



Province of Alberta

ANIMAL HEALTH ACT

DISPOSAL OF DEAD ANIMALS REGULATION

Alberta Regulation 132/2014

Extract

© Published by Alberta Queen's Printer

Alberta Queen's Printer
7th Floor, Park Plaza
10611 - 98 Avenue
Edmonton, AB T5K 2P7
Phone: 780-427-4952
Fax: 780-452-0668

E-mail: qp@gov.ab.ca
Shop on-line at www.qp.alberta.ca

Copyright and Permission Statement

Alberta Queen's Printer holds copyright on behalf of the Government of Alberta in right of Her Majesty the Queen for all Government of Alberta legislation. Alberta Queen's Printer permits any person to reproduce Alberta's statutes and regulations without seeking permission and without charge, provided due diligence is exercised to ensure the accuracy of the materials produced, and Crown copyright is acknowledged in the following format:

© Alberta Queen's Printer, 20__.*

*The year of first publication of the legal materials is to be completed.

Note

All persons making use of this document are reminded that it has no legislative sanction. The official Statutes and Regulations should be consulted for all purposes of interpreting and applying the law.

(no amdt)

ALBERTA REGULATION 132/2014

Animal Health Act

DISPOSAL OF DEAD ANIMALS REGULATION

Table of Contents

1	Definitions
2	Application
Disposal of Dead Animals	
3	Owner's duties
4	Disposal by meat facility
5	Conditions respecting use of disposal methods
6	Diseased animals
7	Disposal in landfill
8	Burial
9	Burning
10	Composting in compost facility
11	Farm composting
12	Food for other animals
13	Rendering
14	Natural disposal
15	Method approved by Minister
16	Approval of disposal methods
17	Rendering plant
18	Disaster or emergency
General	
19	Transport of non-rendered dead animal
20	Diagnosis of animal diseases
21	Offences
22	Penalties
23	Repeal
24	Expiry
25	Coming into force

Definitions

1 In this Regulation,

- (a) “Act” means the *Animal Health Act*;
- (b) “composting”, in respect of a dead animal, means a managed process for aerobic decomposition of the dead animal;
- (c) “dead animal” means
 - (i) all or part of an animal that has died from a cause other than having been slaughtered or killed for
 - (A) human or animal consumption, or
 - (B) an animal product or animal by-product,
 - (ii) inedible offal, condemned material or waste material from an animal that was slaughtered or killed for
 - (A) animal consumption, or
 - (B) an animal product or animal by-product,and
 - (iii) inedible offal, condemned material or waste material from an animal processed at a meat facility;
- (d) “meat facility” means
 - (i) a meat facility within the meaning of the *Meat Inspection Act*, and
 - (ii) an establishment within the meaning of the *Meat Inspection Act (Canada)* in which animals are slaughtered;
- (e) “rendering plant” means a rendering plant within the meaning of the *Health of Animals Act (Canada)*.

Application

2(1) This Regulation does not apply to wildlife as defined in the *Wildlife Act* or controlled animals as defined in the *Wildlife Act*, except

- (a) wildlife or controlled animals possessed by a person who is or was the holder of a zoo permit under the *Wildlife Act* relating to the wildlife or controlled animals,
- (b) wildlife possessed by a person who is or was the holder of a game bird farm permit under the *Wildlife Act* relating to the wildlife,

- (c) wildlife possessed by a person who is or was the holder of a temporary shelter permit under the *Wildlife Act* relating to the wildlife,
 - (d) fur-bearing animals held by a person who is or was the holder of a licence under the *Fur Farms Act* relating to the fur-bearing animals,
 - (e) wildlife or controlled animals possessed by a non-resident or non-resident alien who is or was the holder of an import permit under the *Wildlife Act* relating to the wildlife or controlled animals, and
 - (f) wildlife processed at a meat facility.
- (2) For greater certainty, nothing in this Regulation affects the operation of any other law, including, without limitation,
- (a) any law that requires an approval, consent, permit, licence or other authorization or document to be obtained for an activity relating to the disposal of a dead animal, or
 - (b) any law that relates to a method of disposal, including without limitation, any law prohibiting or regulating the setting of fires.

Disposal of Dead Animals

Owner's duties

- 3(1)** The owner of a dead animal shall dispose of the dead animal in accordance with this Regulation.
- (2)** In storing or disposing of a dead animal, the owner of the dead animal shall ensure that
- (a) the odours generated by the dead animal are minimized,
 - (b) any run-on or run-off water at the site where the dead animal is located is minimized,
 - (c) the risk of the spread of disease is minimized, and
 - (d) the dead animal does not create a nuisance.
- (3)** The owner of a dead animal shall dispose of the dead animal within 7 days unless the owner stores the dead animal
- (a) outside during winter months when the ambient temperature is low enough to keep the dead animal completely frozen,

- (b) in a freezer unit, or
- (c) in accordance with the directions of the chief provincial veterinarian, an inspector appointed under section 6(2) of the Act or a veterinary inspector appointed under the *Health of Animals Act* (Canada).

