

1981 BILL 34

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 34

THE DAIRY INDUSTRY ACT

MR. FJORDBOTTEN

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

THE DAIRY INDUSTRY ACT

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Bill 34
Mr. Fjordbotten

BILL 34

1981

THE DAIRY INDUSTRY ACT

(Assented to , 1981)

HER MAJESTY, by and with the advice and consent of the
Legislative Assembly of Alberta, enacts as follows:

Definitions

1 In this Act,

- (a) "bulk milk grader" means a person licensed as a bulk milk grader under this Act;
- (b) "dairy manufacturing plant" means an establishment licensed under this Act in which a dairy product is processed, manufactured, reprocessed, packed or repacked;
- (c) "dairy product" means milk, cream, butter, cheese, ice cream, condensed milk, evaporated milk, milk powder, dry milk, malted milk, sherbet or any other product manufactured wholly or mainly from milk and any other product defined as a dairy product in the regulations;
- (d) "Director" means the person designated by the Minister as Director under section 2;
- (e) "fluid milk product" means fluid milk product as defined in the regulations;
- (f) "grader" means a person licensed or appointed as a grader under this Act;
- (g) "imitation dairy product" means any food substance other than a dairy product, of whatever origin, source or composition, that is manufactured
 - (i) wholly or in part from a fat or oil, other than that of milk,

(ii) for human consumption, and

(iii) for the same or similar use as, and in semblance of, a dairy product,

but does not include margarine as defined in *The Margarine Act* or any product intended for use as a dessert topping or as a coffee whitener;

(h) “inspector” means an inspector designated by the Minister under this Act;

(i) “manufactured”, with respect to butter, includes that stage of the operation when butter is packed or placed in a package;

(j) “Minister” means the Minister of Agriculture;

(k) “package” means a container or covering used for the packing, wrapping or covering of a dairy product;

(l) “patron” means a person who supplies milk or cream for use by a dairy manufacturing plant;

(m) “tester” means a person licensed or appointed as a tester under this Act.

Personnel

2(1) In accordance with *The Public Service Act*, there may be appointed employees necessary for carrying out the provisions of this Act.

(2) The Minister may designate employees of the Government under his administration as a Director, supervisors, analysts, inspectors, weighers or clerks.

(3) The Minister may designate persons who in his opinion are qualified as graders or testers for the purposes of this Act.

(4) The Minister may designate employees of the Government of Alberta or of the Government of Canada as analysts, graders or inspectors for the purposes of this Act.

Access to premises
to examine books,
etc.

3(1) A Director, supervisor, analyst, inspector, weigher, grader or tester designated under section 2 may enter at any reasonable hour

(a) any dairy manufacturing plant and its premises, and

(b) any building and premises used for any dairy purpose by a patron, other than a private dwelling house,

to examine books or records pertaining to dairy purposes, dairy products, imitation dairy products, equipment, buildings and premises.

(2) When acting under the authority of this Act, a person designated under section 2 shall carry identification in the prescribed form and

present it on request to the owner or occupant of the building or premises referred to in subsection (1) or section 4(1).

Access to premises
to inspect, take
samples,
confiscate, etc.

4(1) At any reasonable hour, an inspector may enter a dairy manufacturing plant, building used for dairy purposes or the premises of a patron, manufacturer, vendor, carrier, storage company or the agent of any of them for the purpose of inspecting, grading, testing or analyzing, weighing and taking samples of a product that he believes, on reasonable grounds, to be

- (a) a dairy product, or
- (b) an imitation dairy product.

(2) When an inspector believes, on reasonable grounds, that an offence against this Act or the regulations has been committed, he may seize, detain or take away all dairy products, imitation dairy products and other things by means of or in relation to which he reasonably believes the offence was committed.

(3) An inspector may order that all dairy products or imitation dairy products seized, detained or taken away pursuant to subsection (2) be held until, in the opinion of the inspector, the provisions of the Act and the regulations with respect to the dairy products or imitation dairy products, as the case may be, have been complied with.

