

chapter P-42

ANIMAL HEALTH PROTECTION ACT

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DIVISION 0.1

GENERAL PROVISIONS

2024, c. 27, s. 1.

1. The Minister of Agriculture, Fisheries and Food shall have charge of the carrying out of this Act. The duties of the Minister include ensuring that an appropriate level of animal health protection is maintained.

R. S. 1964, c. 126, s. 1; 1973, c. 22, s. 22; 1979, c. 77, s. 21; 2000, c. 26, s. 53.

1.1. For the purposes of this Act, unless the context indicates otherwise, “person” means a natural person, a legal person, a partnership or an association without legal personality.

2024, c. 27, s. 2.

1.2. The Minister shall designate a chief veterinary surgeon who is a public servant of the Ministère de l’Agriculture, des Pêcheries et de l’Alimentation appointed in accordance with the Public Service Act (chapter F-3.1.1).

The chief veterinary surgeon must

- (1) be a member of the Ordre des médecins vétérinaires du Québec;
- (2) have been practising veterinary medicine for at least five years; and
- (3) have no condition or restriction attached to his permit to practise.

The chief veterinary surgeon shall perform the duties and exercise the powers conferred on him by this Act taking into consideration, in particular, the animals’ welfare and safety.

2024, c. 27, s. 2.

1.3. If the chief veterinary surgeon is absent or unable to act, the Minister may designate a veterinary surgeon who meets the conditions set out in section 1.2 to replace him.

2024, c. 27, s. 2.

1.4. The chief veterinary surgeon must, after exercising any of the powers set out in sections 2.0.5 to 2.0.7 and 55.7.1, so inform the Minister.

Not later than 31 March each year, the chief veterinary surgeon shall send the Minister an annual report, for the preceding calendar year, relating to the measures ordered after the exercise of any of the powers mentioned in the first paragraph.

2024, c. 27, s. 2.

DIVISION I

ANIMAL HEALTH

1991, c. 61, s. 1.

§ 1. — *General provisions*

2024, c. 27, s. 3.

1.5. Unless otherwise provided, this division applies to any domestic animal and to any non-domestic insect used for commercial pollination purposes.

In addition, it applies to any other animal if the animal is kept in captivity and the animal or its products are intended for human consumption or if the animal is bred for its fur or for stocking. It also applies to any other animal kept in captivity for reproduction activities if the animals born from such activities, or their products, are intended for human consumption or if they are bred for their fur or for stocking.

Fish, amphibians, echinoderms, crustaceans and shellfish produced or raised in a fishing pond or aquaculture site referred to respectively in sections 1 and 5 of the Act respecting commercial aquaculture (chapter A-20.2) are deemed to be kept in captivity.

In this division, the animals referred to in the first and second paragraphs are called “animal”. The term “animal” also designates, wherever the context permits, an animal’s fertilized eggs and ova as well as any part of an animal.

2024, c. 27, s. 3.

2. In this Division, unless the context requires a different meaning:

(0.1) “infectious agent” means an organism, micro-organism or protein particle capable of causing an infection or a disease in animals or in humans and designated by regulation;

(1) *(subparagraph repealed)*;

(2) “contagious disease” means a disease which may be transmitted by an animal to another animal or to a human by direct contact or otherwise and is designated by regulation;

(3) “parasitic disease” means a disease caused by a parasite and designated by regulation;

(4) “syndrome” means a syndrome designated by regulation.

R. S. 1964, c. 126, s. 2; 1986, c. 53, s. 1; 1991, c. 61, s. 2; 2000, c. 40, s. 1; 2003, c. 23, s. 75; 2024, c. 27, s. 4.

2.0.0.1. An epidemiological study may be carried out to obtain, on an ad hoc or recurring basis, the information necessary for the surveillance of the health status of animals, in particular as regards the prevalence of diseases or antibiotic resistance.

The owner or custodian of an animal that is the subject of an epidemiological study must provide the information necessary for the carrying out of the study.

2024, c. 27, s. 5.

2.0.1. For the purposes set out in section 2.0.0.1 or in order to determine the state of health of an animal or the health status of a herd, a veterinary surgeon appointed under section 55.9.17 or a veterinary surgeon authorized for that purpose by the Minister may enter, at any reasonable time, any premises, other than a dwelling-house, or any vehicle where there is an animal or an animal carcass in order to take, free of charge,

samples of products or tissues, in particular blood or semen, secretions, excreta or dejecta, or samples of the animal's environment. The veterinary surgeon may also confiscate an animal carcass to perform a necropsy on it.

In addition, the veterinary surgeon may enter, at any reasonable time, any premises, other than a dwelling-house, or any vehicle where an animal was kept in order to take, free of charge, samples of the environment in which the animal was kept.

For the purposes of this section, an injection administered to an animal to determine its state of health is considered to be a taking of a tissue sample.

The power to take samples of the environment may also be exercised by an inspector appointed under section 55.9.17 or by a person authorized for that purpose by the Minister, who may enter, at any reasonable time, any premises referred to in the first or second paragraph.

2000, c. 26, s. 54; 2024, c. 27, s. 6.

2.0.2. Before taking a sample or confiscating an animal carcass, a person referred to in section 2.0.1 must identify himself and produce the certificate attesting his authority. The person must inform the owner or custodian of the animal or, where applicable, the owner or person in charge of the premises or vehicle of the compulsory character of the sample taking or necropsy and of the purpose for which the information collected and the analysis results obtained will be used.

2024, c. 27, s. 6.

2.0.3. At the request of a person referred to in section 2.0.1, the owner or custodian of an animal must provide any information that is relevant for determining the state of health of the animal or health status of the herd or that is necessary for the surveillance or control of an agent, in particular the animal's age and origin, the treatment history of the animal or the herd as well as the husbandry practices in use.

Likewise, the owner or person in charge of the premises or vehicle where an animal was kept must provide any relevant information that is required for determining if an agent might be present in the premises or vehicle.

For the purposes of this Act, "agent" means a biological, chemical or physical agent which could constitute a health risk for animals or for persons who are in contact with them or who consume them or their products.

2024, c. 27, s. 6.

2.0.4. If a veterinary surgeon or inspector appointed under section 55.9.17 has reasonable cause to believe that an agent is present, he may order any owner or custodian of an animal or, where applicable, any owner or person in charge of premises where there is an animal to put in place any measure that makes it possible to contain or prevent the propagation of the agent, in particular measures for quarantine, segregation or the control of movement into and out of the place of custody, until the state of health of the animal or health status of the herd is known.

The order must be notified to the owner or custodian of the animal or, where applicable, to the owner or person in charge of the premises. It must contain a statement of the reasons on which it is based and specify the obligations of the owner or custodian of the animal or, as the case may be, those of the owner or person in charge of the premises, as well as the manner in which those obligations must be fulfilled. The order takes effect on the date of its notification.

2024, c. 27, s. 6.

2.0.5. If the chief veterinary surgeon has reasonable cause to believe that an agent whose presence cannot be confirmed in a living animal is present or if a diagnostic approach has been used without it being possible

to identify the agent in question and a necropsy is necessary to identify it, the chief veterinary surgeon may confiscate the animal and euthanize it or exhume an animal carcass to carry out the tests or analyses he considers useful for identifying the agent.

Section 2.0.2 applies, with the necessary modifications.

2024, c. 27, s. 6.

2.0.6. Following an order issued under section 2.0.4 and until the state of health of the animal or health status of the herd concerned by the order is known, the chief veterinary surgeon may issue such an order with regard to any owner or custodian of an animal or, where applicable, with regard to any owner or person in charge of premises or a vehicle where there is or was an animal, if the chief veterinary surgeon has reasonable cause to believe that the agent is present due to the proximity of the animal or herd concerned by the order issued under section 2.0.4 or due to the existence of an epidemiologic link with that animal or with that herd.

The chief veterinary surgeon may also, by order, require that any fact indicating that the agent is present be reported to him.

The second paragraph of section 2.0.4 applies to an order issued in accordance with the provisions of this section.

2024, c. 27, s. 6.

2.0.7. If an analysis confirms that an agent is present, the chief veterinary surgeon may order the owner or custodian of the animal affected by the agent or, where applicable, the owner or person in charge of premises or a vehicle where the animal affected by the agent is or was to put in place, within the time and subject to the conditions the chief veterinary surgeon specifies, any measure necessary for the surveillance or control of the agent, in particular,

- (1) the quarantine or segregation of an animal;
- (2) the control of movement into and out of a place of custody;
- (3) the treatment or immunization of an animal or herd;
- (4) the slaughter of an animal or herd;
- (5) the disposal of an animal carcass;
- (6) the cleaning and disinfecting of a place of custody or vehicle; and
- (7) the reporting of any fact indicating the presence of the agent.

The chief veterinary surgeon may also order the disposal of any animal product or by-product as well as of any animal feed if he has reasonable cause to believe that they may be contaminated by the agent.

If the chief veterinary surgeon has reasonable cause to believe that the agent is present due to proximity with an animal that is the subject of a measure set out in the first paragraph or due to the existence of an epidemiologic link, he may, in addition, order any owner or custodian of an animal or, where applicable, any owner or person in charge of premises where there is or was an animal to put in place any measure referred to in the first or second paragraph.

The second paragraph of section 2.0.4 applies to an order issued in accordance with this section.

2024, c. 27, s. 6.

2.0.8. The owner or custodian of an animal or, where applicable, the owner or person in charge of premises or a vehicle where there is or was an animal, to whom an order referred to in section 2.0.4, 2.0.6 or 2.0.7 is notified without prior notice because, in the opinion of the person who issued the order, urgent action is required or there is a danger of irreparable damage being caused, may, within the time specified in the order, present observations so that the order may be reviewed by that person.

2024, c. 27, s. 6.

2.0.9. Upon failure by the owner or custodian of an animal or, where applicable, by the owner or person in charge of premises or a vehicle where there is or was an animal to comply with an order referred to in section 2.0.4, 2.0.6 or 2.0.7, the person who issued the order may personally carry out the order or cause it to be carried out at the expense of that owner, custodian or person in charge.

If the order contains a command to slaughter or dispose of an animal or to dispose of an animal carcass with which the owner or custodian does not comply, the animal may be confiscated so that it may be slaughtered or the carcass confiscated so that it may be disposed of, at the expense of the owner or custodian.

The costs payable under the first or second paragraph shall bear interest at the rate determined under section 28 of the Tax Administration Act (chapter A-6.002).

2024, c. 27, s. 6.

2.0.10. If the Minister has reasonable cause to believe that an agent posing a high risk of propagation in a sector or in the whole territory of Québec is present, he may, by order and for a period not exceeding 30 days, require that any measure making it possible to contain or prevent the propagation of the agent be put in place, in all or part of the territory, and require that any fact indicating the presence of the agent be reported to the person he designates.

