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In force date of regulations: As of March 4, 2005*, the date a regulation comes into force is determined by subsection 3(6) of the *Regulations Act*. The date a regulation is made, the date a regulation is approved, the date a regulation is filed and any date specified in a regulation are important to determine when the regulation is in force.

*Date that subsections 3(6) and (7) and Sections 11 and 13 of the *Regulations Act* and amendments to the *Regulations Act* made by Chapter 46 of the Acts of 2004 were proclaimed in force.

N.S. Reg. 100/2020

Made: July 23, 2020

Filed: July 27, 2020

Prescribed Petroleum Products Prices

Order dated July 23, 2020
made by the Nova Scotia Utility and Review Board
pursuant to Section 14 of the *Petroleum Products Pricing Act*
and Sections 16 to 19 of the *Petroleum Products Pricing Regulations*

Order**M09801****In the matter of the *Petroleum Products Pricing Act*****- and -**

**In the matter of prescribing prices for petroleum products
pursuant to Section 14 of the *Petroleum Products Pricing Act* and
Sections 16 to 19 of the *Petroleum Products Pricing Regulations***

Before: Roland A. Deveau, Q.C., Vice Chair

Whereas the purpose of the *Petroleum Products Pricing Regulations* is to ensure just and reasonable prices for specified petroleum products taking into consideration the objectives of preserving the availability of such products in rural areas, stabilizing prices of such products and minimizing the variances in prices of such products across the Province;

And whereas the Nova Scotia Utility and Review Board (“Board”) considered the manner in which it would proceed to set petroleum product prices in its decision, 2006 NSUARB 108, issued on October 16, 2006;

And whereas the Board revised the wholesale margin effective January 4, 2013, in its decision, 2012 NSUARB 213, issued on December 12, 2012;

And whereas the Board revised the retail margin and the transportation allowance effective October 28, 2016, in its decision, 2016 NSUARB 168, issued on September 26, 2016;

And whereas the average of the average of the daily high and low reported product prices (in Canadian cents) for the period ended July 22, 2020, are:

Grade 1 Regular gasoline	42.85¢ per litre
Ultra-low-sulfur diesel oil	44.53¢ per litre

Now therefore the Board prescribes the benchmark prices for petroleum products to be:

Gasoline:	
Grade 1	42.85¢ per litre
Grade 2	45.85¢ per litre
Grade 3	48.85¢ per litre
Ultra-low-sulfur diesel oil	44.53¢ per litre

And now therefore the Board has determined, based on historical data regarding price changes and to achieve revenue neutrality, it is appropriate to apply, and the Board so orders, forward averaging corrections of:

Gasoline:	plus 0.80¢ per litre
Ultra-low-sulfur diesel oil:	plus 0.49¢ per litre

And now therefore the Board prescribes the prices for petroleum products as set forth in Schedule “A” effective on and after 12:01 a.m., July 24, 2020.

Dated at Halifax, Nova Scotia, this 23rd day of July, 2020.

sgd. Lisa Wallace
Clerk of the Board

Schedule "A"

**Prices Prescribed for Petroleum Products
under the *Petroleum Products Pricing Act* and the
Petroleum Products Pricing Regulations
effective on and after 12:01 a.m. on July 24, 2020**

