BC BROILER HATCHING EGG COMMISSION

BCBHEC

established 1988

December 19, 2022 **VIA EMAIL**

To: BC Hatchery License Holders

Dear Hatchery Representative,

**RE: 2023 Hatchery License Application Package**

You will find within this package:

- BC Broiler Hatching Egg Commission's Hatchery License Application
- BC Broiler Hatching Egg Commission's Producer-Hatchery License Application
- Canadian Hatching Egg Producers' Interprovincial and Export License Application
- Canadian Broiler Hatching Egg and Chick Licensing Regulations (SOR/87-516)
- Amending Orders 10 and 16 which relate to hatchery criteria for reference

Please complete either the Hatchery License Application or the Producer-Hatchery License.

The CHEP Interprovincial and Export License Application is optional; if making an application, do not forget to check one or both of the buyer's or seller's license tick box and write in the year in the first paragraph.

Please submit your completed application to the Commission by December 31, 2022 for staff to process.

Regards,

Stephanie Nelson, Executive Director
BC Broiler Hatching Egg Commission

Attachments

BC BROILER HATCHING EGG COMMISSION

BCBHEC established 1988

# 2023 Application for Hatchery License

Both forms must be completed and returned to the Commission office,
and approved to receive a Hatchery License for 2023.

| | |
|---|---|
| **Full Legal Name of Hatchery (Applicant)** | |
| **First and Last Name of Authorized Signatory** | |
| **Mailing Address** | |
| **Facility Address** | |
| **Phone Number** | |
| **Email** | |

I, _____, hereby certify, declare and acknowledge that:

1. I own and maintain a facility for the hatching and incubation of Broiler Hatching Eggs into broiler chicks for delivery to a Grower, with sufficient minimum capacity to accommodate:

   (a) all Marketable Eggs produced by 15,000 broiler breeders at peak production, where the facility receives any number of Broiler Hatching Eggs produced other than under Regularized Producer Chick Quota; or

   (b) all Marketable Eggs produced by 5,000 broiler breeders at peak production, where the facility only receives Broiler Hatching Eggs produced under Regularized Producer Chick Quota.

2. I can accommodate all production from at least one Producer assigned to my Hatchery pursuant to the Official Flock Schedule.

3. I will order and arrange for the placement of day-old broiler breeder pullets in accordance with the Official Flock Schedule.

4. I will pick up Marketable Eggs produced by each Producer assigned to my Hatchery pursuant to the Official Flock Schedule.

5. I will place Marketable Eggs produced by the Producer or Producers referred to in the preceding paragraph into my incubators in a timely fashion and as soon after such Marketable Eggs are laid as is reasonably possible.

6. I have made and will maintain mutually acceptable arrangements (the form and substance of which has been approved by the Commission in writing) with one or more chicken Growers duly licensed

by the British Columbia Chicken Marketing Board for the purchase and sale of all Chicks hatched from Broiler Hatching Eggs produced by the Producer or Producers referred to in paragraph 4.

7. I have satisfied the Commission that the chicken Grower or Growers referred to in paragraph 6 have each made mutually acceptable arrangements with one or more chicken processors duly licensed by the British Columbia Chicken Marketing Board for the purchase and sale of all chicken grown from Chicks hatched by the applicant or holder, for a term not less than six production periods of eight weeks each.

8. I will obey the orders and regulations of the Commission.

9. I understand that a licence, if granted to me, may be cancelled without notice for violation of any of the provisions of the Scheme, the Commission's orders or its regulations, and is subject to all restrictions now or hereafter placed on said License by order of the Commission.

**I HEREBY CERTIFY THAT THE INFORMATION GIVEN IN THIS REGISTRATION IS TRUE, CORRECT AND COMPLETE IN EVERY RESPECT.**

| | |
|---|---|
| **Date** | **Authorized Signatory** |

BC BROILER HATCHING EGG COMMISSION

BCBHEC

established 1988

# 2023 Application for Producer-Hatchery License

Both forms must be completed and returned to the Commission office,
and approved to receive a Producer-Hatchery License for 2023.

| | |
|---|---|
| **Full Legal Name of Hatchery (Applicant)** | |
| **First and Last Name of Authorized Signatory** | |
| **Mailing Address** | |
| **Facility Address** | |
| **Phone Number** | |
| **Email** | |

I, _____, hereby certify, declare and acknowledge that:

1. I own and maintain a facility for the hatching and incubation of Broiler Hatching Eggs into broiler chicks for delivery to a Grower, with sufficient minimum capacity to accommodate:

   (a) all Marketable Eggs produced by 15,000 broiler breeders at peak production, where the facility receives any number of Broiler Hatching Eggs produced other than under Regularized Producer Chick Quota;

   (b) all Marketable Eggs produced by 5,000 broiler breeders at peak production, where the facility only receives Broiler Hatching Eggs produced under Regularized Producer Chick Quota; and

   (c) all Marketable Eggs produced by the affiliated Producer or Producers at peak production.

2. I will place Marketable Eggs produced by the affiliated Producer or Producers into my incubators in a timely fashion and as soon after such Marketable Eggs are laid as is reasonably possible.

3. I have made and will maintain mutually acceptable arrangements (the form and substance of which has been approved by the Commission in writing) to receive and purchase any and all Broiler Hatching Eggs produced by the affiliated Producer or Producers that, in extraordinary circumstances, cannot be placed by me into my incubators in a timely fashion and as soon after such Marketable Eggs are laid as is reasonably possible.

