

Chicken Farmers of Ontario

Regulation No. 2228 – 2008

Made under: The Farm Products Marketing Act

Effective January 1, 2009

SMALL FLOCK AND FARM GATE MARKETING

INTERPRETATION

1. In this Regulation,
 - a) “*Custom processing*” means processing of chicken pursuant to an arrangement whereby the person who produced the chicken receives the chicken after processing and retains ownership to and title in the chicken;
 - b) “*Exempt grower*” means a person registered with the Board and permitted by the Board to produce and market no more than 300 chicken on an annual basis while being exempted from the requirement of being fixed and allotted a quota by the Board for the producing and marketing of chicken;
 - c) “*Hatchery*” means a facility which hatches or markets chicks;
 - d) “*Processor*” means a person who slaughters chicken and is either i) licenced by the Board or ii) possesses a valid federal or provincial meat inspection licence;
 - e) “*Producing*” means having the care, control or possession of chicken and “*produced*”, “*produce*” and “*production*” have corresponding meanings;
 - f) “*Premises*” means the lands and buildings appurtenant thereto upon which chicken is produced and from which chicken is marketed by an exempt grower;
 - g) “*Marketing*” includes advertising, assembling, buying, financing, offering for sale, packing, processing, selling, shipping, storing, transporting and weighing, and “*market*” and “*marketed*” have corresponding meanings;

Other words and phrases used in this regulation shall have the same meaning as found in Regulation 2070-2005 made by the Board.

APPLICATION

2. This Regulation provides for the control and regulation in any and all respects of the production and marketing within Ontario of chicken, including the prohibition of such production and marketing in whole or in part.

APPLICATION TO BE REGISTERED AS AN EXEMPT GROWER FOR A CALENDAR YEAR

3. A person may apply on an annual basis to be registered as an exempt grower by electronically filing a Form 300 showing:
 - a) Contact last name, first name, mailing address: consisting of street name and number, city, province, postal code, home phone number, alternate number (cell phone, work phone), fax number and email address;
 - b) Location of premises, street name and number, city, province, postal code, lot, concession, township, municipality and emergency number; and
 - c) Alternate contact last name, first name and phone number.

4. Every exempt grower's registration shall terminate on December 31st in each year, unless earlier terminated by the Board.

PRODUCTION OF CHICKEN

5. An exempt grower may produce chicken without first being fixed and allotted a quota by the Board to produce chicken.
6. No more than 300 chickens may be produced by the exempt grower in each calendar year.
7. Once a premises has been utilized for the production of chicken in a calendar year, it may not be used again for such purpose by the exempt grower or any other person until the following calendar year.
8. Every exempt grower shall complete a Form 300 prior to receipt of the chicks.
9. Every exempt grower shall pay to the Board a service charge in an amount to be determined by the Board from time to time.
10. Every exempt grower shall produce chicken in accordance with the Canadian Food Inspection Agency publication "*Bird Health Basics: How to Prevent and Detect Disease in Backyard Flocks and Pet Birds*".

OPTION TO MARKET CHICKEN

11. An exempt grower may market chicken without first being fixed and allotted a quota by the Board to market chicken, provided that:
 - a) no more than 300 chickens are marketed;
 - b) only chicken produced at the premises may be marketed;
 - c) all chicken shall be marketed at the premises and to purchasers who attend at the premises and purchase the chicken for their personal consumption;
 - d) all chicken shall be marketed on or before December 31, in each year.

12. No exempt grower may sell or offer to sell chicken to a processor or any person engaged in the business of purchasing or selling chicken.

13. Every exempt grower is solely responsible for all compliance with all other federal, provincial, territorial, regional, municipal or other governmental boards or agency requirements, including but not limited to, environmental and food safety regulations pertaining to the production or marketing of chicken and any requirement of a local health authority with regard to the storage, handling and sale of chicken.

14. All production and marketing of chicken by an exempt grower shall be solely at the risk and expense of such exempt grower who is responsible for any claims arising from the production or marketing of chicken, including but not limited to product liability claims.

HATCHERY INFORMATION

15. Every hatchery at the time of sale of chicks shall ensure that the exempt grower has completed a Form 300 in relation to the chicks being purchased.

16. Every hatchery shall report the sale of chicks to the Board within one week of the date of sale by completing and filing a weekly Broiler Placement Report in Form 1A or Form 1B, as applicable.

CUSTOM PROCESSING INFORMATION

17. Every exempt grower who has chicken custom processed shall provide a complete and accurate true copy of the Form 300 to the processor with respect to the chicken being custom processed for review prior to the chicken being custom processed. The processor shall retain the copy of the Form 300.

INSPECTIONS

18. Persons duly appointed by the Board may;
- a) inspect the books, records, documents, lands and premises and any chickens of persons engaged in producing or marketing chickens; and
 - b) enter on lands or premises used for the producing of chickens and perform a count of chickens.

FAILURE TO COMPLY

19. The Board may terminate the exemption provided to an exempt grower pursuant to this Regulation in the event such exempt grower is found to have contravened any or all of the provisions of this Regulation or any other regulation, policy, order or direction of the Board.

PERIODIC REVIEW

20. This Regulation may be reviewed by the Board at any time and may be revised or revoked as the Board may deem appropriate.

REVOCATION

21. CFO Regulation No. 2150-2008 is revoked effective with the implementation of Regulation No. 2228-2008.

EFFECTIVE DATE

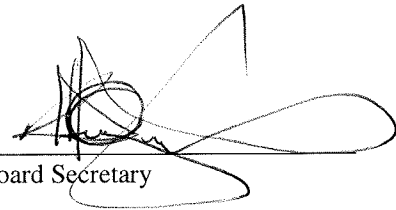
22. This regulation is effective on the 1st day of January, 2009.

BY ORDER OF Chicken Farmers of Ontario.

DATED at Burlington, Ontario, this 2nd day of December, 2008.



Board Chair



Board Secretary