Français

Health Protection and Promotion Act

ONTARIO REGULATION 493/17
FOOD PREMISES

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CONTENTS

PART I
INTERPRETATION AND APPLICATION

1. Interpretation
2. Application
3. Sale of pre-packaged, low-risk food or hot beverages
3.1 Low-risk or pre-packaged foods only

PART II
MOBILE FOOD PREMISES

4. Mobile food premises

PART III
OPERATION AND MAINTENANCE

5. Commencement of operations
6. Results of inspections to be posted
7. Operation and maintenance
8. Equipment, utensils and multi-service articles
9. Arrangement of furniture, etc.
10. Illumination
11. Ventilation
12. Garbage and wastes
13. Pest control
14. Live birds or animals
15. Table covers, napkins and serviettes
16. Cloths and towels
17. Vending machines

PART IV
CLEANING AND SANITIZING

18. Equipment for cleaning and sanitizing
19. Utensil sanitization
20. Mechanical dishwashers
21. Cleaning and sanitizing of utensils
22. Cleaning and sanitizing of surfaces
23. Storage of substances

PART V
SANITARY FACILITIES

24. Altering floor space, number of toilets or washbasins
25. Sanitary facilities

PART VI
FOOD HANDLING

26. Food service premise, food handling
27. Temperature, potentially hazardous food
28. Frozen food to be kept frozen
29. Food processing records
30. Potentially hazardous food storage
31. Other food storage
32. Food handler training
33. Food handlers

PART VII
COMMODITIES
MEAT AND MEAT PRODUCTS
34. Manufactured meat products safety procedures
35. Consumption of manufactured meat products
36. Manufactured meat product records
37. Manufactured meat product identifiers
38. Meat permitted at food premise
MILK AND MILK PRODUCTS
39. Pasteurization and sterilization
40. Cooling after pasteurization
41. Pasteurizers
42. Pasteurization recording device
43. Cheese from unpasteurized milk
44. Sanitization
45. Milk containers
46. Repackaging of milk products
EGGS
47. Grade C eggs

PART I
INTERPRETATION AND APPLICATION

Interpretation

1. (1) In this Regulation,

"corrosion-resistant material" means any material that maintains its original surface characteristics after,

(a) repeated exposure to food, soil, moisture or heat, or

(b) exposure to any substance used in cleansing and sanitizing; ("matériau résistant à la corrosion")

"domestic hen" means a hen of the domestic chicken belonging to the species *Gallus Domesticus*; ("poule domestique")

"eggs" means raw eggs in the shell; ("oeufs")

"equipment" means any appliance, apparatus or device that is or may be used in the operation or maintenance of a food premise, including vending machines, but does not include utensils or multi-service articles; ("équipement")

"farmers' market food vendor" means the operator of a stall or other food premise that is located at a central location at which a group of persons who operate stalls or other food premises meets to sell or offer for sale to consumers products that include, without being restricted to, farm products, baked goods and preserved foods, and at which the majority of the persons operating the stalls or other food premises are producers of farm products who are primarily selling or offering for sale their own products; ("vendeur d'aliments dans un marché de producteurs")

"farm products" means products that are grown, raised or produced on a farm and intended for use as food and include, without being restricted to, fruits and vegetables, mushrooms, meat and meat products, dairy products, honey products, maple products, fish, grains and seeds and grain and seed products; ("produits agricoles")

"food contact surface" means the surface of counters, equipment and utensils with which food may normally come into contact; ("surface de contact avec des aliments")

"food handler" means any person who,

(a) is employed in a food premise, and

(b) handles or comes in contact with any utensil or with food during its preparation, processing, packaging, service, storage or transportation; ("préposé à la manutention des aliments")

"food handler training" means food safety training provided by a local board of health, agency of a board of health or through a program that the Ministry has recognized as being equivalent to the food safety training standards established by the Ministry; ("formation des préposés à la manutention des aliments")

"food service premise" means any food premise where meals or meal portions are prepared for immediate consumption or sold or served in a form that will permit immediate consumption on the premises or elsewhere; ("lieu de restauration")

"Grade 'C' eggs" means eggs that are graded Canada C in accordance with the *Egg Regulations* (Canada), made under the *Canada Agricultural Products Act* (Canada); ("oeufs de catégorie C")

"handwashing station" means a hand basin with hot and cold running water that is located in close proximity to a soap dispenser and either a mechanical hand dryer or a single-service towel dispenser; ("poste de lavage des mains")