Nova Scotia Petroleum Price Schedule								
Petroleum Prices in Cents/Litre					Self-Service Pump Prices		Full-Service Pump Prices	
					(Pump Prices includes 15% HST)			
	Base Wholesale Price	Fed. Excise Tax	Prov. Tax	Wholesale Selling Price	Min	Max	Min	Max
Zone 1								
Regular Unleaded	52.10	10.0	15.5	77.60	95.1	97.3	95.1	999.9
Mid-Grade Unleaded	55.10	10.0	15.5	80.60	98.6	100.7	98.6	999.9
Premium Unleaded	58.10	10.0	15.5	83.60	102.0	104.2	102.0	999.9
Ultra-Low-Sulfur Diesel	53.79	4.0	15.4	73.19	90.0	92.2	90.0	999.9
Zone 2								
Regular Unleaded	52.60	10.0	15.5	78.10	95.7	97.9	95.7	999.9
Mid-Grade Unleaded	55.60	10.0	15.5	81.10	99.1	101.3	99.1	999.9
Premium Unleaded	58.60	10.0	15.5	84.10	102.6	104.8	102.6	999.9
Ultra-Low-Sulfur Diesel	54.29	4.0	15.4	73.69	90.6	92.8	90.6	999.9
Zone 3								
Regular Unleaded	53.00	10.0	15.5	78.50	96.1	98.3	96.1	999.9
Mid-Grade Unleaded	56.00	10.0	15.5	81.50	99.6	101.8	99.6	999.9
Premium Unleaded	59.00	10.0	15.5	84.50	103.0	105.2	103.0	999.9
Ultra-Low-Sulfur Diesel	54.69	4.0	15.4	74.09	91.1	93.3	91.1	999.9
Zone 4								
Regular Unleaded	53.10	10.0	15.5	78.60	96.3	98.4	96.3	999.9
Mid-Grade Unleaded	56.10	10.0	15.5	81.60	99.7	101.9	99.7	999.9
Premium Unleaded	59.10	10.0	15.5	84.60	103.2	105.3	103.2	999.9
Ultra-Low-Sulfur Diesel	54.79	4.0	15.4	74.19	91.2	93.4	91.2	999.9
Zone 5								
Regular Unleaded	53.10	10.0	15.5	78.60	96.3	98.4	96.3	999.9
Mid-Grade Unleaded	56.10	10.0	15.5	81.60	99.7	101.9	99.7	999.9
Premium Unleaded	59.10	10.0	15.5	84.60	103.2	105.3	103.2	999.9
Ultra-Low-Sulfur Diesel	54.79	4.0	15.4	74.19	91.2	93.4	91.2	999.9
Zone 6								
Regular Unleaded	53.80	10.0	15.5	79.30	97.1	99.2	97.1	999.9
Mid-Grade Unleaded	56.80	10.0	15.5	82.30	100.5	102.7	100.5	999.9
Premium Unleaded	59.80	10.0	15.5	85.30	104.0	106.1	104.0	999.9
Ultra-Low-Sulfur Diesel	55.49	4.0	15.4	74.89	92.0	94.2	92.0	999.9

N.S. Reg. 101/2020

Made: July 21, 2020

Filed: July 27, 2020

Food Safety Regulations—amendment

Order in Council 2020-199 dated July 21, 2020
Amendment to regulations made by the Governor in Council
pursuant to Section 105 of the *Health Protection Act*

The Governor in Council on the report and recommendation of the Minister of Environment dated June 26, 2020, and pursuant to Section 105 of Chapter 4 of the Acts of 2004, the *Health Protection Act*, is pleased to amend the *Food Safety Regulations*, N.S. Reg. 206/2005, made by the Governor in Council by Order in Council 2005-458 dated October 14, 2005, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after July 21, 2020.

Schedule “A”

**Amendment to the *Food Safety Regulations*
made by the Governor in Council under Section 105
of Chapter 4 of the Acts of 2004,
the *Health Protection Act***

1 Section 2 of the *Food Safety Regulations*, N.S. Reg. 206/2005, made by the Governor in Council by Order in Council 2005-458 dated October 14, 2005, is amended by

- (a) striking out the clause letter before each definition;
- (b) striking out “debase” in the definition of “adulteration” and substituting “debased”;
- (c) striking out “Agriculture and Fisheries” in the definition of “Department” and substituting “Environment”;
- (d) repealing the definition of “food hygiene”;
- (e) striking out “those government” in the definition of “inspected” and substituting “those governments”;
- (f) in the definition of “official tag”,
 - (i) striking out “official” and substituting “hold”, and
 - (ii) moving the definition to where it belongs in alphabetical order;
- (g) adding the following definitions where they belong in alphabetical order:

“accredited laboratory” means a laboratory that has received formal recognition of technical competence to perform specific types of testing or measurement;

“food bank” means a not-for-profit organization that accepts donated food and operates with the exclusive intent of distributing food for the relief of poverty, and receives, holds, packages, repackages or distributes food to be consumed off the premises, but does not process or serve food;