If an analysis confirms that such an agent is present or if the Minister is of the opinion, based on an epidemiologic study, that such an agent is present and that, in such cases, the situation requires that measures be implemented immediately, the Minister may require, by order and for a period not exceeding 60 days, that the measures necessary for the surveillance or control of the agent be put in place, in all or part of the territory of Québec, in particular

- (1) reporting any fact indicating the presence of the agent;
- (2) submitting an animal to a screening test;
- (3) regulating or ending activities that cause animals to be assembled or activities for the production or distribution of animal feed or bedding;
- (4) quarantining or segregating an animal;
- (5) controlling movement into and out of a place of custody;
- (6) vaccinating an animal;
- (7) disposing of an animal carcass;
- (8) prohibiting the sale of any animal product or by-product; and
- (9) cleaning and disinfecting a place of custody of an animal.

Any measure whose implementation is required under the second paragraph may be renewed by the Minister for a single period not exceeding 30 days.

An order made under this section must contain a statement of the Minister's reasons and specify the territory concerned and the measures that must be put in place. It shall be published in the *Gazette officielle du Québec* and come into force on the date of its publication. It shall also be disseminated by any means allowing the persons concerned to be rapidly and efficiently informed. It is not subject to the publication requirement set out in section 8 of the Regulations Act (chapter R-18.1).

2024, c. 27, s. 6.

2.0.11. The Minister may, before the expiry of the time limit indicated in an order made under section 2.0.10, put an end to any measure specified in the order as soon as he considers that it is no longer necessary.

The decision must be published in the *Gazette officielle du Québec* and a notice must be disseminated by any means allowing the persons concerned to be rapidly and efficiently informed.

2024, c. 27, s. 6.

2.1. The owner or custodian of an animal belonging to a species or to a category determined by regulation must, in compliance with the conditions prescribed by regulation, subject the animal or samples of its tissues, products, secretions, excreta or dejecta, or samples of its environment, to a screening test for a contagious or parasitic disease, an infectious agent or a syndrome.

1995, c. 29, s. 1; 2000, c. 40, s. 2; 2024, c. 27, s. 7.

3. The Minister may make regulations to

(1) designate the contagious or parasitic diseases and the infectious agents or the syndromes for the purposes of each of the following provisions:

- (a) the provisions of section 2.1 relating to screening tests;
- (b) the provisions of section 3.1 relating to mandatory reports;
- (c) the provisions of sections 3.2 to 3.4 relating to surveillance or control measures;
- (d) the provisions of section 8 relating to the transfer or transportation of animals;
- (e) the provisions of section 9 relating to the health certification of imported animals;

(f) the provisions of the third paragraph of section 10.1 relating to the health certification of animals likely to be in direct contact with the public.

The diseases, infectious agents or syndromes so designated may vary according to the species or category of animal;

(1.0.1) designate sanitary zones that the Minister considers free from a contagious or parasitic disease, an infectious agent or a syndrome, and determine the species or categories of animals likely to contract or transmit the disease, infectious agent or syndrome that may not be brought into the sanitary zones without a certificate from a veterinary surgeon stating that the animal is free from the disease, syndrome or infectious agent;

(1.1) determine surveillance or control zones within which measures for the surveillance or control of an agent may be required, which measures may vary according to the species or category of animal;

(2) (*paragraph repealed*);

(3) prescribe biosecurity standards applicable to the places of custody of animals, the vehicles used for their transportation or the places where animals are assembled for sale, for exchange, for a competition or for an exhibition;

(3.0.1) prescribe standards relating to the disposal of manure contaminated by a contagious or parasitic disease, an infectious agent or a syndrome and the standards relating to the disposal of infirm, incurable or diseased animals or of animal carcasses;

(3.0.2) determine the conditions on which an activity that assembles animals for sale, for exchange, for a competition or for an exhibition may be carried on, restrict such activities or prohibit them;

(3.0.3) require that a biosecurity plan be developed and put in place within a place of custody of animals, which plan may vary according to the species or category of animal;

(3.0.4) require veterinary consultations, which may vary according to the species or category of animal, and determine the related terms and conditions;

(3.1) determine, for the purposes of section 2.1, the species or categories of animals that must be subjected to a screening test or the samples of animals in those species or categories that must be subjected to such a test, prescribe the frequency of and standards applicable to such a test, in particular the place where a sample to be analyzed must be sent; the species or categories determined may vary according to territory or sector;

(3.2) prescribe the content of the reports required under section 3.1 and the rules relating to the sending and keeping of the reports and the use of the documents relating to the reports;

(3.3) determine the species or categories of animals to which the prohibition in the first paragraph of section 8 or in the provisions of the first paragraph of section 10 applies;

(3.4) fix the period for which the certificate provided for in section 9 is valid;

(3.5) determine, for the purposes of section 10.1, the species or categories of animals for which the holding of a certificate is mandatory, fix the period of validity of the certificate and establish the conditions of its issue;

(3.6) fix the fees payable for the analysis of the samples required under section 2.1, for the issue of the certificates referred to in sections 8 and 10.1 or for the review of an application for authorization referred to in section 10, and for inspections, determine the persons who are to pay the fees and the cases and manner in which the fees are to be paid;

(3.7) establish standards for the particulars to be given by the operators of pet shops, pounds or animal houses to the purchaser of any animal of a species or category determined, with respect to the sanitary measures required to reduce the health risk for the animal or the persons who are in contact with the animal;

(4) *(paragraph repealed)*;

(5) *(paragraph repealed)*;

(6) *(paragraph repealed)*;

(7) *(paragraph repealed)*;

(8) *(paragraph repealed)*;

(9) *(paragraph repealed)*;

(10) *(paragraph repealed)*;

(11) *(paragraph repealed)*.

R. S. 1964, c. 126, s. 3; 1986, c. 53, s. 2; 1991, c. 61, s. 3; 1995, c. 29, s. 2; 2000, c. 40, s. 3; 2024, c. 27, s. 8.

3.0.1. The Government may, by regulation, to the extent and on the terms and conditions it fixes, require the owner or custodian of an animal of a species or category it determines to register with the Minister, and determine the information and documents to be kept and furnished by the owner or custodian and the applicable registration fees according to the species or the category of the animal.

Not in force

Notwithstanding the first paragraph, a farm producer within the meaning of the Farm Producers Act (chapter P-28) must register with the Minister if the farm producer is in possession of an animal intended for human consumption or whose products are intended for human consumption. The farm producer must, for that purpose, furnish information pertaining to the farm producer's identity, location and operations.

Not in force

The second paragraph does not apply to such a farm producer who has consented in writing to have the information furnished pursuant to the Act respecting the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation (chapter M-14) stand in lieu of registration.

2000, c. 40, s. 4; 2012, c. 18, s. 1.

3.1. The owner or custodian of an animal shall report to a veterinary surgeon any fact indicating the presence of a contagious or parasitic disease, an infectious agent or a syndrome in the animal.

A veterinary surgeon shall, without delay, report to a veterinary surgeon appointed under section 55.9.17 all the cases in which he suspects the presence of a contagious or parasitic disease, an infectious agent or a syndrome or the occurrence of a serious situation the criteria of which are determined by regulation of the Minister.

The following persons are required to report without delay to the Minister or to the person designated by the Minister any result indicating the presence of a contagious or parasitic disease, an infectious agent or a syndrome:

- (1) the head of a laboratory where a sample of animal products, tissues, secretions, excreta or dejecta or a sample of an animal's environment has been analyzed;
- (2) the person who requested that a sample of animal products, tissues, secretions, excreta or dejecta or a sample of an animal's environment be analyzed by a laboratory situated outside Québec; and
- (3) the veterinary surgeon who carried out or supervised, outside a laboratory, the analysis of a sample of animal products, tissues, secretions, excreta or dejecta or the analysis of a sample of an animal's environment.

The reporting obligation set out in the third paragraph also applies to any result of an analysis made on the sample in order to better characterize the disease, agent or syndrome. The obligation also applies to results of tests or categories of tests suggesting the presence of a disease, agent or syndrome determined by a regulation of the Minister or suggesting previous exposure to such a disease, agent or syndrome.

Where a result indicates the presence of a contagious or parasitic disease, an infectious agent or a syndrome, any person who has submitted a sample must, at the request of an authorized person referred to in section 55.9.17, also provide the information necessary for the surveillance or control of that disease, agent or syndrome.

The veterinary surgeon's reporting obligation prescribed under this section applies even with regard to information protected by professional secrecy. No proceedings may be brought against a veterinary surgeon who, in good faith, fulfills his reporting obligation.

1986, c. 53, s. 3; 1991, c. 61, s. 4; 2000, c. 40, s. 5; 2024, c. 27, s. 9.

3.2. If a veterinary surgeon appointed under section 55.9.17 observes or suspects the presence of a contagious or parasitic disease, an infectious agent or a syndrome, he may, by order, require that any measure aimed at surveilling or controlling the disease, agent or syndrome be put in place, in particular the quarantine, segregation or treatment of an animal, the control of movement into and out of the place of custody, the cleaning and disinfecting of that place or of a vehicle that was used to transport an animal, or the prohibition to sell any animal product or by-product.

The order must be notified to the owner or custodian of the animal or, where applicable, to the owner or person in charge of the premises or vehicle where there is or was an animal. The order must contain a statement of the reasons on which it is based and specify, in particular, the obligations of the owner or custodian of the animal or those of the owner or person in charge of the premises or vehicle and the manner in which those obligations must be fulfilled. The order takes effect on the date of its notification.

1991, c. 61, s. 4; 2000, c. 40, s. 6; 2024, c. 27, s. 10.

3.3. Upon failure by the owner or custodian of an animal or, where applicable, by the owner or person in charge of the premises or vehicle where there is or was an animal to comply with the order of a veterinary surgeon appointed under section 55.9.17, the latter may personally carry out the order at the expense of the owner, custodian or person in charge. The costs shall bear interest at the rate determined under section 28 of the Tax Administration Act (chapter A-6.002).

1991, c. 61, s. 4; 2010, c. 31, s. 175; 2024, c. 27, s. 11.

3.4. A veterinary surgeon appointed under section 55.9.17 who has reasonable cause to believe that there is a high risk of propagation of a contagious or parasitic disease, an infectious agent or a syndrome may require the owner or custodian to destroy or dispose of the contagious or infected animal and, where applicable, dispose of its carcass, according to the veterinary surgeon's instructions. The veterinary surgeon shall give notice to that effect by means of a written statement delivered personally to the owner or custodian, which sets out the veterinary surgeon's reasons.

The slaughter and disposal of the animal shall be carried out under the supervision of a veterinary surgeon or inspector appointed under section 55.9.17 or a veterinary surgeon conducting a sanitary inspection in a slaughterhouse.

