with The Egg Regulations and these regulations;
- (ff) **“wholesome”** means free from rejects as defined in these regulations;
- (gg) **“yield”** means the weight of egg meat obtained from shell eggs;
- (hh) metric units used herein shall be construed with reference to The International System of Units (SI); and
- (ii) words not herein defined shall be construed with reference to the interpretation of the Act.

18 Aug 78 SR 269/78 s2.

Licences

3(1) No person, unless he or she is a holder of a valid and subsisting licence issued under these regulations, shall operate or carry on business in Saskatchewan as:

- (a) an egg wholesaler or egg product wholesaler;
- (b) a processed egg station;
- (c) a producer egg grader;
- (d) a registered egg station;
- (e) a branch operation of any of the businesses mentioned in clauses (a), (b), (c), or (d).

(2) Licences shall be in the form issued by the department and signed by the minister.

(3) No licence shall be transferable.

(4) Every licensee who operates more than one stationary permanent place of business shall obtain a branch licence for each such place of business.

(5) Every licence shall, unless previously suspended or cancelled, expire on the date indicated on the licence.

18 Aug 78 SR 269/78 s3; 2000, c.50, s.28.

Licences under The Live Stock and Live Stock Products Act

4 Licences issued under regulations made under the Live Stock and Live Stock Products Act and filed as Saskatchewan Regulation 208/70, shall continue and be subject to these regulations and be deemed to have been issued under and meet the requirements of these regulations and such licences shall continue to be in force until December 31, 1978, unless sooner suspended or cancelled pursuant to these regulations.

18 Aug 78 SR 269/78 s4.

Conditions respecting licensing

- 5(1) Every person required to be licensed under these regulations shall make application to the director for a licence in the form issued by the department.
- (2) Any person applying on behalf of a partnership, firm or association may be required to provide to the director the name and address of every member of the partnership, firm or association and the minister may withhold the issuance of a licence until he is satisfied that such information has been provided.
- (3) Upon application, payment of the prescribed fee and fulfillment of other obligations under these regulations, the minister may issue to the applicant a licence.
- (4) The minister may require an applicant to furnish a list of employees or other agents authorized to buy or arrange for the purchase or sale of any class or classes of eggs or egg products on his behalf.
- (5) The minister may withhold the issuing of a licence where the applicant does not hold a valid and subsisting certificate of registration or has not made provision to grade eggs or egg product in accordance with The Egg Regulations, The Processed Egg Regulations, or any other act or regulation, whether of the province or of Canada, regulating such a person.
- (6) The minister may withhold the issuance of a licence until the full nature of the applicant's business can be ascertained.
- (7) Every licensee shall at all times comply with the Act and these regulations or any other act or regulations, whether of the province or of Canada, regulating the licensee.
- (8) The minister may refuse any application for a new licence or the renewal of an existing licence where an applicant has failed to comply with the provisions of the Act or these regulations or any other act or regulations whether of the province or of Canada regulating such person.

18 Aug 78 SR 269/78 s5; 2000, c.50, s.28.

Licensing fees

- 6(1) The fee for a licence shall be \$30.
- (2) The fee for the renewal of a licence, made by an applicant holding a valid and subsisting licence, shall be \$30 where the prescribed fee and the application for licence renewal is received by the director by November 30 or such later date approved or authorized by the director with respect to any application.
- (3) The fee for the renewal of a licence, made by an applicant holding a valid and subsisting licence, shall be \$60 with respect to any application received by the director after November 30 and which date has not been extended by the director under subsection (2).
- (4) Notwithstanding subsection (1), (2), or (3):
- (a) where the applicant holds one valid licence, other than a producer egg grader licence, issued under these regulations, other licences required by the applicant under these regulations, other than branch licences, shall be issued without charge; and

(b) no fees shall be required for a producer egg grader licence issued under these regulations.

18 Aug 78 SR 269/78 s6; 26 Apr 85 SR 27/85 s2.

Licences to be displayed or produced

7 Every licensee shall ensure that his licence is displayed at all times in a conspicuous place in his business premises.

18 Aug 78 SR 269/78 s7.

Suspension or cancellation of licences

8 Where a licensee has failed to comply with any provisions of the Act or these regulations or has failed to comply with any of the provisions of any other act or regulations, whether of the province or of Canada, regulating the licensee, the minister may:

- (a) suspend the licence and, in such a case, such notice of suspension in writing shall be given to the licensee and the licensee shall surrender forthwith his licence to the director;
- (b) reinstate a suspended licence if the licensee, within 30 days of the notice of suspension of his licence, furnishes evidence to the satisfaction of the director that the licensee can comply with the provisions of the regulations on account of which the licence was suspended and the director shall give to the licensee notice in writing that his licence has been removed from suspense, together with the reinstatement of the licence; or
- (c) where the licence has not been removed from suspense within 30 days referred to in clause (b), cancel the licence and the director shall give notice of the cancellation by registered mail.

18 Aug 78 SR 269/78 s8; 2000, c.50, s.28.

Payment for eggs

9(1) The licensee of a registered egg station shall pay for all eggs on the basis of the grade standards as established under The Egg Regulations and these regulations.

