Schedule 1 - General Regulations made under Section 9 of the Dairy Industry Act S.N.S. 2000, c. 24

N.S. Reg. 198/1989 (effective August 11, 1989) amended to N.S. Reg. 172/2018 (effective October 1, 2018)

[Note: the Nova Scotia Dairy Commission does not exist under the *Dairy Industry Act*; the Dairy Farmers of Nova Scotia and the Natural Products Marketing Council regulate the industry under the new Act.]

- 1 In these regulations, unless the context otherwise requires
 - (a) "Act" means the *Dairy Industry Act*;
 - (b) "chocolate partially skimmed milk" means chocolate flavoured milk containing not less than 2% butterfat or 20.7 grams of butterfat per litre;
 - (c) "Commission" means the Nova Scotia Dairy Commission as now or from time to time hereafter constituted under the provisions of the *Dairy Commission Act*;
 - (d) "consumer" means any person who purchases milk for consumption and not for resale:
 - (e) "Cream" means a product of milk containing not less than 5% butterfat,
 - (i) "Light Cream" means cream containing not less than 5% butterfat and less than 10% butterfat, and
 - (ii) "Blend" means cream testing not less than 10% butterfat or 103 grams per litre and not more than 17.9% butterfat or 182 grams of butterfat per litre, and
 - (iii) "Coffee Cream" means cream testing not less than 18% butterfat or 183 grams of butterfat per litre and not more than 34.9% butterfat or 360 grams of butterfat per litre, and
 - (iv) "Whipping Cream" means cream testing not less than 35.0% butterfat or 361 grams of butterfat per litre;
 - (f) "cream producer" means a producer who delivers farm separated cream to a processor;
 - (g) "dairy product" means dairy product as defined in the Act;
 - (h) "distributor", except as otherwise provided in these regulations, means a person who carries on the business of processing, marketing or distributing milk or fluid milk for fluid consumption, but does not include a jobber or

- storekeeper, or any person designated by the regulations as a person to whom Section 6 of the [Dairy Commission] Act shall not apply;
- (i) "fluid milk" means any processed dairy product prepared for sale in liquid form;
- (j) "inspector" means an inspector appointed by the Commission;
- (k) "jobber" means any person who purchases or receives from a licensed distributor for resale, but does not include a storekeeper nor any persons designated by the regulations as a person to whom Section 6 of the [Dairy Commission] Act shall not apply;
- (l) "milk" means milk as defined in the Act;
- (m) "monthly basis" means the practice of paying with[in] fifteen days of the close of each calendar month for all milk purchased during such month;
- (n) "partially skimmed milk" means milk that has had a portion of the butterfat removed,
 - (i) "0.5% milk" means milk containing not less than 0.5% butterfat or 5.2 grams of butterfat per litre, and not more than 0.7% butterfat or 7.2 grams of butterfat per litre,
 - (ii) "1% partially skimmed milk" means milk containing not less than 1% butterfat or 10.4 grams of butterfat per litre and not more than 1.2% butterfat or 12.4 grams of butterfat per litre, and
 - (iii) "1% partially skimmed milk with added milk solids" means milk containing not less than 1.0% butterfat or 10.4 grams per litre and not more than 1.2% butterfat or 12.4 grams per litre and containing not less than 10% milk solids not including butterfat, and
 - (iv) "2% partially skimmed milk" means milk containing not less than 2% butterfat or 20.7 grams of butterfat per litre and not more than 2.2% butterfat or 22.8 grams of butterfat per litre;
- (o) Every reference to the percentage of butterfat content of milk is on the basis of weight and not of volume;
- (p) "processor" means a person engaged in processing;
- (q) "processing" means processing as defined in the Act;
- (r) "producer" means a producer of milk or cream to whom a Total Production Quota has been allotted by the Commission;