"low-risk food" means food that is not potentially hazardous food; ("aliments à faible risque")

"manufactured meat product" means food that is the product of a process, that contains meat as an ingredient and that is customarily eaten without further cooking, and includes meat that is processed by salting, pickling, fermenting, canning, drying or smoking or otherwise applying heat or to which edible fats, cereals, seasonings or sugar have been added; ("produit carné")

"mobile food premise" means a trailer, cart or vehicle-mounted food premise or other itinerant food premise which is capable of being readily moved and in which food is prepared and offered for sale to the public; ("dépôt d'aliments mobile")

"multi-service article" means any container or utensil that is intended for repeated use in the service or sale of food; ("article à usage multiple")

"official method" means a method used by a public health laboratory centre established under section 79 of the Act for the laboratory examination of food; ("méthode officielle")

"potentially hazardous food" means food in a form or state that is capable of supporting the growth of infectious or toxigenic micro-organisms and which requires time and temperature control to limit such growth; ("aliments potentiellement dangereux")

"pre-packaged foods" means food that is packaged at a premise other than the premises at which it is offered for sale; ("aliments préemballés")

"registered egg station" means a registered egg station within the meaning of the *Egg Regulations* (Canada) made under the *Canada Agricultural Products Act* (Canada); ("poste d'oeufs agréé")

"registered processed egg station" means a registered processed egg station within the meaning of the *Processed Egg Regulations* (Canada) made under the *Canada Agricultural Products Act* (Canada); ("poste agréé d'oeufs transformés")

"sanitizing" means treatment designed to reduce the level of microorganisms to a level that will not compromise the safety of food products, and "sanitize" has a corresponding meaning; ("désinfection, désinfecter")

"serving" includes self-service; ("service")

"single-service article" means any container or eating utensil that is to be used only once in the service or sale of food; ("article à usage unique")

"single-service towel" means a towel that is to be used only once before being discarded or laundered for reuse; ("serviette jetable")

"utensil" includes kitchenware, tableware, glasses, cutlery or other similar items used in the handling, preparing, processing, packaging, displaying, serving, dispensing, storing, containing or consuming of food. ("ustensile")

(2) A reference in this Regulation to the medical officer of health or the public health inspector means the medical officer of health or the public health inspector, as the case may be, of the board of health in the health unit in which the food premise referred to is situate.

Application

2. (1) No person shall operate or maintain a food premise to which this Regulation applies except in accordance with this Regulation.

(2) This Regulation applies to all food premises except,

(a) boarding houses that provide meals for fewer than 10 boarders;

(b) subject to subsection (3), food premises owned, operated or leased by religious organizations, service clubs or fraternal organizations where the religious organization, service club or fraternal organization,

(i) prepares and serves meals for special events, or

(ii) conducts bake sales; and

(c) farmers' market food vendors.

(3) If a religious organization, service club or fraternal organization prepares and serves a meal for a special event to which the general public is invited that includes potentially hazardous food originating from a food premise that is not inspected under the Act, the exemption in clause (2) (b) applies only if the following conditions are met:

1. Patrons attending the special event must be notified in writing as to whether or not the food premise has been inspected in accordance with this Regulation. The notice shall be posted in a conspicuous place at the entrance to the food premise at which the special event meal is held.

2. The operator must keep a list of all persons who donate potentially hazardous food for the special event meal and must provide a copy of that list to a public health inspector on request. The list must contain each donor's name, address and telephone number, in full.

Sale of pre-packaged, low-risk food or hot beverages

3. Food premises that sell or offer for sale only hot beverages or pre-packaged, low-risk food items, or both, are exempt from the provisions of clauses 7 (3) (b) and (c) and Parts IV and V if,

(a) the food premise uses only single-service articles; and,

(b) any eating or drinking area in the premise is not greater than 56 square metres in area.

Low-risk or pre-packaged foods only

3.1 The following food premises are exempt from the provisions of clause 7 (3) (c) and of sections 18 and 32:

1. Food premises that do not prepare food and that distribute only low-risk food items, pre-packaged food items, or a combination of low-risk food items and pre-packaged food items.
2. Food premises that prepare only low-risk food items and serve only,
   i. low-risk food items,
   ii. pre-packaged, ready-to-eat food items, or
   iii. a combination of low-risk food items and pre-packaged, ready-to-eat food items. O. Reg. 471/19, s. 1.

