



1970

## c 42 Beef Cattle Marketing Act

Ontario

© Queen's Printer for Ontario, 1970

Follow this and additional works at: <http://digitalcommons.osgoode.yorku.ca/rso>

---

### Bibliographic Citation

*Beef Cattle Marketing Act*, RSO 1970, c 42

### Repository Citation

Ontario (1970) "c 42 Beef Cattle Marketing Act," *Ontario: Revised Statutes*: Vol. 1970: Iss. 1, Article 45.

Available at: <http://digitalcommons.osgoode.yorku.ca/rso/vol1970/iss1/45>

## CHAPTER 42

## The Beef Cattle Marketing Act

## 1. In this Act,

- (a) "association" means such association under *The Agricultural Associations Act* as is designated in the regulations;
- (b) "carcass" means a carcass of a head of cattle;
- (c) "cattle" includes bulls, cows, heifers, steers and calves, but does not include cattle that are not sold for the production of beef;
- (d) "inspector" means an inspector appointed for the purposes of this Act;
- (e) "licence" means a licence issued under this Act;
- (f) "Minister" means the Minister of Agriculture and Food;
- (g) "plant" means a premises where cattle are slaughtered;
- (h) "price reporter" means a price reporter appointed for the purposes of this Act;
- (i) "regulations" means the regulations made under this Act;
- (j) "slaughter" means slaughter for the purpose of processing meat into food. 1968, c. 7, s. 1.

Interpre-  
tation  
R.S.O. 1970,  
c. 8

## 2. The purpose and intent of this Act is to provide for,

- (a) the establishment and standardization of procedures affecting the sale of cattle or carcasses; and
- (b) the designation and financing of an association that has power to make recommendations in respect of such procedures and to expend moneys to,
- (i) stimulate, increase and improve the sale of cattle or carcasses,
- (ii) disseminate information concerning the cattle industry, and
- (iii) co-operate with any person or persons or any department of the Government of Canada or of the government of any province in the carrying out of its objects. 1968, c. 7, s. 2.

Purpose  
of Act

Licenses **3.**—(1) Except under the authority of a licence, no person shall sell cattle.

Idem (2) Every person who sells cattle shall be deemed to be the holder of a licence.

Refund of licence fees (3) Every person who is the holder of a licence under this section may apply for a refund of any licence fees paid by him to an association.

Idem (4) Every application for a refund shall be made in the manner prescribed in the regulations.

Idem (5) Where an association receives an application for a refund, it shall refund the licence fees in the manner prescribed in the regulations and in any case not later than one year after receipt of the application therefor. 1968, c. 7, s. 3.

Recom-  
mendations  
by directors  
of associa-  
tion **4.**—(1) Where the board of an association is of the opinion that a majority of the members of the association are in favour thereof, the board of directors may recommend to the Lieutenant Governor in Council the making, amending or revoking of regulations respecting any of the matters set forth in section 5.

Use of  
licence  
fees by  
association

- (2) An association may use licence fees for the purposes of,
- (a) defraying the expenses of the association in the carrying out of its objects;
  - (b) stimulating, increasing and improving the sale of cattle or carcasses;
  - (c) disseminating information concerning the cattle industry; and
  - (d) co-operating with any person or persons or any department of the Government of Canada or of the government of any province in the carrying out of its objects. 1968, c. 7, s. 4.

Regulations **5.**—(1) Notwithstanding section 4, the Lieutenant Governor in Council may make regulations,

- (a) designating an association for the purposes of this Act;
- (b) fixing the amount of licence fees up to but not exceeding,
  - (i) 15 cents for each head of cattle that weighs 500 pounds or more live weight, and
  - (ii) 5 cents for each head of cattle that weighs less than 500 pounds live weight;
- (c) requiring persons to pay licence fees owing by them to an association;

- (d) requiring any person who receives cattle from a seller thereof to deduct, from the moneys payable to the seller, any licence fee payable by the seller to an association and to forward such licence fees to the association;
- (e) providing for the recovery by the association of licence fees owing to the association by suit in a court of competent jurisdiction;
- (f) prescribing the manner in which applications for refund of licence fees shall be made and the manner in which refunds shall be made;
- (g) providing for the exemption from any or all of the regulations of any cattle or class of cattle or any person or class of persons;
- (h) providing for the inspecting, weighing and measuring of cattle and carcasses;
- (i) respecting the buying, selling, handling, weighing, measuring, shipping and transporting of cattle and carcasses;
- (j) prescribing the manner in which receipts, classifications, weights and purchase prices shall be recorded by persons engaged in the buying or selling of cattle and made available to the Minister;
- (k) prescribing the manner in which buyers, sellers, transporters and shippers of cattle or carcasses shall identify, for the purposes of inspecting, weighing and measuring, individual sellers' lots in a shipment;
- (l) prescribing the manner in which buyers shall make returns and prepare for presentation to the sellers the statements of accounts of purchase of cattle and carcasses;
- (m) respecting the facilities and equipment to be provided and maintained for the weighing and measuring of cattle and carcasses on premises in which cattle or carcasses are assembled, held, slaughtered, weighed or measured;
- (n) prescribing the basis on which the amount payable respecting a head of cattle or a carcass shall be calculated;
- (o) prescribing the time at which a person who purchases cattle shall weigh the cattle or the carcasses thereof;
- (p) prescribing the powers and duties of inspectors and price reporters;
- (q) providing for the issuing of inspection certificates by inspectors;
- (r) prescribing forms and providing for their use;

(s) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act.

