

Farm Products Marketing Act

R.R.O. 1990, REGULATION 434

TENDER FRUIT — PLAN

Consolidation Period: From May 17, 2010 to the e-Laws currency date.

Last amendment: O. Reg. 170/10.

This is the English version of a bilingual regulation.

1. The plan in the Schedule is continued for the regulation and control of the marketing within Ontario of tender fruit. R.R.O. 1990, Reg. 434, s. 1.

2. The local board named in the Schedule is given the powers set out in subsection 15 (1), in paragraphs 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 26 of subsection 15 (2) and in sections 50 and 110 of the Co-operative Corporations Act. R.R.O. 1990, Reg. 434, s. 2.

3. The members of the local board named in the Schedule shall be deemed to be the shareholders and directors of the local board in the exercise of the powers vested in the local board under section 2. R.R.O. 1990, Reg. 434, s. 3.

SCHEDULE

PLAN

Farm Products Marketing Act

1. This plan may be cited as “The Ontario Tender Fruit Producers’ Marketing Plan”.

2. In this plan,

“producer” means a person engaged in the production of tender fruit; (“producteur”)

“tender fruit” means nectarines, peaches, pears, plums, sour cherries and sweet cherries produced in Ontario. (“fruit tendre”)

2.1 Producers of nectarines are exempt from this Regulation if all of the nectarines they produce are sold for processing.

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

4. There shall be a local board to be known as “The Ontario Tender Fruit Producers’ Marketing Board”.

5. The local board shall be composed of nine members who shall hold office until their successors are elected or appointed.

6. (1) Producers are divided into five districts as follows:

1. District 1, comprising the Judicial District of Niagara North and the regional municipalities of Halton, Hamilton-Wentworth and Peel.

2. District 2 comprising the Judicial District of Niagara South.

3. District 3, comprising the County of Essex.

4. District 4, comprising the counties of Kent and Lambton.

5. District 5, comprising The Regional Municipality of Haldimand-Norfolk and the counties of Brant and Elgin.

(2) A producer not included in a district mentioned in subsection (1) is a member of the district nearest to his or her place of production.

7. There shall be a committee in each district to be called the “District Tender Fruit Producer’s Committee”.

8. On or before April 15 in each year, the producers in each district shall elect two representatives to its committee and, in the case of a district with more than 40 producers, shall elect one additional representative for every 20 producers, or part thereof, that exceed the 40.

9. On or before April 30 in each year each committee shall elect from amongst themselves members to the local board as follows:

1. District 1, five members.

2. Districts 2 to 5, one member each.

10. (1) At its first meeting after the elections the local board shall appoint such producers as are necessary to complete the local board.

(2) The members of the local board may at any time appoint a producer to fill a vacancy in the local board.

11. Any person elected as a member of the local board under section 9 is required to be a member of the district for which he or she is elected.

R.R.O. 1990, Reg. 434, Sched.; O. Reg. 94/97, ss. 1, 2; O. Reg. 422/99, s. 1; O. Reg. 409/09, s. 1; O. Reg. 170/10, ss. 1, 2.