4. I have made and will maintain mutually acceptable arrangements (the form and substance of which has been approved by the Commission in writing) with one or more chicken Growers duly licensed by the British Columbia Chicken Marketing Board for the purchase and sale of all Chicks hatched from Broiler Hatching Eggs produced by the affiliated Producer or Producers.

5. I have satisfied the Commission that the chicken Grower or Growers referred to in paragraph 4 have each made mutually acceptable arrangements with one or more chicken processors duly licensed by the British Columbia Chicken Marketing Board for the purchase and sale of all chicken grown from Chicks hatched by the applicant or holder, for a term not less than six production periods of eight weeks each.

6. I will accept and purchase Broiler Hatching Eggs other than from the Producer or Producers affiliated with me whenever directed to do so by the Commission, in which event, I will also:

   (a) order and arrange for the placement of day-old broiler breeder pullets in accordance with the Official Flock Schedule;

   (b) pick up Marketable Eggs produced by each Producer assigned to me pursuant to the Official Flock Schedule; and

   (c) place Marketable Eggs produced by the Producer or Producers referred to in the preceding paragraph into my incubators in a timely fashion and as soon after such Marketable Eggs are laid as is reasonably possible.

7. I will obey the orders and regulations of the Commission.

8. I understand that a licence, if granted to me, may be cancelled without notice for violation of any of the provisions of the Scheme, the Commission's orders or its regulations, and is subject to all restrictions now or hereafter placed on said License by order of the Commission.

**I HEREBY CERTIFY THAT THE INFORMATION GIVEN IN THIS REGISTRATION IS TRUE, CORRECT AND COMPLETE IN EVERY RESPECT.**

| | |
|---|---|
| **Date** | **Authorized Signatory** |

Canadian Hatching Egg Producers | Les Producteurs d'oeufs d'incubation du Canada

# INTERPROVINCIAL AND EXPORT LICENSE APPLICATION

I, on behalf of myself or as a duly authorized representative of the corporation or partnership listed below, do hereby apply for a (*check one or both*) buyer's ☐ seller's ☐ license from the Canadian Hatching Egg Producers for the interprovincial and export movement of broiler hatching eggs and chicks for the year _____.

In making this application, I acknowledge that I have received a copy of the Licensing Regulation of the Canadian Hatching Egg Producers and am aware of its contents.

In making this application, I acknowledge that I am aware that licensees are required to report all sales and purchases of broiler hatching eggs and chicks in interprovincial and export trade and such other information as is set out in the Schedule to the Licensing Regulation to the Canadian Hatching Egg Producers directly or through its agents and I agree to complete and forward such reports each week as set out in the license.

NAME : _____

REPRESENTING : _____

STREET_____

MUNICIPALITY : _____

POSTAL CODE : _____

I certify the information contained in this application to be correct and by affixing my signature in the place provided certify that I have read and understand the information contained herein.

_____ _____

Date Signature

**FOR OFFICE USE**

License Number Issued :_____ Date : _____

CANADA

CONSOLIDATION

CODIFICATION

# Canadian Broiler Hatching Egg and Chick Licensing Regulations

# Règlement sur l'octroi de permis visant les œufs d'incubation de poulet de chair et les poussins du Canada

SOR/87-516

DORS/87-516

Current to November 28, 2022

Last amended on November 18, 2016

À jour au 28 novembre 2022

Dernière modification le 18 novembre 2016

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## OFFICIAL STATUS OF CONSOLIDATIONS

Subsections 31(1) and (3) of the *Legislation Revision and Consolidation Act*, in force on June 1, 2009, provide as follows:

**Published consolidation is evidence**

**31 (1)** Every copy of a consolidated statute or consolidated regulation published by the Minister under this Act in either print or electronic form is evidence of that statute or regulation and of its contents and every copy purporting to be published by the Minister is deemed to be so published, unless the contrary is shown.

...

**Inconsistencies in regulations**

**(3)** In the event of an inconsistency between a consolidated regulation published by the Minister under this Act and the original regulation or a subsequent amendment as registered by the Clerk of the Privy Council under the *Statutory Instruments Act*, the original regulation or amendment prevails to the extent of the inconsistency.

## CARACTÈRE OFFICIEL DES CODIFICATIONS

Les paragraphes 31(1) et (3) de la *Loi sur la révision et la codification des textes législatifs*, en vigueur le 1er juin 2009, prévoient ce qui suit :

**Codifications comme élément de preuve**

**31 (1)** Tout exemplaire d'une loi codifiée ou d'un règlement codifié, publié par le ministre en vertu de la présente loi sur support papier ou sur support électronique, fait foi de cette loi ou de ce règlement et de son contenu. Tout exemplaire donné comme publié par le ministre est réputé avoir été ainsi publié, sauf preuve contraire.

[...]

**Incompatibilité — règlements**

**(3)** Les dispositions du règlement d'origine avec ses modifications subséquentes enregistrées par le greffier du Conseil privé en vertu de la *Loi sur les textes réglementaires* l'emportent sur les dispositions incompatibles du règlement codifié publié par le ministre en vertu de la présente loi.