Official grading

5 The grade of milk or cream and the weight, volume and content of any component of milk or cream as determined and reported by a grader, tester, weigher, inspector or supervisor shall

- (a) constitute the official grade, the content of any component and the weight or volume of the milk or cream, and
- (b) be the basis on which final settlement shall be made to the patron on the sale to any dairy manufacturing plant.

Sale of dairy
products under
grade name

6 No person shall sell, offer, advertise or hold for sale a dairy product under a grade name established under the regulations unless the dairy product conforms to the standards prescribed in the regulations for that grade and is graded, packed and marked in accordance with the regulations.

Use of grade name

7 No person shall

- (a) apply to a dairy product that is not graded in accordance with the regulations or to a package containing a dairy product, or
- (b) use in association with a dairy product described in clause (a),

any grade or other designation that so resembles a grade name established by the regulations that it is likely to be mistaken for the grade name established by the regulations.

Obliteration of
grade name

8 Unless authorized in writing by an inspector or a grader, no person other than the final purchaser, for the purpose of further processing a dairy product, or the consumer shall alter, destroy or obliterate wholly or in part or cause to be altered, effaced or obliterated any grade name, brand or mark of any dairy product or any package containing a dairy product.

Sanitary condition
of premises

9 The buildings and premises of a dairy manufacturing plant shall be kept in a sanitary condition satisfactory to an inspector.

Sanitary standards
during manufacture
and handling

10(1) All materials and ingredients used in the manufacture and processing of dairy products shall be clean and wholesome and only sanitary methods satisfactory to an inspector shall be employed in the manufacture or processing.

(2) Patrons shall use clean and sanitary methods, satisfactory to an inspector, in handling and caring for milk, cream and dairy utensils.

(3) Patrons shall keep their animals from which milk is drawn for human consumption and sale in accordance with the regulations.

Closure of dairy
manufacturing
plant

11 On the report of the Director or an inspector that a dairy manufacturing plant is not in a sanitary condition or that the manufacturing methods are unsanitary, the Minister may order the owner, operator, manager or other person in charge of the dairy manufacturing plant to close it forthwith and keep it closed until the Director or inspector reports that the condition of it and the methods to be employed in it are satisfactory.

Colouring of unfit
milk or cream

12(1) If in the opinion of an inspector, a grader, bulk milk grader or tester the milk or cream in a patron's can, farm bulk tank or a shipment of milk or cream by a patron

(a) is unsanitary,

(b) contains any contaminating substance, or

(c) contains milk or cream that is or appears to be unfit for human consumption,

the milk or cream shall be coloured with a harmless colouring matter at a dairy manufacturing plant or at the producer's premises by an inspector, grader or tester.

(2) The milk or cream coloured under subsection (1) may be

(a) returned to the patron at the patron's expense, or

(b) disposed of in some manner other than use in the manufacture or processing of a dairy product.

Rejected milk

13(1) A bulk milk grader may reject milk in a patron's farm bulk tank if he suspects it does not conform to the minimum standards

for that grade of milk, and the final decision regarding the disposition of the milk shall be made by

- (a) an inspector, or
- (b) a grader other than a bulk milk grader employed by the dairy manufacturing plant that is to receive the milk.

(2) Milk rejected under subsection (1) may be removed from a patron's farm bulk tank to a milk transportation tank if it is not mixed with any other milk in the milk transportation tank.

(3) Milk rejected under subsection (1) may be received by a dairy manufacturing plant if

- (a) it is not mixed with any other milk at the dairy manufacturing plant, and
- (b) it is not used or processed by the dairy manufacturing plant until it is found to be acceptable by either a grader employed by the dairy manufacturing plant or an inspector.

Shipment of
returnable
containers

14 No patron or dairy manufacturing plant shall deliver an empty returnable milk or cream container for shipment or delivery unless it has first been washed and sanitized.

