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Natural Products Marketing (BC) Act

BRITISH COLUMBIA HOG MARKETING SCHEME

[includes amendments up to B.C. Reg. 502/2004, November 19, 2004]

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Interpretation

1 In this regulation:

"**Act**" means the *Natural Products Marketing (BC) Act*;

"**commercial producer**" means a person who operates a farm

(a) from which he markets, or

(b) on which there are hog production facilities capable of producing for market

300 or more hogs annually, for processing;

"**commission**" means the British Columbia Hog Marketing Commission referred to in section 4;

"**hog**" means a pig of any age;

"**producer**" means a person who operates a farm from which he markets one or more hogs annually for processing;

"registered producer" means a commercial producer whose name has been entered and remains registered in the register referred to in section 7 as a commercial producer;

"regulated product" means hogs grown in the Province for processing.

[am. B.C. Regs. 513/80, s. 1; 191/81; 502/2004, s. 1.]

Scheme established, purpose and application

2 (1) A scheme called the British Columbia Hog Marketing Scheme is established in the terms of this regulation.

(2) The objects of the scheme are

(a) to initiate, support or conduct programs for promoting, stimulating, increasing and improving the economic well-being of persons engaged in the production, processing and marketing of the regulated product, and

(b) to initiate and carry out programs for regulating, promoting, stimulating, increasing and improving the marketing of the regulated product.

(3) The scheme applies to persons who produce, transport, pack, store or market the regulated product, and to all grades and classes of the regulated product.

Section Repealed

3 Repealed. [B.C. Reg. 502/2004, s. 2.]

British Columbia Hog Marketing Commission

4 (1) A commission called the British Columbia Hog Marketing Commission is established to administer the scheme under the supervision of the British Columbia Farm Industry Review Board.

(2) The commission consists of

(a) a chair appointed by the Lieutenant Governor in Council, and

(b) up to 5 members who are registered producers, elected by the registered producers.

(3) Despite subsection (2),

(a) the member serving as chair when this regulation comes into force continues to hold that office until the Lieutenant Governor in Council makes an appointment under subsection (2) (a), and

(b) the members serving on the commission when this regulation comes into force continue to hold their offices until elections are held under approved rules and procedures for elections established under subsection (4).

(4) The commission must establish and publish rules and procedures for the election of commission members.

(5) The British Columbia Farm Industry Review Board must approve the rules and procedures referred to in subsection (4) before those rules take effect.

[am. B.C. Regs. 356/83; 350/2003, s. (c); 502/2004, s. 3.]

Section Repealed

5 Repealed. [B.C. Reg. 502/2004, s. 4.]

Powers

6 (1) The commission is vested with the power in the Province to promote, control and regulate in any respect the marketing of the regulated product.

(2) Without restricting the generality of subsection (1), the commission is vested with

(a) the powers set out in section 11 (1) (e) to (j), (o) (i), (ii), (iv) and (v), (p), (q) and (v) of the Act, and

(b) the powers to regulate the time and place at which a regulated product must be transported or marketed, and to determine the manner of distribution, the quantity and quality, and the grade or class of the regulated product that must be transported or marketed.

(3) Repealed. [B.C. Reg. 502/2004, s. 5.]

[am. B.C. Regs. 513/80, s. 2; 430/82; 297/84; 259/88; 406/92; 33/94; 269/96; 332/97; 378/98; 342/99; 289/2002; 502/2004, s. 5.]

Register of producers

7 (1) Where a commercial producer applies to be registered as a commercial producer, and the commission is satisfied that he qualifies under section 8, it shall enter his name and address in the register as a commercial producer.

(2) Where the commission is satisfied that a person has ceased to qualify as a commercial producer, it shall amend the register to reflect that fact, but unless the person affected requests the amendment the commission shall first mail a notice by registered post to him at his last registered address advising him of the proposed amendment.

(3) Where a commercial producer

(a) is in arrears of his licence fees, or

(b) fails to comply with a provision of the scheme or an order from

the commission, the commission may strike his name from the register.

[am. B.C. Regs. 513/80, s. 3; 502/2004 s. 6.]

Qualification for registration

8 A person qualifies to be registered as a commercial producer if he operates a farm

(a) from which he markets, or

(b) on which there are hog production facilities capable of producing for market

300 or more hogs annually, for processing.

[am. B.C. Regs. 513/80, s. 3; 502/2004, s. 7.]

Sections Repealed

9 to **17** Repealed. [B.C. Reg. 502/2004, s. 8.]

[Provisions of the *Natural Products Marketing (BC) Act*, R.S.B.C. 1996, c. 330, relevant to the enactment of this regulation: sections 2, 11, 12, 13, 22]