- (s) "producer processor" means any person who processes milk, all or any part of which he is the producer;
- (t) (i) "skim milk" means milk containing not more than .3% butterfat or 3.1 grams of butterfat per litre,
 - (ii) "skim milk with added milk solids" means, milk containing not more than .3% butterfat or 3.1 grams of butterfat per litre, and containing not less [than] 10% milk solids, not including butterfat;
- (u) "storekeeper" means any person who carries on a retail grocery business, and includes wholesale and discount food stores;
- (v) "transporter" means a transporter of milk or cream;
- (w) "ultra high temperature milk" means milk that has been heated without appreciable change in volume to a temperature of not less than 135° C for not less than two seconds or such other temperature time relationship as may be required to ensure a bacteriological shelf life of at least four weeks in the package at a temperature of not less than 20° C;
- (x) "unnatural inhibitor" means any antibiotic, medicine or chemical preparation that can be detected in milk;
- (y) "whole milk" means milk containing not less than 3.25% butterfat and less than 5% butterfat.
- Every application for a licence or for the renewal of a licence shall be on the form supplied by the Commission, and shall contain the information asked for thereon, and be accompanied by the prescribed fee (if any) which shall be returned in the event of the licence or renewal of licence being refused.
- 3 Every licence shall be limited to the premises identified by such licence, and except as otherwise stated herein, shall be valid for a period of three years, as stated on the licence.
- 4 Every licensee who purchases milk shall pay for all milk purchased by him on the basis specified in the licence issued to him or in the Act or in the regulations made by the Commission.
- 5 (1) [repealed]
 - (2) [repealed]
 - (3) [repealed]
 - (4) [repealed]

(5) [repealed]

- **6** Every distributor on or before the 15th day of each month shall furnish the Commission with
 - (a) a statement of all milk purchased and sold by him during the previous month, and such statement shall show separately the amounts of milk purchased for Class 1 Milk, Class 2 Milk, and for any other purposes, as required in the monthly fluid milk and cream report, together with the prices paid therefor; and
 - (b) a statement of all milk purchased and the utilization of such milk as required in the plant balance report form.

7 [repealed]

- (a) [repealed]
- (b) The fee to be paid for a jobber licence shall be \$5.00 and shall be paid in advance to the Commission.
- 8 The percentage of butterfat content shall be determined by the "Official Babcock Method" or by means of the Foss Electronic System of milk testing for butterfat.
- 9 (1) For the purpose of determining butterfat content,
 - (a) samples of milk or cream purchased for a producer shall be taken by the distributor or processor from each weighing delivered to the plant, other than by milk tank truck, and the distributor or processor shall make a composite sample of the milk and cream received from each producer by putting each sample of milk and cream received from the producer into one container on which is clearly marked the name or number of the producer in a period of not more than 16 days;
 - (b) a distributor or processor shall make a composite sample of the milk and cream received from each producer by milk tank truck by putting each sample of milk or cream delivered to him by the milk tank truck grader pursuant to Section 13 of the regulations with respect to the transportation of milk made by the Nova Scotia Dairy Commission under the provisions of the *Dairy Commission Act* of milk or cream received from the producer in a period of not more than 16 days into the one container on which is clearly marked the name or number of the producer.
 - (2) The distributor or processor shall test or cause to be tested each composite sample of milk or cream for butterfat content with[in] 5 days after the last sample has been added to the composite sample.
 - (3) Where the butterfat content as determined by an inspector's check test varies from the tests made by the distributor or processor by two-tenths of one percent or

more in the case of a milk test or by two percent or more in the case of a cream test, the check tests so made by the inspector shall be deemed to be the correct test and shall be used in computing the price of the milk or cream.

- 10 After testing, the remainder of all samples shall be kept for a period of ten days under like conditions as if being kept for testing, or for such period as the Commission, in any case, may require.
- 11 The inspector shall have access at all times to all milk in transit or in the possession of any licensee and may take samples thereof without payment therefor.
- As between a distributor and a producer, the price of milk shall be determined on a volume and butterfat test basis.
- 13 A distributor purchasing milk from a producer on a volume and test basis, shall keep a record of the producer's name, address and the daily volume of milk received from such producer. When making returns to the producer, the distributor shall furnish the producer with a statement, accompanying payment, showing the period for which the payment is made, the total volume of the milk received during the period, either the butterfat at test for each test period or the average of the two butterfat tests extended to the second place after the decimal and unless otherwise authorized by the Commission, the volumes of milk purchased for Class 1 milk and for any other purposes, the rate or rates paid per 100 litres for such milk, the total amount paid and particulars of any deductions, and where a quota has been established, the statement shall show the amount of such quota.
- 14 Where a wholesale and a retail price is indicated in the regulations,
 - (a) the wholesale price shall be charged every storekeeper irrespective of the quantity purchased;
 - (b) the wholesale price shall be charged for all milk or fluid milk supplied under military, navy, air force and institutional contract;
 - (c) the wholesale price may be charged for milk, fluid milk or cream purchased by an employee of a distributor, irrespective of the quantity purchased;
 - (d) provided this regulation [Section] shall not apply to purchases made by a jobber from a distributor; and
 - (e) in all other cases, the retail price shall be charged.
- 15 Every licence shall comply with the relative provisions of the "Health Act".
- 16 (1) These regulations shall apply to the whole of the Province.
 - (2) All persons other than