PART II
MOBILE FOOD PREMISES

Mobile food premises

4. (1) In every mobile food premise,

(a) food shall be prepared within the premise and served to the public by persons working within the premise;

(b) only single-service articles shall be used to serve the food;

(c) separate holding tanks shall be provided for potable water and waste water; and

(d) every waste tank and water supply tank shall be equipped with an easily readable gauge for determining the waste or water level in the tank.

(2) Clauses (1) (c) and (d) do not apply to mobile food premises that sell only pre-packaged or non-hazardous food.

PART III
OPERATION AND MAINTENANCE

Commencement of operations

5. A person who gives notice of an intention to commence to operate a food premise to the medical officer of health under subsection 16 (2) of the Act shall include his or her name, contact information and the location of the food premise in the notice.

Results of inspections to be posted

6. Every operator of a food premise shall ensure that the results of any inspections conducted by a public health inspector are posted in accordance with the inspector's request.

Operation and maintenance

7. (1) Every food premise shall be operated and maintained such that,

(a) the premises are free from every condition that may,
   (i) be a health hazard,
   (ii) adversely affect the sanitary operation of the premises, or
   (iii) adversely affect the wholesomeness of food therein;

(b) no room where food is prepared, processed, packaged, served, transported, manufactured, handled, sold, offered for sale or displayed is used for sleeping purposes;

(c) the floor or floor coverings are tight, smooth and non-absorbent in rooms where,
   (i) food is prepared, processed, packaged, served, transported, manufactured, handled, sold, offered for sale or displayed,
   (ii) utensils are cleaned, or

(iii) washing fixtures and toilet fixtures are located;

(d) the walls and ceilings of rooms and passageways may be readily cleaned and may be maintained in a sanitary condition;

(e) every room in the premise where food is prepared, processed, packaged, served, transported, manufactured, handled, sold, offered for sale or displayed is maintained in a sanitary condition so as to prevent contamination of food;

(f) every room where food is prepared, processed, packaged, served, transported, manufactured, handled, sold, offered for sale or displayed is kept free from materials and equipment not regularly used in the room;

(g) the floors, walls and ceilings of every room where food is prepared, processed, packaged, served, transported, manufactured, handled, sold, offered for sale or displayed are kept clean and in good repair; and

(h) single-service containers and single-service articles are kept in such a manner and place as to prevent contamination of the containers or articles.

(2) Despite clause (1) (c), carpeting may be used in areas where food is served if it is maintained in a clean and sanitary condition.

(3) Every food premise shall be provided with,

(a) a supply of potable water adequate for the operation of the premises;

(b) hot and cold running water under pressure in areas where food is processed, prepared or manufactured or where utensils are cleaned;

(c) an adequate number of handwashing stations that are maintained and kept adequately supplied and that are situated for convenient access by food handlers; and

(d) refrigerated space adequate for the safe storage of potentially hazardous food.

(4) The handwashing stations referred to in clause (3) (c) shall be used only for the handwashing of employees.

Equipment, utensils and multi-service articles

8. (1) All equipment, utensils and multi-service articles that are used for the preparation, processing, packaging, serving, transportation, manufacture, handling, sale, offer for sale or display of food in a food premise shall be,

(a) of sound and tight construction;

(b) kept in good repair;

(c) of such form and material that it can be readily cleaned and sanitized; and

(d) suitable for their intended purpose.

(2) Equipment and utensils that come into direct contact with food shall be,

(a) corrosion-resistant and non-toxic; and

(b) free from cracks, crevices and open seams.

Arrangement of furniture, etc.

9. Furniture, equipment and appliances in any room or place where food is prepared, processed, packaged, served, transported, manufactured, handled, sold, offered for sale or displayed shall be so constructed and arranged as to permit thorough cleaning and the maintaining of the room or place in a clean and sanitary condition.

Illumination

10. The levels of illumination required under the building code as defined in the *Building Code Act, 1992* shall be maintained in a food premise during all hours of operation. O. Reg. 493/17, s. 10; O. Reg. 497/24, s. 1.

Ventilation

11. The ventilation system in every food premise shall be maintained to ensure the elimination of odours, fumes, vapours, smoke and excessive heat.

Garbage and wastes

12. Garbage and wastes, including liquid wastes, shall be collected and removed from a food premise as often as is necessary to maintain the premise in a sanitary condition.