Dilution, etc. of
milk prohibited

15 No person shall sell, supply, deliver or send to a dairy manufacturing plant or to any premises where milk or cream is collected for sale or shipment to a dairy manufacturing plant

- (a) milk diluted with water or in any way adulterated,
- (b) milk from which any cream has been taken,
- (c) milk commonly known as skim milk,
- (d) milk to which cream has been added,
- (e) milk from which any portion of that part of the milk known as "strippings" has been retained, or
- (f) milk from an animal that the person knows to be diseased.

Adulteration of
dairy products

16 No person shall add to or place any substance in a dairy product during or after its manufacture except as authorized in this Act or the regulations.

Addition of fat or
oil prohibited

17 No person shall, unless permitted by the regulations, manufacture or have in his possession for sale any dairy product if it contains any fat or oil other than that of milk.

Basis of payment

18 Milk or cream supplied by a patron to a dairy manufacturing plant shall be purchased on the basis of the content of any component of milk or cream approved as the basis of payment in the regulations.

Determination of milk and cream components	19 The determination of the percentage or content of any component of milk or cream supplied to a dairy manufacturing plant shall be done in accordance with the regulations.
Composite sample tests	20 Tests involving a composite sample of milk or cream shall be carried out in accordance with the regulations.
Tampering with samples prohibited	21 No person shall adulterate, treat or tamper with a sample of milk or cream taken for a test that may be used to determine the basis of payment for the milk or cream, so that results of the test could be affected.
Records of tests	<p>22(1) The records of any test of milk or cream shall be made and kept at the dairy manufacturing plant in accordance with the regulations.</p> <p>(2) A patron may examine the records referred to in subsection (1) that pertain to dairy products he has supplied the dairy manufacturing plant at the dairy manufacturing plant during regular business hours.</p>
Dairy manufacturing plant records	23 The owner, operator, manager or other person in charge of a dairy manufacturing plant shall in accordance with the regulations keep records of milk and cream received on the premises of the dairy manufacturing plant.
Purchase price	24 An owner, operator, manager or other person in charge of a dairy manufacturing plant shall, in respect of any milk or cream purchased from a patron, determine the purchase price in accordance with the regulations.
Statement re: milk or cream purchased	25 The owner, operator, manager or other person in charge of a dairy manufacturing plant shall make and deliver with every payment to each patron from whom milk or cream has been purchased, and in any event at intervals of not more than 35 days, a statement containing the information required by the regulations.
Advance payments	<p>26(1) Where the owner, operator, manager or other person in charge of a dairy manufacturing plant makes and delivers statements referred to in section 25 to a patron at intervals of more than 18 days, he shall make an advance payment to the patron at least 17 days prior to the date of the next regular payment.</p> <p>(2) An advance payment required to be made under subsection (1) shall be in an amount equal to 1/2 of the total payments made to the patron for the period covered by the latest statement made and delivered to the patron.</p> <p>(3) Notwithstanding subsection (2), if the amount of milk or cream being delivered by the patron is not sufficient to reasonably justify an advance payment in the amount specified in subsection (2), the advance payment may instead be based on the amount of milk or cream supplied by the patron since the last payment to him.</p>

(4) A statement made and delivered to a patron to whom this section applies shall be in accordance with the regulations.

Statements as evidence

27 A statement referred to in section 25 or 26 shall be admitted in evidence as prima facie proof of the facts stated in it without proof of the signature or official character of the person signing the statement.

Statistical return

28 The owner, operator, manager or person in charge of a dairy manufacturing plant shall, in accordance with the regulations, make statistical returns and supply information to the Minister, relating to ownership, officers and patronage dividends .

Licence to establish plant and approval of site

29(1) A person who wishes to establish a dairy manufacturing plant shall submit a written application for a licence to the Minister, accompanied by particulars that the Minister requires.

(2) No person shall, for the purpose of operating a dairy manufacturing plant, erect a building or establish a plant in a building already erected until the site and the plans and specifications have been approved by the Minister.