- (a) producers who produce for sale to distributor[s] who are required to be licensed:
- (b) distributors and jobbers anywhere within the Province who sell or distribute 10 litres or more of milk or fluid milk daily; and
- (c) producer processors, and persons carrying on, establishing or commencing the operation of a dairy manufacturing plant,

are hereby designated as persons not required to be licensed under the Act.

- 17 (1) No distributor shall discontinue the purchase of milk from a producer without leave of the Commission except
 - (a) where milk has been found by the distributor to be of unsanitary quality and the producer has been notified of such finding and such finding has been confirmed by the Nova Scotia Dairy Commission;
 - (b) where a producer has shipped at a rate of less than 110 litres per day for more than two consecutive months.
 - (2) No producer shall discontinue the sale of milk to a distributor without leave of the Commission.
- 18 No distributor shall make any charge to or debit the account of a producer for weighing, testing, refrigerating or processing milk sold or being sold by the producer to the distributor.
- 19 No distributor shall compel or induce producers to invest money either directly or indirectly in a dairy manufacturing plant or other equipment in order that such producers may obtain or retain a market for their milk, except as provided in Section 12(1)(d) of the *Dairy Commission Act*.

[Note: Section 12 of the Dairy Commission Act was repealed by S.N.S. 1994, c. 17, s. 7.]

20 No distributor shall compel or induce a producer to lend, give or pay monies in order to obtain or retain a market for milk, except as provided in Section 12(1)(d) of the *Dairy Commission Act*.

[Note: Section 12 of the Dairy Commission Act was repealed by S.N.S. 1994, c. 17, s. 7.]

21 [repealed]

22 (1) No distributor, jobber or storekeeper shall sell milk or fluid milk or any grade or grades thereof within the Province of Nova Scotia in containers or quantities other than as follows:

(a) Containers

(i) waxed or plastic-coated paper containers with or without a threaded pouring spout

	(ii)	plastic pouch
	(iii)	plastic dispenser bag
	(iv)	plastic containers
	(v)	plastic bottles
	(vi)	glass
(b)	Conta	iner Sizes
	(i)	20 L
	(ii)	10 L
	(iii)	5 L
	(iv)	4 L
	(v)	2 L
	(vi)	1.5 L
	(vii)	1 L
	(viii)	500 ml or smaller.
	(ix)	[repealed]
	(x)	[repealed]
	(xi)	[repealed]
	(xii)	[repealed]
	(xiii)	[repealed]
	(xiv)	[repealed]
	(xv)	[repealed]
	(xvi)	[repealed]
	(xvii)	[repealed]
	(xviii)	[repealed]

- (2) All milk or fluid milk containers offered for sale in Nova Scotia shall be ladled [labelled] with a registered brand name of a distributor licensed by the Commission, and shall not display any other brand name.
- (3) A 60 day notice must be given to the Commission prior to the use of any new package, or variation of an existing package, for fluid milk.
- (4) Unless otherwise ordered by the Commission, upon expiration of the 60 day notice period, any distributor may utilize a new package that complies with these regulations.
- 23 No distributor, jobber or storekeeper shall sell milk or fluid milk of any grade or grades thereof within the limits of any area of the Province designated by the Commission
 - (a) at a price other than the price prescribed by the Commission or at a price higher than the maximum price or lower than the minimum price prescribed by the Commission; or
 - (b) at prices other than prescribed by the Commission for milk or fluid milk when sold in a quantity or container prescribed by the Commission or at prices higher than the maximum or lower than the minimum prices prescribed by the Commission for sales in quantities or containers prescribed by the Commission.
- 24 The manufacture, sale and distribution of reconstituted fluid milk is prohibited except by written approval of the Commission.
- 25 The manufacture, sale and distribution of ultra high temperature fluid milk is prohibited except by written approval of the Commission.

