

Broiler Hatching Egg Quota Order*

Regulation 51/2008
Registered March 3, 2008

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Definitions

1 In this order,

"**Agency**" means the Canadian Hatching Egg Producers;

"**combined allotment**" means the aggregate of the interprovincial quota and the intraprovincial quota allotted to a broiler hatching egg producer;

"**interprovincial quota**" means the number of broiler hatching eggs that a broiler hatching egg producer is authorized, under Regulations made by the Agency, to market in interprovincial trade during any calendar year; and

* This order is made under the *Manitoba Chicken Producers Marketing Plan Regulation*, Manitoba Regulation 246/2004, and is Order No. 2(HE), 2007 of Manitoba Chicken Producers.

NOTE: This order replaces Manitoba Regulation 296/89, which was repealed by Manitoba Regulation 52/2008.

"intraprovincial quota" means the number of broiler hatching eggs that a broiler hatching egg producer is authorized, under this Order, to market in intraprovincial trade during any calendar year.

Entitlement to an intraprovincial quota

2 No broiler hatching egg producer is entitled to an intraprovincial quota unless that producer has been allotted a broiler breeder laying hen quota by the Board.

Application for intraprovincial quota

3 Any person who has been allotted a broiler breeder laying hen quota by the Board wishing to market broiler hatching eggs may make application to the Board for the allotment of an intraprovincial quota and a combined allotment. Every application shall be in writing in a form prescribed by the Board and must be signed by the applicant and forwarded to the head office of the Board.

Record of rates of lay

4 The rate of lay of each registered producer is the rate of lay shown opposite the producer's name on the list of registered producers approved by the Board on the 6th day of December, 2007, as it may be amended from time to time by the Board.

Calculation of combined allotment

5 Subject to section 6, the combined allotment of a broiler hatching egg producer from time to time shall be calculated by multiplying the number of broiler breeder laying hens comprising the broiler breeder laying hen quota of that producer by the rate of lay assigned to that producer by the Board.

Temporary adjustment of combined allotment

6 A broiler hatching egg producer may apply to the Board for a temporary increase to such applicant's combined allotment. No such increase will be granted unless the Board is satisfied that

- (a) the broiler breeder laying hens currently being kept by that producer are producing at a rate of lay higher than that indicated on the list referred to in section 4;
- (b) the applicant has a market for more broiler hatching eggs than such applicant's combined allotment; and
- (c) the granting of such increase will not result in the marketing of broiler hatching eggs produced in Manitoba in excess of the quantity authorized to be marketed during any calendar year.

Calculation of intraprovincial quota

7 The intraprovincial quota of a broiler hatching egg producer shall be equal to the combined allotment of that producer minus the number of broiler breeder hatching eggs marketed by that producer in interprovincial trade in that calendar year.

Cancellation of intraprovincial quota

8 The intraprovincial quota of a person shall be automatically cancelled in the event that person's broiler breeder laying hen quota is cancelled, or in the event that person ceases to be registered producer.

Ownership of intraprovincial quota

9 Intraprovincial quotas are the property of the Board.

Intraprovincial quota non-negotiable

10 The right to an intraprovincial quota allotted by the Board is not negotiable, and no person shall assign, sell or offer for sale, or receive payment for any such quota.

Temporary egg marketing permit

11 The Board may assign a temporary egg marketing permit to a person who has been assigned a temporary laying hen possession permit.

Marketing without quota or permit prohibited

12 No person shall market broiler hatching eggs in intraprovincial trade unless an intraprovincial quota or temporary egg marketing permit has been allotted to that person.

Marketing in excess of quota or permit prohibited

13 No person shall market broiler hatching eggs in intraprovincial trade in excess of the intraprovincial quota or temporary egg marketing permit allotted to that person.

December 6, 2007

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APPROVED

February 25, 2008

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