## LAYOUT

The notes that appeared in the left or right margins are now in boldface text directly above the provisions to which they relate. They form no part of the enactment, but are inserted for convenience of reference only.

## MISE EN PAGE

Les notes apparaissant auparavant dans les marges de droite ou de gauche se retrouvent maintenant en caractères gras juste au-dessus de la disposition à laquelle elles se rattachent. Elles ne font pas partie du texte, n'y figurant qu'à titre de repère ou d'information.

## NOTE

This consolidation is current to November 28, 2022. The last amendments came into force on November 18, 2016. Any amendments that were not in force as of November 28, 2022 are set out at the end of this document under the heading "Amendments Not in Force".

## NOTE

Cette codification est à jour au 28 novembre 2022. Les dernières modifications sont entrées en vigueur le 18 novembre 2016. Toutes modifications qui n'étaient pas en vigueur au 28 novembre 2022 sont énoncées à la fin de ce document sous le titre « Modifications non en vigueur ».

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**SCHEDULE**
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3 Application

4 Interdiction

5 Permis

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**ANNEXE**
Renseignements

Registration
SOR/87-516 August 14, 1987

FARM PRODUCTS AGENCIES ACT

**Canadian Broiler Hatching Egg and Chick Licensing Regulations**

Whereas the Governor in Council has, by the *Canadian Broiler Hatching Egg Marketing Agency Proclamation*[*], established the Canadian Broiler Hatching Egg Marketing Agency, pursuant to subsection 17(1) of the *Farm Products Marketing Agencies Act*[**];

And Whereas the Canadian Broiler Hatching Egg Marketing Agency has been empowered to implement a marketing plan pursuant to the *Canadian Broiler Hatching Egg Marketing Agency Proclamation*[*];

Therefore, the Canadian Broiler Hatching Egg Marketing Agency, pursuant to paragraph 23(1)(f) of the *Farm Products Marketing Agencies Act*[**] and section 7 of the schedule to the *Canadian Broiler Hatching Egg Marketing Agency Proclamation*[*], hereby makes the annexed *Regulations respecting the establishment of a system of licensing of persons engaged in the marketing in interprovincial or export trade of broiler hatching eggs or chicks produced for chicken production*, effective October 1, 1987.

Ottawa, Ontario, June 30, 1987

The National Farm Products Marketing Council, pursuant to paragraph 7(1)(e) of the *Farm Products Marketing Agencies Act*[*], being satisfied that the annexed Regulations are necessary for the administration of the marketing plan that the Canadian Broiler Hatching Egg Marketing Agency is authorized to implement, hereby approves the annexed *Regulations respecting the establishment of a system of licensing of persons engaged in the marketing in interprovincial or export trade of broiler hatching eggs or chicks produced for chicken production*, made by the Canadian Broiler Hatching Egg Marketing Agency on June 30, 1987.

[*] SOR/87-40, 1987 *Canada Gazette* Part II, p. 317

[**] S.C. 1970-71-72, c. 65

Enregistrement
DORS/87-516 Le 14 août 1987

LOI SUR LES OFFICES DES PRODUITS AGRICOLES

**Règlement sur l'octroi de permis visant les œufs d'incubation de poulet de chair et les poussins du Canada**

Attendu qu'en vertu du paragraphe 17(1) de la *Loi sur les offices de commercialisation des produits de ferme*[*], le gouverneur en conseil a, par la *Proclamation visant l'Office canadien de commercialisation des œufs d'incubation de poulet de chair*[**], établi l'Office canadien de commercialisation des œufs d'incubation de poulet de chair;

Attendu que l'Office a le pouvoir d'exécuter un plan de commercialisation conformément à cette proclamation;

À ces causes, en vertu de l'alinéa 23(1)f) de la *Loi sur les offices de commercialisation des produits de ferme*[*] et de l'article 7 de l'annexe de la *Proclamation visant l'Office canadien de commercialisation des œufs d'incubation de poulet de chair*[**], l'Office canadien de commercialisation des œufs d'incubation de poulet de chair prend, à compter du 1er octobre 1987, le *Règlement concernant l'établissement d'un système d'octroi de permis pour les personnes se livrant, dans le commerce interprovincial ou le commerce d'exportation, à la commercialisation des œufs d'incubation de poulet de chair ou des poussins destinés à la production de poulets*, ci-après.

Ottawa, le 30 juin 1987

En vertu de l'alinéa 7(1)e) de la *Loi sur les offices de commercialisation des produits de ferme*[*], le Conseil national de commercialisation des produits de ferme, étant convaincu que le projet de règlement ci-après est nécessaire à la mise en œuvre du plan de commercialisation que l'Office canadien de commercialisation des œufs d'incubation de poulet de chair est autorisé à exécuter, approuve le *Règlement concernant l'établissement d'un système d'octroi de permis pour les personnes se livrant, dans le commerce interprovincial ou le commerce d'exportation, à la commercialisation des œufs d'incubation de poulet de chair ou des poussins destinés à la production de*

[*] S.C. 1970-71-72, ch. 65

[**] DORS/87-40, *Gazette du Canada* Partie II, 1987, p. 317

*poulets*, ci-après, pris par l'Office canadien de commercialisation des œufs d'incubation de poulet de chair le 30 juin 1987.

Ottawa, Ontario, August 13, 1987.

