

# *The Milk Products Compositional Standards Regulations*

*Repealed*

by [Chapter A-20.2 Reg 15](#) (effective December 18, 2014).

*Formerly*

[Chapter A-20.2 Reg 14](#) (effective August 12, 2011).

## **NOTE:**

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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### **Appendix**

## CHAPTER A-20.2 REG 14

### *The Animal Products Act*

#### **Title**

**1** These regulations may be cited as *The Milk Products Compositional Standards Regulations*.

#### **Interpretation**

**2** In these regulations:

- (a) **“Act”** means *The Animal Products Act*;
- (b) **“bacterial culture”** means a growth of harmless acid and aroma producing bacteria;
- (c) **“business day”** means a day other than a Saturday, Sunday or holiday;
- (d) **“butterfat”** or **“milk fat”** means the fat of milk;
- (e) **“compositional standards”** means:
  - (i) the compositional standards for milk and milk products set out in the federal regulations mentioned in clause 8(1)(a); and
  - (ii) the compositional standards set out in the Appendix;
- (f) **“cream”** means the fatty liquid prepared from milk by separating milk constituents in a manner that increases the milk fat content;
- (g) **“fluid milk”** means any milk product that is marketed or offered for sale in Saskatchewan in fluid form other than reconstituted, evaporated or condensed milk;
- (h) **“licence”** means a valid licence issued pursuant to these regulations;
- (i) **“manufacturing or processing”** means changing the nature, quality or condition of milk and includes pasteurizing, standardizing or dehydrating milk;
- (j) **“milk”** means the lacteal secretion, free of colostrum, obtained from the mammary gland of a cow;
- (k) **“milk product”** or **“dairy product”** means any product manufactured or processed wholly or primarily from milk;
- (l) **“processor”** means any person engaged in the business of manufacturing or processing milk;
- (m) **“reconstituted milk”** means milk resulting from combining whole milk constituents with water.

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**3** These regulations apply:

- (a) throughout Saskatchewan; and
- (b) to all persons engaged in the manufacturing, sale or processing of milk or milk products in Saskatchewan.

19 Aug 2011 cA-20.2 Reg 14 s3.

**Licence to act as processor required**

**4(1)** No person shall, except under the authority of a licence issued pursuant to these regulations, carry on business or operate as a processor.

**(2)** Every licence, unless previously suspended or cancelled, expires five years after the date on which the licence was issued.

19 Aug 2011 cA-20.2 Reg 14 s4.

**Applications for licences**

**5(1)** Every person who intends to obtain a licence pursuant to these regulations shall:

- (a) apply to the minister in the form provided by the minister; and
- (b) provide the minister with any other information or material that the minister may reasonably require.

**(2)** The minister may refuse any application for a licence or the renewal of a licence if an applicant has failed to comply with any provision of the Act, these regulations or any other Act or regulations that apply to the applicant.

19 Aug 2011 cA-20.2 Reg 14 s5.

**Conditions of licence**

**6** Every licensee shall comply with the Act and these regulations.

19 Aug 2011 cA-20.2 Reg 14 s6.

**Suspension or cancellation of licence**

**7(1)** Subject to the other provisions of this section, the minister may suspend or cancel a licence if the licensee:

- (a) has failed to comply with any provision of the Act or of these regulations;
- (b) has made a material misstatement in the application for the licensee's licence; or
- (c) has been guilty of misrepresentation, fraud or dishonesty.

**(2)** The minister may, after giving the licensee an opportunity to be heard, suspend or cancel a licence and give a notice of suspension or cancellation in writing to the licensee within 10 business days after the date of the suspension or cancellation.

