

Tracking Federal Regulatory Initiatives

Regulatory Affairs

VOL. 3, No. 48

December 31, 1997

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Proposed Regulations for Pre-Publication in Part I, Canada Gazette	Statutory Authority & Regulatory Plan Listing
<p>Industrial Hemp Regulations</p> <p>The Health Department has prepublished proposed regulations for commercial cultivation of industrial hemp, following the earlier provision of advance notice of its intention to do so (see Regulatory Affairs, Vol. 3, No. 46).</p> <p>Under the proposal, the regulatory framework would:</p> <ul style="list-style-type: none"> • allow the licensing of importers and exporters of industrial hemp in the form of seed or grain or derivatives; each shipment would require a separate permit; • include controls on the production of seeds and grain so that it will not produce a plant containing more than 0.3% delta-9-tetrahydrocannabinol; this would include documentation to accompany non-pedigreed seed, with the certification to come from listed countries recognized by Health Canada; • require distributors of seeds and processing activities (e.g., pressing seeds into oil) to be licensed; • require growers to be licensed to cultivate industrial hemp or purchase seeds from a distributor and to identify fields and maintain records of production and distribution; 	<p><i>Controlled Drugs and Substances Act</i></p> <p>Not included in Regulatory Plan</p> <p>Published in Canada Gazette December 27, 1997</p>

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Proposed Regulations

for Pre-Publication in Part I, Canada Gazette

Statutory Authority & Regulatory Plan Listing

- require a police security check (e.g., a criminal record search) as a pre-condition to licensing or other activity under the regulations;
- exempt derivatives of seed or grain (e.g., oil and seed cake) from the regulations if they contain less than 10 micrograms of delta-9-tetrahydrocannabinol;
- restrict plantings to pedigreed seed

Under the proposal, Schedule II to the Controlled Drugs and Substances Act would be amended to clarify the status of derivatives of cannabis.

A number of additional Acts and Regulations may cover importation and sale of hemp, among them: the Plant Protection Act and the regulations; the Seeds Act and Regulations and Fees Order; the Weed Seeds Order; and the Canada Agricultural Products Act.

Health Canada plans to develop a cost recovery scheme for the new regime for hemp.

Currently, commercial cultivation of hemp is not permitted in the United States; several countries in Europe and the State of Victoria in Australia permit hemp cultivation, under carefully regulation conditions.

The proposed regulations would come into force March 1, 1998.

Contact: Lauraine Bégin, Policy Division, Bureau of Policy and Coordination, Therapeutic Products Directorate, Health Canada, Address Locator 0702B1, Tunney's Pasture, Ottawa, Ontario, K1A 0L2. Tel: 613-957-0372; Fax: 613-941-6458; E-mail: lauraine_begin@hc-sc.gc.ca.

Order amending Schedule II to the Controlled Drugs and Substances Act

The proposal, designed to accompany the above proposed Industrial Hemp Regulations, would replace subitem 1(8) of Schedule II with the following:

“(8) Non-viable Cannabis seed, with the exception of derivatives.”

The Order would come into force March 1, 1998.

Contact: Lauraine Bégin, Policy Division, Bureau of Policy and Coordination, Therapeutic Products Directorate, Health Canada, Address Locator 0702B1, Tunney's Pasture, Ottawa, Ontario, K1A 0L2. Tel: 613-957-0372; Fax: 613-941-6458; E-mail: lauraine_begin@hc-sc.gc.ca.

Controlled Drugs and Substances Act

Not included in Regulatory Plan

Published in Canada Gazette December 27, 1997

National Energy Board Cost Recovery Regulations, amendment

The proposed amendments contain a number of significant changes to cost recovery fees and rules, including:

- the requirement that smaller pipeline companies (Group 2 companies) file information prepared within the last two years showing the companies' cost of service, or an estimate of the current year's cost of service;
- the creation of a new category, "small electricity exporters", members of which will be required to pay a yearly fee of \$500;
- the creation of a new category, "border accommodation exporters", members of which will be required to pay a one-time fee of \$500;
- the requirement that large electricity exporters pay a minimum charge of \$500 per year;
- the incorporation of a rolling average methodology for the calculation of cost recovery charges applicable to large electricity exporters;
- changes to the definitions in the Regulations in order to create categories of companies;

National Energy Board Act, section 24.1(1)

Not included in Regulatory Plan

Published in Canada Gazette December 27, 1997

Proposed Regulations for Pre-Publication in Part I, Canada Gazette

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- a reduction in the aggregate costs of the Board to 95% from 100%, to reflect a fairer method of estimating the actual cost of operating the board.

Contact: John Hagan, Acting Manager, Finance, Corporate Services Business Unit, National Energy Board, 311 Sixth Avenue SW, Calgary, Alberta T2P 3H2. Tel: 403-299-3918; Fax: 403-292-5503.

Food and Drug Regulations, amendment (Schedule No. 1079)

The proposed amendment would permit the addition of caffeine and caffeine citrate to non-alcoholic carbonated citrus-flavoured beverages at a level of 200 parts per million, the same as permitted in cola-type beverages.

The change would harmonize Canadian provisions with the United States and allow the standardization of the formulation for the North American markets.

The caffeine would enhance the bitter flavour and taste of non-alcoholic carbonated citrus flavoured beverages.

Contact: Director, Bureau of Food Regulatory, International and Interagency Affairs, Health Canada, Room 200, Health Protection Building, Postal Locator 0702C, Tunney's Pasture, Ottawa, Ontario, K1A 0L2. Tel: 613-957-1828; Fax: 613-941-3537.