“food hygiene training program” means a certificate training program recognized by the department which outlines food safety principles and has expiry and renewal requirements;

“low-risk food” means food that is not potentially hazardous food;

“potable”, in relation to water, means water that is safe to drink and meets the requirements of the *Guidelines for Canadian Drinking Water Quality* published by the federal Department of Health;

“service dog” means a service dog as defined in the *Service Dog Act*;

“smoke” includes to inhale or exhale smoke from, burn, carry, hold or otherwise have control over a lit or heated cigarette, cigar, pipe, water pipe, electronic cigarette or other device that burns or heats tobacco or another substance that is intended to be smoked or inhaled;

“soup kitchen” means a not-for-profit organization that operates with the exclusive intent of distributing food for the relief of poverty, and receives, holds and processes food to be served or consumed on the premises;

2 (1) Subsection 3(1) of the regulations is amended by

(a) repealing clause (a) and substituting the following clause:

(a) a dwelling in which food is produced for sale at a public market, temporary event, bake sale or directly to the final consumer where

(i) the end product

(A) does not contain ingredients capable of supporting the growth of infectious or toxigenic microorganisms, including meat, fish, dairy or egg products, and

(B) has a high salt or sugar content, low moisture content or a low pH that inhibits the growth of disease-supporting microorganisms, and

(ii) any dairy or egg products used in baked or other goods have a high salt or sugar content, low moisture content or a low pH that inhibits the growth of disease-supporting microorganisms;

(b) repealing clause (b) and substituting the following clause:

(b) a premises that offers only fresh, whole, unprocessed fruit and vegetables cut for harvest;

(c) striking out “another location” in clause (c) and substituting “a facility subject to inspection”;

(d) repealing clause (d) and substituting the following clause:

(d) a private residence where the owner offers overnight accommodation used mainly for the reception of the travelling or vacationing public and serves breakfast only;

(e) repealing clause (f) and substituting the following clauses:

- (f) a meat plant that is licensed and inspected under the *Meat Inspection Act* (Nova Scotia) or *Safe Food for Canadians Act* (Canada);
 - (fa) a meat processing plant that is licensed and inspected under the *Safe Food for Canadians Act* (Canada);
 - (f) striking out “or” in subclause (h)(i) and substituting “and”;
 - (g) repealing subclause (h)(ii) and substituting the following:
 - (ii) is licensed and inspected under the *Food and Drugs Act* (Canada) or the *Safe Foods for Canadians Act* (Canada);
 - (h) striking out “of” after “packaging” in clause (i);
 - (i) repealing clause (j) and substituting the following:
 - (j) a child-caring facility, long-term care facility or home for special care that is exempted by the Administrator;
 - (j) repealing clause (k) and substituting the following clauses:
 - (k) a catering operation that prepares food in a private residence to be consumed by occupants and their guests;
 - (l) a food bank or soup kitchen;
 - (m) a business that provides customers with complimentary low-risk food, but is not otherwise engaged in food handling.
 - (k) striking out “premise” wherever it appears in subsection 3(1) and substituting “premises”.
- (2) Section 3 of the regulations is further amended by repealing subsection (2).
- 3 (1) The heading immediately before Section 4 of the regulations is amended by striking out “Administrator” and substituting “Minister”.
- (2) Subsection 4(1) of the regulations is amended by striking out “Administrator” and substituting “Minister”.
- 4 The table in Section 5 of the regulations is amended by striking out “4 months” wherever it appears in the “Term of Permit” column and substituting “6 months”.
- 5 Section 9 of the regulations is repealed and the following Section is substituted:

Renewal of Permit

9 To renew a permit, other than a temporary permit, an operator must submit a completed renewal application on or before the permit’s expiry date to the Minister on a form approved by the Administrator and the renewal application must include all of the following:

- (a) the applicable fee prescribed in Section 5;
- (b) any reasonable information as required.

