



PLEASE NOTE

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CHAPTER P-14

POULTRY AND POULTRY PRODUCTS ACT

SALE OF DRESSED AND EVisCERATED POULTRY REGULATIONS

Made by the Lieutenant Governor in Council under the *Poultry and Poultry Products Act* R.S.P.E.I. 1988, Cap. P-14

1. In these regulations

Definitions

- (a) “Act” means the *Poultry and Poultry Products Act* R.S.P.E.I. 1988, Cap. P-14; Act
- (b) “consumer” means a person who buys dressed or eviscerated poultry for use by himself or his household and not for resale; consumer
- (c) “dressed poultry” means poultry from which blood and feathers have been removed but does not include eviscerated poultry; dressed poultry
- (d) “eviscerated poultry” means dressed poultry from which the head, the legs at the hock joints and all entrails and internal organs have been completely removed; eviscerated poultry
- (e) “inspector” means an inspector appointed under the provisions of the Act; inspector
- (f) “Minister” means the Minister of Agriculture and Forestry; Minister
- (g) “producer” means a farmer who ships, transports or sells as dressed or eviscerated poultry only poultry raised on his own farm; producer
- (h) “retailer” means a person who sells or offers for sale dressed or eviscerated poultry to a consumer; retailer
- (i) “wholesale distributor” means a person who sells or offers for sale dressed or eviscerated poultry to a retail store, hotel, restaurant, or anyone commercially engaged in serving meals. (EC344/60; 300/80; 115/84; 639/93) wholesale distributor

2. Except as provided in section 3, any dressed or eviscerated poultry sold, offered for sale or held in possession for sale in the Charlottetown and Summerside marketing areas of the Province of Prince Edward Island shall be marked with one of the following terms to indicate the kind and the grade of such dressed or eviscerated poultry: Grades

- (a) Chicken, Canada Grade Special
Chicken, Canada Grade A

- Chicken, Canada Grade B
 - Chicken, Canada Grade Utility
 - Chicken, Canada Grade C
 - Chicken, Canada Grade D
 - (b) Chicken Capon, Canada Grade Special
 - Chicken Capon, Canada Grade A
 - Chicken Capon, Canada Grade B
 - Chicken Capon, Canada Grade Utility
 - Chicken Capon, Canada Grade C
 - Chicken Capon, Canada Grade D
 - (c) Fowl, Canada Grade Special
 - Fowl, Canada Grade A
 - Fowl, Canada Grade B
 - Fowl, Canada Grade Utility
 - Fowl, Canada Grade C
 - Fowl, Canada Grade D
 - (d) Turkey, Canada Grade Special
 - Turkey, Canada Grade A
 - Turkey, Canada Grade B
 - Turkey, Canada Grade Utility
 - Turkey, Canada Grade C
 - Turkey, Canada Grade D
 - (e) Ducks, Canada Grade Special
 - Ducks, Canada Grade A
 - Ducks, Canada Grade B
 - Ducks, Canada Grade Utility
 - Ducks, Canada Grade C
 - Ducks, Canada Grade D
 - (f) Geese, Canada Grade Special
 - Geese, Canada Grade A
 - Geese, Canada Grade B
 - Geese, Canada Grade Utility
 - Geese, Canada Grade C
 - Geese, Canada Grade D
- (EC344/60)

Direct sales to
consumers

3. A producer may sell, offer, advertise or hold in his possession for sale ungraded dressed or eviscerated poultry, if such poultry was raised on his own farm, and is sold direct to consumers otherwise than in or through a retail store. (EC344/60)

ADVERTISING

- 4.** No person shall publish any untrue, deceptive or misleading advertisement or statement in respect to dressed or eviscerated poultry offered for sale or held in possession for sale or distribution. (EC344/60) False advertising
- 5.** In any advertisement pertaining to dressed or eviscerated poultry wherein the price of such poultry appears, the grade name shall be stated in letters of at least equal size and prominence to the price. (EC344/60) Grade name
- 6.** Any advertisement relating to poultry shall state the kind of poultry and whether the poultry is dressed or eviscerated, and in the case of turkeys, ducks or geese shall state whether they are young or mature, all to be in letters of at least equal size and prominence to those of the grade. (EC344/60) Details to be specified
- 7.** All poultry on the premises of a retailer or wholesale distributor shall be deemed to be for sale. (EC344/60) Poultry deemed for sale

DETENTION

- 8.** (1) An inspector may place under detention any dressed or eviscerated poultry that does not comply with the Act or these regulations by Detention of poultry
- (a) attaching to at least one package of the lot a numbered tag, hereinafter referred to as a “detention tag”, upon which shall be clearly written the following:
- (i) the words “Under Detention - Department of Agriculture and Forestry, Province of Prince Edward Island”,
- (ii) the number given by the inspector,
- (iii) a brief description of the lot being detained,
- (iv) the reason for seizure,
- (v) the date, and
- (vi) the inspector's signature; and
- (b) marking each package in the lot with a mark consisting of the letters “DET” and the number of the detention tag inside a design of a circle.
- (2) Where the poultry held under detention is not in packages, an inspector may require the owner to place such poultry into packages and the packages shall be marked in accordance with subsection (1). (EC344/60; 300/80; 115/84; 639/93) Marking of packages
- 9.** Immediately after attaching the detention tag and marking the packages, the inspector shall deliver or mail to the owner of the poultry or his agent a duly completed notice of detention, in the form prescribed by Schedule 1 and where such poultry is in premises other than that of Notice of detention

the owner, a copy of the notice of detention shall also be delivered or mailed to the person on whose premises the poultry is found. (EC344/60)

Directions

10. An inspector may make such orders and give such directions as to him appear necessary for the proper preservation and safeguarding of any poultry respecting which a detention tag has been placed on a package, or package marked pursuant to section 8, and every person to whom any such order is made or direction given shall comply therewith according to its terms. (EC344/60)

Interference with tags

11. Except as authorized by an inspector, no person shall alter or remove a detention tag placed on a package of poultry or alter any marks made on packages by an inspector. (EC344/60)

Sale, etc. of detained poultry

12. Except with the written permission of an inspector, no person shall remove, sell or otherwise dispose of any poultry contained in a package on which a detention tag has been placed or in a package marked by an inspector. (EC344/60)

Release

13. (1) Where an inspector is satisfied that poultry held under detention comply with these regulations, he shall complete a "Notice of Release" in the form prescribed by the Minister.

Notices

(2) The inspector shall deliver or mail one copy of the notice of release to the owner of the poultry and one copy to the person on whose premises the poultry was found. (EC344/60)

SCHEDULE (1)

PROVINCE OF

NOTICE OF DETENTION — POULTRY PRODUCTS

NAME DATE

ADDRESS

You are hereby notified that the Poultry Products described below have been placed under detention.

| Details of Poultry Products | Cases | Boxes | Dozen | Pounds |
|-----------------------------|-------|-------|-------|--------|
| | | | | |
| | | | | |
| | | | | |
| | | | | |

Marked on each package as follows —



Reason for detention

Place of detention

How notice served

(Mailed or delivered personally)

“Except with the written permission of an inspector, no person shall make any disposition of a poultry product placed under detention.”

.....

Inspector

Receipt acknowledged by

.....

Signature of Recipient
(EC344/60)