

1937

c 345 Clean Grain Act

Ontario

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CHAPTER 345.

The Clean Grain Act.

- Interpretation.**
- "Grain."** (a) "Grain" shall include oats, barley, corn, wheat, rye, buckwheat, peas, flax, screenings and such other grain or seed as may be designated by the Lieutenant-Governor in Council whether the same is mixed or unmixed, ground or unground;
- "Impurities."** (b) "Impurities" shall include such substances, matters and things as may be designated by the regulations;
- "Minister."** (c) "Minister" shall mean Minister of Agriculture;
- "Regulations."** (d) "Regulations" shall mean regulations made under this Act;
- "Sell."** (e) "Sell" shall mean and include keep, offer or expose for sale or sell, and "sold" shall have a corresponding meaning;
- "Weed seeds."** (f) "Weed seeds" shall include the seeds of any plant designated by the regulations. 1935, c. 8, s. 2.
- Exceptions as to application of Act.**
- 2.** This Act shall not apply to grain which is sold,—
- (a) by the grower thereof to any person who puts such grain to his own use and does not resell the same;
- (b) by the grower thereof to any person for the purpose of cleaning before being resold;
- (c) for such other purposes as may be provided by the regulations. 1935, c. 8, s. 3.
- Imported grain, to comply with regulations before sale.**
- 3.—**(1) Except as provided by this Act or the regulations all grain brought into Ontario shall before being offered for sale or sold therein be clean and free from weed seeds and other impurities as provided for in and required by the regulations.
- Invoice to show compliance with Act.**
- (2) Except as provided in subsection 1, the bill of lading or invoice of every shipment of grain which is sold or to be sold in Ontario shall have printed or marked thereon a statement that such grain complies with this Act and the regulations.

(3) All grain to which this Act applies while under shipment within Ontario shall *prima facie* be presumed to be intended to be offered for sale or sold in Ontario unless the bill of lading or invoice of such shipment establishes the contrary to be the case. 1935, c. 8, s. 4.

Grain under shipment.

4. No grain to which this Act applies may be offered for sale or sold in Ontario unless the same complies with this Act and the regulations. 1935, c. 8, s. 5.

Sale of unclean grain prohibited.

5. The Lieutenant-Governor in Council upon the recommendation of the Minister may make regulations,—

Regulations.

- (a) designating the plants the seeds of which shall be weed seeds within the meaning of this Act;
- (b) designating the substances, matters and things which shall be impurities within the meaning of this Act;
- (c) prescribing the maximum quantity or percentage of weed seeds or impurities which may be mixed or contained with grain to which this Act applies;
- (d) prescribing the methods and means by which grain to which this Act applies shall be cleaned and freed from weed seeds and impurities;
- (e) providing for the inspection, sampling and testing of grain to which this Act applies. 1935, c. 8, s. 6.

6.—(1) Every person who offers for sale or sells in Ontario any grain to which this Act applies which does not comply with this Act or the regulations shall be guilty of an offence and shall incur a penalty of not less than \$20 nor more than \$200 for each offence recoverable under *The Summary Convictions Act*.

Penalty.

(2) In addition to any penalty to which any person may be subject under this Act, any grain to which this Act applies offered for sale or sold in Ontario, except in compliance with this Act may be seized by any person authorized by the Minister and may be held by such person at the expense of the owner of the grain until this Act is complied with, and failing such compliance within twenty-one days after seizure the grain shall be forfeited and may be disposed of as the Minister may direct. 1935, c. 8, s. 7.

Rev. Stat., c. 136.

Seizure of grain sold in contravention of Act.