(4) The owner of a dead animal shall comply with any direction of an inspector directing the owner to dispose of the dead animal.

(5) The owner of an animal that is euthanized with drugs or other chemical substances shall take steps to prevent scavengers from gaining access to the animal beginning at the time the drugs or other chemical substances are administered until the final disposal of the dead animal.

Disposal by meat facility

4 Subject to section 6 and the terms of any order made under section 18, an owner or operator of a meat facility shall dispose of a dead animal by a method

- (a) set out in section 7, 9(b), 10 or 13,
- (b) referred to in section 15 that is approved for use by owners or operators of meat facilities under section 16, or
- (c) authorized by the chief provincial veterinarian.

Conditions respecting use of disposal methods

5 An owner of a dead animal shall not dispose of a dead animal using a method referred to in section 8, 9(a), 11 or 14 unless

- (a) the owner had custody or care and control of the animal immediately before the animal's death, and
- (b) the owner is an owner of the land or premises on which the dead animal is disposed of.

Diseased animals

6(1) If a dead animal is known or suspected to have had a disease that is reportable under the Act but is not reportable under the *Health of Animals Act* (Canada), the owner of the dead animal shall dispose of the dead animal by a method provided for in this Regulation as directed by the chief provincial veterinarian or an inspector appointed under section 6(2) of the Act.

(2) If a dead animal is known or suspected to have had a disease that is not reportable under the Act but is reportable under the

Health of Animals Act (Canada), the owner of the dead animal shall dispose of the dead animal by a method provided for in this Regulation as directed by a veterinary inspector appointed under the *Health of Animals Act* (Canada).

(3) If a dead animal is known or suspected to have had a disease that is reportable under the Act and under the *Health of Animals Act* (Canada), the owner of the dead animal shall dispose of the dead animal by a method provided for in this Regulation as directed by

- (a) the chief provincial veterinarian or an inspector appointed under section 6(2) of the Act, or
- (b) a veterinary inspector appointed under the *Health of Animals Act* (Canada).

Disposal in landfill

7 Subject to section 6 and the terms of any order made under section 18, a dead animal may be disposed of in a Class I or Class II landfill as defined in the *Waste Control Regulation* (AR 192/96).

Burial

8(1) In this section, “provincial highway” means a provincial highway as defined in the *Highways Development and Protection Act*, but does not include a proposed highway.

(2) Subject to section 6 and the terms of any order made under section 18, a dead animal may be buried in a farm burial pit in accordance with subsections (3) to (6).

(3) A dead animal may be buried in a farm burial pit only if the bottom of the pit is at least one metre above the seasonal high-water table.

(4) One or more dead animals may be buried in a farm burial pit if

- (a) the total weight of the dead animals buried in the pit does not exceed 2500 kg, and
- (b) the pit
 - (i) is at least 100 m from any well or other domestic water intake, stream, creek, pond, spring, river, irrigation canal, dugout or other water source and the high-water mark of any lake,
 - (ii) is at least 25 m from the edge of any coulee or embankment,

- (iii) is at least 10 m from any other farm burial pit,
- (iv) is at least 100 m from any residence,
- (v) is at least 100 m from the boundary of any land owned or leased by a person other than the owner of the dead animal, unless the owner or leaseholder of the land has consented in writing to the pit being located closer to the boundary,
- (vi) is at least 300 m from any provincial highway, and
- (vii) is covered with
 - (A) a minimum of one metre of compacted soil, if no additional dead animals are to be buried in the pit, or
 - (B) a wooden or metal lid that is designed to exclude scavengers and quicklime is applied to the dead animal or animals in sufficient quantities to control flies and odour, if the weight limit established by clause (a) has not been reached and the owner intends to bury additional dead animals in the farm burial pit.

(5) For the purposes of subsection (4)(a), the total weight of dead animals is determined by adding the weight at the time of burial of each dead animal buried in the pit to the weight at the time of burial of each dead animal previously buried in the pit.

