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PART II/PARTIE II

REVISED REGULATIONS OF SASKATCHEWAN/ RÈGLEMENTS RÉVISÉS DE LA SASKATCHEWAN

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SASKATCHEWAN REGULATIONS 37/2019*The Saskatchewan Medical Care Insurance Act*

Section 48

Order in Council 165/2019, dated May 8, 2019

(Filed May 8, 2019)

Title

1 These regulations may be cited as *The Medical Care Insurance Beneficiary and Administration Amendment Regulations, 2019*.

RRS c S-29 Reg 13, section 10 amended

2 *The Medical Care Insurance Beneficiary and Administration Regulations* are amended by repealing clause 10(v).

Coming into force

3 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 38/2019*The Public Health Act, 1994*

Section 46

Order in Council 166/2019, dated May 8, 2019

(Filed May 8, 2019)

Title

1 These regulations may be cited as *The Food Safety (Milk Pasteurization) Amendment Regulations, 2019*.

RRS c P-37.1 Reg 12 amended

2 *The Food Safety Regulations* are amended in the manner set forth in these regulations.

Section 2 amended

3 **Subsection 2(1) is amended:**

(a) **by adding the following clauses after clause (a.2):**

“(a.21) ‘**commingled milk**’ means the product realized by adding a supply of raw milk from one dairy farm to a supply of raw milk from one or more other dairy farms so that the milk included in the product that comes from any one dairy farm cannot be distinguished or separated from the milk from any of the other dairy farms;

“(a.22) ‘**cultured milk product**’ means a product realized by inoculating milk with a starter culture, and includes yogurt, buttermilk, sour cream and cottage cheese”;

(b) **in clause (c) by adding “, a milk plant” after “establishment”;**

(c) by adding the following clause after clause (d.1):

“(d.101) ‘**H.T.S.T.**’ means high temperature, short time”;

(d) by adding the following clause after clause (d.2):

“(d.21) ‘**manufactured milk product**’ includes butter, frozen desserts, cheese, sterilized (UHT) milk, dried milk solids and any product made principally from dried milk solids, but does not include cottage cheese”;

(e) by adding the following clauses after clause (d.4):

“(d.41) ‘**milk plant**’ means a building where milk is pasteurized, and includes facilities where:

- (i) milk is received, processed, cooled, stored or packaged;
- (ii) milk products are produced; or
- (iii) milk is otherwise prepared for sale for human consumption;

but does not include an establishment that is registered with and subject to inspection by the Government of Canada or an agency of that government;

“(d.42) ‘**milk product**’ includes vitamin-fortified milk, cultured milk products, flavoured milk products, ice cream mix, ice milk mix, reconstituted milk, concentrated milk and other products made wholly or principally from milk, but does not include manufactured milk products or milk for manufactured milk products”;

(f) by adding the following clause after clause (f):

“(f.1) ‘**pasteurize**’ means to heat every particle of milk to a temperature and for a time that is sufficient to destroy pathogenic micro-organisms or to treat milk by any other process approved by the local authority that is equally effective in destroying pathogenic micro-organisms”; **and**

(g) in subclause (j)(iv) by striking out “that is licensed pursuant to *The Milk Pasteurization Regulations*”.

Part II heading amended

4 The heading preceding section 3 is amended by adding “, Milk Plants” after “Establishments”.

Section 4 amended

5 Subsection 4(1) is amended by adding “, a milk plant or a slaughter plant” after “establishment”.

Section 5 amended

6(1) Subsection 5(1) is repealed and the following substituted:

“(1) Subject to subsection (2), no person shall operate a public eating establishment, a milk plant or a slaughter plant unless the person holds a valid licence for the public eating establishment, milk plant or slaughter plant”.

(2) Subsection 5(2) is amended:

(a) by striking out “or” after clause (h); and

(b) by adding the following after clause (i):

“(j) a registered establishment as defined in the *Safe Food for Canadians Act* (Canada); or

“(k) a domestic abattoir or a domestic processing facility as defined in *The Meat Inspection (Saskatchewan) Regulations* with respect to which there is a valid licence issued pursuant to those regulations”.

Section 6 amended

7 Subclause 6(2)(b)(ii) is amended by adding “, milk plant” after “establishment”.

Section 8 amended

8 Section 8 is amended in the portion preceding clause (a) by adding “, a milk plant” after “establishment”.

New section 10

9 Section 10 is repealed and the following substituted:

“Licence to be displayed

10 The operator of a public eating establishment, a milk plant or a slaughter plant shall ensure that a valid licence for the public eating establishment, the milk plant or the slaughter plant is displayed in a conspicuous place in the facility where it may easily be seen by customers of that facility”.

