
THE FARM PRODUCTS MARKETING ACT
(C.C.S.M. c. F47)

Chicken Broiler Exemption Order
Re John Nikkel and
Sarah Waldner and Harry Waldner/Heritage Poultry Ltd.*

Regulation 45/2001
Registered April 5, 2001

Definition

1 In this Order, "**Roasters**" means chicken broiler weighing over 3.25 kilograms each (truckload average) when marketed by the producer.

Exempt persons

2 Subject to the terms of this Order, the following persons, namely

(a) John Nikkel (herein called "the producer");

(b) Sarah Waldner and Harry Waldner of Niverville, Manitoba, Owners, carrying on business under the trade name and style of "Waldner Meats" (herein called "the primary processor"); and

(c) Heritage Poultry Ltd., a corporation incorporated under the laws of the Province of Manitoba (herein called "the further processor");

are exempt from sections 25 and 26 of Manitoba Regulation 298/89 (*Chicken Broiler Quota Order*), and from section 5 of Manitoba Regulation 137/96 (*Chicken Broiler Penalty Levies Regulation*), with respect to any Roasters marketed in accordance with the terms of this Order.

Exempt product

3 The exemptions provided for in this Order are only applicable to Roasters raised by the producer on the following premises operated by the producer:

a 580 square metre barn located on the southwest quarter of Section 4, Township 8, Range 5 East in the Rural Municipality of Tache

and marketed in accordance with the terms of this Order.

* This Order is made under the *Manitoba Chicken Broiler Producers' Marketing Plan Regulation*, Manitoba Regulation 241/87 R, and is Order No. 1, 2001 of the Manitoba Chicken Producers.

Conditions re marketing

4 This Order is subject to the following conditions:

- (a) that the combined marketings of Roasters by the producer to the primary processor and the further processor in any calendar month do not exceed in aggregate 1,333 Roasters, weighing in aggregate not less than 5,000 kilograms live weight, unless prior written permission from the Board is granted to market additional Roasters in that calendar month;
- (b) that all such Roasters are delivered to the primary processor by the producer;
- (c) that all such Roasters are killed and eviscerated by the primary processor immediately upon receipt from the producer;
- (d) that all Roasters acquired by the further processor are delivered to the further processor by the primary processor as agent for the producer; and
- (e) that all such Roasters are processed in accordance with the terms of this Order.

Conditions re processing

5 This Order is subject to the following additional conditions:

- (a) that the primary processor process all Roasters marketed to such processor by the producer and market all such Roasters as having been slaughtered and health inspected; and
- (b) that the further processor market all Roasters acquired by it as having been slaughtered and health inspected.

Conditions re compliance

6 This Order is subject to the condition that the producer, the primary processor, and the further processor each comply with Manitoba Regulation 32/96 (*Chicken Broiler Information Order*), Manitoba Regulation 238/94 (*Chicken Broiler Administration Fee Regulation*) and all Price Orders of the Board with respect to the marketing of all chicken broilers by the producer to such processor.

Cancellation

7 If the producer, the primary processor, or the further processor fails to comply with any order, regulation, or written directive of the Board, or any condition of this Order, the exemption provided in section 2 hereof shall, upon motion of the Board to such effect, terminate.

Non-transferability

8 The exemptions provided in this Order are non-transferable.

Changes in ownership

9 In the event the legal or beneficial ownership of the producer or the primary processor, or the further processor changes, the exemptions provided in this Order shall lapse.

Repeal

10 Manitoba Regulation 10/2000 is repealed.

Expiry

11 This Order shall expire December 31, 2003.

March 13, 2001

MANITOBA CHICKEN PRODUCERS:

Waldie Klassen
Chairman

Fred Homann
Secretary

APPROVED

April 3, 2001

THE MANITOBA NATURAL PRODUCTS
MARKETING COUNCIL:

Howard Motheral
Chairman

Gordon H. MacKenzie
Secretary

The Queen's Printer
for the Province of Manitoba