



PRINCE EDWARD ISLAND
ÎLE-DU-PRINCE-ÉDOUARD

FISH AND GAME PROTECTION ACT GAME FARM REGULATIONS

PLEASE NOTE

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This document is *not* the official version of these regulations. The regulations and the amendments printed in the *Royal Gazette* should be consulted on the Prince Edward Island Government web site to determine the authoritative text of these regulations.

For more information concerning the history of these regulations, please see the *Table of Regulations* on the Prince Edward Island Government web site (www.princeedwardisland.ca).

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FISH AND GAME PROTECTION ACT
Chapter F-12
GAME FARM REGULATIONS

Pursuant to section 7 of the *Fish and Game Protection Act* R.S.P.E.I. 1988, Cap. F-12, Council made the following regulations:

INTERPRETATION

1. Definitions

In these regulations

- (a) “**abattoir**” means a facility where game animals are slaughtered for human consumption;
- (b) “**Act**” means the *Fish and Game Protection Act* R.S.P.E.I. 1988, Cap. F-12;
- (c) “**Agriculture Canada**” means the Government of Canada department called the Department of Agriculture;
- (d) “**carcass**” means the intact edible portion of a game animal remaining after the hide, head, feet and viscera of the animal have been removed;
- (e) “**Department**” means the Department of Fisheries, Aquaculture and Environment;
- (f) “**game animal**” means a member of
 - (i) the species of elk having the scientific name *Cervus canadensis*;
 - (ii) the species of fallow deer having the scientific name *Dama dama*,
 - (iii) the species of reindeer having the scientific name *Rangifer tarandus*,
 - (iv) the species of bison having the scientific name *Bison bison*,
 - (v) the species of red deer having the scientific name *Cervus elaphus*,or any hybrid of the above listed species or any member of the family of ratite birds commonly known as emu, ostrich or rhea, that is held in captivity for the purpose of producing game animal products;
- (g) “**game farm**” means a location where game animals are held in captivity for commercial purposes;
- (h) “**game officer**” means a game officer employed by the Fish and Wildlife Division of the Department;
- (i) “**game meat**” means the edible flesh of game animals;
- (j) “**inspection**” means the visual examination of

- (i) game animals or game animal products, or
- (ii) records kept at any abattoir, game farm, game meat merchandising facility or game meat processing facilities;
- (k) “**license**” means a valid and subsisting license issued pursuant to these regulations;
- (l) “**manifest**” means a game animal manifest in such form as may be approved by the Minister;
- (m) “**Minister**” means the Minister of Fisheries, Aquaculture and Environment;
- (n) “**named disease**” means a disease designated by the Minister pursuant to subsection 14(1);
- (o) “**process**” means to slaughter live game animals and process the carcasses into wholesale or retail products;
- (p) “**provincial veterinarian**” means a veterinarian designated by the Minister of Agriculture and Forestry;
- (q) “**trade**” means offer for sale, expose for sale, advertise for sale, sell, buy, barter, exchange, deal or solicit;
- (r) “**unique identification tag**” means a tag issued by the Minister pursuant to section 22;
- (s) “**uniquely identified**” means identified by
 - (i) placing a unique identification tag issued by the Minister pursuant to section 22 on the game animal, and
 - (ii) ensuring that the animal is further identified by
 - (A) a federal Health of Animals tag,
 - (I) obtained from Agriculture Canada, or
 - (II) placed on the animal pursuant to section 99 of the Animal Disease and Protection Regulations, Consolidated Regulations of Canada, 1978, chapter 296, or
 - (B) a United States Department of Agriculture tag issued pursuant to The Identification of Animals for Inter-State or International Movement Regulations (United States);
- (t) “**vacuum packaged**” means packaged in a sealed plastic pouch with all of the air removed from the pouch;
- (u) “**veterinarian**” means an official veterinarian of the country of origin of a game animal imported or a veterinarian employed by Agriculture Canada or an individual licensed to practise veterinary medicine in a province of Canada. (EC667/90; 639/93; 435/95)

LICENSES

2. License required

No person shall establish or operate a game farm unless the person holds a license. (EC667/90)

3. Application

Every person wishing to obtain a license shall

- (a) submit an application to the Minister on a form provided by the Minister;



- (b) provide the Minister with any information that the Minister considers necessary; and
- (c) pay a fee of \$100. (EC667/90)

4. Issuance

- (1) Where the Minister
 - (a) receives an application made pursuant to section 3; and
 - (b) is satisfied that the applicant has complied with these regulations,the Minister may issue a license to the applicant.

Conditions

- (2) The Minister may impose such terms and conditions on the issue of a license as he may consider appropriate. (EC667/90)

5. Expiry

- (1) Unless renewed pursuant to subsection (2), a license expires on March 31 of the year following the year of its issuance or renewal, as the case may be.

Renewal

- (2) Where the holder of a license pays a fee of \$100 the Minister may renew the license. (EC667/90)

6. Suspension or cancellation

- (1) The Minister may suspend for any period that the Minister considers appropriate or cancel a license if the holder of the license fails to comply with these regulations.