- 6 Clause 11(1)(b) of the regulations is amended by striking out “a conspicuous place in the food establishment” and substituting “an area of the food establishment where it is visible to the public”.
- 7 Section 16 of the regulations is amended by striking out “an official tag” in subsections (2) and (3) and substituting “a hold tag”.
- 8 Section 18 of the regulations is amended by adding “the” immediately after “consistent with”.
- 9 The regulations are further amended by adding the following Section immediately before Section 19:

Construction or renovation of food establishment

18A A person must not begin to construct a new food establishment or renovate or expand an existing food establishment until construction plans and specifications are submitted to and approved by an inspector.

- 10 (1) Clause 19(1)(d) of the regulations is repealed and the following clause substituted:
 - (d) that the design and layout allow for the movement of food and personnel in a way that prevents contamination;
- (2) Subsection 19(2) of the regulations is amended by
 - (a) adding “in accordance with applicable legislation or as considered acceptable by the Administrator” immediately after “following”;
 - (b) repealing clause (d) and substituting the following clause:
 - (d) a wastewater system that meets the requirements of applicable legislation, regulations and municipal bylaws;
 - (c) in clause (e),
 - (i) striking out “adequate” and substituting “designed”, and
 - (ii) adding “safely” immediately after “chemicals”.
- (3) Subsection 19(3) of the regulations is repealed and the following subsection is substituted:
 - (3) A food establishment must have lighting, ventilation, heating, refrigeration and plumbing that is appropriate to the specific activities of the food establishment and that is considered acceptable by the Minister.
- 11 Section 21 of the regulations is repealed.
- 12 Subsection 23(1) of the regulations is amended by
 - (a) striking out “Equipment” and substituting “All equipment”; and
 - (b) striking out “and” in clause (a).
- 13 Subsection 23(3) of the regulations is amended by adding “that are suitable for their intended purpose and” after “materials”.

- 14 Subsection 25(1) of the regulations is amended by
- (a) striking out “A member of the personnel of a food establishment must report an” and substituting “Food service personnel must report any”; and
 - (b) striking out “must report the illness or condition to the operator”.
- 15 (1) Subsection 28(1) of the regulations is amended by striking out “recognized by the Administrator”.
- (2) Subsection 28(2) of the regulations is amended by striking out “recognized by the Administrator”.
- (3) Subsection 28(3) of the regulations is repealed and the following subsection is substituted:
- (3) A person in a food establishment who comes into contact with food must be trained or instructed in food hygiene to a level appropriate to the activity that the person performs.
- 16 (1) Subsections 29(1) and (2) of the regulations are repealed and the following subsections are substituted:
- (1) An operator of a food establishment must have a maintenance, cleaning and sanitation program in place to control the risk of contamination of food, equipment, utensils and other facilities in the food establishment.
 - (2) A maintenance, cleaning and sanitation program must include procedures to ensure that all of the following are done:
 - (a) the food establishment and equipment are maintained, cleaned and sanitized;
 - (b) insects, rodents and other pests are controlled;
 - (c) the effectiveness of the program is monitored;
 - (d) all waste streams in and surrounding the food establishment are managed.
- (2) Subsection 29(3) of the regulations is amended by striking out “appropriate”.
- 17 Clause 31(2)(d) of the regulations is amended by adding “an inspector or” immediately after “prescribed by.”
- 18 Section 32 of the regulations is repealed.
- 19 Section 34 of the regulations is repealed and the following Section is substituted:
- Care of food and food ingredients**
- 34** An operator must ensure that a food establishment is operated so that all food and food ingredients are processed, manufactured, handled, prepared, packaged, served, sold, offered for sale or distribution free of charge, dispensed, displayed and stored in a manner that prevents contamination and adulteration.
- 20 ~~Section~~ [Subsection] 35(1) of the regulations is amended by striking out “the Administrator” and substituting “an inspector”.

