

Should you have any questions or wish to obtain a copy of the *Fish Inspection Act* or regulations please contact the Department at 729-3717 or visit: <http://www.assembly.nl.ca/legislation/sr/consolidation>

The content of this brochure is provided for informational purposes only. Please be advised that it does not reflect nor is it intended to reflect the exact wording and content as contained in the *Fish Inspection Act* or its associated regulations. Nothing herein shall relieve or provide a waiver to any party from any obligation or requirement of that legislation. It is your responsibility to ensure that you conduct yourself or your company in compliance with the legislation. Parties intending to rely on these materials shall please have reference to the *Fish Inspection Act* and its associated regulations for all obligations and requirements to which they may be subject.



Fisheries and Aquaculture



processing **REGULATIONS**



Fisheries and Aquaculture

Department of Fisheries
and Aquaculture
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Regulations

There are 4 sets of regulations under the *Fish Inspection Act*:

- Fish Inspection Administrative Regulations;
- In-Province Retail Fish Establishment Regulations;
- Fish Inspection Operations Regulations; and
- Fish Inspection Ticket Offences Regulations.



Did you Know?

- The *Fish Inspection Act* and regulations apply to fish and marine plants.
- Your current fish processing licence must be prominently displayed on your wall.
- You may only purchase the species of fish which are listed on your fish buyer's licence or your fish processing licence. Other species may be purchased under an agency agreement.
- An inspector may take, without charge, a minimum sample for inspection.
- An agency agreement must be in the form approved by the minister (to obtain a copy call 729-3736 or online at: <http://www.fishaq.gov.nl.ca/Processing>). A copy must be sent to the department; and the agent and principal shall keep a copy for inspection at the request of an inspector.
- The minimum processing requirements for all species are listed in the Schedule to the Fish Inspection Operations Regulations.
- You must comply with all reporting requirements as directed by the minister.
- All production records must be maintained for not less than 5 years.
- You may not process or market fish that is tainted, decomposed or unwholesome (TDU). Dead crab is considered to be TDU.
- You may not process dead shellfish, except shrimp and squid.
- Fish must be protected from physical damage, contamination and weather at all times.
- You may not smoke, spit, eat, chew gum or store food or other personal items where fish is handled.
- A person handling fish shall not wear jewelry, fingernail polish or other personal adornment.
- Dogs (or other pets) are not allowed where fish is handled.
- The minister may issue a stop work order where a person has not complied with a request to cease a violating activity.

Enforcement Measures

The range of enforcement measures are:

- Formal warnings;
- Tickets (\$100 - \$500);
- Administrative penalties; or
- In addition to these enforcement measures, a person may be charged for an offence and if found guilty may be fined:
 - **1st offence:** \$5,000 - \$20,000 (or imprisonment for 1 to 6 months or both)
 - **2nd offence:** \$20,000 - \$50,000 (or imprisonment for 2 to 6 months or both)
 - **3rd offence:** \$50,000 - \$100,000 (or imprisonment for 3 to 6 months or both)
- Also, any product detained or seized may be forfeited to the Crown.