Section 11 amended

10 Clause 11(b) is amended by adding “, a milk plant” after “establishment”.

Section 24 amended

11(1) Subsection 24(1) is amended in the portion preceding clause (a) by striking out “or a slaughter plant has reason to believe that a lot of food or water processed in the processing facility” and substituting “, a milk plant or a slaughter plant has reason to believe that a lot of food or water processed in the processing facility, milk plant”.

(2) Subsection 24(2) is amended by adding “, a milk plant” after “facility”.

New Division 2.1, Part III

12 The following is added after section 24:

**“DIVISION 2.1
Milk and Milk Products**

“Prohibited sources of milk

24.1 No person shall sell, offer for sale, give or exchange milk that is:

(a) obtained from an animal that is affected by a disease or condition that may render the milk unfit for human consumption; or

(b) obtained from an animal within the period that begins 15 days before the animal gives birth and ends three days after the animal gives birth.

“Quality of milk to be pasteurized

24.11(1) No person who operates a milk plant shall pasteurize, for the purpose of sale or offering for sale for human consumption, milk that:

- (a) has greater than 50,000 mesophilic aerobic bacteria colony forming units per millilitre or greater than 121,000 total bacteria per millilitre; and
 - (b) in the case of milk:
 - (i) from cows:
 - (A) contains a maximum somatic cell count of 400,000 somatic cells per millilitre; and
 - (B) has a freezing point above -0.525° Hortvet or -0.507° Celsius;
 - (ii) from goats:
 - (A) contains a maximum somatic cell count of 1,500,000 somatic cells per millilitre; and
 - (B) has a freezing point above -0.554° Hortvet or -0.535° Celsius; or
 - (iii) from animals other than those mentioned in clauses (b) and (c), satisfies the standards established by the local authority.
- (2) No person who operates a milk plant shall pasteurize, for the purpose of sale or offering for sale for human consumption, milk that contains inhibitor and drug residues, as measured in accordance with methods approved by Health Canada, that exceed the Maximum Residue Levels set out in the regulations made pursuant to the *Food and Drugs Act* (Canada).
- (3) A local authority may, at any time, require the operator of a milk plant to submit to the local authority the results of any analyses required to comply with subsections (1) and (2).
- (4) An operator of a milk plant must maintain a record of the results mentioned in subsection (3) for a period of two years after the date on which the analyses were done.

“Quality of milk and milk products to be sold

24.2 No person who operates a milk plant shall cause or permit milk or a milk product to be offered for sale, sold or distributed for human consumption that:

- (a) with the exception of cultured milk products, has a mesophyllic aerobic bacterial content greater than 25,000 colony-forming units per milliliter;
- (b) has a coliform bacterial content greater than one bacteria per milliliter in fluid form or 10 coliform bacteria per milliliter in non-liquid form;
- (c) has been subjected to the phosphatase test and has a positive reaction to the test; or
- (d) has been adulterated with a product or substance that renders the milk or milk product unsafe for human consumption.

“Pasteurization

24.21 A person who operates a milk plant shall ensure that:

- (a) all milk and milk products intended for human consumption that contain less than 10% milk fat are pasteurized:
 - (i) by the batch method, whereby every particle of milk or milk product is heated to a temperature of not less than 63°C for at least 30 minutes and then immediately cooled; or
 - (ii) by the H.T.S.T. method, whereby every particle of milk or milk product is heated to temperature of not less than 72°C for at least 16 seconds and then immediately cooled;
- (b) all milk and milk products intended for human consumption that contain 10% or more milk fat and all flavoured milk products other than egg nog are pasteurized:
 - (i) by the batch method, whereby every particle of the milk or milk product is heated to a temperature of not less than 66°C for at least 30 minutes and then immediately cooled; or
 - (ii) by the H.T.S.T. method, whereby every particle of the milk or milk product is heated to a temperature of not less than 75°C for at least 16 seconds and then immediately cooled; and
- (c) all ice cream mix, ice milk mix and egg nog are pasteurized:
 - (i) by the batch method, whereby every particle of the milk product is heated to a temperature of not less than 69°C for at least 30 minutes and then immediately cooled; or
 - (ii) by the H.T.S.T method, whereby every particle of the milk product is heated to a temperature of not less than 80°C for at least 25 seconds and then immediately cooled.

“Equipment in a milk plant

24.3 A person who operates a milk plant shall ensure that:

- (a) all equipment used in pasteurizing, processing and storing milk or milk products is designed, fabricated, installed and maintained in a manner that will prevent contamination of the milk or milk products;
- (b) all instruments used to measure pasteurization temperatures and times are maintained, tested and recalibrated to ensure their accuracy; and
- (c) the milk plant is provided with product-cooling equipment that has sufficient capacity to cool milk or milk products to a temperature of 4°C or less before processing and during storage.