Ottawa, le 13 août 1987

# Regulations Respecting the Establishment of a System of Licensing of Persons Engaged in the Marketing in Interprovincial or Export Trade of Broiler Hatching Eggs or Chicks Produced for Chicken Production

# Règlement concernant l'établissement d'un système d'octroi de permis pour les personnes se livrant, dans le commerce interprovincial ou le commerce d'exportation, à la commercialisation des œufs d'incubation de poulet de chair ou des poussins destinés à la production de poulets

## Short Title

**1** These Regulations may be cited as the *Canadian Broiler Hatching Egg and Chick Licensing Regulations*.

## Titre abrégé

**1** *Règlement sur l'octroi de permis visant les œufs d'incubation de poulet de chair et les poussins du Canada*.

## Interpretation

**2 (1)** In these Regulations,

***Agency*** [Repealed, SOR/2013-254, s. 1]

***broiler hatching egg*** [Repealed, SOR/2013-254, s. 1]

***buyer*** means a chicken producer, dealer or hatchery operator who buys broiler hatching eggs or chicks produced for chicken production; (*acheteur*)

***chick*** [Repealed, SOR/2013-254, s. 1]

***licence*** means a buyer's licence or a seller's licence issued pursuant to section 5; (*permis*)

***marketing*** [Repealed, SOR/2013-254, s. 1]

***non-signatory provinces*** [Repealed, SOR/2013-254, s. 1]

***producer*** [Repealed, SOR/2013-254, s. 1]

***seller*** means a producer, dealer or hatchery operator who sells broiler hatching eggs or chicks produced for chicken production. (*vendeur*)

***signatory provinces*** [Repealed, SOR/2013-254, s. 1]

**(2)** [Repealed, SOR/2016-291, s. 1]

SOR/87-698, s. 1; SOR/90-28, s. 1; SOR/2008-11, s. 1; SOR/2013-254, s. 1; SOR/2016-291, s. 1.

## Définitions

**2 (1)** Les définitions qui suivent s'appliquent au présent règlement.

***acheteur*** Tout couvoirier, négociant ou producteur de poulets qui achète des œufs d'incubation de poulet de chair ou des poussins destinés à la production de poulets. (*buyer*)

***commercialisation*** [Abrogée, DORS/2013-254, art. 1]

***œuf d'incubation de poulet de chair*** [Abrogée, DORS/2013-254, art. 1]

***Office*** [Abrogée, DORS/2013-254, art. 1]

***permis*** Permis d'acheteur ou de vendeur délivré conformément à l'article 5. (*licence*)

***poussin*** [Abrogée, DORS/2013-254, art. 1]

***producteur*** [Abrogée, DORS/2013-254, art. 1]

***provinces non signataires*** [Abrogée, DORS/2013-254, art. 1]

***provinces signataires*** [Abrogée, DORS/2013-254, art. 1]

***vendeur*** Tout couvoirier, négociant ou producteur qui vend des œufs d'incubation de poulet de chair ou des poussins destinés à la production de poulets. (*seller*)

**(2)** [Abrogé, DORS/2016-291, art. 1]

DORS/87-698, art. 1; DORS/90-28, art. 1; DORS/2008-11, art. 1; DORS/2013-254, art. 1; DORS/2016-291, art. 1.

# Application

**3** These Regulations apply

**(a)** to persons engaged in the marketing in interprovincial or export trade of broiler hatching eggs or chicks produced in a signatory province for chicken production; and

**(b)** to persons engaged in the interprovincial marketing from a non-signatory province into a signatory province of broiler hatching eggs or chicks produced in the non-signatory province for chicken production.

**3.1 (1)** These Regulations do not apply to buyers — whose province of operation is set out in column 1 of the table to this subsection — engaged in the interprovincial trade of chicks produced for chicken production and who, in a calendar year, purchase for on-farm consumption no more than the permitted number of chicks set out in column 2.

**TABLE**

| Item | Column 1<br>Province | Column 2<br>Permitted Number of Chicks per Calendar Year |
|---|---|---|
| 1 | Ontario | 300 |
| 2 | Quebec | 100 |
| 3 | Nova Scotia | 50 |
| 4 | New Brunswick | 200 |
| 5 | Manitoba | 999 |
| 6 | British Columbia | 200 |
| 7 | Prince Edward Island | 500 |
| 8 | Saskatchewan | 999 |
| 9 | Alberta | 2,000 |
| 10 | Newfoundland and Labrador | 100 |

**(2)** Buyers referred to in subsection (1) must not knowingly engage in the marketing in interprovincial trade of chicks produced for chicken production except with a person who holds an appropriate licence issued by the Agency under these Regulations and, in the case of chicks produced in a non-signatory province, unless the person holds an orderly marketing quota issued under the *Canadian Broiler Hatching Egg and Chick Orderly Marketing Regulations*.

SOR/2008-12, s. 1.



# Application

**3** Le présent règlement s'applique aux personnes suivantes :

**a)** les personnes se livrant, dans le commerce interprovincial ou le commerce d'exportation, à la commercialisation d'œufs d'incubation de poulet de chair ou de poussins destinés à la production de poulets provenant des provinces signataires;

**b)** les personnes se livrant, dans le commerce interprovincial, à la commercialisation d'œufs d'incubation de poulets de chair ou de poussins destinés à la production de poulets en provenance des provinces non signataires à destination des provinces signataires.

