

AMENDING ORDER 32 TO CONSOLIDATED ORDER OF SEPTEMBER 1, 2013

MADE BY THE BRITISH COLUMBIA MILK MARKETING BOARD ON SEPTEMBER 29, 2015

The British Columbia Milk Marketing Board orders as follows:

- 1. Subsection 50(5) of the Consolidated Order of September 1, 2013 is replaced with the following:
 - (5) Subject to subsection (6), and without otherwise abrogating or limiting the responsibilities of any Vendor with respect to Qualifying Milk:
 - (a) where an inspector appointed by the Board has determined that a Producer had failed to comply with an applicable on-farm requirement specified in the Code of Practice for the Care and Handling of Dairy Cattle, or where there is a suspicion of animal cruelty in connection with that Producer's Dairy Farm; and
 - (b) that Producer, after having rectified any such non-compliance to the satisfaction of an independent expert consultant retained by the Board in accordance with the *Animal Welfare Non-Compliance Guidelines* established by the Board, and after having addressed any such suspected animal cruelty to the satisfaction of an independent expert consultant retained by the Board, subsequently contributes to a requested Delivery of Qualifying Milk; and

Amending Order 32 Page 1 of 2 (c) a Vendor who, one business day thereafter, has refused to receive that requested Delivery of Qualifying Milk as directed by the Board;

an order refusal surcharge may be imposed upon that Vendor on the occasion of each such refusal in an amount equal to the current month's Class 4(d) price multiplied by the number of hectolitres of Qualifying Milk so refused.

- 2. Subsection 50(6) of the Consolidated Order of September 1, 2013 is replaced with the following:
 - (6) On its own initiative, or at the request of a Vendor, the Board may waive all or any part of the order refusal surcharge referred to in subsection (5) provided that the Board is satisfied, in its sole discretion, that circumstances justify such a waiver. When exercising its discretion, the Board will have regard to, among other things, the extent to which the Vendor's current ability to receive, use and market Qualifying Milk originating from that Producer is reasonably affected by that Producer's past failure to comply with the Code of Practice for the Care and Handling of Dairy Cattle, and/or that Producer's past suspected animal cruelty.
- 3. This Order comes into effect on September 29th, 2015.

DATED Abbotsford, British Columbia, on September 29th, 2015.

BRITISH COLUMBIA MILK MARKETING BOARD

J. Byrne, Chair	T. Hoogendoorn, Vice Chairman
J. Wiebe, Executive Treasurer	C. Hertgers, Member
D. Klein Geltink, Member	G. Green, Member

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