Upon failure by the owner or custodian of an animal to comply with a destruction and disposal order under the first paragraph, the animal shall be confiscated by the veterinary surgeon so as to be destroyed and its carcass disposed of at the expense of the owner or custodian. The costs shall bear interest at the rate determined under section 28 of the Tax Administration Act (chapter A-6.002).

1991, c. 61, s. 4; 2000, c. 40, s. 7; 2010, c. 31, s. 175; 2024, c. 27, s. 12.

3.5. The owner or custodian of an animal to whom an order referred to in section 3.2 or 3.4 is notified without prior notice because, in the opinion of the veterinary, urgent action is required or there is a danger of irreparable damage being caused, may, within the time specified in the order, present observations so that the order may be reviewed by the veterinary.

1997, c. 43, s. 497.

4. An order referred to in section 2.0.6 or 2.0.7 may be issued with regard to an owner or custodian of an animal to which the Act respecting the conservation and development of wildlife (chapter C-61.1) applies, where the animal is kept in captivity and is not an animal referred to in section 1.5 of this Act, after

consultation between the chief veterinary surgeon and the public servant designated by the Minister of the Environment, the Fight Against Climate Change, Wildlife and Parks.

R. S. 1964, c. 126, s. 4; 1991, c. 61, s. 5; 2024, c. 27, s. 13.

5. *(Repealed).*

R. S. 1964, c. 126, s. 5; 1986, c. 53, s. 4.

6. The Minister may develop a financial aid program for the benefit of any owner who has complied with an order issued under the provisions of this division.

However, the carrying out of any measure prescribed by a veterinary surgeon or inspector appointed under section 55.9.17, by the chief veterinary surgeon or by the Minister shall not give rise to any claim for any damage that may result therefrom, except in cases of bad faith.

R. S. 1964, c. 126, s. 6; 1991, c. 61, s. 6; 1999, c. 40, s. 236; 2000, c. 40, s. 8; 2024, c. 27, s. 14.

7. *(Repealed).*

R. S. 1964, c. 126, s. 7; 1973, c. 22, s. 22; 1979, c. 77, s. 21; 1986, c. 53, s. 5.

8. It is forbidden for the owner or custodian of an animal of a species or category prescribed by regulation and affected with a contagious or parasitic disease, an infectious agent or a syndrome to keep the animal for sale purposes, offer it for sale or deposit, or sell, exchange, donate, transport the animal or cause it to be transported.

Such prohibition ceases when a veterinary surgeon appointed under section 55.9.17 is of the opinion that the risk of propagation of the disease has reached an acceptably low level. In such a case, he shall deliver a written certificate to the owner or custodian of the animal.

In the case of a zone designated as free from disease, infectious agent or syndrome pursuant to paragraph 1.0.1 of section 3, the certificate provided for in the second paragraph may be issued only upon proof of the absence of any risk of propagation of the disease, infectious agent or syndrome.

R. S. 1964, c. 126, s. 8; 1991, c. 61, s. 7; 2000, c. 40, s. 9; 2024, c. 27, s. 15.

9. It is forbidden to bring or allow to bring animals or their products into Québec unless they are accompanied by a certificate from the chief veterinary surgeon or from another competent officer of the province or country of origin of the animals or products attesting that they are free from a contagious or parasitic disease, an infectious agent or a syndrome.

The Minister may, for scientific purposes, authorize a person to derogate from the provisions of the first paragraph. The holder of the authorization must comply with the conditions determined by the Minister.

R. S. 1964, c. 126, s. 9; 2000, c. 40, s. 10; 2024, c. 27, s. 16.

10. Livestock auctions where animals of a species or category determined by regulation are present shall take place only on sites approved by the Minister. No approval shall be given unless, after an examination of the site location, the environmental features and the animal species involved, the Minister is satisfied that there is an acceptably low level of risk of propagation of disease to neighbouring animal production operations.

The application for authorization must be accompanied by documents giving the location of the site and describing the project implementation. In addition, the Minister may require any information, study or research the Minister considers necessary to decide on the acceptability of the site.

The following auction sites are not subject to authorization:

(1) auction sites referred to in section 54;

(2) auction sites operating on 10 May 2000 in compliance with the provisions of section 10 as it read on 14 November 2000.

R. S. 1964, c. 126, s. 10; 1991, c. 61, s. 8; 2000, c. 40, s. 11.

10.1. No owner or custodian of an animal of a species or category prescribed by regulation shall bring an animal or cause it to be brought into a place where the animal is likely to be in direct contact with the public.

No person shall receive or keep such an animal in a place referred to in the first paragraph.

The prohibitions do not apply if the owner, custodian or possessor holds a certificate issued by a veterinary surgeon appointed under section 55.9.17 stating that the animal is free from any contagious or parasitic disease, infectious agent or syndrome.

2000, c. 40, s. 11; 2024, c. 27, s. 17.

11. *(Repealed).*

R. S. 1964, c. 126, s. 11; 1986, c. 53, s. 6.

11.1. *(Repealed).*

1991, c. 61, s. 9; 1997, c. 43, s. 498; 2000, c. 40, s. 12; I.N. 2016-01-01 (NCCP); 2024, c. 27, s. 18.

11.2. *(Repealed).*

1991, c. 61, s. 9; 2010, c. 31, s. 175; 2024, c. 27, s. 18.

11.3. The Minister may, subject to the applicable legislative provisions, enter into agreements with the Minister of Health and Social Services, La Financière agricole du Québec, the Minister of Agriculture and Agri-Food of Canada, the Minister of Fisheries and Oceans of Canada or the Canadian Food Inspection Agency, to obtain from them or communicate to them information necessary for the purposes of the provisions of Division I

(1) to identify the owners or custodians of animals referred to in the provisions of this division, and the places where the animals are kept, including by means of a comparison of files;

(2) to know the prevalence of diseases, infectious agents or syndromes likely to affect animals or the persons who are in contact with them or consume them or their products, including by means of a comparison of files.

The agreements shall specify, in particular, the nature of the information to be transmitted, the means to be used to ensure that the information transmitted remains confidential as well as the security measures.

The agreements must be sent to the Commission d'accès à l'information and come into force 30 days after they are received by the Commission.

2000, c. 40, s. 13; 2000, c. 53, s. 66; 2006, c. 22, s. 162; 2021, c. 25, s. 162.

11.4. The Minister or the person designated by the Minister may, in the public interest, disclose information in the Minister's possession that is necessary for the protection of the health or safety of the persons who are in contact with the animals or consume them or their products.

The first paragraph applies notwithstanding subparagraphs 5 and 9 of the first paragraph of section 28 and section 53 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1).

2000, c. 40, s. 13.

11.5. Where the Minister is of the opinion that animals may constitute a risk for the health or safety of the persons who consume them or their products, in particular because of the chemical, physical or biological agent the animals could be carrying, the Minister may prescribe, by regulation, special standards for their destruction, disposal or elimination, according to species or category.

Any person in possession of an animal to which the regulation applies must comply with the regulation.

The provisions of Divisions III and IV of the Regulations Act (chapter R-18.1) relating to the publication and coming into force of proposed regulations and regulations do not apply to a regulation made by the Minister pursuant to this section. The regulation shall be published in the *Gazette officielle du Québec*. However, it comes into force on the date it is made by the Minister and shall be disseminated by any other means the Minister considers necessary.

2000, c. 40, s. 13.

§ 2. — Special provisions applicable to bees and to non-domestic insects used for commercial pollination purposes

2000, c. 40, s. 13; 2024, c. 27, s. 19.

11.6. For the purposes of subparagraph 3 of the first paragraph of section 2, the presence in a bee of an undesirable genotype related to African subspecies or hybrids of those subspecies is considered to be a parasitic disease of the bee.

2000, c. 40, s. 13.

11.7. An order made under the provisions of subdivision 1 of Division I may, as it specifies, apply to houses being used for bees or for non-domestic insects used for commercial pollination purposes and equipment used for commercial pollination or for apiculture.

2000, c. 40, s. 13; 2024, c. 27, s. 20.

11.8. The prohibitions in sections 8 to 10.1 apply to houses previously used for bees or for non-domestic insects used for commercial pollination purposes and equipment previously used for commercial pollination or for apiculture.

2000, c. 40, s. 13; 2024, c. 27, s. 21.

11.9. No owner or custodian of a hive shall leave in the open any frames, honeycombs or apiary accessories infected by bees affected with a contagious or parasitic disease, an infectious agent or a syndrome.

2000, c. 40, s. 13.

11.10. No person shall keep bees in hives without movable frames or combs.

2000, c. 40, s. 13; 2024, c. 27, s. 22.

11.11. If bees are kept in hives without movable frames or combs, any veterinary surgeon appointed under section 55.9.17 may order their owner or custodian to move the bees into hives with movable frames or combs. Upon failure by the owner or custodian to comply with the order, the veterinary surgeon may destroy the hives and the bees in the hives.

The owner or custodian of a hive to whom an order is notified without prior notice because, in the opinion of the veterinary surgeon, urgent action is required or there is a danger of irreparable damage being caused, may, within the time specified in the order, present observations so that the order may be reviewed by the veterinary surgeon.

2000, c. 40, s. 13; 2024, c. 27, s. 23.

11.12. No person shall spray, by sprinkler or otherwise, or dust, using chemical or biological products that are toxic to bees, a fruit tree or a plant of a species or category designated by regulation while the fruit tree or plant is in bloom.

That prohibition does not apply in the cases and on the conditions prescribed by regulation or where the spraying or dusting takes place as part of measures taken pursuant to the provisions of Chapter XI of the Public Health Act (chapter S-2.2) or the provisions of the Act respecting civil protection to promote disaster resilience (chapter S-2.4) dealing with states of emergency.

2000, c. 40, s. 13; 2001, c. 37, s. 2; 2001, c. 76, s. 148; 2001, c. 60, s. 160; 2002, c. 69, s. 149; 2009, c. 30, s. 58; 2016, c. 1, s. 135; 2024, c. 18, s. 66.

11.13. No person shall place a hive containing a bee colony within 15 metres of a public road or dwelling.

That prohibition does not apply if the land upon which the hive is placed has, on the side nearest to the dwelling or public road, as the case may be, a solid fence at least 2.5 metres in height that extends beyond the limits of the hive for a distance of not less than 4.5 metres.

2000, c. 40, s. 13.

11.14. The Minister may, by regulation,

(1) determine, for the purposes of section 11.12, the species or categories of plants likely to be foraged by bees and that may not be sprayed or dusted with toxic substances, and prescribe in what cases and on what conditions the prohibition in section 11.12 does not apply;

(2) require the owner of houses being used for bees or for non-domestic insects used for commercial pollination purposes to affix an inscription identifying the owner, and determine the form and tenor of the inscription;

(3) prescribe biosecurity standards, including the cleaning, disinfection, disposal or destruction of houses being used or previously used for bees or for non-domestic insects used for commercial pollination purposes, or of equipment currently or previously used for commercial pollination or for apiculture;

(4) determine from among the provisions of Division I, those that shall be applicable to non-domestic insects kept in captivity for purposes other than those provided for in section 1.5;

(5) exempt from some or all of the provisions of Division I or of the regulations made under it, subject to the conditions the Minister determines, certain species or categories of non-domestic insects used for commercial pollination purposes.