**3.1 (1)** Le présent règlement ne s'applique pas à l'acheteur qui fait le commerce interprovincial de poussins destinés à la production de poulets et qui, au cours d'une année civile, n'achète pas plus que le nombre maximal de poussins prévu, pour sa province, au tableau du présent paragraphe pour consommation à la ferme.

**TABLEAU**

| Article | Colonne 1<br>Province | Colonne 2<br>Nombre maximal de poussins par année civile |
|---|---|---|
| 1 | Ontario | 300 |
| 2 | Québec | 100 |
| 3 | Nouvelle-Écosse | 50 |
| 4 | Nouveau-Brunswick | 200 |
| 5 | Manitoba | 999 |
| 6 | Colombie-Britannique | 200 |
| 7 | Île-du-Prince-Édouard | 500 |
| 8 | Saskatchewan | 999 |
| 9 | Alberta | 2000 |
| 10 | Terre-Neuve-et-Labrador | 100 |

**(2)** L'acheteur visé au paragraphe (1) ne doit sciemment se livrer au commerce interprovincial de poussins destinés à la production de poulets, qu'avec des personnes détenant le permis approprié délivré par l'Office conformément au présent règlement et, dans le cas de poussins produits dans une province non signataire, des personnes détenant un contingent de commercialisation attribué conformément au *Règlement canadien sur la commercialisation des œufs d'incubation de poulet de chair et des poussins*.

DORS/2008-12, art. 1.

**3.2** These Regulations apply to the sellers of chicks who sell to the buyers referred to in subsection 3.1(1).

SOR/2008-12, s. 1.

**3.2** Le présent règlement s'applique aux vendeurs de poussins qui vendent à l'acheteur visé au paragraphe 3.1(1).

DORS/2008-12, art. 1.

# Prohibition

**4 (1)** No buyer shall engage in the marketing in interprovincial or export trade of broiler hatching eggs or chicks produced in a signatory province for chicken production unless the buyer holds a buyer's licence.

**(2)** No seller shall engage in the marketing in interprovincial or export trade of broiler hatching eggs or chicks produced in a signatory province for chicken production unless the seller holds a seller's licence.

**(3)** No buyer shall engage in the interprovincial marketing from a non-signatory province into a signatory province of broiler hatching eggs or chicks produced for chicken production unless the buyer holds a buyer's licence.

**(4)** No seller shall engage in the interprovincial marketing from a non-signatory province into a signatory province of broiler hatching eggs or chicks produced for chicken production unless the seller holds a seller's licence.

# Interdiction

**4 (1)** Nul acheteur ne peut commercialiser dans le commerce interprovincial ou le commerce d'exportation des œufs d'incubation de poulet de chair ou des poussins destinés à la production de poulets provenant des provinces signataires à moins de détenir un permis d'acheteur.

**(2)** Nul vendeur ne peut commercialiser dans le commerce interprovincial ou le commerce d'exportation des œufs d'incubation de poulet de chair ou des poussins destinés à la production de poulets provenant des provinces signataires à moins de détenir un permis de vendeur.

**(3)** Nul acheteur ne peut commercialiser dans le commerce interprovincial des œufs d'incubation de poulet de chair ou des poussins destinés à la production de poulets en provenance des provinces non signataires à destination des provinces signataires à moins de détenir un permis d'acheteur.

**(4)** Nul vendeur ne peut commercialiser dans le commerce interprovincial des œufs d'incubation de poulet de chair ou des poussins destinés à la production de poulets en provenance des provinces non signataires à destination des provinces signataires à moins de détenir un permis de vendeur.

# Licence

**5** Subject to section 8, the Agency shall issue a licence to any person who applies for one.

SOR/88-580, s. 1.

**6** A licence

**(a)** expires on December 31 of the year for which it is issued; and

**(b)** is not transferable.

**7** A licence is subject to the following terms and conditions:

**(a)** the person to whom a licence is issued

**(i)** at all times during the term of the licence complies with the orders, regulations or requirements of the Agency or the National Farm Products Council that are applicable to that person,

# Permis

**5** Sous réserve de l'article 8, l'Office délivre un permis à toute personne qui en fait la demande.

DORS/88-580, art. 1.

**6** Tout permis :

**a)** d'une part, expire le 31 décembre de l'année pour laquelle il a été délivré;

**b)** d'autre part, ne peut être cédé.

**7** Le permis est assujetti aux modalités et conditions suivantes :

**a)** le titulaire du permis :

**(i)** se conforme aux ordonnances, règlements ou exigences de l'Office ou du Conseil national des produits agricoles qui le visent,

**(ii)** at all times during the term of the licence complies with the orders, regulations or directives made pursuant to a provincial broiler hatching egg marketing plan referred to in the *Federal-Provincial Agreement for Broiler Hatching Eggs*, authorized by Order in Council P.C. 1986-2653*, that are applicable to that person,

**(iii)** submits to the Agency in respect of the period set out in the licence a report containing the information set out in the schedule, and

**(iv)** keeps complete and accurate books and records of all matters related to the marketing in interprovincial or export trade of broiler hatching eggs or chicks produced for chicken production by the person and retains the books and records for a period of not less than six years after the day of the last entry therein; and

**(b)** the person to whom a licence is issued does not knowingly engage

**(i)** in the marketing in interprovincial trade of chicks except with a person who holds an appropriate licence or who is a buyer referred to in subsection 3.1(1),

**(ii)** in the marketing in interprovincial or export trade of broiler hatching eggs produced in a signatory province, except for broiler hatching eggs that have been produced by a producer who has been allotted an interprovincial quota or export quota pursuant to the *Canadian Hatching Egg Producers Quota Regulations*, or

**(iii)** in the interprovincial marketing from a non-signatory province into a signatory province of broiler hatching eggs produced in the non-signatory province, except for broiler hatching eggs that have been marketed by a person who has been allotted an orderly marketing quota pursuant to the *Canadian Broiler Hatching Egg and Chick Orderly Marketing Regulations*.

