

BILL

No. 47 of 1918.

An Act to amend The Dairymen's Act.

(Assented to , 1918.)

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

The Dairymen's Act is amended as follows:

1. Section 2 is amended by inserting in subsection 5 thereof the words "cream station" after the word "creamery" therein, and by adding as subsection 6 thereof the following:

"(6) The expression "cream station" means a place operated as a branch of any creamery, where cream is received from individual patrons by an agent of any such creamery and where either, several or all of the following services are being performed by any such agent, namely: The weighing, sampling, grading, testing and storing of each such lot of cream before it is transported or forwarded to such creamery in the individual patrons' cans, or transferred into shipping cans for the purpose of being so transported or forwarded."

2. By inserting the words "cream station" after the word "creamery" in the following sections, namely: 2 (5), 28, 34, 37, 40, 41, 42 and 44, and by inserting the words "or cream station" after the word "creamery" in section 35 thereof, and by inserting the words "cream stations" after the word "creameries" in sections 33 and 39 thereof.

3. Section 35 is amended by striking out from paragraph (e) thereof the words "basis and" and the words "or of manufactured butter, as the case may be", and by striking out paragraph (d) thereof and substituting therefor the following:

"(d) The grade of such milk and cream if bought on a grade basis."

4. Section 36 is amended by striking out paragraph (c) thereof and substituting therefor the following:

"(c) If payment is based on the grade and on the butterfat value of such milk, then the grade and the butterfat contents in pounds must be shown."

5. Section 42 is amended by adding after the figures "1911" the words "and of every year thereafter".

6. By inserting as section 42a thereof the following:

"42a. The Minister may issue licenses to creameries, cream stations, cheese factories and to testers of milk and cream in such form and for such term and subject to such conditions as he may by regulations, approved by order in council and published in The Alberta Gazette, from time to time provide."

7. Section 43 is repealed and the following substituted therefor

"43. No creamery, cream station or cheese factory shall carry on business without a license under this Act, after the expiration of one month after the regulations mentioned in the last preceding section have been duly approved and published, and every creamery, cream station or cheese factory shall take out and from time to time renew and keep in full force and effect a license under this Act. The fee for such license shall be five dollars."

8. By inserting as section 45 thereof the following:

"45. On and after the first day of June, 1918, no person shall operate a milk or cream testing apparatus to determine the percentage of butterfat in milk or cream for the purpose of purchasing the same either for himself or for another, without first securing a license from the Minister authorizing such person to so operate such tester.

"Any person desiring to secure such license shall make application therefor on a blank to be prepared and provided by the said Minister and such applicant before being issued such license may be required to pass a satisfactory examination in person and prove by actual demonstration that he is competent and qualified to properly use such tester and make an accurate test with the same.

"Such license shall be valid until the first day of May after its issue and a fee of two dollars shall be paid by the licensee to the Minister before such license shall be issued. Licenses issued to operators of the Babcock or other approved test under this Act shall take effect and be in force from and after the first day of June, 1918. The Minister shall have authority to revoke any license under this Act.

"The testing of each lot of milk or cream by any such unlicensed person shall constitute a separate offence; provided that any licensed person may for valid reasons appoint a capable substitute for a period not to exceed ten days. The fees collected under the provisions of this Act shall be paid into the general revenue fund of the province by the said Minister.

"On and after the first day of June, 1918, no creamery operator or other person or persons shall accept cream for manufacture or resale from any cream station which has not complied with the provisions of this Act."

9. By inserting as section 46 thereof the following:

"46. Any association, corporation, company, person or firm, engaged in the business of buying milk, cream or butterfat for the purpose of manufacture who shall discriminate between different sections, localities, communities, towns or cities of the province by purchasing such commodities at a lower price or rate in one section, locality, community, town or city, than is paid for the same commodity by the said association, corporation, company, person or firm in another section, locality, community, town or city, after making due allowance for the difference, if any, in the grade or quality and the difference in the cost of transportation paid by such association, corporation, company, person or firm on such commodities from the point of production to the point of manufacture and on the manufactured product or products from the point of manufacture to the nearest railway station or to the point of consolidation for final shipment, shall be deemed guilty

of unfair discrimination, and upon summary conviction thereof, shall be punished by a fine of not less than \$50.00 nor more than \$500.00:

“Provided that such association, corporation, company, person or firm purchasing such commodity or commodities in more than one section, locality, community, town or city may raise prices in any given section, locality, community, town or city to, but not above, the prices paid by any other association, corporation, company, person or firm buying such commodity or commodities in such section, locality, community, town or city when necessary to meet actual legitimate competition in such section, locality, community, town or city without being held to have violated the provisions of this section.”

10. By inserting as section 47 thereof the following:

“**47.** For the purpose of carrying into effect the provisions of this Act according to their true intent, and supplying any deficiency, the Minister may make such regulations consistent with the spirit of the Act as he may deem necessary, advisable and convenient, which shall have the same force and effect as if incorporated therein, and in particular, but without prejudice to the generality of this section, the Minister may make regulations defining grade descriptions and grade standards of dairy products and specify the conditions upon which his department's butter and cheese grading services may be made available to operators of creameries and cheese factories in the province.

No. 47.

FIRST SESSION
FOURTH LEGISLATURE
8 GEORGE V
1918

BILL
An Act to amend The Dairymen's
Act.

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. MARSHALL.

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