“Testing by laboratory

24.31 For the purpose of determining whether the standards for the quality of milk set out in sections 24.11 and 24.2 are being met, a person who operates a milk plant shall:

- (a) at weekly intervals or as directed by the local authority, submit for testing samples of each type of milk or milk product regularly processed by the milk plant to a laboratory approved by the local authority; and
- (b) at monthly intervals or as directed by the local authority, submit for testing samples of commingled milk to a laboratory approved by the local authority.

“Testing by milk plant

24.4 A person who operates a milk plant shall:

- (a) conduct tests on each batch of milk or milk product pasteurized or to be pasteurized by the plant to ensure that the standards for the quality of milk set out in sections 24.11 and 24.2 are met;
- (b) maintain a record of the test results for a period of one year; and
- (c) make the test results available to the local authority on request.

“Test methods

24.41 Tests required for the purposes of sections 24.31 and 24.4 must be conducted in accordance with the latest edition of *Standard Methods for the Examination of Dairy Products* published by the American Public Health Association or by another method approved by the local authority.

“Storing and transporting milk

24.5(1) A person who operates a milk plant shall ensure that milk and milk products, while in the person’s possession, are stored and transported at a temperature of 4°C or lower.

(2) A person who operates a milk plant shall ensure that vehicles used for transporting milk or milk products, while in the person’s possession:

- (a) are constructed and operated to protect the contents from exposure to excessive heat, cold or contamination; and
- (b) are kept clean.

“Recall from market

24.6 A person who operates a milk plant shall develop a plan to recall milk or milk products from the retail market effectively and quickly, and implement the plan:

- (a) if required to do so by the local authority; or
- (b) if the person who operates the plant has reason to believe that the milk or milk product does not meet the standards for the quality of milk or milk products set out in section 24.2”.

Section 32 amended**13 Section 32 is amended:**

(a) in clause (a) by adding the following subclause after subclause (ii.2):

“(ii.3) milk plant information”; and

(b) by adding the following clause after clause (a.1):

“(a.2) ‘milk plant information’ means any information mentioned in section 34.2”.

New section 34.2**14 The following section is added after section 34.1:****“Provision of milk plant information to local authority**

34.2 A local authority may require the operator of a milk plant to provide any milk plant information related to the safety of food or water that the local authority may specify within a period set by the local authority”.

New section 37.2**15 The following section is added after section 37.1:****“RRS c P-37.1 Reg 5 repealed**

37.2 *The Milk Pasteurization Regulations* are repealed”.

New section 38.2**16 The following section is added after section 38.1:****“Transitional – licences issued pursuant to *The Milk Pasteurization Regulations***

38.2 A licence issued pursuant to *The Milk Pasteurization Regulations* that is valid on the day before the coming into force of *The Food Safety (Milk Pasteurization) Amendment Regulations, 2019* is continued as a licence pursuant to these regulations until the earlier of:

(a) the expiry date set out in the licence; and

(b) one year after the day on which *The Food Safety (Milk Pasteurization) Amendment Regulations, 2019* come into force”.

Coming into force

17 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 39/2019*The Securities Act, 1988*

Section 154

Commission Order dated April 30, 2019

and

Minister's Order dated May 6, 2019

(Filed May 9, 2019)

Title

1 These regulations may be cited as *The Securities Commission (Adoption of National Instruments) (NI 31-103) Amendment Regulations, 2019*.

RRS c S-42.2 Reg 3, Part XLIX amended

2 **Part XLIX of *The Securities Commission (Adoption of National Instruments) Regulations* is amended in Part 14 by repealing subsections 14.6.1(1) and (2) and substituting the following:**

“(1) In this section

‘cleared specified derivative’, ‘clearing corporation option’, ‘futures exchange’, ‘option on futures’, ‘specified derivative’ and ‘standardized future’ have the same meaning as in section 1.1 of National Instrument 81-102 *Investment Funds*;

‘regulated clearing agency’ has the same meaning as in subsection 1(1) of National Instrument 94-101 *Mandatory Central Counterparty Clearing of Derivatives*.

“(2) Subsection 14.5.2(2) does not apply to a registered firm in respect of cash or securities of a client or investment fund deposited with a member of a regulated clearing agency or a dealer as margin for transactions outside of Canada involving clearing corporation options, options on futures, standardized futures or cleared specified derivatives if

(a) the member or dealer is a member of a regulated clearing agency, futures exchange or stock exchange, and, as a result in any case, is subject to a regulatory audit,

(b) the member or dealer has a net worth, determined from its most recent audited financial statements, in excess of \$50 million, and

(c) a reasonable person would conclude that using the member or dealer is more beneficial to the client or investment fund than using a Canadian custodian”.

Coming into force

3(1) Subject to subsection (2), these regulations come into force on June 12, 2019.

(2) If these regulations are filed with the Registrar of Regulations after June 12, 2019, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

