

Farm Products Marketing Act

R.R.O. 1990, REGULATION 403

Amended to O. Reg. 134/06

**CHICKENS — PLAN**

Notice of Currency:\* This document is up to date.

\*This notice is usually current to within two business days of accessing this document. For more current amendment information, see the Table of Regulations – Legislative History Overview.

This is the English version of a bilingual regulation.

1. The Plan in the Schedule is continued for the control and regulation of the producing and marketing within Ontario of chickens. R.R.O. 1990, Reg. 403, s. 1.

2. The local board named in the Schedule is given the powers set out in subsection 15 (1), in paragraphs 1 to 8, both inclusive, 10 to 19, both inclusive, and 26 of subsection 15 (2) and in sections 50 and 110 of the Co-operative Corporations Act. R.R.O. 1990, Reg. 402, s. 2.

3. The members of the local board shall be deemed to be the shareholders and the directors thereof in the exercise of any of the powers mentioned in section 2. R.R.O. 1990, Reg. 402, s. 3.

Schedule

PLAN

Farm Products Marketing Act

1. This plan may be cited as the “Ontario Chicken Plan”.

2. In this plan,

“chicken” means a chicken or any class or part thereof produced from the egg of a domestic hen; (“poulet”)

“processor” means a person who slaughters chickens, and “processing” has a corresponding meaning; (“transformateur”)

“producer” means a person to whom a quota is fixed and allotted for the producing of chickens. (“producteur”)

3. For the purpose of electing producer-representatives to the District Chicken Producers’ Committee and eligibility for membership in a District Chicken Producers’ Committee or the local board, a producer is the owner of a property on which chickens are produced other than a property rented to a tenant who produces and markets chickens on the tenant’s own account, in which case the tenant, during the currency of the lease, is the producer, and,

(a) where the producer is a corporation, the person, if any, designated in writing in respect of that property by the corporation shall be deemed to be the producer;

(b) where the producer is a firm or partnership or one or more persons carrying on the production and marketing under a trade name, farm name or other designation, the person, if any, designated in writing in respect of that property by the owner or owners shall be deemed to be the producer; and

(c) where the producer is comprised of two or more persons who are joint owners, the one of such joint owners who first presents himself or herself to register the vote in respect of that property shall be deemed to be the producer.

4. This plan provides for the control and regulation in any or all respects of the producing and marketing within Ontario of chickens, including the prohibition of such producing and marketing in whole or in part.

5. There shall be a board called "Chicken Farmers of Ontario".

6. The local board shall be composed of nine producer-members.

7. Producers are divided into nine districts as follows:

1. District 1, comprising the counties of Bruce, Dufferin, Grey and Simcoe, The District Municipality of Muskoka and the regional municipalities of Peel and York.

2. District 2, comprising the County of Huron.

3. District 3, comprising the counties of Elgin, Essex, Kent, Lambton, Middlesex and Oxford.

4. District 4, comprising The Regional Municipality of Haldimand-Norfolk and the Town of Pelham and the Township of Wainfleet in The Regional Municipality of Niagara.

5. District 5, comprising The Regional Municipality of Niagara other than the Town of Pelham and the Township of Wainfleet.

6. District 6, comprising the County of Brant, the regional municipalities of Halton and Hamilton-Wentworth and that part of The Regional Municipality of Waterloo that on December 31, 1972 was in the County of Wentworth.

7. District 7, comprising the County of Wellington.

8. District 8, comprising the County of Perth and The Regional Municipality of Waterloo, other than that part of the Regional Municipality that on December 31, 1972 was in the County of Wentworth.

9. District 9, comprising the counties of Frontenac, Haliburton, Hastings, Lanark, Northumberland, Peterborough, Prince Edward, Renfrew and Victoria, the United Counties of Leeds and Grenville, Lennox and Addington, Prescott and Russell, and Stormont, Dundas and Glengarry and the regional municipalities of Durham and Ottawa-Carleton.

8. (1) The producers in each district mentioned in section 7 form a district group of producers.

(2) A producer in a territorial district or county not included in a district mentioned in section 7 may become a member of the district group of producers nearest to the producer's place of production.

9. (1) There shall be a committee of producer-members in each district to be known as the "District Chicken Producers' Committee" and to be elected after the member of the local board for the district is elected.

(2) The number of members on each committee are determined according to the number of producers in the district at the time of the election of the members as follows:

0 to 105 producers  
3 members

106 to 135 producers  
4 members

136 or more producers  
5 members

10. (1) On or before March 15, 1996, the producers in each of Districts 1 to 5 shall elect, from amongst themselves, representatives to their committee and one representative to the local board.

(2) On or before March 15, 1997, the producers in each of Districts 6 to 9 shall elect, from amongst themselves, one representative to the local board and representatives to their committee.

(3) On or before March 15, 1998, the producers in each district shall elect, from amongst themselves, one representative to the local board and representatives to their committee.

(4) On or before March 15, 1999, and in every second year thereafter, the producers in each of Districts 1 to 5 shall elect, from amongst themselves, one representative to the local board and representatives to their committee.

(5) On or before March 15, 2000, and in every second year thereafter, the producers in each of Districts 6 to 9 shall elect from amongst themselves, one representative to the local board and representatives to their committee.

(6) The term of office of each person elected under this section starts on the day of the annual meeting of the local board after the election and expires when the person's successor takes office.

(7) No person is eligible for election from any district to the local board unless he or she resides in the district.

11. (1) Where the producers in any district fail to elect a representative to the local board in accordance with section 10, the members of the local board shall, at its first meeting after the 15th day of March, appoint such producer-members as are necessary to complete the local board.

(2) When a member elected or appointed to the local board dies, resigns, becomes unavailable to act or ceases to be a producer before his or her term has expired, the members of the local board may appoint a producer-member for the unexpired term.

(3) Each producer-member appointed as a member to the local board under subsection (1) or (2) shall be a producer and reside in the district for which the producer-member is appointed.

(4) Where the members of the local board fail to appoint a person for the unexpired term of a member under subsection (2) within seven days from the death, resignation or date on which the member becomes unavailable to act or ceases to be a producer, the Commission may appoint a producer for the unexpired term.

R.R.O. 1990, Reg. 403, Sched.; O. Reg. 6/92, s. 1; O. Reg. 521/96, ss. 1, 2; O. Reg. 55/97, s. 1; O. Reg. 377/97, s. 1; O. Reg. 499/97, s. 1.