REPEALED

Repealed by M.R. 19/2009.
Date of repeal: 26 Jan. 2009

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

ABROGÉ

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Levies Regulation re Non-Quota Potatoes

Regulation 89/95
Registered June 27, 1995

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* This regulation is made under the Manitoba Vegetable Producers' Marketing Plan Regulation 249/87 R, and is Regulation No. 2, 1994 of Peak Vegetable Sales.

PART I

LEVIES ON REGISTERED PRODUCERS

Levies imposed on marketings in excess of annual table quota

1 A levy is imposed on each producer registered as a table potato producer of 10¢ for each 75 pound bag of potatoes of a type marketed by such producer in excess an amount equal to the annual table quota allotted to such producer for that type of table potato (including marketings made during a non-quota delivery period), in addition to other fees, levies and charges imposed on such producer.

PART II

LEVIES ON SPECIAL MARKETING EXEMPTIONS

Application of Part II

2 This Part applies to the marketing of potatoes by a producer pursuant to an exemption granted by this Board allowing such producer to market a specified quantity and class of potatoes in a specified market for use other than as table or seed potatoes.

Levies imposed re exemptions

3 A levy is imposed on every producer who markets potatoes pursuant to a special marketing exemption granted to him by this Board in the circumstances outlined in section 2 above, of 2.5¢ for each 100 pounds or portion thereof of potatoes so marketed, provided however in all circumstances the minimum levy imposed pursuant to this section shall be the sum of $100. per special marketing exemption.

Payment of levies

4 The levies imposed under this Part shall be due and payable by the producer to this Board at the time and place of marketing of the potatoes, and may be deducted as a first charge against the money which this Board, or its agent, receives from such sale.

PART III

PENALTY LEVIES

Levies imposed re unauthorized marketings

5 A levy is imposed on every producer who markets potatoes

(a) in excess of a special marketing exemption granted to such producer by this Board in the circumstances outlined in section 2 above;

(b) to a manufacturer, other than to an exempt manufacturer;

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(c) to an exempt manufacturer, if the provisions of subsections 29(2) or (3) of the Manitoba Vegetable Producers' Marketing Plan Regulation do not provide for the non-application of the Plan to such potatoes; and

(d) in any manner prohibited by sections 40, 41, 42 or 43 of the Potato Quota Order;

of $5.00 for each 100 pounds or portion thereof of potatoes so marketed.

Collection of levies by manufacturers

6 Each manufacturer shall at the time it takes delivery of potatoes other than potatoes to which the Plan does not apply pursuant to the provisions of subsections 29(2) or (3) of the Plan, deduct from the monies payable for such potatoes all levies payable by the producer of such potatoes to this Board pursuant to this Part and shall forward such levies to this Board at its office, 1200 King Edward Street, Winnipeg, Manitoba, not later than thirty (30) days following the receipt of such potatoes by such manufacturer.

Collection of levies by purchasers

7 Each producer other than a manufacturer shall at the time the purchaser takes delivery of potatoes from a producer deduct from the monies payable for such potatoes all levies payable by the producer of such potatoes to this Board pursuant to this Part and shall forward such levies to this Board at its office, 1200 King Edward Street, Winnipeg, Manitoba, not later than thirty (30) days following the receipt of such potatoes by such registered producer.

Payment of levies by producer

8 Every producer shall pay to this Board at its office, 1200 King Edward Street, Winnipeg, Manitoba, all levies payable by that producer under this Part that were not deducted and forwarded to this Board by the person who received such potatoes from that producer, not later than forty-five (45) days following the marketing of potatoes by that producer.

Effect of payment

9 The payment of any levies pursuant to this Part shall not be construed as an approval or a sanctioning in any way by this Board of the marketing of such potatoes and the provisions of all regulations and orders of this Board, and all sanctions provided under the Act, shall apply to such marketing notwithstanding such payment of levies.

PART IV

GENERAL

Repeal

10 Manitoba Regulation 349/87 is repealed.

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December 15, 1994 PEAK VEGETABLE SALES:

David Jeffries
Chairman

John Kuhl
Secretary

APPROVED

June 16, 1995 THE MANITOBA NATURAL PRODUCTS MARKETING COUNCIL:

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Vice-Chairman

Gordon H. MacKenzie
Secretary

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