SOR/88-580, s. 2; SOR/2008-11, s. 2; SOR/2008-12, s. 2; SOR/2013-254, s. 2.

**8 (1)** The Agency may refuse to issue a licence to an applicant

**(a)** who is a producer, if the applicant has not been allotted a quota by the Agency pursuant to the *Canadian Broiler Hatching Egg and Chick Orderly Marketing Quota Regulations* or the *Canadian Hatching Egg Producers Quota Regulations*;

* Not published in the *Canada Gazette*, Part II.

**ii)** se conforme aux ordonnances, règlements ou directives pris en vertu d'un plan provincial de commercialisation d'œufs d'incubation de poulet de chair visé à l'*Entente fédérale-provinciale sur les œufs d'incubation de poulet à chair*, autorisée par le décret C.P. 1986-2653*, qui le visent,

**(iii)** présente à l'Office, pour chaque période indiquée dans le permis, un rapport comportant les renseignements visés à l'annexe,

**(iv)** tient des registres complets et exacts sur toutes les questions touchant ses activités de commercialisation des œufs d'incubation de poulet de chair ou des poussins destinés à la production de poulets dans le commerce interprovincial ou le commerce d'exportation et conserve ces registres pendant au moins six ans à compter de la dernière inscription;

**b)** le titulaire du permis ne commercialise pas sciemment :

**(i)** des poussins destinés à la production de poulets dans le commerce interprovincial, sauf avec une personne qui détient un permis approprié ou qui est l'acheteur visé au paragraphe 3.1(1),

**(ii)** dans le commerce interprovincial ou le commerce d'exportation, des œufs d'incubation de poulet de chair produits dans une province signataire par un producteur à qui un contingent interprovincial ou un contingent d'exportation n'a pas été attribué conformément au *Règlement des Producteurs d'œufs d'incubation du Canada sur le contingentement*,

**(iii)** dans le commerce interprovincial, d'une province non signataire à destination d'une province signataire, des œufs d'incubation de poulet de chair produits dans la province non signataire par un producteur à qui un contingent de commercialisation n'a pas été attribué conformément au *Règlement canadien sur la commercialisation des œufs d'incubation de poulet de chair et des poussins*.

DORS/88-580, art. 2; DORS/2008-11, art. 2; DORS/2008-12, art. 2; DORS/2013-254, art. 2.

**8 (1)** L'Office peut refuser de délivrer un permis à un demandeur :

**a)** qui est producteur, si celui-ci ne détient pas un contingent attribué conformément au *Règlement des Producteurs d'œufs d'incubation du Canada sur le contingentement* ou au *Règlement canadien sur la commercialisation des œufs d'incubation de poulet de chair et des poussins*;

* Non publié dans la *Gazette du Canada* Partie II

**(b)** if the applicant does not comply with any order, regulation or requirement of the Agency or the National Farm Products Council that is applicable to the applicant; or

**(c)** if the applicant does not comply with any order, regulation or directive made pursuant to a provincial broiler hatching egg marketing plan referred to in the *Federal-Provincial Agreement for Broiler Hatching Eggs*, authorized by Order in Council P.C. 1986-2653*, that is applicable to the applicant.

**(2)** Where a person to whom a licence was issued fails to comply with any term or condition to which the licence is subject, the Agency may suspend, cancel or refuse to renew the licence.

SOR/2008-11, s. 2; SOR/2013-254, s. 3.

**9 (1)** Where the Agency intends to refuse to issue or renew a licence or intends to suspend or cancel a licence, the Agency shall give notice of its intention to the applicant or the person to whom the licence was issued by personal service or registered mail.

**(2)** The notice referred to in subsection (1) shall set out

**(a)** the grounds on which the Agency bases its intention; and

**(b)** the day on which and the time and place at which the applicant or the person to whom the licence was issued may show cause why the licence should be issued or renewed or should not be suspended or cancelled.

**(3)** The day referred to in paragraph (2)(b) shall be not less than 30 days after the day of the service or mailing of the notice.

**b)** si celui-ci ne se conforme pas aux ordonnances, règlements ou exigences de l'Office ou du Conseil national des produits agricoles qui le visent;

**c)** si celui-ci ne se conforme pas aux ordonnances, règlements ou directives pris en vertu d'un plan provincial de commercialisation d'œufs d'incubation de poulet de chair visé à l'*Entente fédérale-provinciale sur les œufs d'incubation de poulet à chair*, autorisée par le décret C.P. 1986-2653*, qui le visent.

**(2)** L'Office peut suspendre, annuler ou refuser de renouveler un permis si le titulaire n'a pas respecté l'une des conditions ou modalités du permis.