2000, c. 40, s. 13; 2024, c. 27, s. 24.

DIVISION II

Repealed, 1995, c. 29, s. 3.

1995, c. 29, s. 3.

12. (Repealed).

R. S. 1964, c. 126, s. 12; 1973, c. 22, s. 22; 1977, c. 5, s. 14; 1979, c. 77, s. 21; 1986, c. 97, s. 1; 1993, c. 18, s. 2; 1995, c. 29, s. 3.

13. (Repealed).

R. S. 1964, c. 126, s. 13; 1973, c. 22, s. 22; 1979, c. 77, s. 21; 1986, c. 53, s. 7; 1986, c. 97, s. 1; 1995, c. 29, s. 3.

14. (Repealed).

R. S. 1964, c. 126, s. 14; 1986, c. 97, s. 1; 1993, c. 18, s. 3; 1995, c. 29, s. 3.

15. (Repealed).

R. S. 1964, c. 126, s. 15; 1986, c. 97, s. 1; 1995, c. 29, s. 3.

16. (Repealed).

R. S. 1964, c. 126, s. 16; 1986, c. 97, s. 1; 1995, c. 29, s. 3.

17. (Repealed).

R. S. 1964, c. 126, s. 17; 1986, c. 97, s. 1; 1995, c. 29, s. 3.

18. (Repealed).

R. S. 1964, c. 126, s. 18; 1986, c. 97, s. 1; 1995, c. 29, s. 3.

18.1. (Repealed).

1993, c. 18, s. 4; 1995, c. 29, s. 3.

19. (Repealed).

R. S. 1964, c. 126, s. 19; 1986, c. 97, s. 1; 1995, c. 29, s. 3.

20. (Repealed).

R. S. 1964, c. 126, s. 20; 1986, c. 97, s. 1; 1995, c. 29, s. 3.

21. (Repealed).

R. S. 1964, c. 126, s. 21; 1986, c. 53, s. 8; 1986, c. 97, s. 1; 1995, c. 29, s. 3.

22. (Repealed).

R. S. 1964, c. 126, s. 22; 1986, c. 53, s. 9.

DIVISION II.1

TRACEABILITY OF ANIMALS

2000, c. 40, s. 14; 2024, c. 27, s. 25.

22.1. The Government may, by regulation, establish an animal traceability system. For that purpose, the regulation may set out the obligation to identify animals or to register sites where animals are kept subject to the conditions and according to the rules or procedure it fixes, prescribe the obligations of owners or custodians of animals or of any other person it determines and fix the applicable fees payable. Such standards may vary according to the species or category of animal specified in the regulation.

The regulatory provisions concerning fees payable for a given traceability system as determined pursuant to the first paragraph shall cease to apply on the date as of which fees are payable for the system under the third paragraph of section 22.3.

2000, c. 40, s. 14; 2003, c. 24, s. 1; 2024, c. 27, s. 26.

22.2. (*Repealed*).

2000, c. 40, s. 14; 2024, c. 27, s. 27.

22.3. The Minister may, by way of a memorandum of agreement, entrust to a body the management of a traceability system established under section 22.1. The management includes, in particular, the system's operation, maintenance, improvement, evolution and migration activities.

The memorandum of agreement may provide for an inspection program and, in particular, for the terms and conditions of the program, and for the remuneration and other expenses of the inspectors which shall be borne by the body that is a party to the memorandum of agreement.

The body may determine the fees payable by the persons referred to in the first paragraph of section 22.1 to defray the cost of managing the traceability system, including the cost of identification equipment. The fees so determined come into force on the date set by the Minister. A notice of the fees and the date of coming into force shall be published in a farm journal at least 15 days before that date. The sums collected by the body shall devolve to the body.

Where the memorandum of agreement expires, the Minister shall publish a notice to that effect in a farm journal or in the *Gazette officielle du Québec* within 30 days of the expiry of the memorandum of agreement. The Minister shall collect the fees payable as determined by the body, which fees shall continue to apply until the date as of which new fees apply. The sums collected shall be paid into the Consolidated Revenue Fund.

2000, c. 40, s. 14; 2003, c. 24, s. 2; 2024, c. 27, s. 28.

22.3.1. A regulation made by the Government to determine new fees applicable after the expiry of the memorandum of agreement entered into under section 22.3 is not subject to the requirements of sections 8 and 17 of the Regulations Act (chapter R-18.1) as regards publication and the date of coming into force. The regulation comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date indicated in the regulation.

2003, c. 24, s. 3.

22.4. The Minister may, subject to the applicable legislative provisions, enter into an agreement with the Minister of Agriculture and Agri-Food of Canada, the Minister of Fisheries and Oceans of Canada or the Canadian Food Inspection Agency or a body that administers a system relating to animal traceability or identification established under the Health of Animals Act (S.C. 1990, c. 21), or with La Financière agricole du Québec to obtain from them or communicate to them personal information necessary for the purposes of

an animal traceability system established under section 22.1, in particular, to identify the operation from which the animal originates, the animal's movements and its successive owners or possessors, including by means of a comparison of files.

The Minister or any body referred to in section 22.3 may, for the purpose of identifying persons to whom an agreement under this section applies, communicate their names, addresses and agricultural operation registration numbers. The Minister or the body receiving such information must, unless legally entitled to retain it, destroy the information once the purpose for which it was communicated has been fulfilled.

The agreements shall specify, in particular, the nature of the information to be transmitted, the means to be used to ensure that the information transmitted remains confidential as well as the security measures.

The agreements must be sent to the Commission d'accès à l'information and come into force 30 days after they are received by the Commission.

2000, c. 40, s. 14; 2000, c. 53, s. 66; 2006, c. 22, s. 163; 2021, c. 25, s. 163; 2024, c. 27, s. 29.

22.5. *(Repealed).*

2000, c. 40, s. 14; 2010, c. 31, s. 175; 2024, c. 27, s. 30.

22.6. The Minister may, on the conditions the Minister determines and with the approval of the Government, enter into an agreement with a person or a body with respect to the voluntary implementation of animal traceability measures if the Minister considers that the special measures encourage the competitiveness of the breeding sector and ensure animal traceability that is equivalent to the traceability afforded by the traceability system established under section 22.1.

Every person to whom the agreement applies is exempted, to the extent and on the conditions provided for in the agreement, from the application of the provisions of a regulation made under section 22.1.

2000, c. 40, s. 14; 2024, c. 27, s. 31.

DIVISION III

ARTIFICIAL INSEMINATION OF ANIMALS

23. This division applies to domestic animals of the bovine species, male or female as the case may be, as well as to any other species or category of domestic animal determined by government regulation.

1968, c. 42, s. 1; 1986, c. 53, s. 10; 2024, c. 27, s. 32.

24. The Government may, by regulation, require that a permit be obtained for the collection of semen from an animal.

1968, c. 42, s. 1; 1973, c. 22, s. 22; 1979, c. 77, s. 21; 1986, c. 53, s. 11; 1995, c. 29, s. 4; 2012, c. 18, s. 2; 2024, c. 27, s. 33.

25. *(Repealed).*

1968, c. 42, s. 1; 1986, c. 53, s. 12; 2012, c. 18, s. 3.

26. No person may, for the purposes of the artificial insemination of an animal, collect, keep in his possession, prepare, use, purchase, exchange or give, offer for sale, store, sell in any place, transport, or cause to be transported animal semen that is not fit for insemination or does not meet the standards of sanitation and quality or the collection, conditioning and labelling requirements prescribed by government regulation.

For the purposes of this division, “artificial insemination” means the action of inseminating an animal by means of semen collected from another animal.

1968, c. 42, s. 1; 1973, c. 22, s. 22; 1979, c. 77, s. 21; 1986, c. 53, s. 13; 2024, c. 27, s. 34.

27. No person may, for the production, conditioning or preservation of animal semen or for its introduction into the genital canal of a female animal, use premises or equipment that do not meet the standards prescribed by government regulation.

No person may use, for the production of semen, a donor animal that does not meet the standards prescribed by government regulation.

1968, c. 42, s. 1; 1973, c. 22, s. 22; 1979, c. 77, s. 21; 1986, c. 53, s. 13; 2024, c. 27, s. 35.

28. The Government may, by regulation,

(1) determine the conditions under which a person may collect semen from an animal and restrict that activity to the classes of persons it determines;

(1.1) determine classes or subclasses of permits;

(2) determine the rights, conditions and restrictions relating to permits or to each class or subclass of permit;

(3) prescribe conditions for the issue and renewal of permits, the form of permits and the fees therefor;

(4) determine the qualifications required of a person applying for a permit and of an employee assigned to take semen from an animal;

(5) prescribe standards applicable to the organization, management, direction and operation of any establishment operated for the purpose contemplated in section 24;

(6) prescribe standards respecting the breed, source and other characteristics of the animals which may be artificially inseminated and of those from which semen may be collected and the crossbreeding which may be effected by the artificial insemination of an animal;

(7) prescribe the standards or methods to be followed for the artificial insemination of animals and for the collection, traceability, preservation, distribution and transportation of semen to be used for the artificial insemination of animals;

(8) prescribe standards of sanitation and quality regarding semen to be used for the artificial insemination of animals and the conditions under which it may be collected, conditioned and labelled;

(9) determine the nature, number and frequency of tests to which donor animals may be subjected so as to establish their state of health, genetic value and fecundity;

(10) exempt from some or all of the provisions of this division or of the regulations, according to the conditions it determines, certain classes of persons or categories of animals or some of the following activities:

(a) the collecting of semen from an animal;

(b) the storing of animal semen;

(c) the distribution and transportation of animal semen;

(d) the artificial insemination of an animal;

(11) *(paragraph repealed)*;

(12) prescribe methods, conditions and modalities respecting the taking and analysis of specimens of animal semen or any other substance and to determine where specimens must be analyzed;

(13) prescribe the books, accounts and registers to be kept by a person who carries on an activity listed in any of subparagraphs *a* to *d* of paragraph 10, where they must be kept, the reports the person must make to the Minister, the information such reports must contain and the time when they must be filed;

(14) determine the place where a person may store animal semen;

(14.1) *(paragraph repealed)*;

(15) *(paragraph repealed)*.

1968, c. 42, s. 1; 1973, c. 22, s. 22; 1979, c. 77, s. 21; 1986, c. 53, s. 13; 1991, c. 61, s. 10; 1995, c. 29, s. 5; 2000, c. 40, s. 18; 2012, c. 18, s. 4; 2024, c. 27, s. 36.

