

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

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Fisheries and Aquaculture



powers of **INSPECTORS**

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?

- All inspectors carry an identification card and you may request to see this card.
- An inspector may enter your premises or vehicle, or anywhere where fish is stored, for the purpose of ensuring compliance of the Act and regulations, without a warrant.
- An inspector may require any documents to be produced for inspection or to make copies, without a warrant.
- An inspector may search a place and seize fish and/or documents under a warrant.
- An inspector may take without charge a minimum sample for inspection.
- An inspector may detain a vehicle to conduct an inspection or obtain samples.
- An inspector may detain fish or marine plants or the cartons or containers for the purpose of preserving their identity.
- A person shall not hinder, obstruct or interfere with, threaten or harass an inspector.
- A person shall not refuse to admit an inspector.
- A person shall not give false information to an inspector or refuse to give information.
- An inspector may order your fish to be disposed if it is tainted, decomposed or unwholesome (TDU). Dead crab is considered to be TDU.



- You may appeal a decision of an inspector to the Minister of Fisheries and Aquaculture. The procedure is outlined in section 16 of the Fish Inspection Administrative Regulations.
- Inspectors may now issue tickets for offences outlined in the Fish Inspection Ticket Offences Regulations. You may not appeal a ticket to the minister.

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.