

Bulk Haulage Regulations
made under clauses 15(1)(b) and (e) of the
Dairy Industry Act
S.N.S. 2000, c. 24
N.S. Reg. 23/2003 (effective September 1, 2002)
amended to N.S. Reg. 26/2024 (effective February 1, 2024)

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Please note: this table of contents is provided for convenience of reference and does not form part of the regulations.

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Citation

1 These regulations may be cited as the *Bulk Haulage Regulations*.

Interpretation

2 In these regulations,

- (a) “transporter licence” means a licence issued by the Board in accordance with Section 3;
- (b) “intermittent route” means a farm milk pick-up route on which milk pick-up occurs either with no set schedule or a set schedule other than every second day.

Transporter licence

- 3 (1) A person carrying on the business of transporting milk from a licensed producer to a licensed processor must hold a valid transporter licence issued by the Board.
- (2) An application for a transporter licence shall be on a form supplied by the Board.
- (3) [repealed]
- (4) A transporter licence shall be valid for a period of 36 months.
- (5) The Board may suspend, revoke or cancel a transporter licence, in whole or in part, for failure to comply with
- (a) any transportation-related provision of an applicable Act or regulation; or
- (b) an order made or policy established by the Council or by the Board.

Transporter acts on behalf of Board

- 4 (1) While transporting milk, a transporter is a bailee acting for and on behalf of the Board, and the Board obtains title to the milk when accepted by the bulk milk grader of the transporter.
- (2) A transporter is responsible for preservation of the Board's title to the milk being transported.
- (3) A transporter may represent that it is authorized to transport milk for and on behalf of the Board, but shall not represent that it is owned by or related to the Board.

Delivery of milk

- 5 (1) A transporter licensed to transport milk by tank truck shall deliver milk, skim milk and cream to a licensed processor on the days required by the processor, including the period when highway weight restrictions are in effect by order of the Minister of Transportation and Infrastructure Renewal, unless accidents or circumstances beyond the control of the transporter make delivery impossible.
- (2) Where the Board is required to ship milk out of Nova Scotia, the Board shall direct transporters to deliver milk to licensed processors outside Nova Scotia.

Protection of milk

- 6 A transporter shall
- (a) transport milk without unnecessary delay and in such manner as to protect the milk from heat, frost, dust and contamination of any kind; and
- (b) comply with all requirements of Provincial health authorities, the Council and the health authorities of the municipality within which the milk is being delivered.

Bulk haulage rates for farm milk pick-up

7 The following rates shall be the maximum bulk haulage rates that may be charged to the Board by a transporter and shall be applicable to all transporters in the Province:

(a) for farm milk pick-up that occurs on a set schedule of every second day:

Transporter	Maximum Rate/100 L
Fisher Transport Limited	\$3.19
Burghardt Transport Limited	\$3.68

(b) inhibitor truckload dumped administration fee: \$250 per contaminated

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(c) for farm milk pick-up on an intermittent route: \$78/hour.

Bulk haulage charges paid by producers

7A The following rates shall be the maximum bulk haulage rates to be charged to a producer by a transporter and shall be applicable to all transporters in the Province:

(a) for milk transported from a farm that has milk pick-up every day: mandatory charge, calculated on all milk, in accordance with a Board policy established for the purpose of calculating the rate for every day pick-up;

(b) for a second trip in one day by a bulk milk truck to a farm for milk pick up: charge of \$50 per return trip, in addition to the amount payable by the Board pursuant to clause 7(a).

(c) [repealed]

Other bulk haulage charges

7B The amounts to be paid by the Board to a transporter for all bulk haulage of milk except milk transported from farms as set out in Section 7, including out-of-Province haulage, shall be determined by the Board by agreement with the transporter, taking into account the following criteria:

- (a) the pick-up location and destination of the milk, and the distance of the haul;
- (b) whether the haul is a one-way haul or the transporter has a back-haul of cargo;
- (c) the cost of fuel, labour, maintenance and other costs of the transporter;
- (d) the availability of other transporters for the haul, and the rates offered by those transporters.

Distributor who transports milk to file schedule of rates

- 8** A distributor who transports milk for or on behalf of a producer shall file with the Board a schedule of all rates to be charged for the transportation of the milk.

Transportation agreements

- 9** A licensed transporter shall have a transportation agreement with the Board that is in force.

- 10** [repealed]

Legislative History Reference Tables

Bulk Haulage Regulations
Dairy Industry Act

N.S. Reg. 23/2003

Note: The information in these tables does not form part of the regulations and is compiled by the Office of the Registrar of Regulations for reference only.