26 [repealed]

Legislative History Reference Tables

Schedule 1 – General Regulations Dairy Industry Act

N.S. Reg. 198/1989

Note: The information in these tables does not form part of the regulations and is compiled by the Office of the Registrar of Regulations for reference only.

Source Law

The current consolidation of the *Schedule 1 – General Regulations* made under the *Dairy Industry Act* includes all of the following regulations:

N.S. Regulation	In force date*	How in force	Royal Gazette Part II Issue
198/1989	Aug 11, 1989	date made	Nov 3, 1989
215/1989	Oct 1, 1989	date specified	Nov 17, 1989
279/1990	Jul 29, 1990	date specified	Nov 16, 1990
238/1991	Jul 28, 1991	date specified	Dec 13, 1991
181/1992	Aug 30, 1992	date specified	Sep 18, 1992
213/1992	Nov 1, 1992	date specified	Oct 30, 1992
155/1993	Oct 22, 1993	date specified	Nov 12, 1993
11/1994	Nov 28, 1993	date specified	Feb 4, 1994
116/1994	Jul 31, 1994	date specified	Aug 19, 1994
196/1994	Oct 30, 1994	date specified	Nov 10, 1994
134/1995	Aug 27, 1995	date specified	Sep 1, 1995
162/1995	Oct 29, 1995	date specified	Nov 24, 1995
73/1996	Apr 15, 1996	date specified	May 10, 1996
87/1996	Apr 28, 1996	date specified	May 24, 1996
137/1996	Aug 5, 1996	date specified	Aug 30, 1996
88/1997	Aug 1, 1997	date specified	Aug 15, 1997
115/1997	Aug 25, 1997	date specified	Sep 12, 1997
160/1997	Nov 24, 1997	date specified	Dec 19, 1997
2/1998	Dec 17, 1997	date specified	Jan 30, 1998
7/1998	Dec 1, 1997 – Mar 31, 1998	date specified	Feb 13, 1998
38/1998	May 13, 1998	date specified	Jun 19, 1998
7/1999	Feb 5, 1999	date made	Mar 12, 1999
62/1999	Jun 1, 1999	date specified	Jun 18, 1999
197/2000	Dec 1, 2000	date specified	Dec 29, 2000
94/2003	Apr 8, 2003	date specified	May 2, 2003
18/2004	Feb 10, 2004	date specified	Mar 19, 2004
347/2009	Dec 17, 2009	date specified	Jan 15, 2010
188/2011	May 20, 2011	date specified	Jun 23, 2011
57/2014	Apr 11, 2014	date specified	May 2, 2014
85/2014	Jun 11, 2014	date specified	Jun 27, 2014
127/2014	Aug 12, 2014	date specified	Sep 5, 2014
177/2014	Dec 1, 2014	date specified	Dec 12, 2014
310/2015	Sep 1, 2015	date specified	Sep 4, 2015
172/2018	Oct 1, 2018	date specified	Oct 12, 2018

The following regulations are not yet in force and are not included in the current consolidation:

N.S. In force			Royal Gazette	
Regulation	date*	How in force	Part II Issue	

Amendments by Provision

ad. = addedfc. = fee changerep. = repealedam. = amendedra. = reassignedrs. = repealed and substituted

am. – amenaca	cassigned 15. – repeared and substituted	
Provision affected	How affected	
1	rs. 155/1993, 116/1994	
1(e)	rs. 38/1998; am. 127/2014	
1(e)(i)	am. 127/2014	
1(h)	am. 188/2011	
1(i)	ra. as 1(j) 62/1999	
1(i)	ad. 62/1999	
1(i)(iii)	rs. 181/1992	
1(j)	ra. as 1(k) 62/1999	
1(j)	ra. from 1(i) 62/1999	
1(k)	ra. as 1(l) 62/1999	
1(k)	ra. from 1(j) 62/1999	
1(1)	ra. as 1(m) 62/1999	
1(1)	ra. from 1(k) 62/1999	
1(m)	ra. as 1(n) 62/1999	
1(m)	ra. from 1(1) 62/1999	
1(n)	ra. as 1(o) 62/1999	
1(n)	ra. from 1(m) 62/1999	
1(n)(i)	ra. as 1(n)(ii) 62/1999	
1(n)(i)	ad. 62/1999	
1(n)(ii)	ra. as 1(n)(iii) 62/1999	
1(n)(ii)	ra. from 1(n)(i) 62/1999	
1(n)(iii)	ra. as 1(n)(iv) 62/1999	
1(n)(iii)	ra. from 1(n)(ii) 62/1999	
1(n)(iv)	ra. from 1(n)(iii) 62/1999	

^{*}See subsection 3(6) of the *Regulations Act* for rules about in force dates of regulations.

