

## Fish Processors Licence Conditions

Further to the *Fisheries and Coastal Resources Act, S.N.S. 1996, c.25*, the *Fish Inspection Regulations* (the “Regulations”) and the *Fish Buyers and Fish Processing Licence Policy*, the following conditions apply and form part of the licence holder’s Fish Processors Licence, unless otherwise specified:

### DEFINITIONS:

**Aquaculture finfish:** Finfish that are harvested from a licensed Nova Scotia aquaculture site (as opposed to finfish that are harvested from a DFO regulated fishery).

**Aquatic Animal Health Veterinarian:** A veterinarian employed by the Department for the purpose of providing veterinary services with respect to fish.

**CFIA:** The Canadian Food Inspection Agency.

**Department:** The Nova Scotia Department of Fisheries and Aquaculture.

**Fish:** Includes aquaculture finfish, finfish, shellfish, crustaceans and marine plants and marine animals and parts, products or by-products of them.

**Infected areas:** The marine waters of British Columbia, Maine U.S.A., Chile, and the New Brunswick side of the Bay of Fundy.

**Licence Holder:** A company or individual holding a Nova Scotia Fish Processors licence issued pursuant to the Regulations.

**Licensed fish processing facility:** An establishment licensed by the Department to process fish.

**Voluntary Closure:** A status applied by the Department to a licensed fish processing facility that does not currently hold a valid CFIA licence.

### 1. SECONDARY PROCESSING:

- (a) The secondary processing of fish, as part of its preparation for market beyond the primary processing stage, is achieved by:
  - i. Adding one or more ingredient(s) other than water or salt, which results in a substantive increase to the bulk and/or a substantive transformation to the

taste and texture of the fish as a food product (for example, au gratin, chowder or sauce); or

- ii. Applying some other treatment or process to it, other than salting or curing, which results in a significant taste, flavor and/or texture enhancement of the fish as a food product (for example, breading, battering, smoking, marinating or pasteurizing).
- (b) If a licence identifies that a species of fish is restricted to secondary processing only, then the fish must be sourced from a licensed fish processing facility.
  - (c) Secondary processing of aquaculture finfish fillets will require an effluent treatment protocol approved by the Aquatic Animal Health Veterinarian.

## **2. VOLUNTARY CLOSURE:**

- (a) Processing is not permitted in a licensed fish processing facility that is in voluntary closure status.

## **3. RECORD REQUIREMENTS:**

- (a) The licence holder shall, on a daily basis, record the following information and keep such recorded information for a period of five (5) years:
  - i. The full name, phone number, civic address and licence number (where applicable) of the person from whom the fish are purchased, held or obtained;
  - ii. The date and time, location, total weight in pounds or kilograms, species, initial product form and price of the fish purchased, held or obtained;
  - iii. The volume and manner(s) of each fish species processed;
  - iv. The full name, phone number and civic address of the person to whom the fish are sold, released, dispensed or disposed; and
  - v. The date and time, location, destination, total weight in pounds or kilograms, species, product form and price of the fish sold, dispensed, released or disposed;

## **4. REPORTING REQUIREMENTS:**

- (a) In addition to keeping and maintaining daily records, the licence holder is required to report annually to the Department, information about their annual activities of processing, including reports of no processing, for all species for which their respective licence is endorsed.
  - i. The annual report is to be submitted to the Department by February 1<sup>st</sup>.
  - ii. The Department shall issue an Annual Reporting Document to licence holders which will contain instructions for submitting reports via e-mail, fax or regular mail.
  - iii. In addition, the number of employees (full-time and part-time) working at a licensed fish processing facility are to be included with the annual report.

## **5. MANDATORY NOTIFICATIONS:**

- (a) **Change in Ownership and/or Shareholders:**
  - i. A licence holder which is a corporation shall notify the Minister, within 30 days after its occurrence, of any change in a majority of the voting shares of the corporation.

- (b) **Change in Facility Ownership:**
  - i. The licence holder shall notify the Minister, within 30 days after its occurrence, of any change in the ownership of a licensed fish processing facility for which this licence is granted.
- (c) The licence holder shall notify the Minister, within 30 days after its occurrence, if the licence holder ceases to conduct a fish processing business in the normal course, becomes insolvent, makes a general assignment for the benefit of creditors, suffers or permits the appointment of a receiver of their business assets, or avails of any proceeding in bankruptcy under any statute relating to insolvency or the protection of rights of creditors.
- (d) The licence holder shall notify the Minister of any change of contact information within 30 days.
- (e) **Notification of Aquatic Animal Health Veterinarian:**
  - i. Before processing any aquaculture finfish harvested from infected areas, the licence holder must prepare a protocol and submit it for approval by the Aquatic Animal Health Veterinarian;
  - ii. On an annual basis, before first processing any aquaculture finfish, other than those in sub-clause (i), the licence holder must notify the Aquatic Animal Health Veterinarian.

**6. LICENCE WITH CFIA:**

- (a) Notwithstanding subsection (b), processing is not permitted in a licensed fish processing facility unless the licence holder can provide evidence to the Department that the facility holds the appropriate Safe Food for Canadians licence issued by the CFIA, and such licence has not expired.
- (b) Processing is permitted in a licensed fish processing facility without a Safe Food for Canadians licence if the species being processed and/or the intended market is not within scope of the *Safe Food for Canadians Act*.

**7. GENERAL PROVISIONS:**

- (a) **The licence holder, or in the case of a corporate licence holder, an authorized representative, is required to sign this document and send back to the Department as part of the relevant application;**
- (b) These licence conditions shall come into effect on the date the Fish Processors Licence is issued and remain in effect until the expiry.

Name of Licence Holder or an authorized representative	Signature	Date (Day / Month / Year)

**By signing this copy of the Fish Processors Licence Conditions, I acknowledge that I have read and understood them and agree to be bound by them.**