

ONTARIO SHEEP FARMERS

GENERAL REGULATIONS

made under

THE FARM PRODUCTS MARKETING ACT

INTERPRETATION

1. In these regulations,
 - (1) a. “Act” means the Farm Products Marketing Act;
 - b. “auction market” means a person that is engaged in the sale of sheep and/or wool by conducting a public auction and includes an auctioneer operating a farm and/or breeding stock auction;
 - c. “broker/dealer” means a person, other than an Auction Market, processor or producer on his or her own account that buys and/or sells sheep and/or wool not produced by that person;
 - d. “custom processing” means the slaughter of sheep for the account of the producer of the sheep;
 - e. “farm gate sales-wool” means sales of wool by a producer of wool derived from sheep produced by that producer and sold directly to a consumer;
 - f. “marketing” includes advertising, assembling, buying , financing, offering for sale, packing, processing, selling, shipping, storing, and transporting and “market” and “marketed” have corresponding meanings;
 - g. “non-resident producer” means a producer who resides and produces sheep outside of Ontario;
 - h. “OSF” means Ontario Sheep Farmers, a *local board* constituted under the Act;
 - i. “person” includes an individual, association, trust, partnership or corporation;
 - j. “plan” means the Ontario Sheep Marketing Plan as set out in Ontario Regulation 430;
 - k. “processing” means the slaughtering of sheep;

- l. “processor” means a person who slaughters sheep or has sheep slaughtered for him, her or it;
- m. “producer” means a person engaged in the production of sheep or wool;
- n. “producing” includes the provision of housing, pasture, feed, water and care of sheep;
- o. “sheep” includes rams, wethers, ewes and lambs;
- p. “wool” means the wool of any sheep.

(2) All filings with and payments or notices to OSF shall be made at or to its office at 130 Malcolm Road, Guelph, Ontario, N1K 1B1.

APPLICATION OF REGULATIONS

- 2. These regulations provide for the control and regulation in any or all respects of the producing and marketing within Ontario of sheep and wool, including the prohibition of such producing and marketing in whole or in part.

EXEMPTION OF FARM GATE SALES-WOOL

- 3. Farm gate sales-wool are exempt from these regulations.

LICENCES

- 4. (a) No person shall commence or continue to engage in the producing of sheep or wool except under the authority of a licence and except in compliance with any term and condition of the licence.

(b) No person shall commence or continue to engage in the marketing of sheep or wool except under the authority of a licence and except in compliance with any term and condition of the licence.

(c) No person shall commence or continue to engage in the processing of sheep or wool except under the authority of a licence and except in compliance with any terms and conditions of the licence.
- 5. Every person, when not in default of the payment of the licence fees required to be paid under section 6, shall be deemed to be the holder of a licence under section 4(a), 4(b) or 4(c) as the case may be.

LICENCE FEES

- 6. (a) Every producer shall pay to the OSF Producer licence fees at the rate of (i) \$ 2.20 plus

HST per head of sheep sold or custom processed by that producer, and (ii) 1.5% of the gross sale price of the wool sold by that producer plus HST;

- (b) (i) Every processor shall pay to the OSF licence fees at the rate of \$2.20 plus HST per head of sheep and 1.5% of the gross sale price of wool for any sheep or wool that it purchases and in respect of which a licence fee is not payable to the OSF by the producer under section 6(c);
 - (ii) Every auction market shall pay to the OSF licence fees at the rate of \$2.20 plus HST per head of sheep and 1.5% of the gross sale price of wool that it purchases or receives and sells through auction and in respect of which a licence fee is not payable to the OSF by a producer under section 6(c);
 - (iii) Every broker/dealer shall pay to the OSF licence fees at the rate of \$2.20 plus HST per head of sheep and 1.5% of the gross sale price of wool that it purchases or receives and in respect of which a licence fee is not payable to the OSF by a producer under section 6(c);
- (c) No licence fee shall be charged to a non-resident producer, either directly or indirectly. Producer licence fees are payable by Ontario producers only.

