



Province of Alberta

## MARKETING OF AGRICULTURAL PRODUCTS ACT

# **EGG FARMERS OF ALBERTA AUTHORIZATION REGULATION**

### **Alberta Regulation 279/1997**

With amendments up to and including Alberta Regulation 37/2014

### Office Consolidation

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### **Note**

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(Consolidated up to 37/2014)

**ALBERTA REGULATION 279/97**  
**Marketing of Agricultural Products Act**  
**EGG FARMERS OF ALBERTA**  
**AUTHORIZATION REGULATION**

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**Definitions**

**1(1)** In this Regulation,

- (a) “Act” means the *Marketing of Agricultural Products Act*;
- (b) “Board” means the Egg Farmers of Alberta referred to in section 7 of the Plan;
- (c) “Plan” means the *Egg Farmers of Alberta Plan Regulation* (AR 258/97);
- (d) “producer” means a producer as defined in the Plan.

**(2)** Words not defined in this Regulation but that are used in this Regulation and that are defined in the Plan have the same meaning as defined in the Plan.

AR 279/97 s1;37/2014

**Regulations made under section 26 of the Act**

**2** For the purposes of enabling the Board to operate the Plan, the Board is hereby authorized under section 26 of the Act to make regulations

- (a) requiring producers engaged in the production or marketing, or both, of the regulated product to register their names and addresses with the Board;
- (b) requiring any person who produces, markets or processes the regulated product to furnish to the Board any information or record relating to the production,

- marketing or processing of the regulated product that the Board considers necessary;
- (c) requiring persons to be licensed under the Plan before they become engaged in the production, marketing and processing, or any one or more of those functions, of the regulated product;
  - (d) prohibiting persons from engaging in the production, marketing or processing, as the case may be, of the regulated product except under the authority of a licence;
  - (e) governing the issuance, suspension or cancellation of a licence;
  - (f) providing for
    - (i) the assessment, charging and collection of service charges and licence fees, as the case may be, from producers from time to time for the purposes of the Plan, and
    - (ii) the taking of legal action to enforce payment of the service charges and licence fees, as the case may be;
  - (g) requiring any person who receives the regulated product from a producer
    - (i) to deduct from the money payable to the producer any service charges, licence fees or levies, as the case may be, payable by the producer to the Board, and
    - (ii) to forward the amount deducted to the Board;
  - (h) providing for the use of any class of service charges, licence fees, levies or other money payable to or received by the Board for the purpose of paying its expenses and administering the Plan and the regulations made by the Board;
  - (i) requiring persons who produce, market or process the regulated product to mark the containers of their products to show the place of origin or place of production to the satisfaction of the Board;
  - (j) providing for the payment to a Canada Board of money that is payable under a Canada Act;
  - (k) permitting the Board to exercise any one or more powers that are vested in a cooperative under the *Cooperatives Act*.

**Regulations made under section 27(1) of the Act**

**3** For the purposes of enabling the Board to operate the Plan, the Board is hereby authorized under section 27(1) of the Act to make regulations

- (a) requiring that the production or marketing, or both, of the regulated product be conducted pursuant to a quota;
- (b) governing
  - (i) the fixing and allotting of quotas,
  - (ii) the increase or reduction of quotas,
  - (iii) the cancelling of quotas, and
  - (iv) the refusal to fix and allot quotas,to producers for the production or marketing, or both, of the regulated product on any basis the Board considers appropriate;
- (c) governing the transferability or non-transferability of quota;
- (d) establishing
  - (i) a formula for determining the amount or number of regulated product deemed to have been produced or marketed by a producer, and
  - (ii) the period of time in respect of which the formula is to be applied,for the purpose of determining the amount of regulated product produced or marketed by a producer during a period of time;
- (e) providing for
  - (i) the assessment, charging and collection of a levy from any producer whose production or marketing, or both, of the regulated product is in excess of the quota that has been fixed and allotted to that producer, and
  - (ii) the taking of legal action to enforce payment of the levy;
- (f) requiring any person who provides an agricultural product to a producer under the Plan to furnish to the Board any information requested by the Board;

- (g) determining the quantity of each class, variety, size, grade and kind of the regulated product that shall be produced or marketed, or both, by each producer;
- (h) requiring a producer who produces the regulated product to market the regulated product through the Board or through a designated agency;
- (i) directing, controlling or prohibiting, as the case may be, the production or marketing, or both, of the regulated product or any class, variety, size, grade or kind of the regulated product in a manner that the Board considers appropriate;
- (j) regulating and controlling the production or marketing, or both, of the regulated product, including the times and places at which the regulated product may be produced or marketed;
- (k) providing for the purchase or acquisition of any of the regulated product that the Board considers advisable and the sale or disposition of it;
- (l) providing for the establishment and operation of one or more programs for the disposition of
  - (i) any agricultural product, or
  - (ii) the regulated productconsidered to be surplus to market requirements;
- (m) determining from time to time the minimum price or prices that shall be paid to producers for the regulated product or any class, variety, grade, size or kind of the regulated product and determining different prices for different parts of Alberta;
- (n) requiring that the money payable or owing to a producer for the regulated product be paid to or through the Board;
- (o) providing for the payment to a producer of the money payable or owing for the regulated product, less any service charges and levies owing to the Board by the producer, and fixing the time or times at which or within which the payments shall be made;
- (p) providing
  - (i) for the operation of one or more pools for the distribution of all money payable to the producers from the sale of the regulated product, and

- (ii) for the deduction of reasonable and proper disbursements and expenses with respect to the operation of the pool;
- (q) providing for the collection from any person by legal action of money owing to a producer for the regulated product;
- (r) governing
  - (i) the furnishing of security or proof of financial responsibility by any person engaged in the production, marketing or processing of the regulated product, and
  - (ii) the administration and disposition of any money or securities so furnished;
- (s) prohibiting a person to whom a quota has not been fixed and allotted for the production or marketing, or both, of the regulated product from producing or marketing, as the case may be, any regulated product;
- (t) prohibiting a producer to whom a quota has been fixed and allotted for the production or marketing, or both, of the regulated product from producing or marketing, as the case may be, any regulated product in excess of that quota;
- (u) prohibiting any person from purchasing or otherwise acquiring from a producer any regulated product in excess of the quota that has been fixed and allotted to the producer for the production or marketing, or both, of the regulated product;
- (v) prohibiting any person from purchasing or otherwise acquiring any regulated product from a person to whom a quota has not been fixed and allotted for the production or marketing, or both, of the regulated product;
- (w) prohibiting any person from marketing or processing any regulated product that has not been sold by or through the Board or a designated agency.

AR 279/97 s3;37/2014

**Regulations made under section 27(2) of the Act**

**4** For the purposes of enabling the Board to operate the Plan, the Board is hereby authorized under section 27(2) of the Act to make regulations

- (a) governing any agricultural product that is not the regulated product in the same manner as if that agricultural product was the regulated product under the Plan;
- (b) governing, with respect to any agricultural product that is not the regulated product, the producers of the regulated product under the Plan in the same manner as if that agricultural product was the regulated product under the Plan;
- (c) establishing and governing a formula for determining the amount or number of the regulated product produced or deemed to have been produced from any agricultural product that is not the regulated product.

**5** Repealed AR 37/2014 s5.

**Expiry**

**6** For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be repassed in its present or an amended form following a review, this Regulation expires on September 30, 2024.

AR 279/97 s6;280/2002;123/2009;37/2014









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