29. *(Replaced)*.

1968, c. 42, s. 1; 1986, c. 53, s. 13.

DIVISION IV

AUCTION OF LIVESTOCK

29.1. This division applies to live domestic animals of the equine, bovine, caprine, ovine or porcine species and to live domestic rabbits as well as to any other species or category of domestic animal determined by government regulation.

2024, c. 27, s. 37.

30. In this division and the regulations, unless the context requires a different meaning, the following words and expressions mean:

(a) *(paragraph repealed)*;

(b) “auction” : the sale of an animal by public auction and any other equivalent method of sale determined by regulation;

(c) “establishment” : an establishment for the auction of animals, except a stockyard governed by the Livestock and Livestock Products Act (R.S.C. 1985, c. L-9);

(d) “agricultural society” : an agricultural society governed by the Agricultural Societies Act (chapter S-25) or a legal person that, in accordance with section 2 of the Act to repeal certain Acts permitting the constitution of legal persons in the agricultural sector and to amend certain legislative provisions (1997, chapter 70), obtained letters patent provided for in that section and that pursues principally the objects of an agricultural society;

(e) “cooperative agricultural association” : an agricultural cooperative governed by the Cooperatives Act (chapter C-67.2);

(f) *(paragraph repealed)*;

(g) *(paragraph repealed)*;

(h) *(paragraph repealed)*;

(i) (paragraph repealed).

1973, c. 26, s. 1; 1979, c. 77, s. 21; 1982, c. 26, s. 314; 1997, c. 70, s. 9; 2000, c. 40, s. 19; 2024, c. 27, s. 38.

31. No person may operate an establishment unless he holds a permit issued for such purpose by the Minister.

1973, c. 26, s. 1.

32. *(Repealed).*

1973, c. 26, s. 1; 1986, c. 53, s. 14.

33. *(Repealed).*

1973, c. 26, s. 1; 1986, c. 53, s. 14.

34. *(Repealed).*

1973, c. 26, s. 1; 1986, c. 53, s. 14.

35. Every permit must be posted in the establishment at a place where it may be easily examined by the public.

1973, c. 26, s. 1.

36. *(Repealed).*

1973, c. 26, s. 1; 1986, c. 53, s. 14.

37. *(Repealed).*

1973, c. 26, s. 1; 1986, c. 53, s. 14.

38. It is forbidden to offer for sale or to sell an animal in an establishment otherwise than by auction.

1973, c. 26, s. 1.

39. It is forbidden to deliver to or accept or keep at an establishment, for the purposes of sale, or to offer for sale or sell there, anything but an animal being auctioned or intended for auction.

1973, c. 26, s. 1.

40. It is forbidden to bring an animal or cause it to be brought to or accept or keep it for auction or auction it at any place except an establishment operated by a permit holder.

1973, c. 26, s. 1.

41. Every person holding a permit must keep the books, registers and accounts prescribed by regulation.

1973, c. 26, s. 1.

42. The operator of an establishment receiving funds on behalf of others following an auction must deposit such funds in a special trust account and comply with the conditions prescribed by regulation for the deposit and withdrawal of such funds.

1973, c. 26, s. 1.

43. The operator of an establishment must, subject to the conditions prescribed by government regulation, insure the animals being kept in his establishment against the risks determined by the regulation.

1973, c. 26, s. 1; 2024, c. 27, s. 39.

44. The operator of an establishment must reimburse the Government for inspection costs incurred outside the hours determined by regulation.

1973, c. 26, s. 1; 1977, c. 5, s. 14.

45. The Government may, by regulation,

(a) determine the qualifications required of a person applying for a permit or its renewal, the conditions he must fulfil, the information he must give and the fees he must pay;

(b) determine the conditions for operation of an establishment;

(c) regulate the organization, keeping and operation of any establishment;

(c.1) *(subparagraph repealed)*;

(d) determine the categories of animals which may not enter an establishment;

(e) prohibit the sale of any infirm or incurable animal or animal affected with a contagious or parasitic disease, an infectious agent or a syndrome designated by regulation and determine the manner and conditions of disposing thereof;

(f) define any method of sale contemplated in paragraph b of section 30 equivalent to an auction and determine the cases where it may be used and the formalities to be observed;

(g) determine the reports which a permit holder must furnish and their form and content;

(h) determine the formalities respecting the keeping of a trust account under section 42 and establish the conditions for deposit and withdrawal of funds deposited in such account;

(i) determine what books, registers and accounts a permit holder must keep and the time for which he must keep these and other relevant documents;

(j) compel the operator of an establishment to furnish proof of solvency or security for payment of amounts due to the owner of an animal, determine the form of such proof or security, and the amount, term and conditions of such security;

(k) establish the nature of the risks which must be insured under section 43 and the amount of such insurance;

(l) fix the hours outside which inspection costs must be reimbursed to the Government by the operator of an establishment and determine the terms and conditions of such reimbursement;

(m) *(subparagraph repealed)*;

(n) in addition to the cases contemplated in section 54, withdraw certain auctions from the application of this division;

(n.1) exempt from some or all of the provisions of this division or of the regulations made under it, subject to the conditions the Government determines, certain classes of persons or certain species or categories of animals;

(o) (subparagraph repealed).

1973, c. 26, s. 1; 1977, c. 5, s. 14; 1986, c. 53, s. 15; 1991, c. 61, s. 11; 2000, c. 40, s. 20; 2024, c. 27, s. 40.

46. *(Repealed).*

1973, c. 26, s. 1; 1986, c. 53, s. 16.

47. *(Repealed).*

1973, c. 26, s. 1; 1986, c. 53, s. 16.

48. *(Repealed).*

1973, c. 26, s. 1; 1986, c. 53, s. 16.

49. *(Repealed).*

1973, c. 26, s. 1; 1986, c. 53, s. 16.

50. *(Repealed).*

1973, c. 26, s. 1; 1986, c. 53, s. 16.

51. *(Repealed).*

1973, c. 26, s. 1; 1986, c. 53, s. 16.

52. *(Repealed).*

1973, c. 26, s. 1; 1986, c. 53, s. 16.

53. *(Repealed).*

1973, c. 26, s. 1; 1986, c. 53, s. 16.

54. This division does not apply:

(a) to a sale under judicial authority;

(b) to a sale made by an agricultural society, at an agricultural exhibition, of an animal exhibited there;

(c) to a sale made directly by a cooperative agricultural association of an animal owned by it;

(d) to a sale made by a farmer, on his farm, of an animal born on his farm or fattened there for at least 30 days and owned by him.

1973, c. 26, s. 1; 1997, c. 70, s. 10; I.N. 2016-01-01 (NCCP).

55. *(Repealed).*

1973, c. 26, s. 1; 2000, c. 40, s. 21.

DIVISION IV.0.1

ANIMAL FEED

55.0.1. No person shall give food that is unfit for animal consumption or that is so deteriorated as to be unfit for animal consumption or that does not meet applicable regulatory standards to domestic animals or

animals kept in captivity if the animals or their products are intended for human consumption, or prepare, keep, transport or supply such food for remuneration.

2000, c. 40, s. 22.

55.0.2. The Government may make regulations to

(1) prohibit or restrict the addition of the substances it determines to food preparations for the animals to which section 55.0.1 applies;

(2) prohibit or restrict the direct or indirect administration of the substances it indicates to the animals to which section 55.0.1 applies;

(3) prescribe the methods, conditions and procedure for the taking and analysis of samples for the purpose of detecting the presence of a substance the use of which is forbidden or restricted under a regulation made pursuant to paragraphs 1 and 2, determine the place where samples must be sent for analysis and fix the fees payable by the persons it indicates for the taking and analysis of samples and for inspection;

(4) establish standards respecting the composition, preparation, conditioning, handling, keeping, packaging or labelling of products for animal consumption;

(5) *(paragraph repealed)*.

2000, c. 40, s. 22; 2024, c. 27, s. 41.

DIVISION IV.1

VETERINARY MEDICATIONS AND FIGHT AGAINST ANTIBIOTIC RESISTANCE

1986, c. 53, s. 17; 2024, c. 27, s. 42.

55.0.3. This division applies to any domestic animal and to any non-domestic insect used for commercial pollination purposes.

In addition, it applies to any other animal if the animal is kept in captivity and the animal or its products are intended for human consumption or if the animal is bred for its fur or for stocking. It also applies to any other animal kept in captivity for reproduction activities if the animals born from such activities, or their products, are intended for human consumption or if they are bred for their fur or for stocking.

Fish, amphibians, echinoderms, crustaceans or shellfish produced or raised in a fishing pond or aquaculture site referred to respectively in sections 1 and 5 of the Act respecting commercial aquaculture (chapter A-20.2) are deemed to be kept in captivity.

The animals referred to in the first and second paragraphs are, in this division, called “animal”. The term “animal” also designates, wherever the context permits, an animal’s fertilized eggs and ova as well as any part of an animal.

2024, c. 27, s. 43.

55.0.4. The Government may, by regulation, determine from among the provisions of this division, those that shall be applicable to non-domestic insects kept in captivity for purposes other than those provided for in the first paragraph of section 55.0.3.

2024, c. 27, s. 43.

55.1. In this division, unless the context requires a different meaning,

“medication” means a substance or preparation administered to establish a medical diagnosis, to treat or to prevent a parasitic infestation or a disease or to restore, correct or modify physiological functions; this term also includes vaccines and antiparasitics;

“premix” means a combination which may include minerals, vitamins, amino acids, trace elements or other substances and which, mixed with various foodstuffs, is used in the preparation of food for animals;

“medicinal premix” means a mixture of substances containing a nutriment and a medication and intended for use in the preparation of a medicinal food;

“medicinal food” means a mixture of substances intended for use without processing for the feeding of animals and containing a medicinal premix or a nutriment and a medication, as the case may be.

1986, c. 53, s. 17; 1991, c. 61, s. 12; 2024, c. 27, s. 44.

55.2. Every person who

- (1) keeps for sale purposes, offers for sale, sells or supplies a medicinal premix or a medicinal food,
- (2) prepares medicinal food for his own animals or animals in his custody,
- (3) prepares medicinal food or a medicinal premix for his own animals or animals in his custody, or
- (4) keeps for sale purposes, offers for sale, sells, supplies or prepares a medicinal premix or a medicinal food,

must hold, in respect of each of the premises operated by him, a permit issued for such purpose by the Minister.

The holder of a permit issued for one of the activities referred to in subparagraph 1 or 4 may sell, offer for sale or supply a medicinal premix only to another holder of a permit issued under this section.

This section does not apply to a person authorized to prepare, sell or supply medication under the Pharmacy Act (chapter P-10) or the Veterinary Surgeons Act (chapter M-8).

1986, c. 53, s. 17; 1991, c. 61, s. 13; 1993, c. 18, s. 5.