Hearing

- (2) Subject to subsection (3), the Minister shall not suspend or cancel a license without giving the holder of the license an opportunity to be heard.

Immediate suspension

- (3) Where, in the opinion of the Minister, it is in the public interest for the Minister to immediately suspend or cancel a license, the Minister may immediately suspend or cancel the license and, on the suspension or cancellation, shall give the holder of the license
 - (a) written notice of the suspension or cancellation; and
 - (b) an opportunity to be heard within 15 days of the date of the suspension or cancellation.

Penalties cumulative

- (4) The suspension or cancellation of a license pursuant to this section is in addition to any other penalty that may be imposed. (EC667/90)

CONDITIONS OF LICENSE

7. Obtaining game animals

No person shall obtain game animals unless

- (a) those animals are obtained from a person who has been issued a license pursuant to section 4; or
- (b) the animals are obtained from a source approved by the Minister. (EC667/90)

8. Escape from captivity

- (1) Subject to subsection (2), no person who holds game animals shall allow those animals to
 - (a) roam free;
 - (b) escape from captivity; or
 - (c) be released to the wild.

Obligations of owner

- (2) Every person whose game animal escapes from captivity shall
 - (a) immediately make all reasonable efforts to restore the escaped animal to captivity; and
 - (b) report the full details of the escape to the Fish and Wildlife Division of the Department.

Destruction

- (3) Where a game animal escapes from captivity, the Minister may authorize the destruction of the animal. (EC667/90)

9. Import and export

- (1) No person shall import or export a live game animal without first obtaining an import or export permit issued by the Minister.

Development plan

- (2) Every person who proposes to introduce a game animal to Prince Edward Island for the purpose of game farming shall file a development plan with the Minister in the form required by the Minister.

Importation of exotic animals, permit required

- (3) Nothing in these regulations derogates from the requirements of sections 5 to 8 of the *Fish and Game Protection Act* Regulations relating to the importation of exotic animals. (EC667/90)

10. Quarantine

- (1) No person shall import any game animal into Prince Edward Island unless
 - (a) a veterinarian examines and tests the animal and issues a certificate, dated within 30 days prior to the date of importation, certifying it to be free of all named diseases; and
 - (b) a copy of the certificate has been received by the Minister before the animal is imported.

Obligations of importer

- (2) Any person who imports any game animal into Prince Edward Island shall
 - (a) immediately take the animal to, and hold the game animal in, a quarantine facility approved by the Minister until the release of the animal is authorized by a provincial veterinarian; and



- (b) have any game animal that shows signs of any named disease during the quarantine period mentioned in clause (a) examined by a provincial veterinarian.

Testing for named diseases

- (3) Every person who is required to have a game animal examined pursuant to clause (2)(b) shall ensure that the animal is tested for any named disease. (EC667/90)

11. Diseased game animals

No person shall, without the authorization of the Minister

- (a) hold any game animal that the person knows or suspects is infected with a named disease; or
- (b) allow that animal to be transferred to another person. (EC667/90)

12. Reports re diseased animal

- (1) Every game farm operator shall immediately report to a provincial veterinarian and to a veterinarian employed by Agriculture Canada any game animal that the game farm operator
 - (a) knows or suspects is infected with a named disease; or
 - (b) knows or suspects has been in contact with an animal infected with a named disease.

Report of death

- (2) Every person who imports a game animal that dies within 30 days of its acquisition shall report that death to a provincial veterinarian.

Idem

- (3) Every person who holds game animals shall, on finding any dead game animal, immediately report that death to a provincial veterinarian.

Idem

- (4) Where the provincial veterinarian suspects that a named disease may have caused the death of the game animal, he shall
 - (a) have the animal examined; and
 - (b) report the veterinarian's findings to the Minister. (EC667/90)

13. Destruction and quarantine of diseased animals

The Minister may

- (a) order the game farm where a named disease is found to have infected a game animal be quarantined until he is satisfied that the disease is under control; or
- (b) order any game animal that he believes to be infected with a named disease to be destroyed. (EC667/90)

14. Named disease

- (1) The Minister may designate any disease of animals as a named disease.

Publication

- (2) Where a named disease is designated pursuant to subsection (1), the Minister shall cause a notice specifying that named disease to be published, as soon as is reasonably possible, in the Gazette. (EC667/90)

15. Enclosures

Every game farm operator shall ensure that

- (a) the enclosures contain shelter sufficient to protect the game animals from the elements;
- (b) the perimeter fence for the enclosure is
 - (i) at least 2.1 metres high, and
 - (ii) secured so as to prevent
 - (A) public access to the enclosure, and
 - (B) the escape of game animals;
- (c) adequate handling facilities are available for the examination and testing of the game animals. *(EC667/90)*

16. Stocking density

No game farm operator shall allow the stocking density on the game farm to exceed that specified in his license. *(EC667/90)*

17. Feed and water

Every game farm operator shall provide the game animals with feed and water adequate to meet normal seasonal maintenance and production requirements. *(EC667/90)*

18. Humane handling

Every game farm operator shall ensure that all

- (a) dehorning;
- (b) antler removal;
- (c) castration,

and other game animal handling procedures are conducted in a humane manner. *(EC667/90)*

19. Slaughter

(1) The slaughter of game animals shall be carried out only in

- (a) a provincially inspected abattoir designated by the Minister; or
- (b) an abattoir registered under the *Meat Inspection Act* (Canada) Stats. Can. 1985, c.17.