- 21 Section 36 of the regulations is amended by striking out “the Administrator” and substituting “an inspector”.
- 22 ~~Section~~ [Subsection] 37(1) of the regulations is amended by striking out “the Administrator” and substituting “an inspector”.
- 23 (1) Subsection 39(1) of the regulations is amended by striking out “subsection (2)” and substituting “subsections (2) and (3)”.
- (2) Subsection 39(2) of the regulations is amended by striking out “guide animal” in clause (a) and substituting “service dog”.
- (3) Section 39 of the regulations is further amended by adding the following subsections immediately after subsection (2):
- (3) Other than during meals, pets are allowed in a common dining area of a day care, child-caring facility, nursing home or home for residential care, if all of the following requirements are met:
- (a) the common dining area is separated from all food storage and food preparation areas by partitions and self-closing doors;
- (b) condiments, equipment and utensils are stored in enclosed cabinets or removed from the common dining area when a pet is present;
- (c) after a pet has left the common dining area, the area, including tables, countertops and similar surfaces, is cleaned and sanitized before the next meal service.
- 24 Section 40 of the regulations is repealed.
- 25 Section 41 of the regulations is repealed.
- 26 (1) Section 42 of the regulations is amended by redesignating it as subsection 42(1).
- (2) Section 42 is further amended by striking out “The Administrator” substituting “An inspector”.
- (3) Section 42 is further amended by adding the following subsection:
- (2) Upon request of an inspector, the operator must provide the results of sampling and testing procedures from an accredited laboratory.
- 27 (1) Subsection 43(1) of the regulations is amended by
- (a) striking out “or contaminated” and substituting “, contaminated or from an uninspected source”;
- (b) striking out “an official tag” in clause (a) and substituting “a hold tag”; and
- (c) adding “an inspector or” in clause (b) immediately after “satisfactory to”.
- (2) Subsection 43(2) of the regulations is amended by striking out “a laboratory designated by the Administrator” and substituting “an accredited laboratory”.

- 28 (1) Subsection 45(1) of the regulations is amended by adding “an inspector or” immediately after “directed by”.
- (2) Subsection 45(2) of the regulations is amended by striking out “must” and substituting “may”.
- 29 (1) Subsection 47(1) of the regulations is repealed and the following subsection is substituted:
- (1) An operator must ensure that all food in the food establishment is
- (a) labelled and identified as being from a source that is subject to inspection; or
- (b) food that is exempted in accordance with Section 31.
- (2) Section 47 [of the regulations] is further amended by adding the following subsection immediately after subsection (1):
- (1A) Upon request of an inspector, an operator must provide proof of the source of food.
- 30 The regulations are further amended by repealing
- (a) the centred heading immediately before Section 51;
- (b) Section 51; and
- (c) Section 52.

N.S. Reg. 102/2020

Made: July 30, 2020

Filed: July 31, 2020

Prescribed Petroleum Products Prices

Order dated July 30, 2020
 made by the Nova Scotia Utility and Review Board
 pursuant to Section 14 of the *Petroleum Products Pricing Act*
 and Sections 16 to 19 of the *Petroleum Products Pricing Regulations*

Order**M09806****In the matter of the *Petroleum Products Pricing Act*****- and -**

**In the matter of prescribing prices for petroleum products
 pursuant to Section 14 of the *Petroleum Products Pricing Act* and
 Sections 16 to 19 of the *Petroleum Products Pricing Regulations***

Before: Peter W. Gurnham, Q.C., Chair

Whereas the purpose of the *Petroleum Products Pricing Regulations* is to ensure just and reasonable prices for specified petroleum products taking into consideration the objectives of preserving the availability of such products in rural areas, stabilizing prices of such products and minimizing the variances in prices of such products across the Province;

And whereas the Nova Scotia Utility and Review Board (“Board”) considered the manner in which it would proceed to set petroleum product prices in its decision, 2006 NSUARB 108, issued on October 16, 2006;

And whereas the Board revised the wholesale margin effective January 4, 2013, in its decision, 2012 NSUARB 213, issued on December 12, 2012;

And whereas the Board revised the retail margin and the transportation allowance effective October 28, 2016, in its decision, 2016 NSUARB 168, issued on September 26, 2016;

And whereas the average of the average of the daily high and low reported product prices (in Canadian cents) for the period ended July 29, 2020, are:

Grade 1 Regular gasoline	42.96¢ per litre
Ultra-low-sulfur diesel oil	44.31¢ per litre

Now therefore the Board prescribes the benchmark prices for petroleum products to be:

Gasoline:	
Grade 1	42.96¢ per litre
Grade 2	45.96¢ per litre
Grade 3	48.96¢ per litre
Ultra-low-sulfur diesel oil	44.31¢ per litre

And now therefore the Board has determined, based on historical data regarding price changes and to achieve revenue neutrality, it is appropriate to apply, and the Board so orders, forward averaging corrections of:

Gasoline:	plus 0.69¢ per litre
Ultra-low-sulfur diesel oil:	plus 0.20¢ per litre

And now therefore the Board prescribes the prices for petroleum products as set forth in Schedule “A” effective on and after 12:01 a.m., July 31, 2020.

