

---

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

**Milk General Order, amendment\***

---

Regulation 114/2023  
Registered August 1, 2023

**Manitoba Regulation 301/89 amended**

**1 The Milk General Order, Manitoba Regulation 301/89, is amended by this order.**

**2 Everything before section 2 is replaced with the following:**

PART I

DEFINITIONS

**Definitions**

**1(1)** The following definitions apply in this order.

"**acceptable milk**" means milk that is not substandard milk.

"**dairy plant**" means a place where milk is received for the purpose of being processed into a dairy product.

---

\* This Order is made under the *Dairy Farmers of Manitoba Marketing Plan Regulation*, Manitoba Regulation 89/2004, and is Order No. 1, 2023 of Dairy Farmers of Manitoba.

**"over-quota production"** means any butterfat production that is more than a farm's upper flexibility limit of five days of daily quota calculated monthly.

**"plan"** means the *Dairy Farmers of Manitoba Marketing Plan Regulation*, Manitoba Regulation 89/2004.

**"substandard milk"** means substandard milk as defined in the *Milk Quality Regulation*, Manitoba Regulation 135/2017.

**1(2)** The following terms have the same meaning in this order as they have in the plan:

"board"

"dairy product"

"marketing"

"milk"

"processor"

"quota"

"registered producer"

"regulated product"

"transportation"

## PART I.1

### INFORMATION

#### **Books, records and reporting**

**1.1** Every person engaged in the marketing of the regulated product shall

(a) maintain and keep complete and accurate books and records of all matters relating to such marketing; and

(b) on request of the board, promptly report any information respecting the marketing of regulated product requested by the board, and, if required by the board, report the information on a form approved by the board no later than the seventh day after the request is received.

**3 Section 2 is amended**

**(a) in the part before clause (a), by striking out "and manufacturer"; and**

**(b) in clause (a),**

**(i) in the part before subclause (i), by striking out "each plant of the manufacturer or processor" and substituting "each dairy plant of the processor", and**

**(ii) by replacing subclause (i) with the following:**

(i) the receipt and utilization of all milk received by the dairy plant, and

**4 Section 3 is amended**

**(a) by striking out "manufacturing"; and**

**(b) by striking out "his operations" and substituting "their operations".**

**5 Section 4 is amended by striking out "Subject to the expectations provided for subsection 28(2) of the Plan, no producer" and substituting "No registered producer".**

**6 Section 5 is amended by striking out "or manufacturer" wherever it occurs.**

**7 Section 6 is amended by striking out "manufacturer or".**

**8 Sections 7 and 8 are repealed.**

**9 Section 9 is replaced with the following:**

**Daily Quota Pool**

**9(1)** Subject to any fees or charges payable to the board, the board shall hold in the Daily Quota Pool all proceeds that it receives in consideration for marketing acceptable milk that complies with the Daily Quota Policy.

**9(2)** At the end of each month the board shall distribute the proceeds held in the Daily Quota Pool to the registered producers relative to the quantity of milk delivered by each registered producer in that month but subject to

(a) any adjustments, disbursements or expenses incurred by the board during that month in marketing milk or administering the Daily Quota Pool; and

(b) any contributions by the board to the reserve of the Daily Quota Pool that are approved by the Manitoba council.

**10 Section 10 is replaced with the following:**

**Over-quota production**

**10** A registered producer who delivers over-quota production milk to the board is not entitled to payment for the milk and is subject to a penalty of \$10.00 per kg of over-quota production in addition to any other fees or deductions of the board that apply.

**11 Sections 11 to 14 are repealed.**

**12 Section 18 is amended**

**(a) in the section heading, by striking out "manufacturers and";**

**(b) in the part before clause (a), by striking out "manufacturer or";**

**(c) by renumbering clause (a) as clause (a.1) and adding the following before clause (a.1):**

(a) accept delivery of milk as negotiated with the board;

**(d) in subclauses (b)(i) and (ii), by striking out "milk plant" and substituting "dairy plant"; and**

**(e) adding the following after clause (d):**

(e) test the milk for inhibitory substances using tests and testing methods required by the board and promptly provide the confirmed positive results of those tests to the board.

**Coming into force**

**13** This order comes into force on August 1, 2023, or the day it is registered under *The Statutes and Regulations Act*, whichever is later.

July 28, 2023

**Dairy Farmers of Manitoba:**

Henry Holtmann, Chair  
Brent Achtemichuk, Secretary

APPROVED

August 1, 2023

**Manitoba Farm Products Marketing Council:**

Ed Helwer, Chair  
Amber Aligawesa, Secretary