Scope of regulations

(2) Any regulation may be limited as to time or place, or to both.

Definitions

(3) Any word or expression used in a regulation may be defined in the regulation for the purposes of the regulation. 1968, c. 7, s. 5.

Appointment of inspectors and price reporters

**6.** The Lieutenant Governor in Council may appoint inspectors and price reporters for the purposes of this Act and may fix their remuneration and allowance for expenses. 1968, c. 7, s. 6.

Powers of inspector

**7.**—(1) For the purpose of enforcing this Act and the regulations, an inspector may enter any premises used for the assembling, holding, slaughtering, storing, processing, grading, weighing, measuring, selling or offering for sale of any cattle or carcasses and inspect any cattle, carcasses, facilities or equipment found therein.

Production of documents

(2) For the purpose of enforcing this Act and the regulations, an inspector may require the production or furnishing of copies of or extracts from any books, shipping bills, bills of lading or other records relating to cattle or carcasses.

Detention for purposes of inspection

(3) For the purpose of inspecting a head of cattle or a carcass, an inspector may detain it at the risk of the owner and, after detaining it, the inspector shall forthwith notify the owner or person who had possession of it of the detention.

Inspection after detention

(4) Where an inspector detains a head of cattle or a carcass under subsection 3, he shall, as soon as may be practicable, inspect the head of cattle and shall forthwith thereafter,

- (a) release the head of cattle or carcass from detention; or
- (b) detain the head of cattle or carcass under section 8.

Obstruction of inspector or price reporter

(5) No person shall hinder or obstruct an inspector or a price reporter in the course of his duties or furnish an inspector or price reporter with false information or refuse to permit any cattle, carcasses, facilities or equipment to be inspected or refuse to furnish an inspector or price reporter with information.

Production of copies

(6) A person shall, when required by an inspector, produce copies of and extracts from any books, shipping bills, bills of lading and other records relating to cattle or carcasses. 1968, c. 7, s. 7.

Detention of cattle and carcasses

**8.**—(1) Any cattle or carcasses, in respect of which an inspector believes on reasonable grounds an offence against this Act or the regulations has been committed, may be placed under detention at the risk and expense of the owner by the inspector,

and the inspector shall forthwith thereafter notify the owner or the person who had possession of them of the detention in writing.

(2) A notice given by an inspector under subsection 1 shall contain the particulars in respect of which it is alleged the cattle or carcasses do not comply with this Act or the regulations. Notice to contain particulars

(3) Any cattle or carcasses detained under subsection 1 shall remain under detention until the owner of the cattle or carcasses complies with this Act and the regulations. Period of detention

(4) Where an inspector is satisfied that the owner of cattle or carcasses that have been detained complies with this Act and the regulations respecting the cattle or carcasses, the inspector shall forthwith release them from detention. 1968, c. 7, s. 8. Release from detention

**9.** The production by an inspector or a price reporter of a certificate of his appointment purporting to be signed by the Minister is admissible in evidence as *prima facie* proof of the facts stated in the certificate and of the authority of the inspector or price reporter to exercise the powers and perform the duties prescribed in this Act and the regulations. 1968, c. 7, s. 9. Certificate of inspector or price reporter

**10.**—(1) Except as provided in subsection 2, every person who contravenes any of the provisions of this Act or the regulations is guilty of an offence and on summary conviction is liable to a fine of not less than \$25 and not more than \$100 for a first offence and to a fine of not less than \$100 and not more than \$500 for a subsequent offence. Offences

(2) Every person who contravenes any of the provisions of subsection 5 of section 7 is guilty of an offence and on summary conviction is liable to a fine of not less than \$200 and not more than \$1,000. 1968, c. 7, s. 10. Idem

**11.** No proceedings or conviction under this Act affects the right of any person to any legal remedy to which he would otherwise be entitled. 1968, c. 7, s. 11. Legal remedy not affected

**12.** For the purpose of jurisdiction, in an information or conviction for a contravention of any of the provisions of this Act or the regulations, the matter complained of may be alleged and shall be deemed to have arisen at the place where the cattle or carcasses were sold, offered, exposed or had in possession for sale or at the residence or usual place of residence of the person charged with the contravention. 1968, c. 7, s. 12. Where matter complained of deemed to have arisen