Licence to operate a dairy manufacturing plant

30(1) No person shall operate a dairy manufacturing plant until he has obtained a licence to do so from the Minister.

(2) An application for a licence referred to in subsection (1) shall be in writing in a form satisfactory to the Minister and accompanied by particulars that the Minister requires, together with the fee prescribed in the regulations.

(3) The Minister, in his discretion, may grant, renew or refuse to grant or renew a licence and may attach conditions to a licence that he grants or renews.

(4) No person who is issued a licence to operate a dairy manufacturing plant shall conduct any type of operation not specifically set out in the licence issued to him by the Minister.

(5) No dairy manufacturing plant shall, unless it holds a licence to do so as prescribed in the regulations,

(a) process fluid milk products in a dairy manufacturing plant, or

(b) collect milk for shipment to a dairy manufacturing plant where fluid milk products are processed.

(6) A licence shall expire on December 31 following the date of issue.

Security

31(1) A person who is to be licensed under section 30 shall provide security in the form required by the regulations.

(2) When the issue or renewal of a licence under section 30 is

approved by the Minister, the Minister shall fix the amount of the security to be provided by the applicant for the licence and fix the time by which it is to be provided.

(3) The Minister may at any time require additional security in an amount that he considers necessary and fix the time by which it is to be provided.

(4) In order to fix the amount of the security under this section, the Minister may require the applicant for the licence to submit to him a financial statement showing the extent of the dairy manufacturing business carried on or intended to be carried on.

(5) A licence is revoked if

(a) the security is cancelled and new security is not provided on or before the date the cancellation takes effect, or

(b) the Minister requires additional security and it is not provided within the time that he has fixed for it to be provided.

(6) The Minister and every person employed in the administration of the Act shall preserve secrecy with respect to the contents of a statement described in subsection (4) unless the information is required in connection with the administration of this Act.

Licence to grade or
test

32(1) No person shall act as a

(a) bulk milk grader,

(b) grader, or

(c) tester

of milk or cream until he has obtained a licence to do so from the Minister.

(2) An application for a licence referred to in subsection (1) shall be in writing in a form satisfactory to the Minister and accompanied by particulars that the Minister requires, together with the fee prescribed by the regulations.

(3) The Minister, on the recommendation of the Director, may require an applicant to pass an examination and demonstrate to the satisfaction of the Director that he is competent and qualified to accurately use apparatus to grade or test milk and cream.

(4) The Minister, in his discretion, may grant or refuse to grant a licence and may attach conditions to a licence that he grants.

(5) A licence shall expire on the December 31 following the date of issue.

Temporary bulk
milk grader licence

33(1) The Minister, on the recommendation of the Director, may grant a temporary licence to a person to act as a bulk milk grader.

(2) A temporary licence referred to in subsection (1) shall be for a period of time fixed by the Minister but shall not be for a period of time of more than 60 days.

Appointment of
temporary graders
or testers

34(1) A grader licensed under this Act may appoint a person whom he considers capable as a grader for a period not to exceed 10 days.

(2) A tester licensed under this Act may appoint a person whom he considers capable as a tester for a period not to exceed 10 days.

(3) The grader or tester who makes an appointment under this section shall notify the Director within 14 days of making it.

Breach of security

35(1) If the Minister finds that a holder of a licence for a dairy manufacturing plant omits to account to or make settlement with patrons in accordance with the true value of the milk and cream supplied, the Minister may publish a notice in as many publications that he considers appropriate that circulate in the district where the dairy manufacturing plant is situated requiring the patrons who because of the omissions have claims against the licensee to furnish the Minister, by a date to be specified in the notice, with particulars of their claims verified by statutory declaration or in any other manner that the Minister requires.

(2) A claim furnished to the Minister pursuant to subsection (1) shall

(a) contain or refer to a statement of account showing particulars of the indebtedness, and

(b) specify the vouchers, if any, by which the statement of account can be substantiated.