DORS/2008-11, art. 2; DORS/2013-254, art. 3.

**9 (1)** Lorsque l'Office envisage de ne pas délivrer ou renouveler, de suspendre ou d'annuler un permis, il en fait part au demandeur ou au titulaire du permis par un avis qui lui est remis en mains propres ou expédié par courrier recommandé.

**(2)** L'avis visé au paragraphe (1) précise ce qui suit :

**a)** les raisons qui motivent la mesure envisagée par l'Office;

**b)** les jour, heure et lieu où le demandeur ou le titulaire du permis pourra se présenter devant l'Office pour faire valoir ses arguments à l'encontre de cette mesure.

**(3)** Le jour visé à l'alinéa (2)b) doit être au moins 30 jours après le jour de remise ou de mise à la poste de l'avis.

* Not published in the *Canada Gazette* Part II.

* Non publié dans la *Gazette du Canada* Partie II

## SCHEDULE I

[Revoked, SOR/88-580, s. 3]

## ANNEXE I

[Abrogée, DORS/88-580, art. 3]

## SCHEDULE

(Subparagraph 7(a)(iii))

# Information

**1** Name, address and licence number of the person to whom the licence was issued.

**2** The quantity of broiler hatching eggs or chicks, marketed in interprovincial or export trade during the period set out in the licence.

**3** The name, address and licence number of the licencee from whom the broiler hatching eggs or chicks were bought or to whom the broiler hatching eggs or chicks were sold.

**4** In the case of broiler hatching eggs, the price at which the broiler hatching eggs were bought or sold.

**5** In the case of broiler hatching eggs for export, the name and address of the buyer, the name of the transporter, the date of export and the place of final destination.

SOR/88-580, s. 4; SOR/2013-254, ss. 4(F), 5(E).

## ANNEXE

(sous-alinéa 7a)(iii))

# Renseignements

**1** Nom, adresse et numéro de permis du titulaire du permis.

**2** Nombre d'œufs d'incubation de poulet de chair ou de poussins destinés à la production de poulets commercialisés dans le commerce interprovincial ou le commerce d'exportation durant la période indiquée dans le permis.

**3** Nom, adresse et numéro de permis du titulaire du permis à qui les œufs d'incubation de poulet de chair ou les poussins destinés à la production de poulets ont été achetés ou à qui ils ont été vendus.

**4** Le prix des œufs d'incubation de poulet de chair achetés ou vendus.

**5** Dans le cas d'œufs d'incubation de poulet de chair destinés à l'exportation, les nom et adresse de l'acheteur, le nom du transporteur, la date de l'exportation et la destination finale.

DORS/88-580, art. 4; DORS/2013-254, art. 4(F) et 5(A).

BC BROILER HATCHING EGG COMMISSION

BCBHEC

established 1988

**AMENDING ORDER 10**
**TO THE**
**CONSOLIDATED ORDER OF JANUARY 1, 2021**

**MADE BY**
**THE BRITISH COLUMBIA BROILER HATCHING EGG COMMISSION**
**ON DECEMBER 22, 2021**

The British Columbia Broiler Hatching Egg Commission orders as follows:

1. *Section 2 of the Consolidated Order of January 1, 2021 is amended by replacing the definition of "Producer-Hatchery" with the following:*

> "**Producer-Hatchery**" means a Hatchery that is affiliated with one or more Producers by reason of:
>
> (a) the Producer or Producers having a direct or indirect majority interest in the Hatchery and its associated Hatchery facilities, whether by means of shares (and irrespective of the class of shares) or by way of a share interest in a parent corporation; or
>
> (b) the Producer or Producers being controlled by the same Person or group of Persons who control the Hatchery.

2. *Subsection 3(1) of the Consolidated Order of January 1, 2021 is replaced with the following:*

> 3. (1) No Person shall act as a Producer, Hatchery, Producer-Hatchery, Processor or Transporter unless in possession of a valid and subsisting licence issued by the Commission, and no Person shall be relieved of compliance with this requirement in respect of any class of licence on the grounds that such Person is the holder of a valid and subsisting licence of another class.

3. *Section 6 of the Consolidated Order of January 1, 2021 is replaced with the following:*

**Special Conditions for Hatcheries**

6. It is a condition of issuance and maintenance of every Hatchery Licence that the applicant or holder:

(a) own and maintain a facility for the hatching and incubation of Broiler Hatching Eggs into broiler chicks for delivery to a Grower, with sufficient minimum capacity to accommodate all Marketable Eggs produced by 15,000 broiler breeders at peak production;

(b) accommodate all production from at least one Producer assigned to that Hatchery pursuant to the Official Flock Schedule;

(c) order and arrange for the placement of day-old broiler breeder pullets in accordance with the Official Flock Schedule;

(d) pick up Marketable Eggs produced by each Producer assigned to that Hatchery pursuant to the Official Flock Schedule;

(e) place Marketable Eggs produced by the Producer or Producers referred to in the preceding paragraph into its incubators in a timely fashion and as soon after such Marketable Eggs are laid as is reasonably possible.

