

Egg Farmers of Ontario

Novice Egg & Pullet Farmers Egg Supply Management Information Session November 17, 2014

Robert A. Wilson, EFO's Solicitor



Egg Farmers of Ontario:

- ❖ Is a marketing board established by the Government of Ontario;
- ❖ Responds to crisis in the egg/pullet industry;
- ❖ Is a producer organization;
- ❖ Mandatory membership;
- ❖ Producer elected representation as Egg and Pullet Councillors;
- ❖ Councillors are elected as Board members;
- ❖ Board members elect EFO's Officers, Committees, & Representatives.

EFO Board of Directors:

- ❖ Hold regular monthly meetings;
- ❖ Hold special meetings when required;
- ❖ Develop regulations, policies and programs within EFO's legal framework;
- ❖ Quota: allocation, administration, allotment, transfers and policy development;
- ❖ Monitor regulatory policy and program compliance and effectiveness;
- ❖ Receive and consider Board committee and staff reports;
- ❖ Deal with egg and pullet farmers/industry/government concerns or issues;
- ❖ Egg Farmers of Canada's provincial allocations / reports / issues / responses;
- ❖ Conduct egg and pullet farmer appearances, reconsiderations/appeals;
- ❖ Review Board finances, income and expenses, develop and monitor adherence to EFO's annual budget;
- ❖ Through EFO's Chair or other designated spokesperson, represents egg and pullet growers.

EFO Legal Authorities

- ❖ Farm Products Marketing Act
- ❖ Regulation 409:
 - ❖ The Plan under the Farm Products Marketing Act
- ❖ Regulation 407:
 - ❖ The Marketing Regulation under the Farm Products Marketing Act
- ❖ Commodity Boards and Marketing Agencies Act
- ❖ EFO's By Laws
- ❖ EFO's General Regulations
- ❖ EFO's Policies, Programs and Procedures

EFO Quota Allocations

- ❖ Quotas are the basis of the supply management system for eggs & pullets;
- ❖ Adherence to quota allocations is the primary egg and pullet farmer responsibility;
- ❖ Quota allocations are determined by EFO's Board, based on many factors, including but not limited to:
 1. Meeting egg and pullet market requirements at all times;
 2. Egg grader and breaker requirements;
 3. Cost of production considerations;
 4. Maximizing egg and pullet farmer efficiencies;
 5. Housing density;
 6. New entrants;
 7. Concerns/directives from the Ontario Farm Products Marketing Commission;
 8. Egg Farmers of Canada allocations and decisions
 - a. Rulings by the Farm Products Council of Canada
 9. Import replacement
- ❖ EFO has the authority to fix and allot quotas on whatever basis it considers proper.

EFO Quota & Transfers

- ❖ Quota is the property of EFO;
- ❖ Quota is allotted by EFO to individual egg/pullet farmers for their use;
- ❖ EFO allows quota transfers under certain conditions in its discretion;
- ❖ Quota is allotted to a producer in respect of that producer's registered premises;
- ❖ Quota is not subject to 3rd party liens/encumbrances;
- ❖ EFO recognizes 3rd party liens/encumbrances on registered premises under certain conditions;
- ❖ EFO may not allow a quota transfer where a party is in breach of any EFO requirements [not in Good Standing];
- ❖ EFO allows within family transfers upon application;
- ❖ All transfers must proceed through EFO's Quota Transfer System [QTS]

EFO Enforcement

EFO's Regulations, Policies and Procedures have the force of law; compliance is mandatory

EFO inspection/enforcement procedures;

EFO sanctions for non-compliance:

1. Over quota levy;
2. Quota reduction/cancellation;
3. Reduction/denial of additional quota allotment;
4. Denial or restrictions on quota transfers or participation in EFO programs;
5. Interest on overdue licence fees/levies;
6. Licence suspension/cancellation;
7. Prosecution in Provincial Court, Criminal Division and fines;
8. Legal action for injunction;
9. Legal action for collection of outstanding licence fees/levies.

Egg & Pullet Farmer Compliance

- ❖ Be familiar with and adhere to EFO's regulations, policies, programs and procedures;
- ❖ Stay within a producer's quota allotment;
- ❖ Allow EFO inspections and counts;
- ❖ If a non-quota producer, stay within the limits of the exemption and be in compliance with all terms and conditions;
- ❖ Adhere to egg quality policy;
- ❖ Market all eggs through regulated egg grading stations or report otherwise;
- ❖ Keep proper books and records to prove compliance if necessary.

Questions?

