

Tracking Federal Regulatory Initiatives

Regulatory Affairs

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| <p>Saint John Harbour Dues By-Law, amendment</p> <p>The proposed amendment would authorize the Saint John Port Corporation to change harbour dues for Saint John harbour from time to time until January 1, 2002, at a rate not to exceed 4 percent per year.</p> <p>Contacts: Capt. Alwyn G. Soppitt, President & Chief Executive Officer, Saint John Port Corporation, P.O. Box 6429, Station A, Saint John, New Brunswick E2L 4R8, (506) 636-4869.</p> <p>Food and Drug Regulations (948), amendment</p> <p>The proposed amendment would establish a new Division (i.e. chapter) of the <i>Food and Drug Regulations</i> to define the concept of a “novel food” and to provide for notification prior to the sale or advertising for sale of such products.</p> <p>Foods that are considered novel include:</p> <ul style="list-style-type: none"> • substances that have no history of safe use as a food; • existing foods that have been modified by genetic manipulation and exhibit one or more characteristics that were previously not identified in that food, or food that results from production by a genetically manipulated organism exhibiting such new characteristics; | <p><i>Canada Ports Corporation Act</i>, section 13</p> <p>Published in Canada Gazette September 26, 1998</p> <p><i>Food and Drugs Act</i></p> <p>Published in Canada Gazette September 26, 1998</p> |
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Proposed Regulations

for Pre-Publication in Part I, Canada Gazette

Statutory Authority

- food containing microorganisms that have not been previously used as food or to process food before, and
- food that is substantially different from a traditional food, or is manufactured using a process that has been substantially modified from the traditional process.

The proposed amendment indicates when notification is required, and establishes criteria for assessing novel foods in a timely manner.

Written notification would be required at least 45 days prior to the sale or advertising for sale of any novel food. The Health Department would be required to respond within 45 days of receipt of the notification if the product is considered unacceptable for sale. If additional information is required to properly review the product, such information would be requested in writing. The applicant would not be permitted to sell or advertise their product until the additional information requirement is fulfilled and the Department has agreed to the acceptability of the product.

The information requirements for a notification are also identified in the proposed Regulations. Data regarding the safety of the food may be requested if, in the opinion of the Director, a safety assessment is necessary. The evaluation of the product will be expedited if such information is available on request. Development of such data prior to any request is at the discretion of the applicant. The safety assessment criteria for novel plants and microorganisms are identified in the document entitled *Guidelines for the Safety Assessment of Novel Foods, Volume II*, which is available from the Food Directorate of Health Canada.

The definition of a "novel food" has been changed since proposals were original republished in the Canada Gazette, Part I on August 25, 1995.

The new proposed definition is as follows:

““novel food” means

(a) a substance, including a microorganism, that does not have a history of safe use as a food;

(b) a food that has been manufactured, prepared, preserved or packaged by a process that

(i) has not been previously applied to that food, and (ii) causes the food to undergo a major change; and

(c) a food that is derived from a plant, animal or microorganism that has been genetically modified such that

(i) the plant, animal or microorganism exhibits characteristics that were not previously observed in that plant, animal or microorganism, (ii) the plant, animal or microorganism no longer exhibits characteristics that were previously observed in that plant, animal or microorganism, or (iii) one or more characteristics of the plant, animal or microorganism no longer fall within the anticipated range for that plant, animal or microorganism. (aliment nouveau)".

Contacts: Director, Bureau of Food Regulatory, International and Inter-agency Affairs, Health Canada, Address Locator 0702C, Ottawa, Ontario, K1A 0L2. Tel: 613-957-1828; Fax: 613-941-3537.

Food and Drug Regulations (1095), amendment

The proposed amendment would provide for the use of Brilliant Blue FCF in Feta cheese at a level of 0.1 part per million (p.p.m.).

This will provide the industry with a whitener for Feta cheese, allowing for standardized colour of this type of cheese throughout the year.

Food and Drugs Act

Published in Canada
Gazette September 26,
1998

Proposed Regulations

for Pre-Publication in Part I, Canada Gazette

Statutory Authority

Contact: Director, Bureau of Food Regulatory, International and Inter-agency Affairs, Health Canada, Address locator 0702C, Ottawa, Ontario, K1A 0L2. Tel: 613-957-1828; Fax: 613-941-3537.

Food and Drug Regulations (1129), amendment

The proposed amendment would amend the Regulations to establish maximum residue limits (MRLs) for bromopropylate in grapes and citrus fruits at 2 parts per million (p.p.m.); and in raisins at 10 p.p.m.

These new MRLs would harmonize with the MRLs for bromopropylate in grapes and citrus fruits established by the Joint Food and Agriculture Organization of the United Nations /World Health Organization Food Standards Programme, Codex Alimentarius Commission.