Pest control

13. (1) Every food premise shall be protected against the entry of pests and kept free of conditions that lead to the harbouring or breeding of pests.

(2) Every operator of a food premise shall maintain records of all pest control measures that are undertaken in the premise and shall retain the records for at least one year after they are made.

Live birds or animals

14. (1) Every room where food is prepared, processed, packaged, served, transported, manufactured, handled, sold, offered for sale or displayed shall be kept free from live birds or animals. O. Reg. 493/17, s. 14 (1).

(2) Subsection (1) does not apply to any of the following:

1. Service animals described in subsection 80.45 (4) of Ontario Regulation 191/11 (Integrated Accessibility Standards) made under the *Accessibility for Ontarians with Disabilities Act, 2005* that are in an area of the food premise where food is served, sold or offered for sale.
2. Live birds or animals that are offered for sale on food premises other than food service premises, if the medical officer of health has given approval in writing for the keeping of the birds or animals on the premises.
3. Live aquatic species displayed or stored in sanitary tanks on food premises.
4. Live dogs in an outdoor eating area of a food service premise as long as food is not prepared in the eating area.
5. Live dogs in an indoor eating area of a food service premise if,
    i. the only food items that are manufactured, processed or prepared at the food service premise are low-risk food items, and
    ii. the dogs are in a room where only low-risk or pre-packaged, ready-to-eat food items, or both, are served, sold, offered for sale or displayed, and no manufacturing, processing or preparation of food items takes place in the room. O. Reg. 493/17, s. 14 (2); O. Reg. 471/19, s. 2

Table covers, napkins and serviettes

15. Table covers, napkins or serviettes used in the service of food shall be clean and in good repair.

Cloths and towels

16. Cloths and towels used for cleaning, drying or polishing utensils or cleaning food contact surfaces shall be,

(a) in good repair;

(b) clean; and

(c) used for no other purpose.

Vending machines

17. (1) Every vending machine in a food premise that automatically mixes water to create a product shall be provided with a potable water supply piped into the machine under pressure.

(2) The name and telephone number of the operator of a vending machine shall be prominently displayed on or near the vending machine if an employee of the operator is not in full-time attendance.

PART IV
CLEANING AND SANITIZING

Equipment for cleaning and sanitizing

18. One of the following types of equipment must be provided in a food premise for the cleaning and sanitizing of utensils:

1. Mechanical equipment.
2. Equipment for washing by hand consisting of drainage racks of corrosion-resistant material and,
    i. a three-compartment sink, or three sinks, of corrosion-resistant material of sufficient size to ensure thorough cleaning and sanitizing of utensils, or
    ii. a two-compartment sink, or two sinks, of corrosion-resistant material for the cleaning and sanitizing of utensils, if,
        A. the food premise does not use it for multi-service articles,
        B. washing and rinsing can be done effectively in the first sink, and
        C. the second sink is used for sanitizing as described in section 19.

Utensil sanitization

19. Utensils shall be sanitized through the use of,

(a) clean water at a temperature of at least 77° Celsius, or more, for at least 45 seconds;

(b) a clean chlorine solution of not less than 100 parts per million of available chlorine at a temperature not lower than 24° Celsius for at least 45 seconds;

(c) a clean quaternary ammonium compound solution of not less than 200 parts per million at a temperature not lower than 24° Celsius for at least 45 seconds;

(d) a clean solution containing not less than 25 parts per million of available iodine at a temperature not lower than 24° Celsius for at least 45 seconds; or

(e) other sanitizing agents if,

(i) they are approved for use by Health Canada, the Canadian Food Inspection Agency or the medical officer of health for the intended purpose,

(ii) they are used in accordance with the manufacturer's instructions, and

(iii) a test reagent for determining the concentration of sanitizer is readily available where the sanitizing takes place.

Mechanical dishwashers

20. (1) Mechanical dishwashers must be,

(a) so constructed, designed and maintained that,

(i) the wash water is sufficiently clean at all times to clean the dishes and is maintained at a temperature not lower than 60° Celsius or higher than 71° Celsius, and

(ii) the sanitizing rinse is,

(A) water that is maintained at a temperature not lower than 82° Celsius and is applied for a minimum of 10 seconds in each sanitizing cycle, or

(B) a chemical solution described in clause 19 (b), (c), (d) or (e); and

(b) provided with thermometers that show wash and rinse temperatures and that are so located as to be easily read.