Dated at Halifax, Nova Scotia, this 30th day of July, 2020.

sgd. *Lisa Wallace*
Clerk of the Board

Schedule “A”

**Prices Prescribed for Petroleum Products
under the *Petroleum Products Pricing Act* and the
Petroleum Products Pricing Regulations
effective on and after 12:01 a.m. on July 31, 2020**

Nova Scotia Petroleum Price Schedule								
Petroleum Prices in Cents/Litre					Self-Service Pump Prices		Full-Service Pump Prices	
					(Pump Prices includes 15% HST)			
	Base Wholesale Price	Fed. Excise Tax	Prov. Tax	Wholesale Selling Price	Min	Max	Min	Max
Zone 1								
Regular Unleaded	52.10	10.0	15.5	77.60	95.1	97.3	95.1	999.9
Mid-Grade Unleaded	55.10	10.0	15.5	80.60	98.6	100.7	98.6	999.9
Premium Unleaded	58.10	10.0	15.5	83.60	102.0	104.2	102.0	999.9
Ultra-Low-Sulfur Diesel	53.28	4.0	15.4	72.68	89.4	91.6	89.4	999.9

Zone 2									
Regular Unleaded	52.60	10.0	15.5	78.10	95.7	97.9	95.7	999.9	
Mid-Grade Unleaded	55.60	10.0	15.5	81.10	99.1	101.3	99.1	999.9	
Premium Unleaded	58.60	10.0	15.5	84.10	102.6	104.8	102.6	999.9	
Ultra-Low-Sulfur Diesel	53.78	4.0	15.4	73.18	90.0	92.2	90.0	999.9	
Zone 3									
Regular Unleaded	53.00	10.0	15.5	78.50	96.1	98.3	96.1	999.9	
Mid-Grade Unleaded	56.00	10.0	15.5	81.50	99.6	101.8	99.6	999.9	
Premium Unleaded	59.00	10.0	15.5	84.50	103.0	105.2	103.0	999.9	
Ultra-Low-Sulfur Diesel	54.18	4.0	15.4	73.58	90.5	92.7	90.5	999.9	
Zone 4									
Regular Unleaded	53.10	10.0	15.5	78.60	96.3	98.4	96.3	999.9	
Mid-Grade Unleaded	56.10	10.0	15.5	81.60	99.7	101.9	99.7	999.9	
Premium Unleaded	59.10	10.0	15.5	84.60	103.2	105.3	103.2	999.9	
Ultra-Low-Sulfur Diesel	54.28	4.0	15.4	73.68	90.6	92.8	90.6	999.9	
Zone 5									
Regular Unleaded	53.10	10.0	15.5	78.60	96.3	98.4	96.3	999.9	
Mid-Grade Unleaded	56.10	10.0	15.5	81.60	99.7	101.9	99.7	999.9	
Premium Unleaded	59.10	10.0	15.5	84.60	103.2	105.3	103.2	999.9	
Ultra-Low-Sulfur Diesel	54.28	4.0	15.4	73.68	90.6	92.8	90.6	999.9	
Zone 6									
Regular Unleaded	53.80	10.0	15.5	79.30	97.1	99.2	97.1	999.9	
Mid-Grade Unleaded	56.80	10.0	15.5	82.30	100.5	102.7	100.5	999.9	
Premium Unleaded	59.80	10.0	15.5	85.30	104.0	106.1	104.0	999.9	
Ultra-Low-Sulfur Diesel	54.98	4.0	15.4	74.38	91.4	93.6	91.4	999.9	