The Farm Products Marketing Amendment Act, 1975

Ontario
CHAPTER 6

An Act to amend
The Farm Products Marketing Act

Assented to April 18th, 1975

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Farm Products Marketing Act, being chapter 162 of the Revised Statutes of Ontario, 1970, is amended by adding thereto the following section:

21a.—(1) In this section,

(a) "chicks-for-placement" means female chickens twenty weeks of age or less or any class thereof;

(b) "eggs" means eggs of a domestic hen other than hatching eggs;

(c) "fowl" means a domestic hen more than twenty weeks of age;

(d) "hatching eggs" means eggs of a domestic hen produced for the purpose of hatching into chicks;

(e) "local board" means The Ontario Egg Producers' Marketing Board;

(f) "producing" means,

(i) in the case of chicks-for-placement, the provision of housing, feed, water or care therefor and the preparation thereof for sale or for use as fowl, and

(ii) in the case of eggs and hatching eggs, the provision of housing, feed, water or care for the fowl that lay such eggs or hatching eggs and the preparation of the eggs or hatching eggs for sale or for hatching, as the case may be.
(2) The Board may make regulations,

(a) notwithstanding paragraph 3 of subsection 1 of section 8, providing for the refusal to grant a licence for the producing of chicks-for-placement or eggs or hatching eggs for any reason that the Board considers proper;

(b) authorizing the local board,

(i) to require that chicks-for-placement be produced on a quota basis,

(ii) to prohibit any person to whom a quota has not been fixed and allotted for the producing of chicks-for-placement or whose quota has been cancelled from producing any chicks-for-placement,

(iii) to prohibit any person to whom a quota has been fixed and allotted for the producing of chicks-for-placement from producing any chicks-for-placement in excess of such quota, and

(iv) to prohibit any person from producing chicks-for-placement in premises other than premises in respect of which a quota for producing chicks-for-placement has been fixed and allotted to such person;

(c) authorizing the local board,

(i) to fix and allot to persons quotas for producing chicks-for-placement on such basis as the local board considers proper,

(ii) to refuse to fix and allot to any person a quota for producing chicks-for-placement for any reason that the local board considers proper,

(iii) to cancel or reduce, or refuse to increase, a quota fixed and allotted to any person for producing chicks-for-placement for any reason that the local board considers proper, and, without limiting the generality of the foregoing, to cancel or reduce any such quota as a penalty where the local board has reasonable grounds for belief that the person to
whom the quota was fixed and allotted has contravened any provision of this Act or the regulations, and

(iv) to permit any person to whom a quota has been fixed and allotted for the producing of chicks-for-placement to produce any chicks-for-placement in excess of such quota on such terms and conditions as the local board considers proper;

(d) authorizing the local board,

(i) to require that eggs be produced on a quota basis,

(ii) to prohibit any person to whom a quota has not been fixed and allotted for the producing of eggs or whose quota has been cancelled from producing any eggs,

(iii) to prohibit any person to whom a quota has been fixed and allotted for the producing of eggs from producing any eggs in excess of such quota, and

(iv) to prohibit any person from producing eggs in premises other than premises in respect of which a quota for producing eggs has been fixed and allotted to such person;

(e) authorizing the local board,

(i) to fix and allot to persons quotas for producing eggs on such basis as the local board considers proper,

(ii) to refuse to fix and allot to any person a quota for producing eggs for any reason that the local board considers proper,

(iii) to cancel or reduce, or refuse to increase, a quota fixed and allotted to any person for producing eggs for any reason that the local board considers proper, and, without limiting the generality of the foregoing, to cancel or reduce any such quota as a penalty where the local board has reasonable grounds for belief that the person to whom the quota was fixed and allotted has contravened any provision of this Act or the regulations, and
(iv) to permit any person to whom a quota has been fixed and allotted for the producing of eggs to produce any eggs in excess of such quota on such terms and conditions as the local board considers proper;

(f) authorizing the local board,

(i) to require that hatching eggs be produced on a quota basis,

(ii) to prohibit any person to whom a quota has not been fixed and allotted for the producing of hatching eggs or whose quota has been cancelled from producing any hatching eggs,

(iii) to prohibit any person to whom a quota has been fixed and allotted for the producing of hatching eggs from producing any hatching eggs in excess of such quota, and

(iv) to prohibit any person from producing hatching eggs in premises other than premises in respect of which a quota for producing hatching eggs has been fixed and allotted to such person;

(g) authorizing the local board,

(i) to fix and allot to persons quotas for producing hatching eggs on such basis as the local board considers proper,

(ii) to refuse to fix and allot to any person a quota for producing hatching eggs for any reason that the local board considers proper,

(iii) to cancel or reduce, or refuse to increase, a quota fixed and allotted to any person for producing hatching eggs for any reason that the local board considers proper, and, without limiting the generality of the foregoing, to cancel or reduce any such quota as a penalty where the local board has reasonable grounds for belief that the person to whom the quota was fixed and allotted has contravened any provision of this Act or the regulations, and

(iv) to permit any person to whom a quota has been fixed and allotted for the producing of
hatching eggs to produce any hatching eggs in excess of such quota on such terms and conditions as the local board considers proper;

(h) authorizing the local board,

(i) to require that fowl be possessed on a quota basis,

(ii) to prohibit any person to whom a quota has not been fixed and allotted for the possession of fowl or whose quota has been cancelled from possessing any fowl,

(iii) to prohibit any person to whom a quota has been fixed and allotted for possessing fowl from possessing any fowl in excess of such quota, and

(iv) to prohibit any person from possessing fowl in premises other than premises in respect of which a quota for possessing fowl has been fixed and allotted to such person;

(f) authorizing the local board,

(i) to fix and allot to persons quotas for possessing fowl on such basis as the local board considers proper,

(ii) to refuse to fix and allot to any person a quota for possessing fowl for any reason that the local board considers proper,

(iii) to cancel or reduce, or refuse to increase, a quota fixed and allotted to any person for possessing fowl for any reason that the local board considers proper, and, without limiting the generality of the foregoing, to cancel or reduce any such quota as a penalty where the local board has reasonable grounds for belief that the person to whom the quota was fixed and allotted has contravened any provision of this Act or the regulations, and

(iv) to permit any person to whom a quota has been fixed and allotted for possessing fowl to possess any fowl in excess of such quota on such terms and conditions as the local board considers proper.
(3) Any regulation made under this section may be limited as to time and place.

(4) The Board may delegate to the local board such of its powers under clause a of subsection 2 as it considers necessary and may at any time terminate such delegation.

(5) Where the Board authorizes the local board to exercise any of the powers mentioned in subsection 2, the local board, in the exercise of such powers, may make regulations or orders or issue directions.

(6) Everything that is done by the local board under the authority of clause c, e, g or i of subsection 2 shall be deemed to be of an administrative and not of a legislative nature.

(7) Every person appointed under clause g of subsection 1 of section 4 or under a regulation made thereunder may, without a warrant,

(a) stop, enter and search any vehicle;

(b) enter and search any premises, other than a dwelling; and

(c) open and inspect any package or container,

if he has reasonable grounds to believe that any of them contains any chicks-for-placement, eggs, hatching eggs or fowl in respect of which there is or has been a contravention of this Act or the regulations.

(8) A person referred to in subsection 7 may use as much force as is necessary for him to exercise the powers conferred upon him by subsection 7.

2. This Act comes into force on the day it receives Royal Assent.

3. This Act may be cited as The Farm Products Marketing Amendment Act, 1975.