(2) Subsection (1) does not apply to a mechanical dishwasher that bears a certification from NSF International that certifies it for commercial use.

(3) Subsections (1) and (2) do not apply if the medical officer of health is satisfied that the mechanical dishwasher will effectively clean and sanitize utensils and is appropriate for use at the food premise.

Cleaning and sanitizing of utensils

21. (1) Multi-service articles shall be cleaned and sanitized after each use.

(2) Utensils other than multi-service articles shall be cleaned and sanitized as often as is necessary to maintain them in a clean and sanitary condition.

Cleaning and sanitizing of surfaces

22. The surfaces of equipment and facilities other than utensils that come in contact with food are cleaned and sanitized as often as is necessary to maintain such surfaces in a sanitary condition.

Storage of substances

23. Toxic or poisonous substances required for maintenance of sanitary conditions shall be,

(a) kept in a compartment separate from food so as to preclude contamination of any food, working surface or utensil;

(b) kept in a container that bears a label on which the contents of the container are clearly identified; and

(c) used only in such manner and under such conditions that the substances do not contaminate food or cause a health hazard.

PART V
SANITARY FACILITIES

Altering floor space, number of toilets or washbasins

24. (1) No operator of a food premise shall alter the floor space, number of toilets or washbasins in a sanitary facility without first receiving approval in writing from a public health inspector.

(2) Subsection (1) does not apply if the food premise is a meat plant licensed under Ontario Regulation 31/05 (Meat) made under the *Food Safety and Quality Act, 2001* or a plant licensed under the *Milk Act*.

Sanitary facilities

25. (1) Every operator of a food premise shall ensure that sanitary facilities are maintained in accordance with the design, construction and installation requirements in the building code as defined in the *Building Code Act, 1992*. O. Reg. 493/17, s. 25 (1); O. Reg. 497/24, s. 2.

(2) Every sanitary facility in a food premise shall be kept sanitary, properly equipped and in good repair at all times. O. Reg. 493/17, s. 25 (2).

(3) Every sanitary facility in a food premise shall be equipped with,

(a) a constant supply of hot and cold running water;

(b) a supply of toilet paper;

(c) a durable, easy-to-clean receptacle for used towels and other waste material;

(d) a supply of soap or detergent; and

(e) a method of hand drying that uses single-service towels or a hot air dryer. O. Reg. 493/17, s. 25 (3).

(4) A food premise where water-flush toilets could not be installed is exempt from the requirements of clauses (3) (a), (d) and (e) if,

(a) non-flush toilets or privies completely separate from the food premise were constructed in accordance with a permit issued under the *Building Code Act, 1992*; and

(b) the facilities are lighted and provided with commercially packaged single-use moist towelettes. O. Reg. 493/17, s. 25 (4).

PART VI
FOOD HANDLING

Food service premise, food handling

26. (1) All food shall be protected from contamination and adulteration.

(2) All food must be processed in a manner that makes the food safe to eat.

(3) Subject to subsection (4), food that has previously been served to a customer shall not be re-served.

(4) Low-risk food that was previously served in packaging or a container that protects the food from contamination may be re-served if the packaging or container has not been compromised and the food has not been contaminated.

(5) Ice used in the preparation and processing of food or drink shall be made from potable water and shall be stored and handled in a sanitary manner.

Temperature, potentially hazardous food

27. (1) Potentially hazardous food shall be distributed, maintained, stored, transported, displayed, sold and offered for sale only under conditions in which the internal temperature of the food is,

(a) 4° Celsius, or lower; or

(b) 60° Celsius, or higher.

(2) Subsection (1) does not apply,

(a) to a potentially hazardous food during those periods of time, not to exceed two hours, that are necessary for the preparation, processing and manufacturing of the food; or

(b) to a hermetically sealed food that has been subjected to a process sufficient to prevent the production of bacterial toxins or the survival of spore-forming pathogenic bacteria.

Frozen food to be kept frozen

28. Food that is intended to be distributed, maintained, stored, transported, displayed, sold or offered for sale in a frozen state shall be kept in a frozen state until sold or prepared for use.

Food processing records

29. (1) Any food that is liable under law to inspection by the Government of Canada or Ontario, or by an agency of either, in a food premise must be obtained from a source that is subject to inspection by that entity unless otherwise permitted under this Regulation.