(3) The Minister may at any time request from the patron the vouchers specified or the statement of account referred to in the claim.

(4) After the date specified in the notice referred to in subsection (1), the Minister may require the sureties to pay the claims against the licensee that the Minister finds to be proved and, in default of payment, the Minister may take proceedings to satisfy the patrons' claims.

(5) If the amount of money derived under subsection (4) is insufficient to pay in full all the claims that the Minister finds to be proved, the money to satisfy the claims shall be paid pro rata to the patrons.

(6) If the licensee becomes bankrupt, the Minister

(a) may assign the security, or

(b) where the security is in the form of a trust deed and the trust

deed is not void as against the trustee in bankruptcy, may assign the cash or the sum realized on the sale of the security to the trustee in bankruptcy

for the benefit of the patrons who have claims that the Minister finds to be proved.

Cancellation or suspension of licence

36 Where in the opinion of the Minister the holder of a licence issued under this Act has failed to comply with this Act or the regulations, the Minister may, by written notification to the licensee, cancel or suspend the licence.

Appointment of advisory boards

37(1) The Minister may from time to time appoint one or more advisory boards, each consisting of a chairman and not more than 2 other voting members.

(2) The chairman and members of an advisory board

(a) hold office during the pleasure of the Minister, and

(b) may be paid expenses and remuneration prescribed by the Lieutenant Governor in Council.

Inquiry and report by an advisory board

38(1) An advisory board, when requested to do so by the Minister, shall

(a) inquire into any application for the granting or renewal of a licence to operate a dairy manufacturing plant, or

(b) inquire into the revocation, suspension or cancellation of a licence referred to in clause (a).

(2) An advisory board has all the powers, privileges and immunities of a commissioner appointed under *The Public Inquiries Act* when exercising the powers mentioned in subsection (1).

Refusal to grant or renew a licence

39(1) The Minister,

(a) on the recommendation of an advisory board in any matter that he has referred to the board, or

(b) in any other case that he thinks fit,

may refuse an application for the granting or renewal of a licence to operate a dairy manufacturing plant.

(2) The Minister, on being satisfied by a report of the Director, an advisory board, an inspector or otherwise

(a) that a dairy manufacturing plant is not operating in compliance with the Act or the regulations, or

(b) that the business conducted at the dairy manufacturing plant is not complying with the Act, the regulations or its licence,

may in his discretion cancel or suspend the licence until he is satisfied that the dairy manufacturing plant is complying with the Act, regulations and its licence and that adequate measures have been taken to ensure that the future operation of the dairy manufacturing plant will comply with the Act, regulations and its licence.

Supervision of a
dairy
manufacturing
plant

40 If the Minister, on the advice of the Director, is of the opinion that a dairy manufacturing plant does not comply with the Act, the regulations or its licence, he may appoint a person who in his opinion is a specialist in dairy processing to supervise the operation of the dairy manufacturing plant to ensure that it complies with the Act, the regulations and its licence.

Assessments

41(1) The Minister may assess

(a) every owner of a dairy manufacturing plant for a reasonable proportion of the total cost of the services of the inspectors, graders, testers and weighers appointed under section 2, and

(b) an owner of a dairy manufacturing plant for which a dairy specialist has been appointed under section 40 for the total cost of the services of the dairy specialist

and may fix and determine the time when the costs are payable and the method by which they are to be paid.

(2) All amounts so assessed are a debt due from the respective owners to the Crown.

Power to delegate

42 Where in this Act anything is directed to be done by the Minister with respect to any matter, the Lieutenant Governor in Council, on the recommendation of the Minister, may delegate the matter to the Alberta Dairy Control Board or the Provincial Board of Health.

Liability of a
patron

43 The person on whose behalf any milk is sold, delivered, transported, supplied or taken to a dairy manufacturing plant is prima facie liable for any contravention of the Act and the regulations relating to the milk.