Manner

(2) All slaughter of game animals shall be conducted in a humane manner.

Manifest

(3) Every person who slaughters a game animal shall submit a manifest to the Minister. *(EC667/90)*

IDENTIFICATION

20. Game animal identification

(1) Every person shall ensure that



- (a) all game animals the person proposes to import into the province are uniquely identified prior to entering the province;
- (b) all game animals the person
 - (i) holds,
 - (ii) slaughters, or
 - (iii) trades,are uniquely identified.

Idem

- (2) Every game farm operator shall ensure that
 - (a) all game animals born on the game farm are uniquely identified by November 30 in the year of birth; and
 - (b) all game animals on the game farm carry visual identification applied
 - (i) immediately upon the animal's arrival at the game farm, or
 - (ii) in the case of animals born on that farm, by November 30 in the year of birth;
 - (c) any lost identification tags are immediately replaced. (EC667/90)

21. Unique identification

Every person who is required to uniquely identify a game animal pursuant to section 20 shall apply to the Minister, in the manner and form required by the Minister, for a unique identification tag. (EC667/90)

22. Issuance of tag

The Minister may, on receiving an application made pursuant to section 21, issue a unique identification tag to the applicant mentioned in that section. (EC667/90)

23. Game meat and product identification

- (1) In this section "labelled" means having a label showing the license number of the game meat processor who processed the game meat affixed to the package containing the meat or in the case of vacuum packaged meat, inserted into the package.

Game meat

- (2) Every person who sells game meat shall ensure that the game meat is prominently labelled.

Antlers

- (3) Every person who slaughters a game animal shall ensure that the antlers or horns of the animal are separated by splitting the skull longitudinally. (EC667/90)

24. Sale of game animals

- (1) Every game farm operator shall provide a manifest to every person who purchases a game animal from him.

Copy of manifest

- (2) The game farm operator shall submit a copy of every manifest provided to a purchaser pursuant to subsection (1) to the Minister. (EC667/90)

25. Purchase of game meat for processing

No person shall purchase game meat for processing from any person other than a person who has been issued a license. (EC667/90)

RECORDS

26. Records of farm operator

- (1) Every game farm operator shall
- (a) maintain a permanent written record accounting for all births, deaths, purchases and transfers of game animals on the game farm;
 - (b) record the dates of the events described in clause (a);
 - (c) use the unique identification of each game animal as the key identification for each animal;
 - (d) indicate in the record, all visual and unique identification for each animal;
 - (e) on the day a change in unique identification occurs, enter in the record
 - (i) the change in unique identification,
 - (ii) the reason for the change,
 - (iii) the date the change occurred; and
 - (f) on receipt of a game animal or by November 30 in the year of birth in the case of an animal born on the game farm, enter the unique and visual identification of the game animal into the record.

Transfer

- (2) Every person who transfers a game animal to another person shall retain a copy of the manifest provided to that other person.

Processing

- (3) Every person who processes or sells a game animal, carcasses, any game meat or other game animal product shall
- (a) on receipt of a game animal, enter into the written record
 - (i) the unique identification of the game animal,
 - (ii) the date of purchase of the animal, and
 - (iii) the license number of the vendor who sold him the animal;
 - (b) maintain a permanent written record of all sales of game animals, carcasses, game meat or other game animal products indicating
 - (i) the unique and visual identification pertaining to the game animal involved,
 - (ii) the date of sale,
 - (iii) where the sale is one of game meat or a game animal product, the weight and description of the meat or product sold, and
 - (iv) the name and address of the purchaser.

Idem

- (4) Every person who is required to maintain a record pursuant to this section shall ensure that
- (a) the record maintained covers a three year period;



- (b) the record is available to a game officer or a provincial veterinarian at all reasonable times for the purpose of inspection. *(EC667/90)*

INSPECTION

27. Inspection

Every game farm operator shall at least annually and on such other occasions as a veterinarian may require, make all game animals held on the game farm available for inspection and testing at all reasonable times by a game officer or a provincial veterinarian. *(EC667/90)*

GENERAL

28. Offence

Any person who fails to comply with these regulations or hinders or obstructs a game officer or veterinarian in carrying out his functions under these regulations is guilty of an offence and liable on summary conviction to a fine not exceeding \$10,000. *(EC667/90)*

29. Transitional

Any person operating a game farm on the date these regulations come into force shall

- (a) within thirty days thereof apply for a license;
- (b) comply with the requirements of these regulations relating to the operation of game farms;
- (c) submit his animals for such examination and tests for disease as the Minister may determine. *(EC667/90)*

APPLICATION TO GAME BIRDS

30. Game bird

Revoked by EC435/95.