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

Chicken Broiler Penalty Levies Regulation, amendment*

Regulation 124/2017
Registered September 18, 2017

Manitoba Regulation 137/2010 amended

1 The Chicken Broiler Penalty Levies Regulation, Manitoba Regulation 137/2010, is amended by this regulation.

2 The following is added after subsection 3(2):

3(3) The levies imposed under this section are not applicable to a person who is a designated annual speciality producer or to an eligible corporation under the communal group permit system.

Levies imposed on designated annual speciality producers

3.1(1) A levy is imposed on each designated annual speciality producer who markets chicken broilers of \$3.00 per chicken broiler marketed by such producer.

3.1(2) The levy imposed under subsection (1) is not applicable to chicken broilers marketed during a calendar year by a designated annual speciality producer, provided that the chicken broilers marketed by the producer were

(a) processed in strict accordance with the terms and conditions set out in a notice of allotment of annual speciality quota issued to that producer for that calendar year; and

(b) marketed in strict accordance with the terms and conditions set out in that notice of allotment of annual speciality quota.

* This regulation is made under the *Manitoba Chicken Broiler Producers Marketing Plan Regulation*, Manitoba Regulation 246/2004, and is Regulation No. 1, 2017 of Manitoba Chicken Producers.

3.1(3) A levy is imposed on each designated annual speciality producer of \$0.44 per kilogram of chicken broiler marketed by the designated annual speciality producer during a calendar year in excess of 102% of any aggregate amount of chicken broiler allotted to that designated annual speciality producer for that calendar year.

Levies imposed on eligible corporations (communal group permit system)

3.2(1) A levy is imposed on each eligible corporation under the communal group permit system which markets chicken broilers of \$3.00 per chicken broiler marketed by such eligible corporation.

3.2(2) The levy imposed under subsection (1) is not applicable to chicken broilers marketed during a calendar year by an eligible corporation under the communal group permit system, provided that the chicken broilers marketed by the eligible corporation were

(a) processed in strict accordance with the terms and conditions set out in a temporary market allotment permit issued to that eligible corporation for that calendar year; and

(b) consumed or marketed in strict accordance with the terms and conditions set out in that temporary market allotment permit.

3 Section 7 is replaced with the following:

Levies imposed on non-registered producers

7(1) A levy is imposed on each person who raises or keeps chicken broilers and who is not registered as a producer with this board of \$3.00 per chicken broiler raised or kept by such person in excess of 999 chicken broilers raised or kept in a calendar year by such person.

7(2) The levies imposed under this section are not applicable to a person who is a designated annual speciality producer or to an eligible corporation under the communal group permit system.

Levies imposed on designated annual speciality producer

7.1(1) A levy is imposed on each designated annual speciality producer of \$3.00 per chicken broiler raised or kept by that producer at any point in time during a production period in excess of the number of chicken broilers specified by the board for that production period.

7.1(2) A levy is imposed on each designated annual speciality producer of \$3.00 per chicken broiler raised or kept by that producer at any point in time other than during a production period specified by the board for that producer.

7.1(3) A levy is imposed on each designated annual speciality producer of \$3.00 per chicken broiler raised or kept by that producer at any location other than in the production facilities specified by the board for that producer.

Levies imposed on eligible corporations (communal group permit system)

7.2(1) A levy is imposed on each eligible corporation under the communal group permit system of \$3.00 per chicken broiler raised or kept by that eligible corporation at any point in time during a calendar year in excess of the number of chicken broilers allotted to that eligible corporation in that calendar year.

7.2(2) A levy is imposed on each eligible corporation under the communal group permit system of \$3.00 per chicken broiler raised or kept by that eligible corporation at any location other than the production facilities specified by the board in the temporary production permit issued to that eligible corporation by the board.

4 **Section 8 is amended by striking out "raising or marketing" and substituting "raising or keeping".**

5 **The following is added after section 11:**

Application of definitions from M.R. 246/2004 and M.R. 228/2006

11.1 Terms defined in the *Manitoba Chicken Broiler Producers Marketing Plan Regulation*, Manitoba Regulation 246/2004 and in the *Chicken Broiler Quota Order*, Manitoba Regulation 228/2006, and used in this regulation have the same meaning in this regulation as in those regulations.

August 3, 2017

Manitoba Chicken Producers:

Jake Wiebe, Chair

Wayne Hiltz, Executive Director

APPROVED

September 15, 2017

Manitoba Farm Products Marketing Council:

Ed Helwer, Chair

Ingrid Peters-Fransen, Secretary