

1960

## c 367 Seed Potatoes Act

Ontario

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## CHAPTER 367

## The Seed Potatoes Act

## 1. In this Act,

Interpre-  
tation

- (a) "container" means any bag, sack, crate, barrel or other receptacle in which potatoes may be placed, stored, shipped, offered for sale or sold;
- (b) "Director" means the Director of the Field Crops Branch of the Department of Agriculture;
- (c) "grower" means any person who grows potatoes;
- (d) "inspector" means an inspector appointed under this Act;
- (e) "Minister" means the Minister of Agriculture;
- (f) "regulations" means the regulations made under this Act;
- (g) "restricted area" means a seed potato restricted area constituted under the authority of this Act. R.S.O. 1950, c. 355, s. 1; 1956, c. 82, s. 1.

2.—(1) Upon the receipt of a petition that, in the opinion of the clerk of the township, bears the signatures of more than 80 per cent of all growers in the area defined in the petition, the council shall pass a by-law constituting the whole or the part of the township described in the petition as a seed potato restricted area.

Petition  
and by-law

## (2) The petition shall contain,

Petition,  
contents

- (a) a detailed description of the boundaries of the proposed restricted area;
- (b) the approximate acreage of potatoes grown in the preceding year in the proposed restricted area;
- (c) a list of the names and addresses of all growers in the proposed restricted area. R.S.O. 1950, c. 355, s. 2.

3. The clerk shall send a certified copy of the by-law to the Director within seven days after it is passed. R.S.O. 1950, c. 355, s. 3.

Copy of  
by-law to be  
sent to  
Director

Inspectors

**4.** Where a by-law under this Act is passed, the council shall appoint one or more inspectors for the restricted area to enforce the provisions of this Act and the regulations. R.S.O. 1950, c. 355, s. 4.

Restricted area in territory without municipal organization

**5.**—(1) Upon receipt of a petition containing the information required by subsection 2 of section 2 that, in the opinion of the Minister, bears the signatures of more than 80 per cent of all growers in the area defined in the petition where such area is situated in territory without municipal organization, the Lieutenant Governor in Council may constitute the area described in the petition as a seed potato restricted area.

Inspectors in territory without municipal organization

(2) The Minister shall appoint one or more inspectors for the restricted area to enforce the provisions of this Act and the regulations and shall fix the remuneration to be paid to any such inspector. R.S.O. 1950, c. 355, s. 5.

Power to enter premises

**6.** In the performance of his duties under this Act and the regulations any inspector may at any time between sunrise and sunset enter any land, building or part of a dwelling house used for storing potatoes in the restricted area. R.S.O. 1950, c. 355, s. 6.

Seed to be planted

**7.** No grower shall plant within a restricted area any seed potatoes other than those prescribed by the regulations. R.S.O. 1950, c. 355, s. 7.

Moving into area

**8.** No person shall move or cause to be moved into a restricted area,

potatoes

(a) any kind or grade of potatoes without a permit from an inspector; or

containers

(b) any container that has been used as a container for potatoes or is infected with any potato disease. R.S.O. 1950, c. 355, s. 8.

New containers to be used

**9.** All potatoes moved out of a restricted area shall be in new containers. R.S.O. 1950, c. 355, s. 9.

Potatoes for industrial processing, etc.

**10.** Potatoes moved into a restricted area for industrial processing or for re-shipment shall be stored in warehouses or other places of storage approved by an inspector as not being a possible source or means of spreading any potato disease. R.S.O. 1950, c. 355, s. 10.

Disinfecting containers, etc.

**11.** All places of storage, containers, and machinery used for potatoes in a restricted area shall be disinfected at least once each year, and any planting, harvesting or grading equip-

ment used for potatoes shall be disinfected before such equipment is moved from one farm to another within a restricted area. R.S.O. 1950, c. 355, s. 11.

**12.** Every inspector shall once each year during the growing season and may at any time inspect the potato fields in his jurisdiction. R.S.O. 1950, c. 355, s. 12. <sup>Inspection of fields</sup>

**13.** No person shall move or cause to be moved, from one farm to another within a restricted area, any potatoes infected with bacterial ring rot. R.S.O. 1950, c. 355, s. 13. <sup>Moving infected potatoes in area</sup>

**14.** Every person who contravenes any of the provisions of this Act or the regulations, or hinders or obstructs an inspector in the performance of his duties, is guilty of an offence and on summary conviction is liable to a fine of not less than \$25 and not more than \$200. R.S.O. 1950, c. 355, s. 14. <sup>Offence</sup>

**15.** The Lieutenant Governor in Council may make regulations, <sup>Regulations</sup>

- (a) prescribing the kinds and grades of potatoes that may be planted in a restricted area;
  - (b) defining classes of persons and exempting such classes from the Act and the regulations;
  - (c) prescribing the duties of inspectors;
  - (d) providing for the making of grants by the Minister out of such moneys as may be appropriated by the Legislature for the purpose of reimbursing any township for any expense it has incurred under this Act;
  - (e) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act. R.S.O. 1950, c. 355, s. 15; 1956, c. 82, s. 2.
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