Contact: The Head, Food Residue Exposure Assessment Section, Pest Management Regulatory Agency, Health Canada, Address Locator 6605E1, 2250 Riverside Drive, Ottawa, Ontario, K1A 0K9. Tel: 613-736-3520; Fax: 613-736-3505.

CES Grant Regulations

The proposed Regulations would establish the rules for the new Canada Education Savings (CES) Grant.

The CES Grant is designed to make Registered Education Savings Plans (RESPs) more attractive as vehicles for saving for children's post secondary education.

The highlights of the new grant program include:

- beginning January 1, 1998, the Government will pay a Canada Education Savings Grant of 20 percent on the first \$2,000 of annual contributions made to RESPs in each year, on behalf of eligible beneficiaries, up to the year of their 17th birthday. The maximum CES Grant will be \$400 per beneficiary, per year.
- a family that has been unable to make contributions for one or more years may catch up in later years on missed contributions. In this case, the CES Grant will be paid on contributions up to \$4,000 per year, with the maximum CES Grant payable in any particular year being \$800.
- the Government will pay the CES Grant to the trustee of the RESP, to be invested in the subscriber's plan. The CES Grant itself will not be included in calculating the beneficiary's annual and lifetime RESP contribution limits.
- the CES Grant, and the investment income it generates, will be paid to the beneficiary when he or she enrolls in eligible full-time, post-secondary education or training programs. - If the beneficiary does not pursue education or training, the CES Grant must be repaid to the Government. Investment income from the CES Grant may be transferred to the subscriber's RRSP, if certain conditions are met.
- contributions for beneficiaries aged 16 or 17 will receive a grant only where \$2,000 of RESP contributions were made before the year in which the beneficiary attained 16 years of age, or where a minimum of \$100 in annual RESP contributions were made in any four years before the year in which the beneficiary attained 16 years of age. During the transitional years of 1998 and 1999, a grant will be payable on behalf of 16 and 17 year olds who were beneficiaries under an RESP for at least four years before 1998.

Contact: Mary Flynn-McRae, Manager, Operations Strategy and Support, Canada Education Savings Grant Program, Learning and Literacy Directorate, Human Resources Investment Branch, Human Resources Development Canada, 15 Eddy Street, 10th Floor, Hull, Quebec, K1A 0M5. Tel: 819-953-3836; Fax: 819-953-6500.

Food and Drugs Act

Published in Canada Gazette September 26, 1998

Department of Human Resources Development Act, Part III.1

Published in Canada Gazette September 26, 1998

Exempt from Pre-Publication and Approved

Statutory Authority

Processed Products Regulations, amendment (SOR/98-473, OIC 1998-1704)

Canada Agricultural Products Act, section 32

This amendment deregulates standard container sizes for concentrated apple juice.

Concentrated apple juice, also called “apple concentrate”, is an industrial raw product used in further manufacturing. It is not sold to consumers and is not the same product as frozen concentrated apple juice purchased by consumers in retail stores.

To be published in Canada Gazette October 14, 1998

The regulation comes into effect September 24, 1998.

Contact: B. Manji, Associate Director, Processed Products Section, Fresh and Processed Plant Products Division, Canadian Food Inspection Agency, 59 Camelot Drive, Nepean, Ontario, K1A 0Y9. Tel: 613-225-2342; Fax: 613-228-6632; e-mail: bmanji@em.agr.ca

Order Prescribing the Maximum Total Amount for Agreements Involving Leases of Residential Property (SOR/98-474, OIC 1998-1709)

Nunavut Act, paragraph 73(2.1)(b)

This order prescribes the amount of \$15,000,000 for agreements involving leases of residential property to be entered into by the Interim Commissioner of Nunavut for which Governor in Council approval will not be required.

To be published in Canada Gazette October 14, 1998

This amount covers the maximum costs of leases that the Government of Nunavut will have to pay over the term of any agreement, which can be up to 15 years in length.

The regulation comes into effect September 24, 1998.

Contact: Gilles Binda, Senior Policy Advisor, Nunavut Secretariat, Department of Indian Affairs and Northern Development, Les Terrasses de la Chaudière, 10 Wellington Street, Ottawa, Ontario, K1A 0H4. Tel: 819-953-8069.

Regulations Amending and Repealing Certain Regulations made under the National Energy Board Act (Miscellaneous Program) (SOR/98-475, OIC 1998-1727)

National Energy Board Act, section 58.39, subsection 119.01(1) and section 119.094

This Regulation repeals the *National Energy Board Part VI Regulations, Electricity*, which have become obsolete with the enactment of the *National Energy Board Electricity Regulations* on March 4, 1997.

To be published in Canada Gazette October 14, 1998

The Regulations also corrects a typographical error contained in paragraph 9(j) of the *National Energy Board Electricity Regulations*. The change correctly refers to paragraph (i).