(2) Eggs received for processing by the licensee of a registered egg station or processed egg station shall be paid for on the basis of yield.

(3) The licensee of a registered egg station or processed egg station shall, within seven days of receipt of ungraded eggs, ensure that the owner of the eggs receives a payment in full or final settlement, together with one copy of the grading statement attached.

18 Aug 78 SR 269/78 s9.

Producer egg grader

10 No producer egg grader shall grade eggs other than eggs produced on premises owned or operated by him.

18 Aug 78 SR 269/78 s10.

Producer egg grader facilities

11(1) No producer egg grader shall grade any eggs unless the equipment used is acceptable to or approved by an inspector.

(2) No producer egg grader shall grade any eggs unless the room used for grading, storing and holding eggs is:

- (a) sound in construction, clean and in good repair;
 - (b) separated from any room that is likely to emit an odour that may affect the flavour or taste of the eggs;
 - (c) adequate in size for the volume of eggs graded;
 - (d) constructed of materials that will permit thorough cleaning of floors, walls and ceilings;
 - (e) equipped with an adequate supply of potable water;
 - (f) kept clean and free from rodents and other vermin.
- (3) The room used for holding eggs shall have:
- (a) a temperature which is maintained at 13°C or lower; and
 - (b) a relative humidity which is maintained at not less than 70 percent and not more than 85 percent.

18 Aug 78 SR 269/78 s11.2

Compliance with director's requirements

12 Where, in the opinion of an inspector, the director or his designate, the premises of a licensee are not satisfactory for the grading, storing or handling of eggs or egg product in which the licensee is authorized to deal, or that the licensee is handling the said eggs or egg product in an unsatisfactory manner, or the licensee is otherwise in default of any regulations and upon notice in writing of such default from the director, the licensee shall comply with such requirements and within the time the director may specify, to remedy any such default.

18 Aug 78 SR 269/78 s12.

13 Every person grading eggs shall ensure that:

- (a) any eggs graded which fail to meet the requirements of a grade established by The Egg Regulations and these regulations shall be destroyed or packed in containers bearing the words "Rejects - Not for Human Consumption";
- (b) each producer's eggs shall be graded entirely separate from those of any other producer, and a bench count report in the form approved pursuant to section 14 shall be completed at time of grading.

18 Aug 78 SR 269/78 s13.

14(1) Every person grading or packing eggs shall ensure:

- (a) eggs graded "grade cracks" pursuant to these regulations shall be packed in accordance with The Egg Regulations;

- (b) every carton containing grade cracks eggs shall be marked with:
 - (i) the number of eggs contained therein; and
 - (ii) the name and address of the producer; or
 - (iii) the name and address of the registered egg station which graded the eggs;
 - (c) the words “grade cracks” and “eggs” shall be marked on the top of every carton and the items referred to in clause (b) may be marked on either the side or top of the carton;
 - (d) the letters in the words “grade cracks” shall be not less than 13 mm in height and the height of all other letters or numerals shall be not less than seven mm in height;
 - (e) every container, other than cartons, holding grade cracks eggs shall be marked with:
 - (i) the name and address of the producer; or
 - (ii) the name and address of the registered egg station which graded the eggs; or
 - (iii) the certificate of registration number of the registered egg station which graded the eggs;
 - (f) the markings on every container referred to in clause (a) shall be:
 - (i) printed, stamped or stencilled in a central location on at least one side of every box and on one end of every case or other receptacle; or
 - (ii) printed on a tag, in the form issued or approved by the department, that is securely affixed in a central location on one side of every box and to one end of every case or other receptacle.
- (2) Notwithstanding subsection (1), where a producer markets grade cracks eggs directly to a consumer, the producer shall not be required to pack or mark eggs in accordance with The Egg Regulations and these regulations.

18 Aug 78 SR 269/78 s14.

Transportation of eggs and egg product

- 15(1)** Every operator of a vehicle transporting eggs or egg product shall ensure at all times that the vehicle is in a clean and sanitary condition satisfactory to an inspector.
- (2) No person shall transport eggs or egg product in any vehicle at any time unless there is adequate protection against abnormal temperature which may be detrimental to the product and shall provide efficient means of preventing unnecessary movement of the containers of eggs or egg product carried therein.
- (3) No person shall transport eggs or egg product in any vehicle at the same time as other livestock, volatile petroleum products, hides, fruits, vegetables or any other commodity that may damage or impart flavours or odours to the eggs or egg product so transported.

(4) Notwithstanding subsection (3), eggs or egg product may be transported where such items are separated in a manner that will not endanger or impair the quality, appearance or flavour of the eggs or egg product.

18 Aug 78 SR 269/78 s15.

Reporting and records to be maintained

16(1) Every licensee shall furnish the department and the Poultry Division of Agriculture Canada with a report of all purchases, sales, holdings or other information pertaining to eggs or egg product handled, in such form and at such time as the Poultry Division or the department may direct.

(2) Every licensee shall maintain a complete record of all transactions and retain such records for a period not less than 36 months and shall furnish an inspector, the director or his designate, on demand, such information as he may require for the purpose of administering and enforcing these regulations.