Liability of a
manufacturer

44 The person on whose behalf a dairy product or imitation dairy product is manufactured, sold, offered, exposed or held in possession for sale is prima facie liable for contravention of the Act and the regulations relating to the dairy product or imitation dairy product.

Certificate of
grader as evidence

45 The certificate issued under the regulations by a grader of dairy products shall be admitted in evidence as prima facie proof of the grade of any dairy product stated in it without proof of the signature or the official character of the person signing it.

Certificate of
analyst as evidence

46 The certificate issued under the regulations by an analyst relating to the analysis or ingredients of any product or material submitted by an inspector or grader to the analyst shall be admitted in evidence

as prima facie proof of the facts stated in it without proof of the signature or the official character of the person signing it.

Prohibition to
transfer milk or
cream

47 The Director may prohibit the transfer of milk or cream from a dairy manufacturing plant to another or from a patron of a dairy manufacturing plant to another for the purposes of processing, manufacturing or resale.

Price
discrimination
prohibited

48(1) In the purchasing of milk or cream for the purpose of manufacturing or processing for distribution, no person shall discriminate in the prices paid by purchasing milk or cream at a lower price from a patron within Alberta than is paid for the same commodity at the same time to another patron within Alberta after making allowance for any difference in grade or in cost of transporting the milk or cream from where it is produced to the point of manufacture or processing.

(2) A person who contravenes this section is guilty of an offence and liable to a fine of not more than \$5000.

Unlicensed
operation

49 A person who operates a dairy manufacturing plant who does not hold a licence in respect of it is guilty of an offence and liable to a fine of not more than \$5000 for each day on which he has operated it without a licence.

Offence to test
milk or cream
without a licence
or appointment

50(1) A person who operates, either for himself or another, a milk or cream testing apparatus or any other testing apparatus to determine the content of any component of milk or cream prescribed by regulations as a basis of payment for the purpose of purchasing milk or cream and does not hold a licence to act as a grader or tester under section 32 or 33 and has not been appointed as a grader or tester under section 34 is guilty of an offence.

(2) Each test of a sample of milk or cream by a person who is not licensed or appointed as a grader or tester constitutes a separate offence.

Offence re
coloured or
rejected milk or
cream

51 A person who contravenes section 12 or 13 is guilty of an offence and liable to a fine of not more than \$1000.

Imitation dairy
products

52(1) No person shall manufacture, sell, offer for sale or have in his possession for sale an imitation dairy product.

(2) A person who manufactures, sells, offers for sale or has in his possession for sale an imitation dairy product is guilty of an offence and liable to a fine not exceeding \$5000.

Dairy products

53 No person shall sell, offer for sale or have in his possession for sale a dairy product except in accordance with this Act and the regulations.

Offences and
penalties

54 A person who

(a) obstructs, hinders or impedes an inspector from making or

attempting to make an inspection or taking or attempting to take a sample pursuant to this Act,

(b) refuses to admit to any premises over which he has control an inspector who

(i) demands admission to the premises for the purpose of making an inspection or taking any samples, and

(ii) is entitled to admission pursuant to this Act,

(c) fails to afford reasonable facilities for the making of an inspection, or

(d) over-reads or under-reads any test approved by the regulations and made for any of the purposes of this Act or the regulations,

is guilty of an offence and liable to a fine of not more than \$1000.

Punishment

55 A person who is guilty of an offence under this Act for which a penalty is not otherwise provided is liable to a fine of not more than \$500.

Forfeiture of dairy products

56 Where a person is convicted of an offence under the Act or the regulations, in addition to any penalty imposed, the dairy products or imitation dairy products by means of or in relation to which the offence was committed are forfeited to the Crown and may be disposed in the manner that the Minister directs.

