

The Agri-Food Act, 2004

[section 12]

*THE MILK MARKETING PLAN REGULATIONS – PROCESSOR MILK UTILIZATION
REPORTING AND PAYMENT*

Order No. 32/18. The SASKATCHEWAN MILK MARKETING BOARD, pursuant to the provisions of *The Milk Marketing Plan Regulations* and *The Agri-Food Act, 2004*, hereby determines and orders as follows:

1 Every licensed processor shall:

- (a) maintain a record of all milk received in the form of a milk collection report;
- (b) provide a complete and signed record kept pursuant to clause (a) and send it to the Board by mail, fax or e-mail in accordance with clause (d) and at any other times that the Board may establish;
- (c) complete and sign a milk utilization report in a form approved by the Board, including for each class permit number, if applicable, total litres, itemized weight of components (butterfat, protein and other solids) for each class of milk as defined in the Milk Pricing Board Order;
- (d) e-mail or fax the milk collection report mentioned in clause (a) and the milk utilization report to the Board before the eighth day of the month following the month of the report; and
- (e) maintain a copy of the record kept pursuant to this section at the location that the processor receives milk and make that record available for audit and inspection purposes by a third-party appointed by the Board at any reasonable time that may be required.

2 The Board shall prepare, in respect of each month, a statement regarding the amount of milk in litres, the butterfat, protein and other solids supplied to a licensed processor in that month to be used in calculating the amount payable by the licensed processor to the Board.

3 A licensed processor shall pay to the Board:

- (a) an amount based on 50% of the net payment received by licensed producers for the sale of milk to that licensed processor from the previous month for payment on all milk received by the licensed processor between the 1st and 15th day of the month, which amount is to be paid no later than the 25th day of that month; and
- (b) subject to section 4, the balance owing after the payment made pursuant to clause (a) is deducted from the amount owing as calculated pursuant to section 4.

4 For the purposes of clause 3(b), the licensed processor shall pay to the Board the balance owing not later than:

- (a) the 10th day of the following month; or
- (b) if the 10th day of the following month is not a business day, the first day after the 10th in the following month that is a business day.

5 A licensed processor shall identify to the Board the processing plant in respect of which each payment is made pursuant to sections 3 and 4.

6 The Board may cease to supply milk to a licensed processor when a licensed processor fails:
(a) to pay the Board, at the times and in the manner defined by Order of the Board, the amounts payable for milk supplied to the licensed processor; or
(b) to forward to the Board the copy of the milk collection report and the milk utilization report as defined by Order of the Board.

7 Every licensed processor shall:
(a) keep such books, records and accounts as will afford an understanding of the conduct of that licensed processor's business; and
(b) make available at all reasonable times the books, records and accounts kept pursuant to clause (a) for inspection purposes by a third-party appointed by the Board.

8 A failure of the Board or a licensed processor to carry out a provision of this Order as a result in whole or in part of an act of God, adverse weather, fire, strike, lock-out, invasion or order of a civil or military authority is deemed not to be a contravention of this Order.

9 Order 04/10 is hereby wholly revoked.

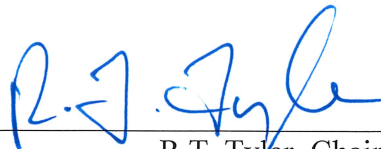
10 This Order will remain in effect for a period not longer than ten years from the date this Order is approved by the Agri-Food Council.

Order No. 32/18 is made pursuant to sections 5, 7(1)(h), 7(1)(y), 7(1)(aa), 20 and 20.1 of *The Milk Marketing Plan Regulations* and shall be effective upon the date of this Order. By order of the Saskatchewan Milk Marketing Board.



Mel Foth, Chairperson
Saskatchewan Milk Marketing Board

Pursuant to sections 5, 7(1)(h), 7(1)(y), 7(1)(aa), 20 and 20.1 of *The Milk Marketing Plan Regulations* and section 12 of *The Agri-Food Act, 2004*, the above Order No. 32/18 of the Saskatchewan Milk Marketing Board is approved this 28th day of September, 2018.



R.T. Tyler, Chairperson
Agri-Food Council, Saskatchewan