55.3. Any person may prepare a medicinal food for his own animals or animals in his custody without holding a permit if he prepares no more than one kilogram or one litre of the medicinal food or if the medicinal food is prepared for animals which are not and whose products are not intended for human consumption, unless the animals are bred for their fur.

1986, c. 53, s. 17; 1991, c. 61, s. 14.

55.3.1. The holder of a permit issued for an activity referred to in subparagraph 1 or 4 of the first paragraph of section 55.2 may sell or supply by retail a medicinal premix or medicinal food containing a medication appearing on the list prepared pursuant to section 9 of the Veterinary Surgeons Act (chapter M-8) only upon the purchaser handing over a prescription from a veterinary surgeon.

2000, c. 40, s. 23.

55.3.2. No person shall be in possession of a medication mentioned in section 9 of the Veterinary Surgeons Act (chapter M-8) that was obtained without a prescription from a veterinary surgeon, or be in possession of a medication whose administration is prohibited under a regulation made under subparagraph 7 of the first paragraph of section 55.9 of this Act or which is subject to a prohibition under the Food and Drug Regulations (Consolidated Regulations of Canada, chapter 870) made under the Food and Drugs Act (Revised Statutes of Canada, 1985, chapter F-27), with a view to administering the medication to an animal.

In the absence of any evidence to the contrary, the possession of a medication referred to in the first paragraph in a place where animals are kept is proof that the medication is possessed with a view to administering it to an animal.

2000, c. 40, s. 23.

55.4. No person may administer or allow to be administered to his own animals or to animals in his custody a medication appearing on the list referred to in section 9 of the Veterinary Surgeons Act (chapter M-8) which he obtained without a prescription, give them or allow them to be given a medicinal food containing such a medication except on the prescription of a veterinary surgeon.

1986, c. 53, s. 17; 2000, c. 40, s. 24.

55.5. The Government may, by regulation, require any owner or custodian of an animal of a species or category it determines to keep a register of administered medications, medicinal premixes or medicinal foods.

The regulation may also require a person or class of persons to keep a register of acquisitions, sales or supplies of medications, medicinal premixes or medicinal foods intended for an animal or for a species or category of animal.

A regulation made under this section determines the manner in which the registers are to be kept, in particular the information that the registers must contain, and the manner in which the information is to be sent.

1986, c. 53, s. 17; 1991, c. 61, s. 15; 2024, c. 27, s. 45.

55.5.0.1. The Government may, by regulation and for the purpose of collecting the information determined under a regulation made under section 55.5, establish a system for monitoring the use of medications.

The Minister may, by way of a memorandum of agreement, entrust to a body the management of the system. The management includes, in particular, the system's operation, maintenance, improvement, evolution and migration activities. In such a case, sections 22.3 and 22.3.1 apply, with the necessary modifications.

2024, c. 27, s. 45.

55.5.1. Food intended for the feeding of animals and premixes that are prepared, offered for sale, kept for sale purposes, sold or supplied by the holder of a permit issued for the carrying on of an activity referred to in the first paragraph of section 55.2 must be free of medicinal residues.

1991, c. 61, s. 16.

55.6. The owner or the person having custody of an animal which has been administered a medication or has consumed a medicinal food who sells the animal or causes it to be sold before the expiry of the waiting period indicated in the prescription of the veterinary surgeon or, in other cases, on the packaging of, or in a document provided with the medication or medicinal food, shall notify the buyer thereof in writing.

1986, c. 53, s. 17.

55.7. No person may deliver or send to a slaughterhouse, for the purposes of human consumption, an animal whose tissues are not totally free of any trace of metabolite of a medication or of medicinal residue other than those allowed by the Food and Drug Regulations or whose quantity or concentration in the tissues of the animal exceeds that permitted by those regulations.

1986, c. 53, s. 17; 1991, c. 61, s. 17; 2000, c. 40, s. 25.

55.7.1. Where the examination of the tissues of an animal that has been slaughtered for the purposes of human consumption reveals the presence of medications or medicinal residues that are forbidden or that exceed the quantity or concentration permitted, the chief veterinary surgeon may, for a period not exceeding 60 days, order the immediate owner or the custodian of the animal, and the former owners or custodians of the animal to suspend or restrict, to the extent determined by the chief veterinary surgeon, the delivery to any slaughterhouse for human consumption of any animal of the same species from the same operation as the animal carrying the medication or the medicinal residues.

The order shall contain a statement of the chief veterinary surgeon's reasons and refer to any written statement, analysis or other technical report considered by the chief veterinary surgeon for the purposes of the order.

2000, c. 40, s. 25; 2024, c. 27, s. 46.

55.7.2. The owner or custodian of an animal to whom an order under section 55.7.1 is notified without prior notice because, in the opinion of the chief veterinary surgeon, urgent action is required or there is a danger of irreparable damage being caused, may, within the time specified in the order, present observations so that the order may be reviewed by the chief veterinary surgeon.

2000, c. 40, s. 25; 2024, c. 27, s. 47.

55.8. Notwithstanding section 17 of the Pharmacy Act (chapter P-10) and sections 9, 21 and 24 of the Veterinary Surgeons Act (chapter M-8), the Minister may, in an emergency, in the public interest or to facilitate the administering of a medication, develop health programs authorizing the sale and administering of medications intended for certain categories of animals or to be used in the places where they are kept.

Except in an emergency, the Minister shall set up a committee to advise him in developing a program. The committee shall be composed of not less than four members, including a representative of the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation, a representative of the Ordre des pharmaciens du Québec, a representative of the Ordre professionnel des médecins vétérinaires du Québec and a representative of farm producers.

Every program shall indicate the veterinary diagnosis or the reasons for the development of the program; the diagnosis must be confirmed by the veterinary surgeon in attendance upon application of the program. Every program shall also specify the nature of the medications, the category of animals concerned, the persons authorized to sell or administer the medications and whether or not the prescription of a veterinary surgeon is required.

Every program shall be submitted to the Government for approval and possible amendment.

1986, c. 53, s. 17; 1991, c. 61, s. 18; 1994, c. 40, s. 457.

55.8.1. Where the Minister is of the opinion that animals may constitute a risk for the health or safety of the persons who consume them, in particular because of the medicinal residues or metabolites the animals could be carrying, the Minister may prescribe, by regulation, special standards for their destruction, disposal or elimination, according to species or category.

Any person in possession of an animal to which the regulation applies must comply with the regulation.

The provisions of Divisions III and IV of the Regulations Act (chapter R-18.1) relating to the publication and coming into force of proposed regulations and regulations do not apply to a regulation made by the Minister pursuant to this section. The regulation shall be published in the *Gazette officielle du Québec*. However, it comes into force on the date it is made by the Minister and shall be disseminated by any other means the Minister considers necessary.

2000, c. 40, s. 26.

55.9. The Government may make regulations to

- (1) prescribe conditions for the issue and renewal of permits, the form of permits and the fees therefor;
- (2) exempt a class of persons from holding a permit for the preparation of a medicinal food for his own animals;
 - (2.1) determine classes of permits among the permits that the Minister may issue under the first paragraph of section 55.2 and the rights, conditions and restrictions relating to each class;
- (3) *(subparagraph repealed)*;
- (4) prescribe standards applicable to the organization, management and operation of any establishment operated under a permit;
 - (4.1) prescribe standards respecting the composition, quality and medication or substance content of medicinal premixes or medicinal food. With regard to medication content, the standards may vary according to the type of medication used and the medication content prescribed in the veterinary prescription or, in the absence of a prescription, in another document designated in the regulation; with regard to substance content, the standards may vary according to the weight of the medicinal premix or medicinal food;
 - (4.2) prescribe standards applicable to the labelling of medicinal premixes or medicinal food and prescribe the mandatory inscriptions with respect to their ingredients or the waiting period applicable to the medications they contain;
- (5) determine the qualifications required of a person applying for a permit and of an employee assigned to activities for which a permit is required;
- (6) prescribe procedures for the storage and preservation of medications, medicinal premixes and medicinal foods intended for a species or category of animal;
- (7) prohibit or restrict the possession or administration, subject to the conditions the Government determines, of certain medications with respect to species or categories of animals;
 - (7.1) determine the books, accounts, registers, reports or other documents, including the supporting documents, that must be kept or provided by a person or class of persons who prescribe, administer, acquire, sell or provide medications, medicinal premixes or medicinal foods, the information they must contain and the manner in which they are to be sent;
 - (7.2) determine the information that the seller of a species or category of animal must provide to a buyer and the manner in which it is to be sent;
- (8) prescribe standards respecting advertising by a permit holder;
- (9) *(subparagraph repealed)*;
- (10) prescribe methods, conditions and modalities respecting the taking and analysis of samples of a medication, medicinal premix or medicinal food or of any substance taken from an animal and determine where the sample or specimen must be sent for analysis, fix fees for the taking of samples or their analysis and for inspection, and determine the persons who are to pay the fees and the cases and manner in which the fees are to be paid;
- (11) *(subparagraph repealed)*.

1986, c. 53, s. 17; 1991, c. 61, s. 19; 2000, c. 40, s. 27; 2024, c. 27, s. 48.

DIVISION IV.1.1

Repealed, 2015, c. 35, s. 7.

1993, c. 18, s. 6; 2015, c. 35, s. 7.

55.9.1. *(Repealed).*

1993, c. 18, s. 6; 2000, c. 40, s. 28; 2015, c. 35, s. 7.

55.9.2. *(Repealed).*

1993, c. 18, s. 6; 2000, c. 40, s. 29; 2012, c. 18, s. 5; 2015, c. 35, s. 7.

55.9.3. *(Repealed).*

1993, c. 18, s. 6; 2012, c. 18, s. 6.

55.9.4. *(Repealed).*

1993, c. 18, s. 6; 2000, c. 40, s. 30; 2015, c. 35, s. 7.

55.9.4.1. *(Repealed).*

2012, c. 18, s. 7; 2015, c. 35, s. 7.

55.9.4.2. *(Repealed).*

2012, c. 18, s. 7; 2015, c. 35, s. 7.

55.9.4.3. *(Repealed).*

2012, c. 18, s. 7; 2015, c. 35, s. 7.

55.9.5. *(Repealed).*

1993, c. 18, s. 6; 2012, c. 18, s. 8; 2015, c. 35, s. 7.

55.9.6. *(Repealed).*

1993, c. 18, s. 6; 1997, c. 43, s. 499; 2012, c. 18, s. 9; 2015, c. 35, s. 7.

55.9.7. *(Repealed).*

1993, c. 18, s. 6; 2012, c. 18, s. 10; 2015, c. 35, s. 7.

55.9.8. *(Repealed).*

1993, c. 18, s. 6; 2012, c. 18, s. 11; 2015, c. 35, s. 7.