Presumption and proof of offence

57 In a prosecution for an offence under this Act,

(a) the possession by a person of dairy products of any product the manufacture or sale of which is prohibited by this Act is prima facie proof of the intent to sell or use them in contravention of this Act, the regulations or a licence, and

(b) a package containing a dairy product that bears

(i) a name and address purporting to be the name and address of the person by whom it was packed, or

(ii) a registered number purporting to be the registered number of the dairy manufacturing plant where it was packed,

is prima facie proof that the dairy product was packed and that the package was marked by the person whose name and address appears on the package or by the person operating the dairy manufacturing plant whose registered number appears on the package.

58 The Lieutenant Governor in Council may make regulations

- (a) defining dairy products and fluid milk products for the purposes of this Act;
- (b) establishing standards, grades and grade names for dairy products;
- (c) governing
 - (i) the weighing, grading, sampling, testing and analysing of dairy products and prescribing fees for those services,
 - (ii) the issue of certificates respecting weights and grades of dairy products, and
 - (iii) the form of certificates and the conditions on which they may be issued;
- (d) prescribing
 - (i) the size, dimensions and any other specifications for packages of dairy products weighed or graded,
 - (ii) the manner in which dairy products or their packages may be branded or marked, and
 - (iii) the manner in which dairy products may be advertised;
- (e) governing
 - (i) components of milk and cream,
 - (ii) testing of milk and cream components, and
 - (iii) the recording and storing of test results;
- (f) governing
 - (i) conditions of the transportation of milk, and
 - (ii) standards for equipment used in transporting dairy products;
- (g) governing
 - (i) statements from dairy manufacturing plants to patrons on milk or cream purchased,
 - (ii) recording of milk and cream received by a dairy manufacturing plant and the storing of those records, and
 - (iii) statistical returns under section 28;
- (h) providing for

- (i) the location, construction, operation and maintenance of dairy manufacturing plants,
- (ii) the type, amount and standard of equipment required by any dairy manufacturing plant, and the placement of the equipment,
- (iii) the location, construction, remodelling or rebuilding of buildings or structures used or intended to be used for dairying on a farm, and
- (iv) the fabrication, capacity, installation and maintenance of equipment used or intended to be used for dairying on a farm;
- (i) providing for methods of manufacturing, processing, dealing with or handling dairy products in a dairy manufacturing plant;
- (j) governing the health requirements of any person employed in a dairy manufacturing plant or dairy patron's premises or in any other capacity that involves the handling of a dairy product or dairy processing equipment;
- (k) governing
 - (i) health requirements of animals from which milk is drawn for human consumption, and
 - (ii) conditions of the premises where animals are milked and the premises where these animals are stabled;
- (l) providing for standards of qualification for persons engaged in the grading, sampling, testing, manufacturing and processing of dairy products;
- (m) providing for the
 - (i) issue of licences,
 - (ii) classification of licences,
 - (iii) conditions of a licence,
 - (iv) fees payable for a licence, and
 - (v) security to be carried by a dairy manufacturing plant or provided in a special fund or a combination of both;
- (n) prescribing the basis of calculation of standards of price having regard to all or any of the following factors:
 - (i) the prevailing market price of the commodity or of other commodities manufactured from it,

- (ii) the manner of delivery,
- (iii) the cost of delivery,
- (iv) any advantage in the nature of a bonus or dividend that accrues or may accrue to the vendor in respect of the sale,
- (v) the weight, volume, test results, grade or classification of the milk or cream, and
- (vi) any other factor that may affect the cost or price;
- (o) respecting the addition to a dairy product of a substance that in its natural form contains fat or oil other than that of milk;
- (p) prescribing forms and their contents;
- (q) providing for identification of persons designated under section 2;
- (r) governing generally all matters as the Minister considers necessary, advisable and convenient for the purpose of carrying the provisions of this Act into effect.

Consequential

59 *Section 22(3) of The Dairy Board Act is amended by striking out "The Dairymen's Act" and substituting "The Dairy Industry Act".*

Repeal of chapter
83 of the Revised
Statutes of Alberta
1970

60 *The Dairymen's Act is repealed.*

Coming into force

61 This Act comes into force on Proclamation.