The regulation comes into effect September 24, 1998.

Contact: S. Gudgeon, Paralegal, National Energy Board, 311-6th Ave. S.W., Calgary, Alberta, T2P 3H2. Tel: 403-299-2704; Fax: 403-292-5503; e-mail: sgudgeon@neb.gc.ca.

Regulations Amending Certain Regulations Made under the Firearms Act (SOR/98-471, OIC 1998-1731); Regulations Amending Certain Regulations Made under the Criminal Code (SOR/98-472, OIC 1998-1732)

Firearms Act, section 117; *Criminal Code*, subsections 117.14(1) and 117.15(1)

These amendments change the effective date for all of the regulations that will come into force on the implementation date of the *Firearms Act* as well as those under the *Criminal Code*. The effective date in each case is changed from October 1, 1998 to December 1, 1998, which is when the Act will come into force.

To be published in Canada Gazette October 14, 1998

In some cases, the Regulations also set out future dates for provisions to come into force; these dates are also moved forward two months.

Exempt from Pre-Publication and Approved

Statutory Authority

The affected regulations are:

- Under the *Firearms Act*, Firearms Licences Regulations; Non-Prohibited Ammunition Transfer Document Regulations; Firearms Registration Certificates Regulations; Conditions of Transferring Firearms and Other Weapons Regulations; Public Agents Firearms Regulations; Firearms Fees Regulations; Aboriginal Peoples of Canada Adaptations Regulations (Firearms); Authorizations to Transport Restricted Firearms and Prohibited Firearms Regulations; Authorizations to Carry Restricted Firearms and Certain Handguns Regulations; Special Authority to Possess Regulations (Firearms Act); Storage, Display, Transportation and Handling of Firearms by Individuals Regulations; Storage, Display and Transportation of Firearms and Other Weapons by Businesses Regulations; Shooting Clubs and Shooting Ranges Regulations; Firearms Records Regulations.
- Under the *Criminal Code*, Regulations Prescribing Certain Firearms and other Weapons, Components and Parts of Weapons, Accessories, Cartridge Magazines, Ammunition and Projectiles as Prohibited or Restricted; Regulations Repealing Certain Orders and Regulations made under the Criminal Code; Regulations Prescribing Antique Firearms; Regulations Prescribing Exclusions from Certain Definitions of the Criminal Code (International Sporting Competition Handguns); Regulations Prescribing Public Officers; and Order Declaring an Amnesty Period.

Contact: Legal Counsel, Canadian Firearms Centre, Department of Justice, East Memorial Building, 284 Wellington Street, Ottawa, Ontario, K1A 0H5. Tel: 1-800-731-4000; Fax: 613-941-1991.

Ministerial Orders Approved

Statutory Authority

Canadian Chicken Marketing Quota Regulations, 1990, amendment (SOR/98-477)

Farm Products Agencies Act, paragraph 22(1)(f)

This amendment, which comes into force on September 27, 1998, establishes the periodic allocation for the period from September 27, 1998 to November 21, 1998 for producers who market chicken in interprovincial or export trade.

To be published in Canada Gazette October 14, 1998

The new limits are as follows:

- production subject to federal and provincial quotas (in live weight, kilograms), for Ontario, 53,843,001; for Quebec, 44,707,603; for Nova Scotia, 5,673,206; for New Brunswick, 4,494,612; for Manitoba, 6,580,919; for P.E.I., 642,619; for Saskatchewan, 3,770,417; for Alberta, 15,940,084; and for Newfoundland, 2,667,600.
- production subject to periodic export quotas (in live weight, kilograms), for Ontario, 1,947,500 kg; Quebec, 3,546,200; Nova Scotia, 124,420; Manitoba, 412,500 and for Alberta, 554,400.

Contact: Canadian Chicken Marketing Agency, 377 Dalhousie Street, Ottawa, Ontario, K1N 9N8. Tel: 613-241-2800; Fax: 613-241-5999.

Ministerial Orders Approved

Statutory Authority

Commissioner's Standing Orders (Grievance), 1990, amendment (SOR/98-476)

Royal Canadian Mounted Police Act, section 36

The amendment expands and clarifies which members of the RCMP are permitted to respond to a grievance on behalf of the Force.

To be published in Canada Gazette October 14, 1998

More specifically, it replaces paragraph 10(b) of the Order with the following:

“(b) the member whose decision, act or omission is the subject of the grievance or a person acting on behalf of that member.”

The amendment come into effect September 24, 1998.

Contact: Joan M. Arnold, Director, Pensions Legislation Development Group, Pensions Division, Treasury Board Secretariat, Ottawa, Ontario, K1A 0R5. Tel: 613-952-3119.

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