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

Turkey Quota Order, amendment*

Regulation 39/2012
Registered April 11, 2012

Manitoba Regulation 38/2008 amended

1 The *Turkey Quota Order*, Manitoba Regulation 38/2008, is amended by this Order.

2 **Section 60 is replaced with the following:**

Temporary suspension and reallocation

60 The Board may, upon application in a form acceptable to the Board, temporarily reduce the market allotment allotted to an applicant and simultaneously temporarily allot an equal market allotment to an applicant in the manner outlined in this section.

The applicants shall each be required to provide a Statutory Declaration in a form acceptable to the Board providing such particulars as may be required by the Board. Any agreement or understanding between the applicants shall be appended to such Statutory Declarations.

The Board may grant such application and temporarily suspend the market allotment of an applicant (the "current producer") and temporarily allot a market allotment to an applicant (the "recipient").

In the event that the Board has reasonable grounds for believing that any information provided in a Statutory Declaration is false or misleading, the Board may cancel or reduce the quotas and allotments of the applicants.

At the end of any temporary suspension and temporary allotment under this section, the temporary suspension and the temporary allotment shall automatically be cancelled by the Board. No extensions or renewals will be granted under this section involving the same current producer and the same recipient as a recipient in a successive marketing year.

The Board will not consider an application under this section:

- (a) for any period of time which encompasses more than one marketing year;

* This Order is made under the *Manitoba Turkey Producers Marketing Plan Regulation*, Manitoba 38/2004, and is Order No. 1, 2012 of Manitoba Turkey Producers.

(b) where the current producer was involved in an approved application under this section in the previous marketing year, except in the event of an unforeseen circumstance acceptable to the Board;

(c) for a market allotment in excess of 10,000 kilograms of turkey;

(d) to a recipient unless that recipient is a registered producer;

(e) to a recipient if, as a result of granting such application, the recipient would be entitled to be allotted market allotments during the marketing year as a result of applications under this section aggregating in excess of 10,000 kilograms of turkey; and

(f) unless the Board is satisfied that the recipient has the ability to obtain sufficient poult to allow the recipient to market an amount of turkey equal to such temporary market allotment prior to April 30 of that marketing year, or unless the Board is satisfied that the recipient will be able to market such additional temporary market allotment from an existing flock prior to April 30 of that marketing year.

The Board will not approve an application under this section:

(a) unless satisfactory arrangements have been made with the Board with respect to the payment of any levies and penalties in connection with the marketings and any overmarketings by the recipient; or

(b) where the result of granting such an application would result in a registered producer marketing in excess of 600,000 kilograms of turkey in a marketing year.

November 15, 2011

Manitoba Turkey Producers:

Bill Uruski
Chair

Helga Wheddon
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APPROVED

April 3, 2012

**Manitoba Farm Products Marketing
Council:**

Ken Caldwell
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