

---

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

**Turkey Penalty Levies Regulation, amendment\***

---

Regulation 114/2016  
Registered July 19, 2016

**Manitoba Regulation 172/2010 amended**

**1 The Turkey Penalty Levies Regulation, Manitoba Regulation 172/2010, is amended by this regulation.**

**2 The following is added after section 2:**

**Non-application re breeder/mature program**

**2.1** The levies imposed under section 1 are not applicable to turkey marketed by a registered Turkey Egg Producer.

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

PART 3.1

BREEDER/MATURE MARKETING PENALTY LEVIES

**Definition**

**11.1** In this Part, "**non-mature turkey**" means a turkey marketed by a registered Turkey Egg Producer which is less than 28 weeks of age at the time of the marketing.

---

\* This regulation is made under the *Manitoba Turkey Producers Marketing Plan Regulation*, Manitoba Regulation 38/2004, and is Regulation No. 2, 2016 of Manitoba Turkey Producers.

**Levies imposed on overmarketings (breeder/mature program)**

**11.2** A levy is imposed on each registered Turkey Egg Producer of \$0.33 per kilogram on each kilogram of turkey marketed by the Turkey Egg Producer during any marketing year in excess of the aggregate of the market allotment allotted to the Turkey Egg Producer under the breeder/mature program of the board for that marketing year and any temporary market allotment permits allotted to the Turkey Egg Producer for that marketing year.

**Levies imposed on overmarketings re non-mature turkey**

**11.3** In addition to the levy imposed under section 11.2, an additional levy is imposed on each registered Turkey Egg Producer of \$3 per kilogram on each kilogram of non-mature turkey marketed by the Turkey Egg Producer in any marketing year in excess of 15% of the aggregate weight of all turkey marketed by the Turkey Egg Producer during that marketing year.

**Purchaser's obligation to deduct and remit**

**11.4** Each operator of a poultry processing plant who receives live turkeys from a registered Turkey Egg Producer shall deduct from the money payable for the turkeys all levies payable by the Turkey Egg Producer to the board under this Part and shall forward the levies to the board at its office, 895B Century Street, Winnipeg, MB R3H 0M3 not later than seven days from the last day of the week in which the turkeys were received.

**Notice of levies owed to be provided**

**11.5** The obligations of an operator of a poultry processing plant referred to in section 11.4 are only applicable to turkeys received from a registered Turkey Egg Producer after the operator has received a notice provided by the board to the operator indicating that the Turkey Egg Producer owes levies to the board under this Part and the amount of levies owed by the Turkey Egg Producer.

**4 Section 12 is replaced with the following:**

**Levies imposed on registered producers**

**12(1)** A levy is imposed on each registered producer other than a registered Turkey Egg Producer of \$10 per turkey of a category raised or kept by the producer at any point in time during a marketing period in excess of the production quota allotted to the producer of that category for that marketing period.

**12(2)** The board may from time to time waive the application of all or a portion of the levy imposed on a producer under subsection (1) upon written request of the producer provided that the producer did not market turkey of that category during that marketing period in excess of the aggregate of the market allotment for that category allotted to the producer for that marketing period.

**Levies imposed on turkey egg producers**

**12.1(1)** A levy is imposed on each registered Turkey Egg Producer of \$10 per turkey raised or kept by the producer at any point in time during a marketing year in excess of the production quota allotted to the producer for that marketing year.

**12.1(2)** The board may from time to time waive the application of all or a portion of the levy imposed on a Turkey Egg Producer under subsection (3) upon written request of the producer provided that the producer did not market turkey during that marketing year in excess of the aggregate of the market allotment allotted to the producer for that marketing year.

**5 Section 17 is replaced with the following:**

**Non-application to poults**

**17** The levies imposed under Part 1, Part 2, Part 3, Part 3.1 and Part 4 are not applicable to the marketing of turkeys less than 10 days old.

**6 The following is added after section 18:**

**Application of definitions from M.R. 38/2004**

**18.1** Terms defined in the *Manitoba Turkey Producers Marketing Plan Regulation*, Manitoba Regulation 38/2004, and used in this regulation have the same meaning in this regulation as in that regulation.

**7 Section 19 is repealed.**

June 28, 2016

**Manitoba Turkey Producers:**

Bill Uruski, Chair

Helga Wheddon, General Manager

APPROVED

July 19, 2016

**Manitoba Farm Products Marketing Council:**

Ken Caldwell, Chair

Ingrid Peters-Fransen, Secretary