

Hatching Egg Farmers of Nova Scotia Regulations
made under Section 9 of the
Natural Products Act
R.S.N.S. 1989, c. 308
N.S. Reg. 124/2023 (effective August 1, 2023)

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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 *Hatching Egg Farmers of Nova Scotia Regulations*.

Interpretation

- 2 In these regulations,

“Act” means the *Natural Products Act*;

“chick” means a broiler chick hatched from a hatching egg that has been marketed to a hatchery, from the time it is hatched until the time it is marketed to a broiler chicken producer for broiler chicken production;

“flock” means any group of breeder hens housed in a producer’s facilities that are being used by the producer for the production of hatching eggs at the same or approximately the same time;

“grow farm” means a farm supplying breeder hens to a hatching egg producer;

“placement” means the transfer of breeder hens into a hatching egg production facility;

“Plan” means the *Hatching Egg Farmers of Nova Scotia Marketing Plan*;

“premises” means a parcel of land and the buildings on it;

“production area” means the portion of the production facility where the breeder hens are producing hatching eggs;

“production facility” means the building used by a person for hatching egg production; and

“salable chick” means a hatching egg that has been incubated, hatched and determined by the hatchery to be of a quality to be sold.

Hatching egg farmers to be registered

- 3 **(1)** A person must not produce hatching eggs unless that person is registered as a producer with the Commodity Board.
- (2)** Despite subsection (1), the production of up to 250 hatching eggs per premises per calendar year is exempt from registration.

Form of application

- 4 An application for registration as a producer must be made in writing and in the form prescribed by the Commodity Board.

Application information

- 5 **(1)** An application for registration must be completed annually and must include all of the following information:
- (a) the type of application, as one of the following:
 - (i) new registration,
 - (ii) renewal of registration;
 - (b) the date of application;
 - (c) the name and civic address of the applicant;
 - (d) the location and a description of each of the applicant’s production facilities including Parcel Identification Number and GPS coordinates;
 - (e) the number of hatching eggs produced in each production facility in the previous calendar year;
 - (f) the size of the production area in each production facility;

- (g) placement records for each flock, including date of placement and number of breeder hens placed;
 - (h) a copy of the applicant's agreement with a hatchery to incubate the producers' hatching eggs;
 - (i) the applicant's mailing address, if different than civic address;
 - (j) the applicant's telephone number;
 - (k) the applicant's email address, if any.
- (2) Upon review of an application, the Commodity Board may request, and if requested, the applicant must provide to the Commodity Board, information regarding the applicant's experience, equipment, biosecurity or financial ability.

Proof of registration

- 6 (1) The Commodity Board must register or refuse to register an applicant within 90 days of the date of receipt of the application by the Commodity Board.
- (2) The Commodity Board may refuse to register, or refuse to renew the registration of, an applicant for any or all of the following reasons:
- (a) the application does not include all required information and all applicable fees;
 - (b) the applicant has outstanding levy fees;
 - (c) the applicant fails to comply with the Act, these regulations, or any other regulations made by the Commodity Board, or any policy, order or direction of the Commodity Board.

Request to appeal to Council

- 7 (1) An applicant who is affected by a decision of the Commodity Board under Section 6 may appeal to the Council.
- (2) A request for appeal must be submitted in writing to the Council no later than 30 days after the date the decision was made by the Commodity Board.
- (3) A request for appeal must be made in the form and manner required by Council and include the following information:
- (a) the decision of the Commodity Board;
 - (b) the date of the decision by the Commodity Board;
 - (c) the grounds for the appeal.

Records

- 8** (1) Every month, each registered producer must keep and submit to the Commodity Board, for the previous month, a production and marketing report for the registered producer's production.
- (2) The production and marketing report must be on a form prescribed by the Commodity Board and include the following information:
- (a) placement records for each flock, including date of placement and number of breeders placed;
 - (b) invoices from grow farms for the number of breeder hens;
 - (c) flock production records;
 - (d) any other information required by the Commodity Board.
- (3) The Commodity Board may review the records of a producer to verify any information included in a production and marketing record, and the producer must ensure that records are properly maintained for at least 18 months.

Hatchery report

- 9** (1) A hatchery operator must send the Commodity Board a hatchery report no later than 10 days after the end of each month.
- (2) A hatchery report under subsection (1) must include all of the following information:
- (a) the name and address of each registered producer from whom it received hatching eggs in that month;
 - (b) the number of hatching eggs received from each registered producer;
 - (c) the number of hatching eggs set;

- (d) the number of hatching eggs set that were transferred from another hatchery in Nova Scotia;
- (e) the number of hatching eggs set that were acquired from outside Nova Scotia;
- (f) the number of hatching eggs on hand at the end of the month, not including hatching eggs in incubators;
- (g) the number of hatching eggs produced in Nova Scotia and shipped to destinations outside of Nova Scotia during that month;
- (h) any other information as may be required by the Commodity Board.

Levies

- 10** (1) Each registered producer must pay to the Commodity Board a levy, on a quarterly basis, of \$0.004 for each hatching egg produced in the Province that results in a salable chick that is marketed by the producer.
- (2) The schedule for the quarterly payments of levies required by subsection (1) is as set out in the following table:

Quarter	Time Frame	Deadline for Levy Payment
Q1	January - March	April 20
Q2	April - June	July 20
Q3	July - September	October 20
Q4	October - December	January 20

- (3) If the Commodity Board has not received a levy payment by the deadline in subsection (2), the Commodity Board may cancel the producer's registration.

Legislative History Reference Tables

Hatching Egg Farmers of Nova Scotia Regulations

Natural Products Act

N.S.
Reg. 124/2023

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 *Hatching Egg Farmers of Nova Scotia Regulations* made under the *Natural Products Act* includes all of the following regulations:

N.S. Regulation	In force date*	How in force	Royal Gazette Part II Issue
124/2023	Aug 1, 2023	date specified	Jul 14, 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
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Note that changes to headings are not included in the above table.

Editorial Notes and Corrections

Note	Effective date
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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.