

Farm Products Marketing Act
Loi sur la commercialisation des produits agricoles

R.R.O. 1990, REGULATION 426

No Amendments

RUTABAGAS - MARKETING

Notice of Currency:* This document is up to date.

*This notice is usually current to within two business days of accessing this document. For more current amendment information, see the Table of Regulations (Legislative History).

This Regulation is made in English only.

1. In this Regulation,

"local board" means The Ontario Rutabaga Producers' Marketing Board;

"plan" means The Ontario Rutabaga Producers' Marketing Plan;

"producer" means a person engaged in the production of rutabagas;

"rutabagas" means rutabagas produced in Ontario. R.R.O. 1990, Reg. 426, s. 1.

2. This Regulation provides for the control and regulation in any or all respects of the marketing within Ontario of rutabagas, including the prohibition of such marketing in whole or in part. R.R.O. 1990, Reg. 426, s. 2.

3. The Commission exempts from this Regulation rutabagas produced in the territorial districts of Algoma, Cochrane, Kenora, Manitoulin, Nipissing, Rainy River, Sudbury, Thunder Bay and Timiskaming. R.R.O. 1990, Reg. 426, s. 3.

4. The Commission delegates to the local board the power,

(a) to require persons engaged in producing or marketing rutabagas to register their names, addresses and occupations with the local board;

(b) to require persons engaged in producing or marketing rutabagas to furnish such information relating to the production or marketing of rutabagas, including the completing and filing of returns, as the local board determines;

(c) to appoint persons to inspect the books, records, documents, lands and premises and any rutabagas of persons engaged in producing or marketing rutabagas;

(d) to stimulate, increase and improve the marketing of rutabagas by such means as it considers necessary;

(e) to co-operate with a marketing board, a local board, a marketing commission or a marketing agency of Canada or of any province in Canada for the purpose of marketing rutabagas;

(f) to do such acts and make such orders and issue such directions as are necessary to enforce the due observance and carrying out of the Act, the regulations and the plan. R.R.O. 1990, Reg. 426, s. 4.

5. The Commission delegates to the local board its powers to make regulations with respect to rutabagas,

(a) providing for the licensing of any or all persons before commencing or continuing to engage in the producing or marketing of rutabagas;

(b) prohibiting persons from engaging in the producing or marketing of rutabagas except under the authority of a licence;

(c) providing for the refusal to grant a licence where the applicant is not qualified by experience, financial responsibility and equipment to engage in properly the business for which the application was made, or for any other reason that the local board considers proper;

(d) providing for the suspension or revocation of, or the refusal to renew, a licence for failure to observe, perform or carry out the Act, the regulations, the plan or any order or direction of the Commission or local board;

(e) providing for the fixing of licence fees, not exceeding 3 per cent of the amount paid to the producer, payable yearly, half-yearly, quarterly or monthly at different amounts or in instalments from any or all persons producing or marketing rutabagas and the collecting of the licence fees and the recovering of such licence fees by suit in a court of competent jurisdiction;

(f) prescribing the form of licences;

(g) subject to section 3, providing for the exemption from any or all of the regulations, orders or directions under any plan of any class, variety, grade or size of rutabagas, or any person or class of persons engaged in producing or marketing of rutabagas or any class, variety, grade or size of rutabagas;

(h) requiring the furnishing of security or proof of financial responsibility by any person engaged in the marketing of rutabagas and providing for the administration and disposition of any money or securities so furnished;

(i) providing for the control and regulation of the marketing of rutabagas, including the times and places at which rutabagas may be marketed;

(j) providing for the control and regulation of agreements entered into by producers of rutabagas with persons engaged in marketing rutabagas and the prohibition of any provision or clause in such agreements;

(k) requiring any person who produces rutabagas to offer to sell and to sell rutabagas to or through the local board;

(l) prohibiting any person from packing or packaging any rutabagas that have not been sold by or through the local board; and

(m) providing for the making of agreements relating to the marketing of rutabagas through the local board, and prescribing the forms and the terms and conditions of such agreements. R.R.O. 1990, Reg. 426, s. 5.

6. (1) The Commission authorizes the local board to use any class of licence fees, service charges and other money payable to it for the purposes of paying the expenses of the local board, carrying out and enforcing the Act and the regulations and carrying out the purposes of the plan. R.R.O. 1990, Reg. 426, s. 6 (1).

(2) The Commission authorizes the local board to establish a fund in connection with the plan for the payment of any money that may be required for the purposes mentioned in subsection (1). R.R.O. 1990, Reg. 426, s. 6 (2).

7. The Commission authorizes the local board to appoint agents, to prescribe their duties and terms and conditions of employment and to provide for their remuneration. R.R.O. 1990, Reg. 426, s. 7.

8. (1) All rutabagas shall be marketed by or through the local board. R.R.O. 1990, Reg. 426, s. 8 (1).

(2) No person shall market rutabagas except by or through the local board. R.R.O. 1990, Reg. 426, s. 8 (2).

9. The Commission vests in the local board the following powers:

1. To direct and control, by order or direction, either as principal or agent, the marketing of rutabagas, including the times and places at which rutabagas may be marketed.

2. To determine the quantity of each class, variety, grade and size of rutabagas that shall be marketed by each producer.

3. To prohibit the marketing of any class, variety, grade or size of rutabagas.

4. To determine from time to time the price or prices that shall be paid to producers or to the local board, as the case may be, for rutabagas or any class, variety, grade or size of rutabagas and to determine different prices for different parts of Ontario.

5. To fix and impose service charges from time to time for the marketing of rutabagas.

6. To require the price or prices payable or owing to the producer for rutabagas to be paid to or through the local board.

7. To collect from any person by suit in a court of competent jurisdiction the price or prices or any part thereof of rutabagas.

8. To pay from service charges imposed under paragraph 5 its expenses in carrying out the purposes of the plan.

9. To pay to the producers the price or prices for rutabagas less service charges imposed under paragraph 5 and to fix the times at which or within which such payments shall be made. R.R.O. 1990, Reg. 426, s. 9.

10. Each payment under paragraph 9 of section 9 shall be accompanied by a statement showing the variety, grades of each variety and quantity of each grade of rutabagas sold and the price or prices paid and the particulars of the service charges imposed by the local board. R.R.O. 1990, Reg. 426, s. 10.