(3) Where the licensee is a registered egg station or processed egg station, his records shall include:

- (a) a grading statement showing the:
 - (i) name and address and registration number of the registered egg station;
 - (ii) name and address of contributor of the eggs;
 - (iii) date of receipt of eggs;
 - (iv) quantity of eggs received;
 - (v) date of grading or processing;
 - (vi) date of payment;
 - (vii) amount of any advance payment;
 - (viii) quantity of eggs graded into each grade;
 - (ix) quantity and yield of eggs processed;
 - (x) price to be paid for each grade or for the quantity and yield processed;
 - (xi) total sum paid to the contributor;
- (b) a bench count report in the form approved by the Poultry Division of Agriculture Canada.

18 Aug 78 SR 269/78 s16.

Canada regulations to apply to marketing eggs and egg product within Saskatchewan

17(1) The interpretations and the whole of Parts I, II and III of The Egg Regulations and the interpretation and the whole of Parts I, II and III of The Processed Egg Regulations, insofar as they are not inconsistent with any other regulation in these regulations, *mutatis mutandis*, shall apply to eggs and egg product and the regulating of egg and egg product, including the grading, packing, marking and marketing of eggs and egg product in Saskatchewan, and shall be deemed to be made pursuant to the Act and by reference are hereby incorporated and made part of these regulations in respect of regulating eggs and egg product, including the grading, packing, marking and marketing of egg and egg products in Saskatchewan.

(2) No person shall:

- (a) grade, pack, mark or market eggs or egg products that are not in accordance with these regulations;
- (b) market any eggs marked Canada C except to a processed egg station;
- (c) purchase or market “rejects” for use as food or in the preparation of food products for human consumption.

(3) Notwithstanding subsection (2):

- (a) a producer may market eggs to a registered egg station for grading or to a processed egg station for processing;
- (b) a producer may market eggs as a wholesome product directly to a consumer;
- (c) a registered egg station may send or convey ungraded eggs received by it to a processed egg station for processing; or
- (d) a person may sell eggs or egg product marked with the name of a foreign country and the name of a grade of that foreign country provided that the eggs or egg product meet the standard for the Canada grade equivalent.

18 Aug 78 SR 269/78 s17.

Disposition of rejects

18(1) Rejects shall be sold or offered for sale in the manner prescribed by the Poultry Division of Agriculture Canada in consultation with representatives of the industry.

(2) Notwithstanding subsection (1), rejects shall be sold only by a producer, operator of a registered egg station, a hatchery or a processed egg station.

18 Aug 78 SR 269/78 s18.

Product deemed to be for sale

19 All eggs or egg product on the premises of a retailer or an egg and egg product wholesaler shall be deemed to be for sale.

18 Aug 78 SR 269/78 s19.

Detention of product

20(1) An inspector may place under detention any eggs or egg product that do not comply with these regulations.

(2) Where eggs or egg product is detained, a number detention tag shall be attached to the container holding the eggs, the egg product or a sample of either product and shall include the following additional information:

- (a) a brief description of the lot or lots being detained;
- (b) the reason for detention;
- (c) the date of detention; and
- (d) the inspector's signature.

(3) Where the eggs or egg product are not in a container, an inspector may require the person in possession of the eggs or egg product to place such eggs or egg product in a container and the container shall be marked in accordance with subsection (2).

18 Aug 78 SR 269/78 s20.

21 Immediately after attaching the detention tag, the inspector shall notify the owner of the eggs or egg product or his agent of the detention by a notice of detention in the form issued or approved by the department, and where such eggs or egg product are on premises other than that of the owner, a copy of the notice of detention shall also be forwarded to the person on whose premises the eggs or egg product are detained.

18 Aug 78 SR 269/78 s21.

22 Except as authorized by an inspector:

- (a) no person shall alter or remove a detention tag or alter any marks made by an inspector pursuant to sections 20 and 21;
- (b) no person shall remove, sell or otherwise dispose of any eggs or egg product placed under detention by an inspector pursuant to sections 20 and 21.

18 Aug 78 SR 269/78 s22.

23(1) Where an inspector is satisfied that eggs or egg product held under detention complies with The Egg Regulations, the Processed Egg Regulations and these regulations, he shall issue a notice of release in the form issued or approved by the department.

(2) The inspector shall forward one copy of the notice of release to the owner of the eggs or egg product, or to his agent, and where such eggs or egg product are on premises other than that of the owner, one copy to the person on whose premises the eggs or egg product was detained.

18 Aug 78 SR 269/78 s23.

Advertising of products

24 Every retailer or wholesaler of eggs or egg product in any advertisement pertaining to eggs or egg product wherein the price appears shall ensure that the grade name is stated in a clear and conspicuous manner.

18 Aug 78 SR 269/78 s24.

25 Every person who advertises eggs or egg product shall ensure that such advertisement refrains from using words or phrases which state or imply that the eggs or egg product exceed the quality or grade of that in which they are graded.

18 Aug 78 SR 269/78 s25.

