

1937

c 75 Farm Products Control Act

Ontario

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CHAPTER 75.

The Farm Products Control Act.

- 1.** In this Act,—
- Inter-pretation.
- “Board.” (a) “Board” shall mean Farm Products Control Board;
- “Farm products.” (b) “Farm products” shall include animals, meats, eggs, poultry, wool, dairy products, fruit, fruit products, vegetables, vegetable products, maple products, honey, tobacco and such other natural products of agriculture as the Lieutenant-Governor in Council may designate and such articles of food or drink manufactured or derived in whole or in part from any such product as the Lieutenant-Governor in Council may designate;
- “Marketing.” (c) “Marketing” shall include buying, selling, shipping for sale or storage and offering for sale;
- “Minister.” (d) “Minister” shall mean Minister of Agriculture;
- “Regulations.” (e) “Regulations” shall mean regulations made under this Act. 1937, c. 23, s. 2.
- 2.**—(1) There shall be a board to be known as “The Farm Products Control Board”, which shall be a body corporate.
- Members. (2) The members of the Milk Control Board and the Commissioner of Marketing shall be the members of the Board.
- Chairman. (3) The Lieutenant-Governor in Council may appoint one of the members of the Board to act as chairman.
- Allowances to members. (4) The members of the Board shall receive such allowances and expenses as the Lieutenant-Governor in Council may determine.
- Officers, clerks, etc.,—appointment of. (5) The Board, subject to the approval of the Lieutenant-Governor in Council, may appoint such officers, clerks and employees as it deems necessary, and the remuneration of

such officers, clerks and employees shall be determined by the Lieutenant-Governor in Council.

(6) The moneys required for the purpose of the administration of this Act shall be paid out of such sums as may be appropriated by the Legislature and voted by the Assembly for that purpose. 1937, c. 23, s. 3. Administration of Act.

3.—(1) The Board shall have authority to,—

Authority of Board.

- (a) investigate, arbitrate, adjudicate upon, adjust or otherwise settle any dispute between producers, processors, distributors or transporters of farm products or between any two of such classes of persons;
- (b) investigate the cost of producing, processing, distributing and transporting any farm product, prices, price-spreads, trade practices, methods of financing, management, grading, policies and other matters relating to the marketing of farm products;
- (c) do such acts and make such orders and directions as are necessary to enforce the due observance and carrying out of the provisions of this Act, the regulations and any scheme or plan declared to be in force under this Act;
- (d) establish local boards for the purpose of carrying out any scheme or plan declared to be in force under this Act.

(2) Upon any investigation under this section the Board shall have the same powers as a commissioner under *The Public Inquiries Act*. Powers of investigation. Rev. Stat., c. 19.

(3) Every local board established by the Board shall have the same powers and duties in regard to the scheme or plan for which such local board is established as are conferred or imposed upon the Board. 1937, c. 23, s. 4. Powers and duties of local board.

4.—(1) Subject to the approval of the Lieutenant-Governor in Council, the Board may make regulations,— Regulations.

- (a) regulating and controlling the marketing of farm products, including the agency through which such products may be marketed, within Ontario;
- (b) providing for the licensing of persons engaged in the marketing or processing of any farm product;

- (c) prescribing the form of licenses and the terms and conditions upon which such licenses may be issued, renewed, suspended or revoked;
- (d) providing for the making of returns or the furnishing of information by any licensed person under this Act;
- (e) providing for the carrying out of any scheme or plan of marketing declared by the Lieutenant-Governor in Council to be in force;
- (f) providing for the furnishing of security or proof of financial responsibility by persons who purchase farm products for resale;
- (g) exempting any person or class of persons from the provisions of the regulations or any portion thereof;
- (h) generally for the better carrying out of the provisions of this Act.

Regulations may be limited.

(2) Any regulations made under this section may be limited as to time and place. 1937, c. 23, s. 5.

Board may refuse to grant new license.

5. The Board may refuse to grant or renew any license provided for under the regulations and may suspend or revoke any such license for failure to observe, perform or carry out any of the provisions of this Act, the regulations, any scheme or plan declared to be in force under this Act or any order or direction of the Board, provided that in every such case the applicant shall be afforded an opportunity of appearing before the Board to show cause why such license should not be refused, suspended or revoked or why such renewal should not be refused as the case may be. 1937, c. 23, s. 6.

Approval of scheme or plan of marketing.

6.—(1) Where the Board receives from any group of persons engaged in the marketing of any farm product, a petition asking that any scheme or plan for the marketing or regulation of such farm product be adopted, the Board may, if it is of opinion that such group of persons is fairly representative of the persons engaged in the phase of marketing represented by such group, recommend the adoption of such scheme or plan to the Minister.

Declaring scheme or plan in force.

(2) The Lieutenant-Governor in Council upon the recommendation of the Minister may approve any such scheme or plan or any part thereof with such variations or alterations as may be deemed necessary, and may by proclamation

declare such scheme or plan to be in force in Ontario or in any part thereof. 1937, c. 23, s. 7.

7. For the purpose of carrying out any scheme or plan for the marketing or regulation of a farm product, the Board may establish a separate fund and may impose direct charges or tolls in respect of the marketing of the whole or any part of such farm product, which charges and tolls shall be payable by such persons engaged in the production or marketing of such farm product as the Board may determine. 1937, c. 23, s. 8.

Establishment of fund and charges.

8.—(1) Any person who violates any of the provisions of this Act or the regulations, or of any scheme or plan declared to be in force under this Act, or any order or direction of the Board, shall be guilty of an offence and liable to a penalty not exceeding \$50 and for a subsequent offence to a penalty of not less than \$50 and not exceeding \$500.

Penalty.

(2) The penalties imposed under this section shall be recoverable under *The Summary Convictions Act*. 1937, c. 23, s. 9.

Recovery of penalty. Rev. Stat., c. 136.