Provision affected How affected ra. as 1(o) 62/1999 1(n)..... 1(o)..... ra. as 1(p) 62/1999 1(o)..... ra. from 1(n) 62/1999 ra. as 1(q) 62/1999 1(p)..... 1(p)..... ra. from 1(o) 62/1999 1(q)..... ra. as 1(r) 62/1999 ra. from 1(p) 62/1999 1(q)..... 1(r)..... ra. as 1(s) 62/1999 ra. from 1(q) 62/1999 1(r)..... rs. 115/1997; ra. as 1(t) 62/1999 1(s)..... 1(s)..... ra. from 1(r) 62/1999 1(t)..... ra. as 1(u) 62/1999 1(t)..... ra. from 1(s) 62/1999 1(u)..... ra. as 1(v) 62/1999 1(u)..... ra. from 1(t) 62/1999 ra. as 1(w) 62/1999 1(v)..... 1(v)..... ra. from 1(u) 62/1999 1(w)..... ra. as 1(x) 62/1999 1(w)..... ra. from 1(v) 62/1999 1(x)..... ra. as 1(y) 62/1999 1(x)..... ra. from 1(w) 62/1999 ra. from 1(x) 62/1999; am. 127/2014 1(y)..... 3..... rs. 7/1999 5..... rs. 11/1994, 116/1994, 137/1996 rs. 87/1996, 137/1996, 7/1998; rep. 63/2001¹ 5(1)..... rs. 215/1989, 279/1990, 238/1991, 181/1992, 5(2)..... 213/1992, 134/1995, 162/1995, 73/1996, 137/1996; rep. 88/1997 5(3)..... rs. 215/1989, 279/1990, 238/1991, 181/1992, 213/1992, 196/1994, 137/1996; rep. 88/1997 5(4)..... rs. 181/1992, 137/1996; rep. 88/1997 5(5)..... rs. 137/1996; rep. 88/1997 7 rs. 11/1994, 87/1996 7(a)..... rs. 116/1994, 7/1998; rep. 63/2001¹ 9 rs. 116/1994

am. 188/2011

14(b)-(c).....

fc. = fee change ra. = reassigned rep. = repealed rs. = repealed and substituted

Provision affected	How affected
16	rs. 116/1994
16(2)(b)	am. 188/2011
19-20	rs. 116/1994
21	rep. 23/2003 ³
22	rs. 197/2000
22(a)	rs. 155/1993, 160/1997, 2/1998
22(1)	am. 188/2011
22(1)(a)(vi)	ad. 347/2009
22(1)(b)	rs. 94/2003
22(1)(b)(vi)	ra. as (vii) 172/2018
22(1)(b)(vi)	ad. 172/2018
22(1)(b)(vii)	rs. 310/2015; ra. as (viii) 172/2018
22(1)(b)(vii)	ra. from (vi) 172/2018
22(1)(b)(viii)	ra. as 22(1)(b)(x) 85/2014
22(1)(b)(viii)	ad. 85/2014; rep. 310/2015
22(1)(b)(viii)	ra. from (vii) 172/2018
22(1)(b)(ix)	ra. as 22(1)(b)(x) 57/2014
22(1)(b)(ix)	ad. 57/2014
22(1)(b)(ix)	ra. as 22(1)(b)(xi) 85/2014
22(1)(b)(ix)	ad. 85/2014; rep. 310/2015
22(1)(b)(x)	ra. as 22(1)(b)(xi) 57/2014
22(1)(b)(x)	ra. from 22(1)(b)(ix) 57/2014
22(1)(b)(x)	ra. as 22(1)(b)(xii) 85/2014
22(1)(b)(x)	ra. from 22(1)(b)(viii) 85/2014; rep. 310/2015
22(1)(b)(xi)	am. 18/2004; ra. as 22(1)(b)(xii) 57/2014
22(1)(b)(xi)	ra. from 22(1)(b)(x) 57/2014
22(1)(b)(xi)	ra. as 22(1)(b)(xiii) 85/2014
22(1)(b)(xi)	ra. from 22(1)(b)(ix) 85/2014; rep. 310/2015
22(1)(b)(xii)	ra. as 22(1)(b)(xiii) 57/2014
22(1)(b)(xii)	ra. from 22(1)(b)(xi) 57/2014
22(1)(b)(xii)	ra. as 22(1)(b)(xiv) 85/2014
22(1)(b)(xii)	ra. from 22(1)(b)(x) 85/2014; rep. 310/2015
22(1)(b)(xiii)	ra. as 22(1)(b)(xiv) 57/2014
22(1)(b)(xiii)	ra. from 22(1)(b)(xii) 57/2014
22(1)(b)(xiii)	ra. as 22(1)(b)(xv) 85/2014

