

Milk Exemption Order

Regulation 159/93
Registered August 27, 1993

Permit to exempt from marketing through pool

1 Subject to the terms of this Order, any registered producer which has satisfied the Board that it is beneficially owned by the members of a Hutterite Colony may apply to the Board for a permit, providing it with a partial exemption from Part II of the *Milk General Order*, Manitoba Regulation 301/89, in order to use part of the milk produced by it for consumption by individuals who are members of the Hutterite Colony which beneficially owns the registered producer and who are permanently resident on the land location on which the milk is produced (such individuals being referred to as "eligible individuals"), or to manufacture dairy products for consumption by such eligible individuals.

Status of permitted marketings

2 Any milk marketed by a registered producer pursuant to a permit issued under this Order will not be considered milk marketed by such producer for the purpose of the *Milk Marketing Quota Order*, Manitoba Regulation 175/91.

Deemed production day

3 An application for a permit under this Order may request that the applicant be credited with a deemed production day for the purpose of the *Milk Marketing Levy and Penalty Regulation*, Manitoba Regulation 181/92, during the calendar month in which milk produced by the applicant is used to manufacture dairy products pursuant to a permit issued under this Order.

Exemption from fees

4 Any milk marketed by a registered producer pursuant to a permit issued under this Order will not be considered milk marketed by the producer for the purpose of the *Milk Administration and Marketing Fee Regulation*, Manitoba Regulation 197/92, the *Dairy Herd Improvement Program Fee Regulation*, Manitoba Regulation 111/89, and the *Milk Marketing Expansion Fee Regulation*, Manitoba Regulation 127/92.

* This order is made under the *Manitoba Milk Producers' Marketing Plan Regulation*, Manitoba Regulation 247/87R and is Order No. 2, 1993 of The Manitoba Milk Producers' Marketing Board.

Particulars in application

5 Any application for a permit under this Order shall indicate the number of eligible individuals of the applicant, the amount of milk the applicant wishes to use for consumption or for manufacturing into dairy products, and in the case of an application for manufacturing, the dairy product the applicant wishes to manufacture, and the proposed date of such manufacturing.

Limit on quantity

6 No application may be made under this Order for a permit which would result in the applicant being allowed to use more than 221 litres of milk per Dairy Year for each eligible individual of the applicant in the manufacture of dairy products pursuant to permits granted to such producer under this Order.

Limit as to source of milk

7 No application may be made under this Order for a permit to consume milk or to use milk for manufacturing dairy products other than milk which is produced by the applicant on the land location on which the production facilities of the applicant are located, as such location is indicated on the List of registered producers established by the Board pursuant to section 5 of the *Milk Marketing Quota Order*.

Limit as to location of manufacturing

8(1) No registered producer shall permit milk produced by such producer to be manufactured into a dairy product pursuant to a permit granted to such producer under this Order except on the facilities specified on such permit for such manufacturing.

8(2) No person shall manufacture milk into a dairy product pursuant to a permit granted under this Order except on the facilities specified on such permit for such manufacturing.

Transportation of milk re custom processing

9 In the event the facilities on which milk is to be manufactured into a dairy product under this Order are located on a different location than the facilities on which such milk was produced, no person shall transport milk from the facilities in which the milk was produced unless such person has been appointed an agent of the Board for such purpose.

Labelling of dairy product

10 Any dairy product manufactured pursuant to a permit issued under this Order must be packaged in a manner acceptable to the Board and must include on such packaging a label indicating the name of the registered producer that produced the milk from which the dairy product was manufactured, the date of the manufacturing, the name of the manufacturer, the location of the facility in which such dairy product was manufactured, the type of the dairy product manufactured, and the weight of the dairy product.

Permit terms to apply

11 No person shall use, process, transport or to otherwise market milk purportedly pursuant to a permit issued under this Order except as expressly permitted in such permit.

Coming into force

12 This Order comes into force on August 1, 1993, or on the day it is registered with the Registrar of Regulations, whichever is later.

June 28, 1993

THE MANITOBA MILK PRODUCERS'
MARKETING BOARD:

Louis Balcaen,
Chairman

W.J.S. Wade,
Secretary

APPROVED

August 25, 1993

THE MANITOBA NATURAL PRODUCTS
MARKETING COUNCIL:

Howard Motheral,
Chairman

Gordon H. MacKenzie,
Secretary

The Queen's Printer
for the Province of Manitoba