REPEALED

Repealed by M.R. 132/2006.
Date of repeal: 26 June 2006

This version was current for the period set out in the footer below.

ABROGÉ

Abrogé par R.M. 132/2006.
Date d'abrogation : 26 juin 2006

La présente version était à jour pendant la période indiquée en bas de page.

# Damaged Milk Charges Regulation

Regulation 15/2002
Registered January 30, 2002

**Definitions**

**1** In this regulation,

**"board"** means Manitoba Milk Producers;

**"damaged milk"** means all milk transported in a truck other than the milk of the contravening producer or producers;

**"tested"** means tested by the Animal Industry Branch of Manitoba Agriculture and Food or by MFC Testing and Research Inc.

**Charge re antibiotics**

**2(1)** In this section, **"contravention"** means the marketing of milk that is tested and found to contain an antibiotic substance or other substance that inhibits the growth of a bacteria culture.

**2(2)** A producer who commits a contravention shall pay a charge as follows:

(a) where a truckload of milk cannot be marketed because of a contravention under this section, the producer whose milk is found to be in contravention shall not be paid for his milk marketed on that day and, in addition, is liable to the board in an amount equal to the value of the damaged milk plus the cost, including transportation, dumping and other related costs, of disposing of all of the milk in that load;

(b) where more than one producer is liable under clause (a) in respect of the same truckload, each producer is liable in the same proportion that the producer's milk has to the volume of the damaged milk.

**2(3)** Where a producer becomes liable to a charge under subsection (2) in respect of milk marketed in any month,

(a) the board shall give notice in writing to the producer of the charge payable and the method of calculation of the charge;

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* This order is made under section 17 of the *Manitoba Milk Producers' Marketing Plan Regulation*, Manitoba Regulation 247/87 R, and is Regulation No. 2 , 2002 of Manitoba Milk Producers.

(b) the producer shall pay the charge to the board on or before a date 90 days after the issue of the notice by the board;

(c) the board may,

(i) deduct and retain the amount of the charge from any money due to the producer from any sale of quota, and

(ii) at any time after the date referred to in clause (b), deduct and retain the amount of the charge from money that the board receives from the sale of milk marketed by the producer or from the proceeds of any quota sale due to the producer; and

(d) interest at the rate set by the board from time to time shall be payable and collected on any amounts unpaid from the date referred to in clause (b).

January 2, 2002

MANITOBA MILK PRODUCERS:

William Swan
Chairman

W.J.S. Wade
Secretary

APPROVED

January 29, 2002

MANITOBA FARM PRODUCTS MARKETING COUNCIL:

Howard Motheral
Chairperson

G. H. MacKenzie
Secretary

The Queen's Printer
for the Province of Manitoba


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