(2) Every operator of a food premise shall ensure that records of the purchase of food for use in the premise are retained on the premise at least until the first anniversary of the purchase date.

Potentially hazardous food storage

30. The equipment used for refrigeration or hot-holding of potentially hazardous foods must,

(a) be of sufficient size to store any potentially hazardous food and maintain it at the applicable temperature set out in section 27; and

(b) contain accurate indicating thermometers that may be easily read.

Other food storage

31. Racks, shelves or pallets that are used to store food in a food premise must be designed to protect the food from contamination and must be readily cleanable.

Food handler training

32. Every operator of a food service premise shall ensure that there is at least one food handler or supervisor on the premise who has completed food handler training during every hour in which the premise is operating.

Food handlers

33. (1) Every operator of a food premise shall ensure that every food handler in the food premise shall,

(a) not use tobacco while engaged as a food handler;

(b) be clean and practise good personal hygiene;

(c) wear clean outer garments;

(d) take reasonable precautions to ensure that food is not contaminated by hair;

(e) wash hands as often as necessary to prevent the contamination of food or food areas;

(f) be free from any infectious agent of a disease that may be spread through the medium of food;

(g) submit to such medical examinations and tests as are required by the medical officer of health to confirm the absence of an infectious agent mentioned in clause (f); and

(h) refrain from any other conduct that could result in the contamination of food or food areas.

(2) A person who has a skin disease shall not perform any work that brings him or her into contact with food unless he or she has obtained the approval of the medical officer of health in writing before performing the work.

PART VII
COMMODITIES

MEAT AND MEAT PRODUCTS

Manufactured meat products safety procedures

34. (1) Every operator of a food premise at which manufactured meat products are manufactured must develop written food safety procedures relating to manufactured meat products designed to ensure that no health hazards arise in relation to their use.

(2) The written procedures referred to in subsection (1) must be approved by a medical officer of health or a public health inspector.

(3) Subsection (2) does not apply if the food premise is a meat plant licensed under Ontario Regulation 31/05 (Meat) made under the *Food Safety and Quality Act, 2001*.

(4) The operator referred to in subsection (1) shall ensure that the procedures are followed in the food premise.

Consumption of manufactured meat products

35. In a food premise, manufactured meat products shall be subjected to a process sufficient to destroy pathogenic bacteria, parasites, the cystic forms of parasites and any other forms of contamination that would render the products unsafe to eat.

Manufactured meat product records

36. (1) Every operator of a food premise in which meat products are manufactured shall ensure that records for manufactured meat products are created and retained on the premise at least until the first anniversary of the date on which they were made.

(2) The records referred to in subsection (1) shall include the kinds of meat products manufactured, the names and addresses of suppliers that supplied products used in the manufacturing, the weight of the meat products and the dates of receipt of products used in the manufacturing.

Manufactured meat product identifiers

37. (1) Every manufactured meat product that is transported, handled, distributed, displayed, stored, sold or offered for sale at a food premise shall be identified as to the meat processing plant of origin by a tag, stamp or label affixed to the product.

(2) Subsection (1) does not apply to a manufactured meat product stored, sold or offered for sale in a retail outlet at the plant of origin.

Meat permitted at food premise

38. (1) The only meat permitted at a food premise is meat that has been obtained from an animal inspected and approved for use as food in accordance with either Ontario Regulation 31/05 (Meat) made under the *Food Safety and Quality Act, 2001* or the regulations made under the *Meat Inspection Act* (Canada) and that has been stamped and labelled or otherwise identified in accordance with that regulation or that Act.

(2) Despite subsection (1), a food premise where meat is sold, other than a food service premise, may have the meat of game animals obtained through hunting on the premises for the purposes of custom-cutting, wrapping and freezing it for its owner if,

(a) the meat is custom-cut, wrapped, frozen and stored in such a manner that it does not come into contact with inspected meat;

(b) each quarter or larger section of the carcass bears a tag showing the name and address of the owner of the meat; and

(c) each quarter or larger section of the carcass is legibly labelled "Consumer Owned, Not for Sale" or "Consumer Owned, Not for Sale/Propriété du consommateur — non destiné à la vente" on each of the primal cut areas, using ink made from non-toxic edible ingredients and in letters at least 1.25 centimetres in height.