(f) make and maintain mutually acceptable arrangements (the form and substance of which must also be approved by the Commission in writing) with one or more chicken Growers duly licensed by the British Columbia Chicken Marketing Board for the purchase and sale of all Chicks hatched from Broiler Hatching Eggs produced by the Producer or Producers referred to in paragraph (c); and

(g) satisfy the Commission that the chicken Grower or Growers referred to in paragraph (e) have each made mutually acceptable arrangements with one or more chicken processors duly licensed by the British Columbia Chicken Marketing Board for the purchase and sale of all chicken grown from Chicks hatched by the applicant or holder, for a term not less than six production periods of eight weeks each.

4. *Section 6.1 is added to the Consolidated Order of January 1, 2021 immediately after section 6, as follows:*

**Special Conditions for Producer-Hatcheries**

6.1 It is a condition of issuance and maintenance of every Producer-Hatchery Licence that the applicant or holder:

(a) own and maintain a facility for the hatching and incubation of Broiler Hatching Eggs into broiler chicks for delivery to a Grower, with sufficient minimum capacity to accommodate the greater of:

(i) all Marketable Eggs produced by 15,000 broiler breeders at peak production; or

(ii) all Marketable Eggs produced by the affiliated Producer or Producers at peak production.

(b) place all Marketable Eggs produced by the affiliated Producer or Producers into its incubators in a timely fashion and as soon after such Marketable Eggs are laid as is reasonably possible;

(c) make mutually acceptable arrangements with another Hatchery (the form and substance of which must also be approved by the Commission in writing) to receive and purchase any and all Broiler Hatching Eggs produced by the affiliated Producer or Producers that, in extraordinary circumstances, cannot be placed by the applicant or holder into its incubators in a timely fashion and as soon after such Marketable Eggs are laid as is reasonably possible;

(d) make and maintain mutually acceptable arrangements (the form and substance of which must also be approved by the Commission in writing) with one or more chicken Growers duly licensed by the British Columbia Chicken Marketing Board for the purchase and sale of all Chicks hatched from Broiler Hatching Eggs produced by the affiliated Producer or Producers;

(e) satisfy the Commission that the chicken Grower or Growers referred to in paragraph (d) have each made mutually acceptable arrangements with one or more chicken processors duly licensed by the British Columbia Chicken Marketing Board for the purchase and sale of all chicken grown from Chicks hatched by the applicant or holder, for a

term not less than six production periods of eight weeks each; and

(f) accept and purchase Broiler Hatching Eggs other than from the Producer or Producers affiliated with the applicant or holder whenever directed to do so by the Commission, in which event, the applicant or holder must also:

(i) order and arrange for the placement of day-old broiler breeder pullets in accordance with the Official Flock Schedule;

(ii) pick up Marketable Eggs produced by each Producer assigned to that Producer-Hatchery pursuant to the Official Flock Schedule; and

(iii) place Marketable Eggs produced by the Producer or Producers referred to in the preceding paragraph into its incubators in a timely fashion and as soon after such Marketable Eggs are laid as is reasonably possible.

5. *This Order comes into effect on December 31, 2022.*

**DATED at Abbotsford, British Columbia, on December 22, 2021**

BRITISH COLUMBIA BROILER HATCHING EGG COMMISSION

Jim Collins, Chair

BC BROILER HATCHING EGG COMMISSION

BCBHEC

established 1988

**AMENDING ORDER 16**
**TO THE**
**CONSOLIDATED ORDER OF JANUARY 1, 2021**

**MADE BY**
**THE BRITISH COLUMBIA BROILER HATCHING EGG COMMISSION**
**ON SEPTEMBER 16, 2022**

The British Columbia Broiler Hatching Egg Commission orders as follows:

1. *Subsection 6(a) of the Consolidated Order of January 1, 2021 is replaced with the following:*

    (a) own and maintain a facility for the hatching and incubation of Broiler Hatching Eggs into broiler chicks for delivery to a Grower, with sufficient minimum capacity to accommodate:

        (i) all Marketable Eggs produced by 15,000 broiler breeders at peak production, where the facility receives any number of Broiler Hatching Eggs produced other than under Regularized Producer Chick Quota; or

        (ii) all Marketable Eggs produced by 5,000 broiler breeders at peak production, where the facility only receives Broiler Hatching Eggs produced under Regularized Producer Chick Quota.

2. *Subsection 6.1(a) of the Consolidated Order of January 1, 2021 is replaced with the following:*

    (a) own and maintain a facility for the hatching and incubation of Broiler Hatching Eggs into broiler chicks for delivery to a Grower, with sufficient minimum capacity to accommodate:

        (i) all Marketable Eggs produced by 15,000 broiler breeders at peak production, where the facility receives any number of Broiler Hatching Eggs produced other than under Regularized Producer Chick Quota;

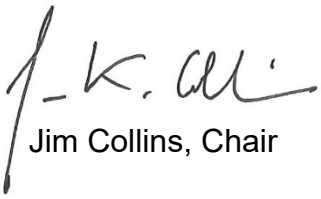
(ii) all Marketable Eggs produced by 5,000 broiler breeders at peak production, where the facility only receives Broiler Hatching Eggs produced under Regularized Producer Chick Quota; and

(ii) all Marketable Eggs produced by the affiliated Producer or Producers at peak production.

3. *This Order comes into effect on December 31, 2022.*

**DATED at Abbotsford, British Columbia, on September 16, 2022**

BRITISH COLUMBIA BROILER HATCHING EGG COMMISSION



Jim Collins, Chair