55.9.9. *(Repealed).*

1993, c. 18, s. 6; 2000, c. 40, s. 31.

55.9.10. *(Repealed).*

1993, c. 18, s. 6; 2000, c. 40, s. 32; 2015, c. 35, s. 7.

55.9.11. *(Repealed).*

1993, c. 18, s. 6; 2012, c. 18, s. 12; 2015, c. 35, s. 7.

55.9.12. *(Repealed).*

1993, c. 18, s. 6; 2012, c. 18, s. 13; 2015, c. 35, s. 7.

55.9.13. *(Repealed).*

1993, c. 18, s. 6; 2012, c. 18, s. 14; 2015, c. 35, s. 7.

55.9.14. *(Repealed).*

1993, c. 18, s. 6; 2010, c. 31, s. 175; 2012, c. 18, s. 15; 2015, c. 35, s. 7.

55.9.14.1. *(Repealed).*

2000, c. 40, s. 33; 2012, c. 18, s. 16; 2015, c. 35, s. 7.

55.9.14.2. *(Repealed).*

2012, c. 18, s. 17; 2015, c. 35, s. 7.

55.9.14.3. *(Repealed).*

2012, c. 18, s. 17; 2015, c. 35, s. 7.

55.9.15. *(Repealed).*

1993, c. 18, s. 6; 2015, c. 35, s. 7.

55.9.16. *(Repealed).*

1993, c. 18, s. 6; 2000, c. 40, s. 34; 2015, c. 35, s. 7.

55.9.16.1. *(Repealed).*

2012, c. 18, s. 18; 2015, c. 35, s. 7.

55.9.16.2. *(Repealed).*

2012, c. 18, s. 18; 2015, c. 35, s. 7.

DIVISION IV.2

INSPECTION, INVESTIGATION, SEIZURE AND CONFISCATION

1986, c. 53, s. 17; 2024, c. 27, s. 49.

55.9.16.3. For the purposes of this division,

“animal” includes an animal carcass;

“equipment” includes any object to which this Act applies; and

“product” includes a medication, an animal product or by-product, a medicinal premix, a medicinal food and the tissues, secretions, excreta and dejecta of an animal, as well as animal feed or bedding.

2024, c. 27, s. 50.

§ 1. — *Inspection and investigation*

1986, c. 53, s. 17; 2024, c. 27, s. 51.

55.9.17. The Minister shall appoint the veterinary surgeons, inspectors, analysts or other persons necessary for the carrying into effect of this Act, hereinafter referred to as “authorized persons”, and may provide for the remuneration of such persons among them who are not appointed according to the Public Service Act (chapter F-3.1.1).

The chief veterinary surgeon is an authorized person by virtue of office.

2000, c. 40, s. 35; 2000, c. 8, s. 242; 2024, c. 27, s. 52.

55.9.18. The Minister may appoint investigators to see to the enforcement of this Act and the regulations.

2024, c. 27, s. 53.

55.10. An authorized person who has reasonable cause to believe that an animal, a product or equipment to which this Act applies is or was in premises, other than a dwelling-house, or in a vehicle may, in the performance of his duties,

(1) enter and inspect the premises or the vehicle at any reasonable time;

(2) stop any such vehicle to inspect it;

(2.1) require the suspension or restriction, during the inspection, of any activity or any operation to which this Act applies;

(2.2) order that an animal, a product or equipment be submitted for examination and prohibit or limit other animals’ access to that animal, product or equipment until the examination has been conducted;

(3) examine any animal, product or equipment, open any receptacle found in the premises or vehicle and take samples or specimens therefrom free of charge;

(4) record or take photographs of the premises, vehicle, animal, product or equipment;

(5) require the communication, for purposes of examination, reproduction or for making extracts, of any book account, register, record or document if he believes on reasonable grounds that they contain information relating to the application of this Act or the regulations;

(6) be accompanied by any person whose presence is considered necessary for the purposes of the inspection, who may then exercise the powers set out in paragraphs 1, 3 and 4.

1986, c. 53, s. 17; 1986, c. 97, s. 2; 1991, c. 61, s. 20; 2000, c. 40, s. 36; 2012, c. 18, s. 19; 2024, c. 27, s. 54.

55.10.1. An authorized person may require any person to communicate, within a reasonable time specified by the authorized person, any information or document relating to the application of this Act and the regulations.

The information or documents must be requested and sent by any means that allows proof of receipt at a specific time.

2024, c. 27, s. 55.

55.11. The owner or the person in charge of a vehicle or of premises being inspected and any person in such vehicle or premises are required to provide assistance to an authorized person in the performance of his duties or to a person accompanying the authorized person under paragraph 6 of section 55.10.

An authorized person must, upon request, identify himself and show a certificate signed by the Minister and attesting his quality.

The obligation set out in the first paragraph also applies in respect of a veterinary surgeon or a person the Minister has authorized under section 2.0.1.

1986, c. 53, s. 17; 1991, c. 61, s. 21; 2024, c. 27, s. 56.

55.12. It is prohibited to, in any manner, hinder the action of an authorized person or an investigator in the performance of their duties, mislead them by false statements or refuse to give them information that either of them is entitled to obtain under this Act.

The prohibition set out in the first paragraph also applies in respect of a veterinary surgeon or person the Minister has authorized under section 2.0.1 or of a person accompanying the authorized person under paragraph 6 of section 55.10.

1986, c. 53, s. 17; 1991, c. 61, s. 22; 2024, c. 27, s. 57.

55.13. No judicial proceedings may be brought against the Minister, an authorized person or a person accompanying the authorized person under paragraph 6 of section 55.10, an investigator or a veterinary surgeon or person the Minister has authorized under section 2.0.1 for acts done in good faith in the performance of his duties.

1986, c. 53, s. 17; 1991, c. 61, s. 23; 2000, c. 26, s. 55; 2012, c. 18, s. 20; 2015, c. 35, s. 7; 2024, c. 27, s. 58.

§ 2. — Seizure and confiscation

1986, c. 53, s. 17.

55.14. An authorized person may, in the performance of his duties, seize any animal, product or equipment to which this Act applies if he believes, on reasonable grounds, that an offence against this Act or the regulations has been committed in relation to or by means of such animal, product or equipment or where a person has failed to comply with an order, including a ministerial order.

1986, c. 53, s. 17; 1990, c. 4, s. 718; 1991, c. 61, s. 24; 2024, c. 27, s. 59.

55.15. The Government may, by regulation, prescribe the terms and conditions of inspection, sample and specimen taking and analysis, seizure and confiscation, at the time of an inspection, and establish a model for any certificate, report or minutes drawn up by an authorized person.

1986, c. 53, s. 17; 1991, c. 61, s. 25; 1992, c. 61, s. 486; 2024, c. 27, s. 60.

55.16. *(Repealed).*

1986, c. 53, s. 17; 1991, c. 61, s. 26.

55.17. *(Repealed).*

1986, c. 53, s. 17; 1991, c. 61, s. 26.

55.18. The owner, custodian or possessor of what has been seized shall have custody of it. The authorized person may, if he considers it advisable, transfer it to other premises to be kept there. In addition, the custodian shall have custody of the things seized and submitted in evidence, unless the judge to whom they were submitted in evidence decides otherwise.

Custody of what has been seized is maintained until a decision in its respect is made in accordance with sections 55.20, 55.21, 55.22 and 55.24 or, where proceedings are instituted, until a decision is made by the judge.

1986, c. 53, s. 17; 1991, c. 61, s. 27; 1992, c. 61, s. 487; 2024, c. 27, s. 61.

55.19. No person may use or remove what has been seized or allow it to be used or removed without the authorization of the authorized person.

1986, c. 53, s. 17; 1991, c. 61, s. 28; 2024, c. 27, s. 62.

55.20. Every seized animal, product or equipment shall be returned to its owner, custodian or possessor on the occurrence of either of the following situations:

(1) if a period of 90 days has expired from the date of seizure and no proceedings have been instituted; or

(2) if the authorized person is satisfied, after verification within that time, that no offence against this Act, any of the regulations or a ministerial order or other order has been committed or that the owner, custodian or possessor of what has been seized has since complied with the provisions of this Act, the regulations or a ministerial order or other order.

1986, c. 53, s. 17; 1991, c. 61, s. 29; 2024, c. 27, s. 63.

55.21. The owner, custodian or possessor of what has been seized may apply to a judge to obtain the release of it.

The application shall be served on the seizer or, where proceedings are instituted, on the prosecutor.

The judge shall grant the application if he is of opinion that the applicant will suffer serious or irreparable prejudice if the seizure of the property is maintained, and that the release of the property will not hinder justice.

1986, c. 53, s. 17; 1991, c. 61, s. 30; 1992, c. 61, s. 488.

55.22. Any animal, product or equipment seized the owner, custodian or possessor of which is unknown or untraceable shall be transferred to the Minister of Revenue 90 days from the date of seizure, together with a statement describing the property and indicating, where applicable, the name and last known address of the interested party.

The Unclaimed Property Act (chapter B-5.1) applies to the thing so transferred to the Minister of Revenue.

1986, c. 53, s. 17; 1991, c. 61, s. 31; 1997, c. 80, s. 74; 2005, c. 44, s. 54; 2011, c. 10, s. 98.

55.23. On the application of the seizer, a judge may order that the period of retention be extended for not more than 90 days.

1986, c. 53, s. 17; 1992, c. 61, s. 488.

55.24. Upon pronouncing a conviction for an offence under a provision of this Act or the regulations thereunder, a judge may, on an application by either party and where a seizure has been made under section 55.14, order the confiscation of what has been seized.

Prior notice of the application for confiscation shall be given to the person from whom it was seized and to the other party, except where they are in the presence of the judge.

The Minister shall prescribe the manner of disposing of anything seized under this section.

1986, c. 53, s. 17; 1992, c. 61, s. 489.

55.25. *(Repealed).*

1986, c. 53, s. 17; 1997, c. 43, s. 500; 2000, c. 40, s. 37; 2024, c. 27, s. 64.

55.25.1. For the purposes of this division, “judge” means

- (1) a judge of the Court of Québec;
- (2) a judge of a municipal court;
- (3) a presiding justice of the peace.

2012, c. 18, s. 21.

DIVISION IV.3

PERMITS

1986, c. 53, s. 17.

55.26. Every application for a permit shall be submitted to the Minister, by the person who intends to use it, in the form and with the documents prescribed by regulation.

If the applicant is a person other than a natural person, the application shall be submitted by a duly commissioned administrator or partner.

1986, c. 53, s. 17; 2024, c. 27, s. 65.

55.27. The Minister shall issue the permit if the applicant meets the requirements and pays the fee prescribed by this Act and the regulations.

The Minister may, after notifying the applicant in writing and giving him the opportunity to present observations as prescribed by section 5 of the Act respecting administrative justice (chapter J-3), refuse to deliver a permit for reasons of public interest.