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- (3) Notwithstanding subsection (2), the minister may suspend a licence without giving the licensee an opportunity to be heard if the minister is of the opinion that to do so is necessary in the public interest.
- (4) If the minister suspends a licence pursuant to subsection (3), the minister shall give a notice of suspension in writing to the licensee within 10 business days after the date of the suspension, and give the licensee an opportunity to be heard as to why the licence should be reinstated.
- (5) The minister may reinstate a suspended licence if the licensee, within 20 business days after receiving a notice of suspension, furnishes evidence to the satisfaction of the minister that the licensee can correct the matter on account of which the licence was suspended.
- (6) The minister shall:
- (a) give to the licensee notice in writing that the licensee's licence has been reinstated; or
  - (b) if the licence has not been reinstated pursuant to subsection (5), cancel the licence and promptly give notice of the cancellation to the licensee.
- (7) Every notice required to be given by the minister pursuant to this section is to be given by personal service or by registered mail, and if given by registered mail is deemed to have been received on the fifth business day after it is mailed.

19 Aug 2011 cA-20.2 Reg 14 s7.

**Processors to comply with compositional standards**

- 8(1) Every processor shall ensure that all milk and milk products manufactured or processed for sale in Saskatchewan by the processor comply with:
- (a) the compositional standards for milk and milk products set out in:
    - (i) the *Dairy Products Regulations* (Canada); and
    - (ii) Division 8 of Part B of the *Food and Drug Regulations* (Canada); and
  - (b) the applicable compositional standards set out in the Appendix.
- (2) If there is a conflict or inconsistency between a provision of the federal regulations mentioned in clause (1)(a) and a compositional standard set out in the Appendix, the compositional standard set out in the Appendix prevails.
- (3) In manufacturing or processing any fluid milk, no processor shall remove any constituents from the fluid milk other than butterfat or water to the extent required or permitted by these regulations.
- (4) On the request of the minister or an inspector, a processor shall provide evidence satisfactory to the minister or inspector that milk or a milk product manufactured or processed for sale in Saskatchewan by the processor complies with the applicable compositional standards.

19 Aug 2011 cA-20.2 Reg 14 s8.

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**Sale of non-compliant and improperly branded milk or milk products prohibited**

**9(1)** In this section, “**improperly branded milk or milk products**” means milk or milk products that are marketed with a false or misleading description, name or statement.

(2) No person shall market or possess for sale in Saskatchewan:

(a) any milk or milk products not in compliance with the applicable compositional standards or any improperly branded milk or milk products; or

(b) any cream that does not identify the percentage of butterfat on the container.

19 Aug 2011 cA-20.2 Reg 14 s9.

**Coming into force**

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

19 Aug 2011 cA-20.2 Reg 14 s10.

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**Appendix**  
[Clause 8(1)(b)]

<b>Milk or Milk Product</b>	<b>Compositional Standard</b>
1. buttermilk powder or powdered buttermilk	the product that is obtained after buttermilk has been subjected to a drying process and that contains not less than 95% milk solids
2. buttermilk or cultured buttermilk	milk or reconstituted milk in which lactic-acid has been produced with the aid of a bacterial culture or other chemical method
3. flavoured 2% partly or partially skimmed milk	fluid milk containing not more than 2.5% butterfat and not less than 2.0% butterfat to which a flavouring has been added
4. flavoured 1% partly or partially skimmed milk	fluid milk containing not more than 1.5% butterfat and not less than 1.0% butterfat to which a flavouring has been added
5. flavoured whole milk	fluid milk containing not less than 3.25% butterfat to which a flavouring has been added
6. 2% partly or partially skimmed milk	fluid milk containing not more than 2.5% butterfat and not less than 2.0% butterfat and not less than 8.25% milk solids other than butterfat
7. 1% partly or partially skimmed milk	fluid milk containing not more than 1.5% butterfat and not less than 1.0% butterfat and not less than 8.25% milk solids other than butterfat
8. whipping cream	fluid milk containing not less than 32% butterfat
9. whole milk	fluid milk containing not less than 8% milk solids other than butterfat and not less than 3.25% butterfat
10. yogurt	semi-liquid or frozen milk or milk product that has been fermented by the addition of bacterial culture

