1970

c 105 Dead Animal Disposal Act

Ontario
CHAPTER 105

The Dead Animal Disposal Act

1. In this Act,
   (a) "collector" means a person engaged in the business of collecting dead animals and fallen animals;
   (b) "dead animal" means a horse, goat, sheep, swine or head of cattle that has died from any cause other than slaughter;
   (c) "Director" means the Director of the Veterinary Services Branch of the Department of Agriculture and Food;
   (d) "fallen animal" means a horse, goat, sheep, swine or head of cattle that has been disabled by disease, emaciation or other condition that is likely to cause death;
   (e) "inspector" means an inspector appointed under this Act;
   (f) "Minister" means the Minister of Agriculture and Food;
   (g) "receiving plant" means a premises to which dead animals are delivered for the purpose of obtaining the hide, skin, fats, meat or other product of the dead animals or for the purpose of selling or delivering the dead animals or parts thereof to a rendering plant;
   (h) "rendering plant" means a premises at which dead animals are processed into hides, meat, bone meal, meat meal or inedible fats;
   (i) "slaughter" means slaughter for the purpose of processing into food for human consumption. R.S.O. 1960, c. 88, s. 1; 1965, c. 25, s. 1, amended.

2. This Act does not apply to,
   (a) establishments operating under the Meat Inspection Act c. 36 (Can.); and
   (b) dead animals or carcasses thereof while held for post mortem examination, investigation, loss adjustment or other purpose. R.S.O. 1960, c. 88, s. 2.

Interpretation

Application
3.—(1) The owner of a dead animal or carcass or part thereof shall dispose of it within forty-eight hours of its death,

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

(b) by the services of a person licensed under this Act and the regulations.

(2) The owner of a fallen animal shall kill it in a humane manner and dispose of it in accordance with subsection 1. R.S.O. 1960, c. 88, s. 3.

(3) No person shall move a fallen animal before it has been killed. 1961-62, c. 28, s. 1.

4.—(1) No person shall slaughter an animal at a receiving plant or a rendering plant.

(2) No collector shall give, sell or deliver a dead animal to any person other than the holder of a licence under this Act. R.S.O. 1960, c. 88, s. 4 (1, 2).

(3) No person shall process, store, offer for sale or sell meat or products made therefrom for human consumption at a receiving plant or a rendering plant. R.S.O. 1960, c. 88, s. 4 (3); 1961-62, c. 28, s. 2.

5.—(1) No person shall engage in the business of a collector or operator of a receiving plant or operator of a rendering plant without a licence therefor from the Director. R.S.O. 1960, c. 88, s. 5; 1965, c. 25, s. 2 (1).

(2) The Director may, after a hearing, refuse to issue a licence under subsection 1 for any reason that he considers proper. 1961-62, c. 28, s. 3, part; 1965, c. 25, s. 2 (2).

(3) Any person to whom the Director has refused to issue a licence under subsection 2 may appeal the decision of the Director to the Minister, and the Minister may confirm the decision or order the licence to be issued. 1961-62, c. 28, s. 3, part; 1965, c. 25, s. 2 (3).

6. Every licence is subject to the conditions that the holder of the licence,

(a) maintains in good mechanical and sanitary condition all vehicles, premises and equipment used in the collecting and handling of dead animals and the disposing of the carcasses and parts thereof;

(b) carries on his business in a manner that prevents any relationship between the ownership, management or operation of his business and any business in respect of the slaughtering of animals or the processing or sale of meat for human consumption;
(c) takes all reasonable precautions to prevent the spread of any disease that caused the deaths of the animals; and

(d) complies with this Act and the regulations and any other conditions that are imposed by the regulations.  R.S.O. 1960, c. 88, s. 6; 1961-62, c. 28, s. 4.

7.—(1) A collector shall make and keep for at least twelve months a record of the dead animals he collects and the disposal thereof as prescribed in the regulations.

(2) An operator of a receiving plant shall make and keep for at least twelve months a record of the dead animals he receives and of the disposal thereof as prescribed in the regulations.

(3) An operator of a rendering plant shall make and keep for at least twelve months a record of the dead animals he receives at the plant as prescribed in the regulations.  R.S.O. 1960, c. 88, s. 7.

8.—(1) The Minister may appoint a chief inspector and one or more inspectors to carry out and enforce this Act and the regulations.

(2) The production by an inspector of a certificate of his appointment purporting to be signed by the Minister is admissible in evidence as prima facie proof of his appointment without further proof of the signature or authority of the Minister.  R.S.O. 1960, c. 88, s. 8 (1, 2).

(3) The Director or an inspector may enter any premises or building for the purpose of carrying out his duties.  R.S.O. 1960, c. 88, s. 8 (3); 1965, c. 25, s. 3.

9. No person shall hinder or obstruct an inspector in the course of his duties or furnish him with false information, or refuse to furnish him with information.  R.S.O. 1960, c. 88, s. 9.

10. Every person who contravenes any of the provisions of this Act or the regulations is guilty of an offence and on summary conviction is liable for a first offence to a fine of not more than $500 and for a subsequent offence to a fine of not more than $5,000 or to imprisonment for a term of not more than six months.  1961-62, c. 28, s. 5.

11. The Lieutenant Governor in Council may make regulations,

(a) providing for the issue, renewal, suspension or revocation of or refusal to issue or renew licences and prescribing the fees payable for licences or the renewal thereof;

(b) prescribing conditions for licensing in addition to those mentioned in section 6;
(c) prescribing the duties of inspectors;
(d) prescribing the manner in which vehicles and premises used in the collecting and handling of dead animals shall be cleaned, disinfected and maintained;
(e) respecting the transportation of dead animals and the products obtained therefrom;
(f) providing for the processing at a receiving plant or a rendering plant of meat obtained from dead animals and for the treatment of the meat for purposes of identification;
(g) providing for the exemption from the regulations, or any part thereof, of any person or group of persons or any class or classes of meat;
(h) respecting the facilities and equipment to be provided and maintained at receiving plants and rendering plants;
(i) respecting advertising by persons licensed under this Act;
(j) providing for the labelling of products obtained from dead animals or parts thereof;
(k) providing for the disposition of dead animals or any class of them and any parts thereof;
(l) prescribing the records to be made and kept by collectors and by operators of receiving plants and rendering plants;
(m) prescribing forms and providing for their use;
(n) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act. R.S.O. 1960, c. 88, s. 11; 1961-62, c. 28, s. 6.