(3) Despite subsection (1), a food premise in a meat plant licensed under Ontario Regulation 31/05 (Meat) made under the *Food Safety and Quality Act, 2001* may have uninspected meat on the premises if,

(a) an approval has been issued under Part VIII.2 of that regulation for the uninspected meat to enter a meat plant;

(b) a director has approved the food premise under Part VIII.3 of that regulation for the purposes of receiving the uninspected meat for the period of time that the meat is present on the premise; or

(c) the premise has been approved under Part VIII.4 of that regulation for the purposes of receiving and processing hunted game carcasses.

(4) The operator of a food premise that has uninspected meat on the premises shall ensure that,

(a) the uninspected meat is kept out of any part of the food premise where food is sold, served or offered for sale; and

(b) the uninspected meat is not sold or offered for sale.

(5) Despite subsection (1), a food premise located at the Sioux Lookout Meno-Ya-Win Health Centre may have hunted game meat from wild moose, wild duck, wild goose, wild caribou, wild muskrat, wild rabbit, wild deer, wild beaver, wild elk or wild muskox on the premises if the bird or animal was killed in the course of hunting and if the following conditions are met:

1. The meat is handled, prepared, processed and stored for the sole purpose of serving it to patients, visitors and staff at the Health Centre.
2. The meat is handled, prepared, processed and stored so that it does not come into contact with other food before the other food is served.
3. Patients, visitors and staff at the Health Centre are informed in writing each time before they are served the meat that it has not been inspected in accordance with either Ontario Regulation 31/05 (Meat) made under the *Food Safety and Quality Act, 2001* or the regulations made under the *Meat Inspection Act* (Canada), and that meat that has been inspected is available for consumption.
4. Patients, visitors and staff at the Health Centre are informed in writing that meat that has been inspected in accordance with either Ontario Regulation 31/05 (Meat) made under the *Food Safety and Quality Act, 2001* or the regulations made under the *Meat Inspection Act* (Canada) is always available to be served on the premises.

(6) Despite subsection (1), a food premise may have game animal meat obtained through hunting on the premises that is handled, prepared and stored for the purpose of serving it at a wild game dinner or a wild game event if the following conditions are met:

1. The meat is handled, prepared and stored so that it does not come into contact with other food before the other food is served.
2. Patrons and staff are notified in writing each time before they are served the meat that it has not been inspected in accordance with either Ontario Regulation 31/05 (Meat) made under the *Food Safety and Quality Act, 2001* or the regulations made under the *Meat Inspection Act* (Canada). The notice must be posted in a conspicuous place at the entrance to the venue at which the wild game dinner or wild game event is held.

3. The operator must keep a list of all patrons who attend the wild game dinner or wild game event and must provide a copy of the list to a public health inspector upon request. The list must contain each patron's name, address and telephone number, in full.

4. The operator must keep a list of all persons who donate hunted game animal meat for a wild game dinner or wild game event and must provide a copy of the list to a public health inspector upon request. The list must contain,

   i. each donor's name, address and telephone number, in full, and

   ii. with respect to each donor, the name of the species from which the donated meat was obtained.

(7) In subsection (6),

"wild game dinner" means a dinner provided under the authority of an authorization granted under clause 52 (3) (a) of the *Fish and Wildlife Conservation Act, 1997*; ("dîner avec gibier sauvage au menu")

"wild game event" means an event at which game wildlife may be served in accordance with section 135.1 of Ontario Regulation 665/98 (Hunting) made under the *Fish and Wildlife Conservation Act, 1997*. ("événement avec gibier sauvage au menu")

(8) Utensils, equipment and food contact surfaces that have been in contact with uninspected meat shall be cleaned and sanitized in accordance with Part IV before being used in connection with any other food.

MILK AND MILK PRODUCTS

Pasteurization and sterilization

39. (1) Milk products with less than 10 per cent milk fat shall be pasteurized, or made from milk that has been pasteurized, by,

(a) heating to a temperature of at least 63° Celsius and holding it at that temperature for not less than 30 minutes if a batch pasteurization system is used;

(b) heating to a temperature of at least 72° Celsius and holding it at that temperature for not less than 15 seconds in a high temperature short time pasteurizer; or

(c) heating to another temperature and holding it at that temperature for a period of time, if the process will result in the destruction of pathogenic organisms and phosphatase that is at least equivalent to the processes set out in clauses (a) and (b).