Source Law

The current consolidation of the *Bulk Haulage Regulations* made under the *Dairy Industry Act* includes all of the following regulations:

N.S. Regulation	In force date*	How in force	Royal Gazette Part II Issue
23/2003	Sep 1, 2002	date specified	Mar 7, 2003
24/2003	Dec 1, 2003	date specified	Mar 7, 2003
25/2003	Feb 1, 2003	date specified	Mar 7, 2003
110/2003	May 1, 2003	date specified	Jun 13, 2003
147/2003	Aug 1, 2003	date specified	Aug 22, 2003

N.S. Regulation	In force date*	How in force	Royal Gazette Part II Issue
14/2004	Dec 1, 2003	date specified	Feb 20, 2004
31/2004	Feb 10, 2004	date specified	Apr 2, 2004
154/2004	May 1, 2004	date specified	May 28, 2004
216/2004	Aug 1, 2004	date specified	Nov 12, 2004
220/2004	Nov 1, 2004	date specified	Nov 12, 2004
4/2005	Feb 1, 2005	date specified	Feb 4, 2005
105/2005	Jun 1, 2005	date specified	Jun 10, 2005
156/2005	Aug 1, 2005	date specified	Aug 19, 2005
207/2005	Nov 1, 2005	date specified	Nov 11, 2005
1/2006	Feb 1, 2006	date specified	Feb 3, 2006
58/2006	May 1, 2006	date specified	Apr 28, 2006
111/2006	Aug 1, 2006	date specified	Aug 4, 2006
199/2006	Nov 1, 2006	date specified	Nov 10, 2006
24/2007	Feb 1, 2007	date specified	Feb 2, 2007
222/2007	May 1, 2007	date specified	Apr 27, 2007
355/2007	Aug 1, 2007	date specified	Aug 3, 2007
406/2007	Nov 1, 2007	date specified	Nov 9, 2007
49/2008	Feb 1, 2008	date specified	Feb 1, 2008
127/2008	May 1, 2008	date specified	Apr 11, 2008
332/2008	Aug 1, 2008	date specified	Aug 1, 2008
417/2008	Nov 1, 2008	date specified	Nov 7, 2008
10/2009	Feb 1, 2009	date specified	Feb 13, 2009
203/2009	May 1, 2009	date specified	May 8, 2009
252/2009	Aug 1, 2009	date specified	Aug 14, 2009
308/2009	Nov 1, 2009	date specified	Nov 6, 2009
14/2010	Feb 1, 2010	date specified	Jan 29, 2010
65/2010	May 1, 2010	date specified	May 7, 2010
113/2010	Aug 1, 2010	date specified	Jul 30, 2010
153/2010	Nov 1, 2010	date specified	Nov 5, 2010
6/2011	Feb 1, 2011	date specified	Jan 28, 2011
167/2011	May 1, 2011	date specified	May 6, 2011
246/2011	Aug 1, 2011	date specified	Aug 12, 2011
294/2011	Nov 1, 2011	date specified	Nov 4, 2011
31/2012	Feb 1, 2012	date specified	Feb 10, 2012
85/2012	May 1, 2012	date specified	May 4, 2012
147/2012	Aug 1, 2012	date specified	Aug 10, 2012

N.S. Regulation	In force date*	How in force	Royal Gazette Part II Issue
195/2012	Nov 1, 2012	date specified	Nov 2, 2012
6/2013	Feb 1, 2013	date specified	Jan 25, 2013
195/2013	May 1, 2013	date specified	May 3, 2013
197/2013	Apr 19, 2013	date specified	May 3, 2013
260/2013	Aug 1, 2013	date specified	Aug 9, 2013
319/2013	Nov 1, 2013	date specified	Nov 1, 2013
5/2014	Feb 1, 2014	date specified	Jan 24, 2014
60/2014	May 1, 2014	date specified	May 2, 2014
110/2014	Aug 1, 2014	date specified	Aug 8, 2014
151/2014	Nov 1, 2014	date specified	Oct 17, 2014
6/2015	Feb 1, 2014	date specified	Feb 6, 2015
194/2015	May 1, 2015	date specified	May 1, 2015
289/2015	Aug 1, 2015	date specified	Aug 7, 2015
338/2015	Nov 1, 2015	date specified	Oct 30, 2015
10/2016	Feb 1, 2016	date specified	Feb 5, 2016
70/2016	May 1, 2016	date specified	Apr 29, 2016
146/2016	Aug 1, 2016	date specified	Aug 5, 2016
235/2016	Nov 1, 2016	date specified	Nov 11, 2016
5/2017	Feb 1, 2017	date specified	Jan 20, 2017
64/2017	May 1, 2017	date specified	Apr 28, 2017
65/2017	May 1, 2017	date specified	Apr 28, 2017
107/2017	Aug 1, 2017	date specified	Aug 4, 2017
153/2017	Nov 1, 2017	date specified	Oct 27, 2017
3/2018	Feb 1, 2018	date specified	Feb 2, 2018
4/2018	Feb 1, 2018	date specified	Feb 2, 2018
62/2018	May 1, 2018	date specified	Apr 27, 2018
135/2018	Aug 1, 2018	date specified	Aug 3, 2018
187/2018	Nov 1, 2018	date specified	Nov 9, 2018
15/2019	Feb 1, 2019	date specified	Feb 15, 2019
56/2019	May 1, 2019	date specified	Apr 26, 2019
111/2019	Aug 1, 2019	date specified	Aug 2, 2019
169/2019	Nov 1, 2019	date specified	Nov 8, 2019
9/2020	Feb 1, 2020	date specified	Feb 14, 2020
54/2020	May 1, 2020	date specified	Apr 24, 2020
97/2020	Aug 1, 2020	date specified	Jul 31, 2020
161/2020	Nov 1, 2020	date specified	Nov 6, 2020

