REPEALED

Repealed by S.M. 2022, c. 7, s. 9.
Date of repeal: 20 Apr. 2022

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

It was the first version.

ABROGÉ

Abrogé par L.M. 2022, c. 7, s. 9.
Date d'abrogation : 20 avril 2022

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

Il s'agit de la première version.

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

Root Crop Marketing for Manufacturing Exemption Order*

Regulation 32/2016
Registered February 22, 2016

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Definitions

1 The following definitions apply in this Order.

"**eligible root crop producer**" means a registered root crop producer who has applied for and has been designated by a resolution of the board as an eligible root crop producer and whose status is in good standing.

"**eligible root crop producer list**" means a list of eligible root crop producers approved by the board under the heading "eligible root crop producer list" as may be amended by resolution of the board from time to time to reflect alterations, additions or deletions.

"**exempt manufacturer**" means a corporation which is not a registered producer and which operates a manufacturing plant in the province and has applied for and has been designated by a resolution of the board as an exempt manufacturer and whose status is in good standing.

* This Order is made under the *Manitoba Vegetable Producers Marketing Plan Regulation*, Manitoba Regulation 117/2009, and is Order No. 1, 2016 of Peak of the Market.

"**exempt manufacturer list**" means a list of exempt manufacturers approved by the board under the heading "exempt manufacturer list" as may be amended by a resolution of the board from time to time to reflect alterations, additions or deletions.

"**manufacturing plant**" means a facility in Manitoba owned and operated by an exempt manufacturer which processes root crops.

"**process**" includes peeling, breaking or changing the nature, form, size, shape, quality or condition of a root crop.

Purpose

2 The purpose of this Order is to establish a system under which an eligible root crop producer may market root crops produced by the producer to an exempt manufacturer in order to provide the exempt manufacturer with root crops for processing at the manufacturing plant of that exempt manufacturer.

Exempt activities re marketing of root crops by the producer

3 Subject to the terms of this Order, an eligible root crop producer is exempt from the following:

(a) sections 3, 6, 7, 10 and 11 of the *Root Crop General Order*, Manitoba Regulation 198/94;

(b) the *Root Crop Quota Order*, Manitoba Regulation 12/95; and

(c) the *Root Crop Promotion and Research Levies Regulation*, Manitoba Regulation 112/2010;

with respect to any root crops marketed by the producer in accordance with the terms of this Order.

Exempt activities re marketing of root crops by an exempt manufacturer

4 Subject to the terms of this Order, an exempt manufacturer is exempt from sections 3, 6, 7, 10 and 11 of the *Root Crop General Order*, Manitoba Regulation 198/94, with respect to any root crops acquired and processed by the exempt manufacturer in accordance with the terms of this Order.

Conditions re marketing and processing exemptions

5 The exemptions provided for in this Order are subject to the following conditions:

(a) the root crops marketed by the eligible root crop producer must be delivered by the producer to the exempt manufacturer at the exempt manufacturer's manufacturing plant;

(b) the root crops referred to in clause (a) must be processed by the exempt manufacturer at the exempt manufacturer's manufacturing plant; and

(c) the exempt manufacturer must not engage in the sale or distribution of root crops acquired from any source unless the root crops have been processed by the exempt manufacturer at the exempt manufacturer's manufacturing plant.

Cancellation

6(1) If an eligible root crop producer fails to comply with any Order, regulation or written directive of the board, or any condition of this Order, the board may cancel the root crop producer's designation as an eligible root crop producer and remove the root crop producer from the eligible root crop producer list.

6(2) If an exempt manufacturer fails to comply with any Order, regulation or written directive of the board, or any condition of this Order, the board may cancel the exempt manufacturer's designation as an exempt manufacturer and remove the exempt manufacturer from the exempt manufacturer list.

Non-transferability

7 The exemptions provided in this Order are non-transferable.

February 15, 2016

Peak of the Market:

Keith Kuhl, Chair

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APPROVED:

February 22, 2016

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