7. Every broker/dealer, auction market or processor who receives sheep or wool from an Ontario producer shall deduct from the monies payable for the sheep or wool any licence fees payable to the OSF by the person from whom that person receives the sheep or wool and shall forward the licence fees to the OSF, together with the reports required under section 12, by no later than the 30th day of the month following the month in which the sheep or wool was received.
8. Every agreement for custom processing is deemed to provide for the payment of the licence fees due under section 6(a) by the producer directly or by the custom processor upon receipt of the licence fees from the producer, to be paid in either case by no later than the thirtieth day of the month following the month in which the sheep were custom processed.
9. Every person shall pay to the OSF any licence fees that were not forwarded to the OSF pursuant to section 7 or 8 within 30 days of the written demand for payment of same by that person by the Agency.

INTEREST ON ARREARS

10. Interest at the rate of 1.5 % per month shall be paid to the OSF on any unpaid licence fees upon the expiry of the deadline for payment of such licence fees.

AGREEMENTS FOR THE MARKETING OF SHEEP OR WOOL

11. Other than the obligations described in this Regulation, the terms of marketing agreements for the marketing within Ontario of sheep or wool are private matters between buyers and sellers and are not prescribed.

INFORMATION RETURNS

12. (a) A licensee that is a broker/dealer shall complete and file with the OSF a Broker/Dealer licence fee report/invoice in FORM B and C on or before the last day of each month, setting out, with respect to the immediately preceding month, the number of head of sheep purchased and the number of kilograms of wool purchased and any other information as required;
- (b) A licensee that is an auction market shall complete and file with the OSF an Auction Market licence fee report/invoice in FORM B and D on or before the last day of each month, setting out, with respect to the immediately preceding month, the number of head of sheep purchased and the number of kilograms of wool purchased and any other information as required;
- (c) A licensee that is a processor shall complete and file with the OSF a Processor licence fee report in FORM B, E and F on or before the last day of each month, setting out, with respect to the immediately preceding month, the number of head of sheep processed, the number of kilograms of wool processed and the number of head of sheep custom processed together with the name, address and phone number for each producer for whom the sheep were custom processed.
- (d) A licensee that is a producer who buys sheep in a month from another producer shall in respect of such purchases of sheep complete and file with the OSF a Producer licence fee report/invoice in FORM G on or before the last day of the month in which the purchase of the sheep occurred, setting out, with respect to that month, the number of head of sheep purchased and the name and address of the sellers of said sheep.
- (e) Every producer shall provide his, her or its name, address and phone number to the processor at the time of the marketing of the sheep.

QUARTERLY REPORTING, REMITTING AND LICENCE FEE EXEMPTIONS

13. (a) Upon application, the OSF may waive its requirements for monthly reporting on marketings and the remitting of licence fees and allow for same on a quarterly basis not later than 30 days following the last day of November, February, May and August of each year.
- (b) Upon application, the OSF may exempt certain transactions from the application of licence fees together with the obligation to deduct and remit same where the OSF is

satisfied that licence fees have already been paid by a producer in respect of the sheep received or purchased by the party seeking the exemption.

PAYMENT OF LICENCE FEES

14. As an alternative to remitting licence fees to the OSF by mail or delivery, payment may be made by credit card (VISA or MasterCard) with telephone authorization by the OSF or electronically by PayPal account.

LICENCE REFUSAL, SUSPENSION OR REVOCATION

15. The OSF may refuse to grant or renew or suspend or revoke a licence:
 - i. where the applicant or licensee is not qualified by experience, financial responsibility or equipment to properly engage in the business for which the licence was made or the licence granted, or
 - ii. where the applicant or licensee has failed to comply with or has contravened any provision of the Act, the Regulations, the Plan or any Order or Direction of the Commission or the OSF.

PENALTIES

16. The OSF may provide for the imposition, amount, disposition and use of penalties where, after a hearing, the OSF is of the opinion that the applicant or licensee has failed to comply with or has contravened any term or condition of the licence or the Act or the Regulations, the Plan or any Order or Direction of the OSF.
17. Subject to the Act, any penalty imposed under section 15, may be in an amount as determined by the OSF to remove any advantage gained by the party in contravention and to fully reimburse the OSF for any of its expenses and costs associated with any inspection, audit, investigation, hearing and disposition of the matter, including, but not limited to, staff time, OSF member costs, legal and accounting fees and disbursements.
18. The OSF may use any such penalty monies for the payment of its expenses as aforesaid, with any surplus to be used for its general purposes.

