

Farm Products Marketing Act

R.R.O. 1990, REGULATION 441

VEGETABLES FOR PROCESSING — PLAN

Consolidation Period: From October 27, 2008 to the e-Laws currency date.

Last amendment: O. Reg. 375/08.

This is the English version of a bilingual regulation.

1. The plan in the Schedule is continued for the control and regulation of the marketing within Ontario of vegetables. R.R.O. 1990, Reg. 441, 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. 441, s. 2.
3. The members of the local board named in the Schedule shall be deemed to be the shareholders and the directors of the local board in the exercise of the powers vested in the local board under section 2. R.R.O. 1990, Reg. 441, s. 3.

Schedule
PLAN

Farm Products Marketing Act

1. This plan may be cited as “The Ontario Vegetable Growers’ Marketing-for-Processing Plan”.
2. (1) In this plan,
“processing” means,
 - (a) canning, dehydrating, drying, freezing, pickling or processing with sugar or sulphur dioxide or any other chemical or by heat, and combining or mixing a vegetable with one or more other vegetables,
 - (b) entering into a contract for the purchase of vegetables for the purpose of performing on the vegetables any of the operations mentioned in clause (a), or
 - (c) entering into a contract for the purpose of having any of the operations mentioned in clause (a) performed on vegetables; (“transformation”)“processor” means a person engaged in the business of processing vegetables; (“transformateur”)
“producer” means a person engaged in the production of vegetables; (“producteur”)
“vegetables” means the following vegetables produced in Ontario and used for processing:
green and wax beans, lima beans, red beets, cabbage other than cabbage used for coleslaw, carrots, cauliflower, sweet corn, cucumbers, green peas, peppers, pumpkin and squash or tomatoes.
(“légumes”)

(2) A person who brines cucumbers to extend their storage life so they may be sold for processing, but who does not do to cucumbers anything else described in the definition of “processing” in subsection (1), is not considered to be a processor of cucumbers for the purposes of this Regulation.

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

4. The local board known as “The Ontario Vegetable Growers’ Marketing Board” is continued under the name “Ontario Processing Vegetable Growers”.

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

6. Members of the local board shall be elected or appointed in accordance with the provisions of the plan and shall hold office until their successors are elected or appointed.

7. Producers are divided into three districts as follows:

1. District 1, comprising the counties of Essex and Kent.

2. District 2, comprising the counties of Bruce, Huron, Lambton, Middlesex, Oxford, Perth, Hastings, Northumberland, Prince Edward and The Regional Municipality of Durham.

3. District 3, comprising the counties of Brant and Elgin and The Regional Municipality of Haldimand-Norfolk and The Regional Municipality of Niagara.

8. (1) A producer whose place of production is located in a district mentioned in section 7 is a member of that district.

(2) A producer whose place of production is not located in a district mentioned in section 7 is a member of the district nearest to the place of production.

9. There shall be a committee in each district to be known as the “District Vegetable Growers’ Committee”.

10. (1) Subject to subsection (2), the members of each District shall, on or before December 31 in each year, elect from among themselves one member to the District Vegetable Growers’ Committee for each 20 producers or fraction of 20 producers.

(2) The members in each District shall elect at least 10 members to the District Vegetable Growers’ Committee.

11. (1) On or before December 31 in each year, each District Vegetable Growers’ Committee may elect members to the local board as follows:

1. District 1, 5 members.

2. District 2, 2 members.

3. District 3, 2 members.

(2) At the election to be held for District 1 in 1998, at least two members whose place of production is in the County of Essex and at least two members whose place of production is in the County of Kent shall be elected to the local board under subsection (1).

(3) No person is eligible for election to the local board from a district unless the person is a member of the district.

12. (1) Where in any year a District Vegetable Growers' Committee fails to elect one or more members to the local board in accordance with subsection 11 (1), the members elected to the local board shall at its first meeting after the 31st day of December of that year appoint such producer-members as are necessary to complete the local board.

(2) When a member elected or appointed to the local board dies or resigns before the 31st day of December of the year next following the date of his or her election or appointment, the members of the local board may appoint a producer-member for the unexpired term.

(3) No person is eligible for appointment to the local board from a district unless the person is a member of the district.

R.R.O. 1990, Reg. 441, Sched.; O. Reg. 643/93, s. 1; O. Reg. 479/96, s. 1; O. Reg. 523/98, s. 1; O. Reg. 553/99, s. 1; O. Reg. 248/04, s. 1; O. Reg. 375/08, s. 1.