

Laying Hen Quota Order, amendment

Regulation 103/2008
Registered June 24, 2008

Manitoba Regulation 128/98 amended

1 The Laying Hen Quota Order, Manitoba Regulation 128/98, is amended by this order.

2 Section 1 is amended by adding the following definitions in alphabetical order:

"**Quality Assurance Program**" means the program approved by the Board and designated with that name, as same may be amended or varied from time to time;

"**Temporary Quota Leasing Program**" means the program approved by the Board and designated with that name, as same may be amended or varied from time to time;

3 Clause 17(f) is repealed and the following is substituted:

(f) where the Board has determined that the producer has failed to comply with the Quality Assurance Program; or

(g) if the Board has reasonable grounds for believing that such action is in the interests of Manitoba producers, consumers or the egg industry.

4 The following is added after section 39:

Temporary quota leasing

39.1 The Board may, upon application in a form acceptable to the Board, temporarily reduce the quota allotted to an applicant and simultaneously temporarily allot an equal quota to an applicant in accordance with the procedures set out in the Temporary Quota Leasing Program and subject to such terms and conditions as the Board may establish at the time of approving such temporary reduction and temporary allotment.

* This order is made under the *Manitoba Egg and Pullet Producers' Marketing Plan Regulation*, Manitoba Regulation 70/2005, and is Order No. 1, 2008 of Manitoba Egg Producers.

The applicants shall each be required to provide such acknowledgments and undertakings as may be acceptable to the Board as well as the particulars which may be specified in such acknowledgments and undertakings.

No temporary reduction or temporary allotment under this section shall be valid for a period of time extending beyond December 31, 2012.

At the end of any temporary reduction and temporary allotment, under this section the temporary reduction and the temporary allotment shall automatically be cancelled by the Board.

This section 39.1 shall cease to have effect as of January 1, 2013.

5 Sections 49 and 49.1 are repealed and the following is substituted:

Standards for equipping and operating facilities

49 It is a condition of the allotment of a quota or a permit to a registered producer that such registered producer

- (a) equip and operate the facility in or on which such producer raises or keeps laying hens in such a manner as to provide adequate space, proper ventilation, temperature control, feed, water, lighting and sanitation for the laying hens kept in such facility and in accordance with the applicable provisions of the Quality Assurance Program;
- (b) maintain at all times a policy of insurance providing the type of coverage specified under the applicable provisions of the Quality Assurance Program, in such amounts as may be specified by the Board;
- (c) otherwise care for and handle laying hens raised or kept by such producer in accordance with the applicable provisions of the Quality Assurance Program; and
- (d) allow representatives of the Board to enter such facility, measure the exterior and the internal space in the facility as well as cage floor area, inspect such facility and take samples from such facility as well as observe and monitor production and marketing activities within such facility.

6 Section 50 is repealed and the following is substituted:

Egg storage room

50 It is a condition of the allotment of a quota or a permit to a registered producer that such registered producer

- (a) maintain, either in the facility specified for use in connection with such quota or a permit, or in close physical proximity thereto, an egg storage room that is capable of
 - (i) maintaining a controlled temperature of 10°C to 13°C (50°F to 55°F) at all times of the year, and

(ii) accommodating such producer's egg production until such time as such producer markets such production;

(b) utilize at all times such egg storage room to cool and store all of his egg production;

(c) operate such egg storage room in a manner as to ensure proper cooling of his egg production and non-contamination of such egg production by any product that may affect such eggs;

(d) keep such egg storage room clean and free of insects and rodents at all times; and

(e) allow representatives of the Board to enter such egg storage room, inspect such egg storage room, and take samples from such egg storage room as well as observe and monitor activities within such egg storage room.

7 Section 51 is repealed and the following is substituted:

Capacity limitations for facilities

51 The laying hen quota or permit allotted to a registered producer will not exceed the certified capacity of the facility specified for use in connection with such laying hen quota or permit. Such certified capacity shall only include useable production space, and shall be calculated by the Board using the applicable guidelines in the "Recommended Code of Practice for the care and handling of pullets, layers and spent fowl (Poultry - Layers)" distributed by Canadian Agri-Food Research Council (2003 and updates).

June 12, 2008

MANITOBA EGG PRODUCERS:

Kurt Siemens, Chair

Penny Kelly, Secretary

APPROVED

June 23, 2008

MANITOBA FARM PRODUCTS
MARKETING COUNCIL:

David Gislason, Chair

Gordon H. MacKenzie, Secretary