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

# **Overproduction Potato Penalties Regulation\***

Regulation 65/2015 Registered May 15, 2015

#### Definitions

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The following definitions apply in this regulation.

"board" means Keystone Potato Producers Association.

"**overproduction potatoes**" means potatoes produced by a registered producer in excess of the amount set out in a potato growing agreement.

"**potato**" has the same meaning as in subsection 1(1) of the *Manitoba Processing Potato Marketing Plan Regulation*, Manitoba Regulation 206/2006.

"**potato growing agreement**" has the same meaning as in subsection 1(1) of the *Manitoba Processing Potato Marketing Plan Regulation*, Manitoba Regulation 206/2006.

"**registered processor**" has the same meaning as in subsection 1(1) of the *Manitoba Processing Potato Marketing Plan Regulation*, Manitoba Regulation 206/2006.

"**registered producer**" has the same meaning as in subsection 1(1) of the *Manitoba Processing Potato Marketing Plan Regulation*, Manitoba Regulation 206/2006.

<sup>\*</sup> This regulation is made under the *Manitoba Processing Potato Marketing Plan Regulation*, Manitoba Regulation 206/2006, and is Regulation No. 1, 2015 of Keystone Potato Producers Association.

# Marketing of overproduction potatoes

**2(1)** A registered producer must not market overproduction potatoes except to or through the board.

**2(2)** The board may refuse to market overproduction potatoes from a registered producer if in the board's opinion the registered producer has repeatedly produced potatoes in excess of the amount set in the applicable potato growing agreement.

**2(3)** A registered processor may not acquire overproduction potatoes except from the board.

## Penalty

**3** A registered processor who markets overproduction potatoes to or through the board must pay a penalty of \$2 for every 100 pounds of overproduction potatoes marketed.

## Payment of penalty by processor to board

**4** A registered processor who acquires overproduction potatoes must deduct from the price to be paid for them an amount equal to the penalty required by section 3 and must submit the deducted amount to the board at its office Box 545. Portage la Prairie, Manitoba R1N 3B9, without delay after deducting it.

#### Automatic repeal

**5** This regulation is repealed on September 30, 2017.

## Regulation subject to section 25 of plan

**6** This regulation is subject to section 25 of the Manitoba Processing Potato Marketing Plan Regulation, Manitoba Regulation 206/2006.

March 18, 2015

**Keystone Potato Producers Association:** 

Chad Berry Chairperson

Daniel Sawatzky Secretary

#### APPROVED

April 8, 2015

Manitoba Farm Products Marketing Council:

Ken Caldwell Chair

Patty Rosher Secretary