



Flock Count Policy

as amended February 2020

INTERPRETATIONS:

For the purposes of this Operational Policy:

'Allowable' is the EFO Board authorized number of Hens a layer farmer can place on their registered premises for the marketing of eggs.

'EFO Inspectors' are employees of the Egg Farmers of Ontario whose primary function is to monitor quota holder flocks and non-quota flocks.

'egg quota' a quota for producing and a quota for marketing the maximum number of eggs that the quota holder is entitled to market.

'regulated hens / laying hen' refers to hens, eggs or producers that fall under the national domestic quota allocation and monitoring program.

APPLICATION AND PURPOSE:

A holder of a quota has the right to possess a set number of hens on their registered premises and to market the resulting eggs. Egg Farmers of Ontario (EFO) set the number of hens as the producer's "Allowable".

Such rights are subject to the General Regulations as well as the policies, orders, directions and decisions as made by EFO from time to time.

It is EFO's responsibility, carried out by its appointed Inspectors, to ensure that all producers strictly adhere to their allowable at all times.

EFO issues each Inspector a Certificate of Appointment under the *Farm Products Marketing Act*, Regulation 407 which authorizes the Inspectors to:

- a) inspect the books, records, documents, lands and premises and any chicks-for-placement, eggs, hatching eggs, and fowl of persons engaged in producing or marketing of same;
- b) enter on lands or premises used for the producing of chicks-for-placement, eggs, hatching eggs, or fowl and to perform a count of same therein.

EFO General Regulations define "books and records" very broadly as "includes but is not limited to, all documentation whether in printed or electronic format, in the possession, care or control of any person, relating to the production or marketing of the regulated product and includes but is not limited to all forms, settlements, cheques, bills of lading, invoices and order forms for chicks for placement, fowl or feed purchases, egg sales and hatching egg sales, fowl or pullet mortality charts, rate of lay records, flock analysis, condemnation certificates, invoices for veterinary services or reports, ledgers and books of account, transportation slips or other related documents".

EFO Inspectors are designated Provincial Offences Officers under the *Provincial Offences Act* (signed by Order of the Minister of Agricultural Food and Rural Affairs, May 9, 2007).

All producers and anyone else involved in the production or marketing of these regulated products is required by law to permit such inspections including flock counts.

In addition, or in substitution for the scheduled flock counts as set out below, EFO Inspectors may, without prior notice, at any time, conduct such flock counts as they determine may be necessary to ensure full compliance with all EFO requirements.



APPLICATION:

The scheduled flock counts are as follows:

Initial Flock Count (mandatory)

Physical count on or before 23 weeks.

Second Flock Count (mandatory)

Count of either record or physical between weeks 30 to 34.

Double Flock Count

Count on any other flock housed at the same facility when performing the mandatory count of a new flock.

Multi-Flock Operation

Count additional flocks at random, at which time, the farmer's count records of all additional flocks are recorded in addition to the count on the new flock.

Additional Flock Counts

60 week old flocks with necessary documentation and testing.

S.e. Testing

S.e. testing is performed on 30 to 34 week old flocks, with necessary documentation and testing conducted in accordance with the rules and procedures as set by Egg Farmers of Ontario.

S.e. testing is performed on 50 to 60 week old flocks, with the necessary documentation and testing conducted in accordance with the Rules & Procedures, as set by the Egg Farmers of Ontario.

Information

All flock counts are recorded on Count and Information sheets and filed with the Board office.

Flock Verification

In addition to flock counts, EFO performs flock verifications with the other parties along the entire value chain from the point day olds are ordered through placement until the spent fowl dates approximately seventy weeks from hatch.

Compliance Procedures

Phase 1: Where a producer is found to be "over" allowable, the EFO Inspector shall forthwith report the matter to EFO and may issue an invoice for the over quota levy of \$2.00 per week, per regulated hen in excess of the producers allowable calculated from the 19 week date. A second flock count will be conducted within the next seven to ten days.

Phase 2: A producer that remains "over" quota may be issued with an "order" that "all egg movement will stop immediately, and production not be sent to processing" and will be subject to a Hearing before the Board, after which, EFO may cancel, reduce, refuse to issue, or decrease the farmer's quota.