(6) One or more dead animals may be buried in a farm burial pit if

- (a) the total weight of the dead animals buried in the pit does not exceed 100 kg, and
- (b) the pit
 - (i) is at least 50 m from any well or other domestic water intake, stream, creek, pond, spring, river, irrigation canal or other water source and the high-water mark of any lake,
 - (ii) is at least 25 m from the edge of any coulee or embankment,
 - (iii) is at least 100 m from any residence situated on land owned or leased by a person other than the owner of the dead animal,
 - (iv) is at least 3 m from any other farm burial pit,

- (v) is covered with a minimum of one metre of compacted soil, and
- (vi) has not been used for the burial of a dead animal during the previous 5-year period.

(7) If authorized in writing by the chief provincial veterinarian or an inspector appointed under section 6(2) of the Act, one or more dead animals exceeding 2500 kg in total weight may be buried in a farm burial pit in accordance with any directions provided in the authorization.

Burning

9 Subject to section 6 and the terms of any order made under section 18, a dead animal may be burned in accordance with the applicable provisions in the *Environmental Protection and Enhancement Act* and in the regulations or codes of practice under that Act relating to the burning

- (a) in an open fire, or
- (b) in an incinerator.

Composting in compost facility

10 Subject to section 6 and the terms of any order made under section 18, a dead animal may be disposed of by composting in a Class I compost facility as defined in the *Waste Control Regulation* (AR 192/96).

Farm composting

11(1) Subject to section 6, and the terms of any order made under section 18, a dead animal may be disposed of by composting

- (a) in an outdoor farm open compost pile
 - (i) that is
 - (A) at least 100 m from any well or other domestic water intake, stream, creek, pond, spring, river, irrigation canal, dugout or other water source and the high-water mark of any lake,
 - (B) at least 25 m from the edge of any coulee or embankment, and
 - (C) at least 100 m from any residence,

- (ii) that is designed in a manner that will exclude scavengers,
- (iii) that is at least 100 m from the boundary of any land owned or leased by a person other than the owner of the dead animal, unless the owner or leaseholder of the land has consented in writing to the outdoor farm open compost pile being located closer to the boundary,
- (iv) that is at least 300 m from any provincial highway, and
- (v) in which the dead animal or animals are covered with at least 60 cm of composting material,

or

- (b) in an indoor farm open compost pile that is located in a building that has
 - (i) an impervious floor, and
 - (ii) adequate drainage control to prevent the contamination of surface water or groundwater from the compost effluent.

(2) Where one or more dead animals are composted in an outdoor or indoor farm open compost pile,

- (a) the volume of the dead animal or animals in the compost pile must not exceed 25% of the total volume of the compost pile, and
- (b) material may not be removed from the compost pile until the dead animal or animals are composted to the extent that
 - (i) the generation of odours by the compost is minimized,
 - (ii) the compost will not contaminate surface water or groundwater,
 - (iii) the compost will not attract vectors of disease, and
 - (iv) the use of the compost will not cause or contribute to the spread of disease, cause scavenging or create a nuisance.

Food for other animals

12(1) Subject to section 6 and the terms of any order made under section 18, the owner of a dead animal may dispose of the dead animal by feeding it or allowing another person to feed it to an animal if the owner of the dead animal

- (a) knows that the dead animal
 - (i) did not have an infectious or contagious disease or a disease that is notifiable under the Act or reportable under the Act or the *Health of Animals Act* (Canada), and
 - (ii) was not euthanized with drugs or other chemical substances,

and

- (b) provides a written certificate to the owner of the animal to which the dead animal is being fed confirming that the dead animal did not have a disease referred to in clause (a) and was not euthanized as referred to in clause (a), where the dead animal is being fed to an animal that is not owned by the owner of the dead animal.

(2) No person shall feed a dead animal to a production animal as defined in the *Authorized Medicine Sales Regulation* if the feeding of the dead animal to the production animal would contravene the *Health of Animals Act* (Canada) or the regulations under that Act.

Rendering

13 Subject to section 6 and the terms of any order made under section 18, a dead animal may be disposed of by rendering at a rendering plant operated under a permit issued under the *Health of Animals Act* (Canada).

Natural disposal

14(1) In this section, “natural disposal”, in respect of a dead animal, means disposing of the dead animal in a manner that allows for scavenging.

