



Province of Alberta

## MARKETING OF AGRICULTURAL PRODUCTS ACT

# **ALBERTA VEGETABLE GROWERS (PROCESSING) AUTHORIZATION REGULATION**

### **Alberta Regulation 159/2007**

With amendments up to and including Alberta Regulation 79/2015

#### Office Consolidation

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### **Note**

All persons making use of this consolidation are reminded that it has no legislative sanction, that amendments have been embodied for convenience of reference only. The official Statutes and Regulations should be consulted for all purposes of interpreting and applying the law.

(Consolidated up to 79/2015)

**ALBERTA REGULATION 159/2007**  
**Marketing of Agricultural Products Act**  
**ALBERTA VEGETABLE GROWERS (PROCESSING)**  
**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 Alberta Vegetable Growers (Processing) Board;
- (c) “licensed processor” means a person who holds a processor’s licence under the *Alberta Vegetable Growers (Processing) Production and Marketing Regulation*;
- (d) “licensed producer” means a person who holds a producer’s licence under the *Alberta Vegetable Growers (Processing) Production and Marketing Regulation*;
- (e) “Plan” means the *Alberta Vegetable Growers (Processing) Plan Regulation (AR 273/97)*;
- (f) “producer” means a producer as defined in the Plan;
- (g) “regulated product” means regulated product as defined in the Plan.

**(2)** Words used in this Regulation that are defined in the Act or Plan have the same meaning when used in this Regulation.

AR 159/2007 s1;79/2015

**Regulations made under section 26(1) of the Act**

**2** For the purposes of enabling the Board to operate the Plan, the Board is hereby authorized under section 26(1) 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 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;
- (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 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 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) repealed AR 79/2015 s4.

AR 159/2007 s2;79/2015

**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) establishing
- (i) a formula for determining the amount of the 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 purposes of determining the amount of the regulated product produced or marketed by a producer during a period of time;
- (b) repealed AR 79/2015 s5;
- (c) 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;
- (c.1) 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;
- (d) determining from time to time the minimum price or prices that must be paid to producers for the regulated product or any class, variety, size, grade or kind of the regulated product and determining different prices for the part of Alberta to which the Plan applies;
- (e) 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 must be made;
- (f) providing for the collection from any person by legal action of money owing to a producer for the regulated product;

(f.1) regulating and controlling agreements entered into by producers of the regulated product with persons engaged in the marketing or processing of the regulated product, including to prohibit any provision in the agreements;

(g) repealed AR 79/2015 s5.

AR 159/2007 s3;79/2015

**4** Repealed AR 79/2015 s6.

**Expiry**

**5** 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 November 30, 2025.

AR 159/2007 s5;79/2015





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