1986, c. 53, s. 17; 1986, c. 97, s. 3; 1997, c. 43, s. 501.

55.28. The Minister may subject the issue of a permit to any condition, restriction or prohibition determined by him and indicated on the permit.

1986, c. 53, s. 17.

55.29. The permit is valid for a period of twelve months, or for a lesser period if the Minister so prescribes.

The permit may be renewed on the conditions prescribed by this Act and the regulations.

1986, c. 53, s. 17; 1986, c. 97, s. 4.

55.30. The rights conferred by a permit are not assignable.

1986, c. 53, s. 17.

55.31. After notifying the holder in writing as prescribed by section 5 of the Act respecting administrative justice (chapter J-3) and allowing the holder at least 10 days to present observations, the Minister may suspend, cancel or refuse to renew his permit

- (1) if the holder does not meet or no longer meets the requirements prescribed by this Act and the regulations for the issue or renewal of the permit, as the case may be;
- (2) if he fails to comply with any condition, restriction or prohibition indicated on the permit;
- (3) if he has been convicted of an offence under this Act or the regulations;
- (4) if he repeatedly fails to comply with this Act or the regulations.

1986, c. 53, s. 17; 1986, c. 97, s. 5; 1990, c. 4, s. 719; 1997, c. 43, s. 502; 2012, c. 18, s. 22.

55.32. Every decision of the Minister shall be substantiated. The person contemplated by the decision shall be informed of it in writing.

1986, c. 53, s. 17.

55.33. The revocation or suspension of a permit has effect from the date of its receipt by the holder.

1986, c. 53, s. 17.

55.34. *(Repealed).*

1986, c. 53, s. 17; 1986, c. 97, s. 6.

DIVISION IV.4

PROCEEDING BEFORE THE ADMINISTRATIVE TRIBUNAL OF QUÉBEC

1986, c. 53, s. 17; 1997, c. 43, s. 503.

55.35. The following persons may contest the decision of the Minister before the Administrative Tribunal of Québec within 30 days of notification of the decision:

- (1) a person whose application for a permit is refused on grounds other than that of public interest;
- (2) a person whose permit is suspended, cancelled or not renewed.

1986, c. 53, s. 17; 1988, c. 21, s. 66; 1986, c. 97, s. 7; 1997, c. 43, s. 504.

55.36. *(Repealed).*

1986, c. 53, s. 17; 1988, c. 21, s. 66; 1986, c. 97, s. 8; 1997, c. 43, s. 505.

55.37. *(Repealed).*

1986, c. 53, s. 17; 1988, c. 21, s. 66; 1986, c. 97, s. 9; 1997, c. 43, s. 505.

55.38. *(Repealed).*

1986, c. 53, s. 17; 1997, c. 43, s. 505.

55.39. *(Repealed).*

1986, c. 53, s. 17; 1986, c. 97, s. 10; 1997, c. 43, s. 505.

55.40. *(Repealed).*

1986, c. 53, s. 17; 1986, c. 97, s. 11; 1997, c. 43, s. 505.

55.41. *(Repealed).*

1986, c. 53, s. 17; 1988, c. 21, s. 66; 1997, c. 43, s. 505.

55.42. *(Repealed).*

1986, c. 53, s. 17; 1988, c. 21, s. 66, s. 123; 1997, c. 43, s. 505.

DIVISION IV.5

PENAL PROVISIONS AND OTHER SANCTIONS

55.43. Except in the cases where another penalty is prescribed, anyone who contravenes this Act or the regulations is liable to a fine of \$250 to \$2,500 in the case of a natural person and of \$500 to \$5,000 in any other case.

1986, c. 53, s. 17; 1990, c. 4, s. 720; 1991, c. 33, s. 110; 1991, c. 61, s. 32; 1995, c. 29, s. 6; 1999, c. 40, s. 236; 2000, c. 26, s. 56; 2000, c. 40, s. 39; 2001, c. 35, s. 29; 2024, c. 27, s. 66.

55.43.1. Anyone who contravenes section 2.0.0.1, 2.0.3, 11.10, 35 or 41 or a provision of a regulation made under the first paragraph of section 3.0.1 or under section 55.5 is liable to a fine of \$500 to \$5,000 in the case of a natural person and of \$1,000 to \$10,000 in any other case.

1993, c. 18, s. 7; 2001, c. 35, s. 30; 2012, c. 18, s. 23; 2015, c. 35, s. 7; 2024, c. 27, s. 66.

55.43.1.1. *(Repealed).*

2012, c. 18, s. 23; 2015, c. 35, s. 7.

55.43.1.2. *(Repealed).*

2012, c. 18, s. 23; 2015, c. 35, s. 7.

55.43.1.3. *(Repealed).*

2012, c. 18, s. 23; 2015, c. 35, s. 7.

55.43.1.4. *(Repealed).*

2012, c. 18, s. 23; 2015, c. 35, s. 7.

55.43.2. Anyone who contravenes section 2.1, 3.1, 11.12, 26, 27, 38, 39, 40, 42, 43, 55.0.1, 55.3.1, 55.3.2, 55.4, 55.5.1, 55.6, 55.18 or 55.19, the first paragraph of section 9, any provision of an order in council approving a program contemplated in section 55.8 or any provision of a regulation made under section 3, 11.14, 22.1, 28, 45, 55.0.2 or 55.9 is liable to a fine of \$1,000 to \$10,000 in the case of a natural person and of \$2,000 to \$20,000 in any other case.

2000, c. 40, s. 40; 2024, c. 27, s. 66.

55.43.3. Anyone who contravenes section 8, 10, 10.1, 11.9, 31, 55.2, 55.7, 55.10.1, 55.11 or 55.12, any condition of an authorization issued under the second paragraph of section 9, any condition, restriction or prohibition specified in the person's permit in accordance with section 55.28 or any provision of a regulation made under section 11.5, 24 or 55.8.1 is liable to a fine of \$2,500 to \$25,000 in the case of a natural person and of \$5,000 to \$50,000 in any other case.

2000, c. 40, s. 40; 2024, c. 27, s. 66.

55.43.4. Anyone who contravenes an order made under section 2.0.4, 2.0.6, 2.0.7, 3.2, 3.4, 11.11 or 55.7.1 or any provision of a ministerial order made under section 2.0.10 is liable to a fine of \$5,000 to \$50,000 in the case of a natural person and of \$10,000 to \$100,000 in any other case.

2000, c. 40, s. 40; 2024, c. 27, s. 66.

55.44. The minimum and maximum fines prescribed by this Act are doubled for a second offence and tripled for a third or subsequent offence.

1986, c. 53, s. 17; 1986, c. 97, s. 12; 1990, c. 4, s. 720; 1991, c. 33, s. 111; 1995, c. 29, s. 7; 1999, c. 40, s. 236; 2024, c. 27, s. 66.

55.45. In determining the amount of the fine, the court shall take into account, in particular,

- (1) the seriousness of the risk to the health of animals and to human health;
- (2) the benefits and revenues the offender has derived from the offence;
- (3) the socio-economic consequences for society;
- (4) the duration of the offence;
- (5) the repetitive nature of the offence;
- (6) the foreseeable character of the offence or the failure to follow recommendations or warnings to prevent it;
- (7) whether the offender acted intentionally or was reckless or negligent;
- (8) whether the offender failed to take reasonable measures to prevent the commission of the offence or limit its effects despite the offender's financial ability to do so given, in particular, the offender's assets, turnover or revenues; and
- (9) the cost to society of repairing the harm or damage.

A judge who, despite the presence of an aggravating factor, decides to impose the minimum fine must give reasons for the decision.

1986, c. 53, s. 17; 1990, c. 4, s. 720; 1991, c. 33, s. 112; 1999, c. 40, s. 236; 2024, c. 27, s. 66.

55.45.1. *(Repealed).*

1993, c. 18, s. 8; 2012, c. 18, s. 24; 2015, c. 35, s. 7.

55.46. Every person who, by his consent, encouragement, advice or order, induces another person to commit an offence is guilty of the offence as if he had committed it himself, and of every other offence committed by the other person as a result of the consent, encouragement, advice or order, if he knew or should have known that its probable consequence would be the commission of the offences.

1986, c. 53, s. 17.

55.47. Every person who, by his act or omission, aids another person to commit an offence is guilty of the offence as if he had committed it himself, if he knew or should have known that the probable consequence of his act or omission would be to aid in the commission of the offence.

1986, c. 53, s. 17.

55.48. *(Repealed).*

1986, c. 53, s. 17; 1990, c. 4, s. 721.

55.49. *(Repealed).*

1986, c. 53, s. 17; 1990, c. 4, s. 721.

55.50. In the case of proceedings instituted for an offence described in this division, the report of the inspection, analysis or specimen or sample taking and the minutes of the seizure or confiscation, signed by veterinary surgeon, inspector or analyst, are proof of their contents, unless there is evidence to the contrary, and no proof of the signature or of the quality of the signatory is required if the person certifies in the report of the inspection, analysis or specimen or sample that he personally observed the facts stated therein.

The cost of inspection, analysis or specimen or sample taking as established by a regulation made under section 3, 28, 55.0.2 or 55.9 of this Act is included in the costs of the proceedings in the case of penal proceedings.

1986, c. 53, s. 17; 1990, c. 4, s. 722; 1991, c. 61, s. 33; 2000, c. 40, s. 41.

55.51. In the absence of any evidence to the contrary, a person who keeps a medicinal premix or a medicinal food in a quantity that exceeds the needs of his animals or those in his custody, is presumed to intend such product for sale or supply.

1991, c. 61, s. 34.

55.52. The Minister may claim, in the same manner as any debt owing to the Government, from an offender who has been convicted of an offence under section 55.6 or 55.7, the costs of specimens or samples taken and analyses made to ascertain, during a period of one year following the date of the final judgment of conviction, the absence of medicinal residues or metabolites of a medication, or to ensure that the quantities and concentrations permitted in the offender's animals are being complied with.

2000, c. 40, s. 42.

56. *(This section ceased to have effect on 17 April 1987).*

1982, c. 21, s. 1; U. K., 1982, c. 11, Sch. B, Part I, s. 33.

56.0.1. *(Repealed).*

2012, c. 18, s. 25; 2015, c. 35, s. 7.

REPEAL SCHEDULES

In accordance with section 17 of the Act respecting the consolidation of the statutes (chapter R-3), chapter 126 of the Revised Statutes, 1964, in force on 31 December 1977, is repealed effective from the coming into force of chapter P-42 of the Revised Statutes.

In accordance with section 9 of the Act respecting the consolidation of the statutes and regulations (chapter R-3), section 31 of chapter 126 of the Revised Statutes, 1964, in force on 1 September 1987, is repealed effective from the coming into force of the updating to 1 September 1987 of chapter P-42 of the Revised Statutes.