ad. = addedfc. = fee changerep. = repealedam. = amendedra. = reassignedrs. = repealed and substituted

Provision affected	How affected	
22(1)(b)(xiii)	ra. from 22(1)(b)(xi) 85/2014	
22(1)(b)(xiii)	ra. as 22(1)(b)(xiv) 177/2014	
22(1)(b)(xiii)	ad. 177/2014; rep. 310/2015	
22(1)(b)(xiv)	ra. from 22(1)(b)(xiii) 57/2014	
22(1)(b)(xiv)	ra. as 22(1)(b)(xvi) 85/2014	
22(1)(b)(xiv)	ra. from 22(1)(b)(xii) 85/2014	
22(1)(b)(xiv)	ra. as 22(1)(b)(xv) 177/2014	
22(1)(b)(xiv)	ra. from 22(1)(b)(xiii) 177/2014; rep. 310/2015	
22(1)(b)(xv)	ra. from 22(1)(b)(xiii) 85/2014	
22(1)(b)(xv)	ra. as 22(1)(b)(xvi) 177/2014	
22(1)(b)(xv)	ra. from 22(1)(b)(xiv) 177/2014; rep. 310/2015	
22(1)(b)(xvi)	ra. from 22(1)(b)(xiv) 85/2014	
22(1)(b)(xvi)	ra. as 22(1)(b)(xvii) 127/2014	
22(1)(b)(xvi)	ad. 127/2014	
22(1)(b)(xvi)	ra. as 22(1)(b)(xvii) 177/2014	
22(1)(b)(xvi)	ra. from 22(1)(b)(xv) 177/2014; rep. 310/2015	
22(1)(b)(xvii)	ra. from 22(1)(b)(xvi) 127/2014	
22(1)(b)(xvii)	ra. as 22(1)(b)(xviii) 177/2014	
22(1)(b)(xviii)	ra. from 22(1)(b)(xvii) 177/2014; rep. 310/2015	
22(2)	am. 188/2011	
23-25	am. 188/2011	
26	ad. 62/1999; rep. 110/2001 ⁴	

Note that changes to headings are not included in the above table.

Editorial Notes and Corrections:

	Note	Effective date
1	Subsection 5(1) and clause 7(a) repealed by N.S. Reg. 63/2001 (amendment to <i>Producer and Distribution License Fees Regulations</i>).	Apr 1, 2001
2	Section 26 repealed by N.S. Reg. 110/2001 (amendment to <i>Fluid Milk Categories and Classes Regulations</i>).	Aug 7, 2001
3	Section 21 repealed by N.S. Reg. 23/2003 (amendment to <i>Bulk Haulage Regulations</i>).	Sep 1, 2002

Repealed and Superseded:

N.S. Regulation	Title	In force date	Repealed date
4/1942	Sale of Milk and Cream Regulations	Mar 3, 1942	May 17, 1948
2/1948	Sale of Milk Regulations	May 17, 1948	Aug 15, 1950
2/1950	Sale of Milk Regulations	Aug 15, 1950	May 30, 1956
5/1956	Schedule 1 – General Regulations	May 30, 1956	Mar 22, 1978
61/1978	Schedule 1 – General Regulations	Mar 22, 1978	Aug 11, 1989

Note: Only regulations that are specifically repealed and replaced appear in this table. It may not reflect the entire history of regulations on this subject matter.