(2) Subject to section 6 and the terms of any order made under section 18, a dead animal, other than inedible offal or condemned material, may be disposed of by natural disposal if

- (a) the animal is not known or suspected to have had an infectious or contagious disease or a disease that is

notifiable under the Act or reportable under the Act or the *Health of Animals Act* (Canada),

- (b) the dead animal was not euthanized with drugs or other chemical substances,
- (c) the total weight of the animals being disposed of at one site does not exceed 1000 kg,
- (d) there is a distance of at least 500 m between disposal sites, and
- (e) the dead animal is disposed of at a disposal site that
 - (i) is on property that is owned or leased by the owner of the dead animal and at least 100 m from the boundary of land owned or leased by a person other than the owner of the dead animal, unless the owner or leaseholder of the land has consented in writing to the disposal site being located closer to the boundary,
 - (ii) is at least 500 m from any well or other domestic water intake, stream, creek, pond, spring, river irrigation canal, dugout or other water source and the high-water mark of any lake,
 - (iii) is at least 25 m from the edge of any coulee or embankment,
 - (iv) is at least 400 m from any livestock facility, including a pasture, situated on land owned or leased by a person other than the owner of the dead animal,
 - (v) is at least 400 m from any residence,
 - (vi) is at least 400 m from any road, and
 - (vii) is at least 400 m from any
 - (A) park or recreation area as those terms are defined in the *Provincial Parks Act*,
 - (B) wilderness area, ecological reserve, natural area or heritage rangeland as those terms are defined in the *Wilderness Areas, Ecological Reserves, Natural Areas and Heritage Rangelands Act*, or
 - (C) any other land intended for recreational use by the public.

Method approved by Minister

15 Subject to section 6 and the terms of any order made under section 18, a dead animal may be disposed of in a manner that has been approved by the Minister under section 16 if any terms or conditions imposed under that section are complied with.

Approval of disposal methods

16 The Minister may approve a method or methods for the disposal of dead animals in addition to the methods provided for under sections 7 to 14 and may, in the approval,

- (a) specify whether the method or methods are approved for use by owners or operators of meat facilities, and
- (b) impose any terms or conditions on the disposal of dead animals using the method or methods that the Minister considers appropriate.

Rendering plant

17 The owner or operator of a rendering plant shall ensure

- (a) that a dead animal rendered at the plant is subjected to such temperature and pressure as is necessary to render every portion of the carcass free from all viable pathogenic organisms, and
- (b) that microbiological quality assurance processes are in place to prevent the occurrence of viable pathogenic organisms.

Disaster or emergency

18(1) In the event of a disaster or emergency, including, without limitation, a flood, fire or outbreak of disease, the chief provincial veterinarian may, for the purposes of responding to and dealing with the effects of the disaster or emergency, make an order

- (a) in respect of any person or class of persons that for the period set out in the order
 - (i) exempts the person or class of persons from the application of this Regulation or any provision of this Regulation, or
 - (ii) varies the rules applicable to a method for the disposal of dead animals set out in this Regulation in respect of dead animals disposed of or to be disposed of by the person or class of persons,

or

- (b) in respect of any owner or class of owner of a dead animal or type of dead animal specified in the order that directs the owner or class of owner to dispose of the dead animal or a dead animal of that type in a manner or by a method specified in the order.

(2) A person or owner who is the subject of an order or is a member of a class of persons or owners that is the subject of an order under subsection (1)(a)(ii) or (b) shall comply with the order.

General

Transport of non-rendered dead animal

19 A person who transports, or prepares for transport, a dead animal that has not been rendered shall ensure that the dead animal is transported or prepared for transport in such a manner so as to prevent

- (a) any dissemination of pathogenic organisms into the environment from the leakage of blood or other body fluids of the dead animal, and
- (b) the contamination of food intended for consumption by humans or animals.

Diagnosis of animal diseases

20 Nothing in this Regulation prohibits the collection, shipment or transport of a dead animal as may be required by a registered veterinarian or the owner of the dead animal for the diagnosis of animal disease.

Offences

21 A person who contravenes or fails to comply with this Regulation is guilty of an offence.

Penalties

22(1) A person who is guilty of an offence under section 21

- (a) for a first offence, to a fine of not more than \$15 000 and, in the case of a continuing offence, to a further fine of not more than \$1000 for each day or part of a day during which the offence continues after the first day, and
- (b) for a 2nd or subsequent offence,

- (i) to a fine of not more than \$30 000 and, in the case of a continuing offence, to a further fine of not more than \$2000 for each day or part of a day during which the offence continues after the first day, or
 - (ii) to imprisonment for a term not exceeding one year,
- or to both fines and imprisonment.

(2) A prosecution under subsection (1) may be commenced within 2 years of the commission of the alleged offence but not afterwards.

Repeal

23 The *Destruction and Disposal of Dead Animals Regulation* (AR 229/2000) is repealed.

Expiry

24 For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be repassed in its present or an amended form following a review, this Regulation expires on September 30, 2023.

Coming into force

25 This Regulation comes into force on the coming into force of section 19 of the *Animal Health Amendment Act, 2009*.



Printed on Recycled Paper 