

## Nova Scotia Potato Marketing Licence Regulations

made under Sections 9 and 11 of the

Natural Products Act

R.S.N.S. 1989, c. 308

O.I.C. 89-1047 (September 12, 1989), N.S. Reg. 181/89

as amended by O.I.C. 95-721 (September 26, 1995), N.S. Reg. 153/95

1 These regulations may be cited as the Nova Scotia Potato Marketing Licence Regulations.

2 These regulations shall come into force on the first day of July, 1989.

3 In these regulations

(a) "Commodity Board" means the Nova Scotia Potato Marketing Board;

(b) "producer" means any person engaged in the production of potatoes in the Province of Nova Scotia;

(c) "packer" means any person who grades, packs or processes and offers for sale potatoes for the purpose of marketing and includes a producer-packer;

(d) "producer-packer" means a producer who is a packer in respect of all or any portion of potatoes produced by him;

(e) "marketing" includes advertising, buying, selling, storing, packing, assembling, shipping, transporting, pricing, processing, shipping for sale or storage, reselling or any other act necessary to prepare potatoes in a form or to make potatoes available at a place and time for purchase for consumption or use;

(f) "person" includes any board, association, corporation, firm or partnership.

4 (a) No person shall carry on business in Nova Scotia as a packer of potatoes unless he holds a valid packer licence issued by the Commodity Board.

(b) A person shall apply to the Commodity Board for a packer licence if they are engaged in the business of packing potatoes or intend to engage in the business of packing potatoes.

5 An applicant for a potato packer's licence shall forward to the Commodity Board in writing

(a) a statement that the licence applicant is or intends to become a packer of potatoes;

(b) a declaration that the licence applicant will comply with all regulations and orders of the Commodity Board;

(c) a mailing address to which the Commodity Board may direct all correspondence to the licensee;

(d) any other information requested by the Commodity Board pertaining to marketing of potatoes by the applicant.

Section 5 replaced: O.I.C. 95-721, N.S. Reg. 153/95.

6 The fee for a packer licence shall be \$50.

7 A licence issued shall expire on June 30 of the year following issue.

Section 7 replaced: O.I.C. 95-721, N.S. Reg. 153/95.

8 The Commodity Board may refuse to issue or may suspend or revoke any packer licence once issued if the applicant or the licensee breaches or fails to comply with any provision of these regulations.

9 A person whose packer licence has been suspended or revoked shall cease to pack potatoes upon receiving written notice of suspension or revocation. Notice shall be deemed to have been received after three (3) business days after mailing, if mailed postage prepaid, to the person at the last mailing address provided by that person to the Commodity Board.

10 All potatoes shall be marketed by licensed packers and only licensed packers shall market potatoes.

11 If requested by the Commodity Board a licensed packer shall provide the Commodity Board with certified true copies of invoices and waybills pertaining to any shipment of potatoes, proof of origin of the potatoes, and any other information relating to the marketing of that shipment of potatoes.

12 A person who violates these regulations commits an offence and is subject to the penalties under the Natural Products Act.

Section 12 replaced: O.I.C. 95-721, N.S. Reg. 153/95.

13 In these regulations the masculine also means the feminine and the singular also means the plural.

Section 13 replaced: O.I.C. 95-721, N.S. Reg. 153/95.

14 A person who markets less than 500 hundred weights of potatoes may be exempted by the Commodity Board from any provision of these regulations.

Section 14 added: O.I.C. 95-721, N.S. Reg. 153/95.