N.S. Regulation	In force date*	How in force	Royal Gazette Part II Issue
9/2021	Feb 1, 2021	date specified	Feb 12, 2021
56/2021	May 1, 2021	date specified	Apr 23, 2021
107/2021	Jul 1, 2021	date specified	Jul 16, 2021
108/2021	Aug 1, 2021	date specified	Jul 16, 2021
140/2021	Nov 1, 2021	date specified	Nov 19, 2021
12/2022	Feb 1, 2022	date specified	Feb 11, 2022
72/2022	May 1, 2022	date specified	May 6, 2022
189/2022	Aug 1, 2022	date specified	Aug 12, 2022
244/2022	Nov 1, 2022	date specified	Nov 18, 2022
19/2023	Feb 1, 2023	date specified	Feb 10, 2023
72/2023	May 1, 2023	date specified	May 19, 2023
133/2023	Aug 1, 2023	date specified	Jul 28, 2023
191/2023	Nov 1, 2023	date specified	Nov 17, 2023
26/2024	Feb 1, 2024	date specified	Feb 23, 2023

The following regulations are not yet in force and are not included in the current consolidation:

N.S. Regulation	In force date*	How in force	Royal Gazette Part II Issue
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*See subsection 3(6) of the *Regulations Act* for rules about in force dates of regulations.

Amendments by Provision

ad. = added
am. = amended

fc. = fee change
ra. = reassigned

rep. = repealed
rs. = repealed and substituted

Provision affected	How affected
2.....	rs. 15/2019
3(3).....	rep. 64/2017
4(3).....	am. 64/2017
5(1).....	am. 64/2017
5(2).....	am. 64/2017
7.....	rs. 15/2019
7(a).....	rs. 24/2003, 25/2003; am. 110/2003, 147/2003, 14/2004, 31/2004, 154/2004, 216/2004,

ad. = added
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Provision affected	How affected
	220/2004, 4/2005, 105/2005, 156/2005, 207/2005, 1/2006, 58/2006, 111/2006, 199/2006, 24/2007, 222/2007, 355/2007, 406/2007, 49/2008, 127/2008, 332/2008, 417/2008, 10/2009, 203/2009, 252/2009, 308/2009, 14/2010, 65/2010, 113/2010, 153/2010, 6/2011, 167/2011, 246/2011, 294/2011, 31/2012, 85/2012, 147/2012, 195/2013, 6/2013, 195/2013, 197/2013; rs. 260/2013, 319/2013, 5/2014, 60/2014, 110/2014, 151/2014, 6/2015, 194/2015, 289/2015, 338/2015, 10/2016, 70/2016, 146/2016, 235/2016, 5/2017; am. 64/2017; rs. 65/2017, 107/2017, 153/2017, 4/2018, 62/2018, 135/2018, 187/2018, 56/2019, 111/2019, 169/2019, 9/2020, 54/2020, 97/2020, 161/2020, 9/2021, 56/2021, 107/2021, 108/2021, 140/2021, 12/2022, 72/2022, 189/2022, 244/2022, 19/2023, 72/2023, 133/2023, 191/2023, 26/2024
7(b).....	am. 197/2013; rs. 64/2017
7(c).....	rep. 64/2017
7(c)(i).....	fc. 1/2006
7(c)(iii).....	fc. 1/2006
7A.....	ad. 64/2017
7A(b).....	am. 3/2018
7A(c).....	rep. 3/2018
7B.....	ad. 64/2017; am. 3/2018, 15/2019
10.....	rep. 64/2017

Note that changes to headings are not included in the above table.

Editorial Notes and Corrections:

Note	Effective date
1 The reference to the Department of Transportation and Infrastructure Renewal in s. 5(1) should be read as a reference to the Department of Transportation and Active Transit in accordance with O.I.C. 2021-56 under the <i>Public Service Act</i> , R.S.N.S. 1989, c. 376.	Feb 23, 2021
2 The reference to the Department of Transportation and Infrastructure Renewal in s. 5(1) should be read as a reference to the	Aug 31, 2021

Note	Effective date
Department of Public Works in accordance with O.I.C. 2021-209 under the <i>Public Service Act</i> , R.S.N.S. 1989, c. 376.	

Repealed and Superseded:

N.S. Regulation	Title	In force date	Repealed date
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Note: Only regulations that are specifically repealed and replaced appear in this table. It may not reflect the entire history of regulations on this subject matter.