(2) Milk products with 10 per cent milk fat or more shall be pasteurized, or made from milk that has been pasteurized, by,

(a) heating to a temperature of at least 66° Celsius and holding it at that temperature for not less than 30 minutes if a batch pasteurization system is used; or

(b) heating to a temperature of at least 75° Celsius and holding it at that temperature for not less than 15 seconds in a high temperature short time pasteurizer.

(3) Milk products shall be commercially sterilized by heating the milk product to a temperature of at least 135° Celsius and holding it at that temperature for not less than two seconds, or to such other temperature for such period of time as will result in sterilization.

Cooling after pasteurization

40. (1) Milk products shall be cooled immediately after pasteurization to a temperature of at least 4° Celsius or less.

(2) Subsection (1) does not apply to a milk product that,

(a) is to be further processed prior to packaging, then cooled to 4° Celsius, or less;

(b) has been commercially sterilized and is to be or is aseptically packaged; or

(c) is processed by drying.

Pasteurizers

41. (1) Every pasteurizer used to pasteurize milk products in a food premise shall be equipped with indicating and recording thermometers that are accurate and may be easily read.

(2) Every high temperature short time pasteurizer used to pasteurize milk products in a food premise shall be equipped with a properly functioning flow diversion valve.

(3) Recording thermometers shall be moisture-proof and easily read.

(4) The temperature of a milk product in a pasteurizer at any time shall be taken as the temperature shown on the indicating thermometer and not the temperature shown by the recording thermometer.

(5) The temperature shown by the recording thermometer shall be checked daily by the operator against the temperature shown by the indicating thermometer and shall be adjusted to read no higher than the temperature shown by the indicating thermometer.

Pasteurization recording device

42. (1) A pasteurization recording device shall be used in the pasteurization of milk products and shall record the following information:

1. The name of the operation and the date of the operation.
2. The number of the pasteurizer, if more than one is in use, to which the recording device is attached.
3. The temperature of the indicating thermometer at some time corresponding with a marked point in the holding period.
4. The name of the milk product being pasteurized.

(2) An operator of a pasteurizer shall create a record of the information listed in subsection (1) during the pasteurization of any milk products and sign it.

(3) The record referred to in subsection (2) must be retained for at least one year after it was made or, for milk and milk products with a shelf life greater than one year, until that shelf life has expired.

(4) The operator shall provide the records referred to in subsection (2) to a public health inspector or medical officer of health on request.

Cheese from unpasteurized milk

43. Subsection 18 (2) of the Act does not apply to cheese made from unpasteurized milk if the cheese has been subjected to conditions of storage that are sufficient to destroy pathogenic bacteria and toxins and any other forms of contamination that would render the cheese unsafe to eat.

Sanitization

44. Equipment for pasteurization, sterilization and subsequent handling of milk and milk products shall be cleaned and sanitized immediately prior to use.

Milk containers

45. Sterilized fluid milk products shall be sold in or from containers that bear the words "STERILIZED" or "STERILE" and "REFRIGERATE AFTER OPENING".

Repackaging of milk products

46. (1) A food premise that repackages milk products not produced in that food premise shall identify the original processor, packing date and batch number on the containers of repackaged milk products.

(2) Despite subsection (1), the operator of the food premise may show the following information on the containers of repackaged milk products if the operator maintains records that identify their original processor, packing date and batch number:

1. The operator's name and address or code marking.
2. The operator's "Best Before" or repackaging date.

(3) The records referred to in subsection (2) must be retained on the food premise until at least the first anniversary of the date on which the milk product was repackaged.

(4) This section does not authorize the repackaging of fluid milk products.

EGGS

Grade C eggs

47. (1) No operator of a food premise shall store, handle, serve, process, prepare, display, distribute, transport, sell or offer for sale ungraded or Grade "C" eggs.

(2) Despite subsection (1), the operator of a registered egg station may store and handle ungraded eggs for the purpose of grading and may sell, offer to sell and transport Grade "C" eggs to a registered processed egg station.

(3) Subsection (1) does not apply to eggs from animals other than the domestic hen if,

(a) the eggs are in clean condition, with no visible cracks, at the time they enter the food premise; and

(b) the eggs are transported and stored at a cold-holding temperature of 4° Celsius, or less.

PART VIII (OMITTED)

48. OMITTED (REVOKES OTHER REGULATION).

49. OMITTED (PROVIDES FOR COMING INTO FORCE OF PROVISIONS OF THIS REGULATION).

Français

Back to top