

Citation: Vegetable Sales (Alberta) Act, R.S.A. 2000, c. V-1

VEGETABLE SALES (ALBERTA) ACT

Chapter V-1

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HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

Definitions

1 In this Act,

- (a) “grade” means any grade established pursuant to this Act or the regulations;
- (b) “inspector” means an inspector appointed under this Act;
- (c) “Minister” means the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for this Act;

(d) “vegetable” means potatoes offered for sale in Alberta and any other plant that the regulations designate as a vegetable.

RSA 1980 cV-1 s1;1994 cG-8.5 s88

Regulations

2 The Lieutenant Governor in Council may make regulations

- (a) providing for the inspection, grading, packaging, packing, marking, shipping, advertising and selling of vegetables within Alberta;
- (b) requiring the registration and licensing of brokers, commission agents, dealers and packers and of persons assembling vegetables and vegetable products;
- (c) prescribing the powers and duties of inspectors;
- (d) prescribing when and where any regulations are to be in force;
- (e) generally for the better carrying out of the provisions and purposes of this Act.

RSA 1980 cV-1 s2;1989 c17 s27

Ministerial regulations

3 The Minister may make regulations

- (a) classifying and establishing grades for any vegetable;
- (b) prescribing fees payable
 - (i) for any class or type of licence issued under the regulations, and
 - (ii) for the inspection of vegetables and vegetable products;
- (c) prescribing the packages and containers to be used in the packaging, shipping, advertising and selling of vegetables in Alberta.

1989 c17 s27

Appointment of inspectors

4 The Minister may appoint any persons the Minister considers proper as inspectors who shall enforce this Act and the regulations.

RSA 1980 cV-1 s3

Powers of Inspectors

5 An inspector may, at all reasonable times and for the purpose of enforcing this Act or the regulations,

(a) enter any place or premises, not being a dwelling house, or any carriage, car, truck or other vehicle used or being used for the conveyance of vegetables or that the inspector believes has been or is being so used,

(b) require any books, shipping bills, bills of lading, sales records or other records or papers to be produced for inspection or for the purposes of obtaining copies of them or extracts from them,

(c) inspect any vegetables being transported by vehicle and require the driver of any vehicle that the inspector believes to be carrying vegetables to stop for the purpose of inspection,

(d) detain any vegetables for the time necessary to complete the inspector's inspection or otherwise, and

(e) at the expense of the producer, packer or owner take samples of vegetables wherever or whenever the inspector considers necessary.

RSA 1980 cV-1 s4

Detention of vegetables at owner's risk

6 Any vegetables detained by an inspector under this Act or the regulations shall at all times be at the risk and expense of the owner, but the inspector shall immediately notify the owner or person having possession of the vegetables by prepaid telegram, letter or otherwise that the vegetables are being detained in storage or otherwise, as the case may be.

RSA 1980 cV-1 s5

Obstruction of inspector

7 No person shall

- (a) obstruct any inspector,
- (b) refuse to permit any vegetables to be inspected, or
- (c) give to any inspector a false name or address or other false information.

RSA 1980 cV-1 s6

Offences and penalties

8 A person

- (a) who transports, packs, advertises, sells, offers or has in the person's possession for sale, any vegetable that in any respect does not comply with the provisions of this Act or the regulations, except as may by regulation be permitted for manufacturing or processing purposes,
- (b) who represents any vegetables to be of a certain grade, variety or class, unless those vegetables have been so graded or classed in accordance with the regulations,
- (c) who misrepresents the grade, variety or class of any vegetable,
- (d) who sells, offers for sale or has in the person's possession for sale any vegetable in any package or container of which the faced or shown surface falsely represents the contents, or any package or container that is not properly filled, or
- (e) who contravenes any provision of this Act or the regulations,

is guilty of an offence and liable to a fine of not more than \$2000.

RSA 1980 cV-1 s7;1983 c37 s78;1998 c2 s10

Proof of appointment of inspectors

9 A certificate of the appointment of an inspector and purporting to be signed by the Minister or Deputy Minister shall be admitted in evidence as proof, in the absence of evidence to the contrary, of the appointment of the inspector without proof of the signature or official position of the person signing the certificate.

RSA 1980 cV-1 s8