Food and Drugs Act, sub-section 30(1)

HCan/R-33-I

Published in Canada Gazette January 18, 1997

Pre-Published and Approved With comments or changes

Statutory Authority & Regulatory Plan Listing

Canadian Aviation Regulations (Part I), amendment

The regulations prohibit commercial aerial sight-seeing flights within the Québec/Jean Lesage International Airport control zone, including flights originating from the Saint-Augustin Lake, Quebec aerodrome, as of January 1, 1998.

The restriction applies to the area within a 13 kilometre radius from the Québec/Jean Lesage International Airport, with an extension of up to 18 km in the Lévis area. The use of the generic term "aircraft" also excludes operations conducted with helicopters or balloons. As well, a new definition of "aerial sight-seeing flight" is included in the regulations.

The new rules do not affect commercial aerial sight-seeing flights originating from the Québec/Jean Lesage International Airport. As well, private aircraft will continue to be allowed to operate from anywhere within the control zone. The Minister may exempt those operations that he is satisfied are in the public interest.

The changes will prevent frequent low-level flights for aerial sight-seeing purposes over the built-up areas within the Québec/Jean Lesage International Airport control zone; this will ensure that the flights are not moved to another nearby lake.

The changes also stop commercial passenger-carrying aerial sight-seeing flights from using the Saint-Augustin Lake aerodrome for take-offs or landings.

The amendments follow five years of consultations in connection with a dispute between air operators and municipalities. An earlier attempt to control the overflight problem with noise restrictions was not considered acceptable by municipalities.

The proposals were prepublished in the Canada Gazette on October 18, 1997.

Contact: The Chief, Regulatory Affairs, Civil Aviation (AARBH), Transport Canada Safety and Security, Place de Ville, Tower C, Ottawa, Ontario, K1A 0N8. Tel: 613-993-7284; Fax: 613-990-1198.

Aeronautics Act, subsection 4.9

Not included in Regulatory Plan

Published in Canada Gazette October 18, 1997

Ministerial Orders Approved

Statutory Authority & Regulatory Plan Listing

Quebec Beef Cattle Producers' Levies or Charges (Interprovincial and Export Trade) Order, amendment (SOR/98-15)

The amendment imposes a levy on producers of beef cattle in Quebec for the creation of a Research and Development Fund for beef cattle produced in Quebec and marketed by the producer in interprovincial and export trade.

More specifically, the amendment changes section 3 by adding after paragraph.(f) the following:

“(g) Règlement sur la contribution au Fonds des producteurs de bovins pour la recherche et le développement, Gazette officielle du Québec, Part 2, September 28, 1994, p/ 5814.”

The amendment comes into force December 17, 1997.

Canadian Chicken Marketing Agency Quota Regulations, 1990, amendment (SOR/98-17)

This amendment, which comes into force on February 15, 1998, establishes the 1998 periodic allocation for the period from February 15, 1998 to April 11, 1998 for producers who market chicken in interprovincial or export trade.

The new limits are as follows:

- production subject to federal and provincial quotas (in live weight, kilograms), for Ontario, 53,836,000; for Quebec, 43,192,444; for Nova Scotia, 5,451,519; for New Brunswick, 4,519,444; for Manitoba, 6,147,389; for P.E.I., 606,803; for Saskatchewan, 3,503,469; for Alberta, 14,563,429; and for Newfoundland, 2,380,952.
- production subject to periodic export quotas (in live weight, kilograms), for Quebec, 3,455,395, Nova Scotia, 100,000; and for Alberta, 633,600.

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

Canadian Chicken Marketing Levies Order, amendments (SOR/98-18)

The amendment set the levy rate to be paid by producers engaged in the provinces, other than British Columbia, in the marketing of chicken in interprovincial or export trade, effective January 1, 1998, and extends the expiration date of the Order to December 31, 1998.

The new levies set out in paragraph 4(a) to (i) are as follows: Ontario, 1.39 cents; Quebec, 1.26 cents; Nova Scotia, 1.05 cents; New Brunswick, 1 cent; Manitoba, 1.34 cents; Prince Edward Island, .85 cents; Saskatchewan, 1.4 cents; Alberta, .8 cents; and Newfoundland, 2.77 cents.

The amended regulations came into force on January 1, 1998.

Regulation Adapting the Canada Elections Act, amendment (SOR/98-19)

The amendments incorporate changes made to the *Canada Election Act* by the coming into force of section 20 and subsection 21(2) of *An Act to Amend the Canada Elections Act, the Parliament of Canada Act, and the Referendum Act*, S.C. 1996, c. 35 by Order in Council OIC 1997-1754 of November 27, 1997.

More specifically, the amendment repeals sections 24 to 27 of the *Regulations Adapting the Canada Elections Act*.

Quebec Beef Cattle Order, sections 3 and 4

Not included in Regulatory Plan

Published in Canada Gazette January 7, 1998

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

Not included in Regulatory Plan

To be published in Canada Gazette January 7, 1998

Farm Products Agencies Act, paragraph 22(1)(f); *Canadian Chicken Marketing Agency Proclamation*, section 12 of the Schedule

Not included in Regulatory Plan

Published in Canada Gazette January 7, 1998

Referendum Act, subsection 7(3)

Not included in Regulatory Plan

Published in Canada Gazette January 7, 1998

Regulatory Affairs

ISSN 1201-0715



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Editor: Mary Ferguson

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Please send any questions or comments c/o the Editor, J-K Carruthers Ltd., R.R. #1, Perth, Ontario, K7H 3C3, Telephone (613) 267-3890, Fax (613) 267-6727, www.carruthers.com.