NOVA SCOTIA
Fisheries and Aquaculture

Fish Processor Licence Conditions

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

DEFINITIONS:

Aquaculture finfish: Finfish that are harvested from an 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: Fishery resources as defined in the Act.

Fish Products: Fish products as defined in the Act.

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 Processor Licence issued pursuant to the Regulations.

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

1. SECONDARY PROCESSING:

(a) The secondary processing of fish or fish products, 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, 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 in Nova Scotia from a licensed fish processing facility. If the species is sourced from outside of Nova Scotia, it must have been primary processed.

(c) Secondary processing of aquaculture finfish fillets will require an effluent treatment protocol approved by the Aquatic Animal Health Veterinarian.

2. 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;

(b) The licence holder shall keep and maintain all information and records within Nova Scotia at their principal office or another location in Nova Scotia identified to the Department.

(c) The licence holder shall maintain all records, as outlined in clause 2(a), in electronic format in the manner specified by the Minister.

(d) The records shall be complete and readily available for inspection by an inspector.

3. REPORTING REQUIREMENTS:

(a) In addition to keeping and maintaining daily records, the licence holder is required to report annually, by February 1st of each year, 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.

(b) The licence holder is required to submit annually to the Department, by February 1st of each year, a sector employment survey for the previous calendar year.

4. 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 the holder of the majority of the voting shares of the corporation, whether as a result of a single transaction or a series of transactions
   ii. Once the licence holder notifies the Minister, or the Department becomes aware of, a change as described in subsection i., the licence holder must submit, within 30 days an application for a new licence.

(b) 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, within 30 days after its occurrence, if the licence holder or any of its shareholders, directors, officers, agents or key employees has been charged with, or convicted of, an offence of concern to the Minister under the Nova Scotia *Fisheries and Coastal Resources Act* or associated Regulations, or other pertinent legislation listed in the Nova Scotia Fish Processors and Fish Buyers Licence Policy.

(e) The licence holder shall notify the Minister of any change of contact information including for the person mentioned in condition 6(d) below as being authorized to accept service of documents on behalf of a licence holder, within 30 days of such a change.

(f) **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 described in sub-clause (i), the licence holder must notify the Aquatic Animal Health Veterinarian within the Department's Aquaculture Division, by email (AquaticAnimalHealth@novascotia) or phone (902-893-5359).

iii. As part of a notice to the Aquatic Animal Health Veterinarian further to sub-clause (ii), the licence holder must include their fish processors licence number, facility address, contact person name, contact person email, and contact person phone number.

5. FACILITY REQUIREMENTS:

(a) A licence holder must own or lease and maintain a processing facility in Nova Scotia.

(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 (SFC) licence issued by the CFIA, and such licence has not expired.

(c) At the time of processing a species of fish, the SFC licence must include a reference, as applicable, to any of the designated activities, 'preparing food for intra-provincial trade,' 'preparing food for inter-provincial trade' or 'preparing food for export,' as well as the respective sub-commodity.

(d) Processing is permitted in a licensed fish processing facility without a SFC licence if the species being processed and/or the intended market is not within scope of the *Safe Food for Canadians Act.*

6. GENERAL PROVISIONS:

(a) These licence conditions shall come into effect on the date the Fish Processor Licence is issued and remain in effect until the licence's expiry.

(b) The licence holder shall display their Fish Processor Licence at the facility location listed on the licence.

(c) The licence holder shall implement measures to prevent the release of marine debris and litter from their facility. This condition applies to marine debris and littler visible to the eye, including but not limited to lobster bands, plastic strapping and plastic packaging. The Department may request the licence holder to provide information on the measures implemented.

(d) If the licence holder is registered to do business in New Brunswick and they are not registered to do business in Nova Scotia, there must be a person residing in Nova Scotia who is authorized to accept service on documents on behalf of the licence holder.

(e) 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.

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

By signing this copy of the Fish Processor Licence Conditions, I acknowledge that I have read and understand the conditions and agree to be bound by them.