PRODUCER – PROCESSORS

19. Any person who produces and processes sheep or wool shall provide to the OSF statements of the amounts of sheep or wool that the person produced and used for processing in any year to be filed with the Agency on or before the 31st day of December in any such year.

SHEEP OR WOOL PRODUCER/MARKETER REGISTRATION

20. (a) Every person in Ontario engaged in producing or marketing sheep or wool shall register their business contact information and a description of the business with the OSF by completing and filing with the OSF a Sheep or Wool Producer/Marketer registration in FORM A forthwith upon commencing the producing and marketing of sheep or wool.
- (b) A person who is no longer engaged in producing or marketing sheep or wool shall notify the OSF in writing to that effect.

FORMS

21. The following forms are prescribed and form part of these General Regulations to be completed, signed and filed in accordance with these General Regulations:
- (a) FORM A – Producer and Marketer Registration
 - (b) FORM B – List of Sheep and Wool Sellers Information Report
 - (c) FORM C – Broker/Dealer Licence Fee Report Form
 - (d) FORM D – Auction Market and Auctioneer Licence Fee Report Form
 - (e) FORM E – Processor Licence Fee Report Form/Invoice
 - (f) FORM F – List of Sheep Custom Processing Services Rendered By Processor
 - (g) FORM G – Producer Direct Purchase Licence Fee Remittances

REVOCATION

22. Ontario Sheep Marketing Agency General Regulations made on the 24th day of July, 2023 and effective on the 1st day of October, 2023 are revoked on the day this regulation becomes effective.

EFFECTIVE DATE

23. These General Regulations come into force on the 4th day of November 2024.

Dated at Guelph, Ontario, this 4th day of November 2024.

ONTARIO SHEEP FARMERS

Per:



Chair



Executive Director

FORM A: PRODUCER/MARKETER REGISTRATION

Regulations made under the Ontario Farm Products Marketing Act require that all persons engaged in producing or marketing sheep in Ontario register with Ontario Sheep Farmers (formerly operating as the Ontario Sheep Marketing Agency or OSMA).

Complete and return the form to:

Ontario Sheep Farmers, 130 Malcolm Road, Guelph, ON N1K 1B1

or fax: 519-836-2531 or email: admin@ontariosheep.org

If your information changes, please contact the office to ensure the most up-to-date information is on file.

FARM INFORMATION:

Business Registration

Name: _____

Sole Proprietor Corporation Partnership Dairy Farmer

Farm Name _____

Premise ID _____

CONTACT INFORMATION

Producer Contact _____

Secondary Contact _____

Other Contact _____

Title _____

Phone _____

Cell _____

Main Email _____

Secondary Email _____

FARM ADDRESS (Where Sheep are Located)

Address _____

City _____

Prov _____

Postal Code _____

County _____

MAILING ADDRESS Same as Farm Address

Address _____

PO Box _____

City _____ Prov _____ Postal Code _____

Number of Ewes in the Flock _____

ADDITIONAL INFORMATION

CONSENT

Yes No I consent to OSF sending me commercial electronic messages and industry updates

Yes No The OSF can, on my behalf, submit the necessary details of the property location required to issue a premise ID to OMAFRA



FORM C: LICENSE FEE REPORT FORM

Dealer

COMPANY _____

PERIOD COVERED _____

TOTAL NUMBER HEAD SOLD: A _____

TOTAL NUMBER HEAD BOUGHT: B _____

TOTAL LICENSE FEES REMITTING: Line A + B x \$2.20 C _____

HST ON LICENSE FEES: (Line C x 13%) D _____

LESS FEE FOR SERVICE DISCOUNT: (Line C x 2.5%) E (_____)

SUBTOTAL: (Line C + D - E) F _____

LESS PPD*: \$5.00 if applicable G (_____)

NET REMITTANCE: (Line F - G) H _____

Cheques payable to: Ontario Sheep Farmers or OSF
E-transfer payment to finance@ontariosheep.org (include company name)

* Prompt Payment Discount (PPD)
The following conditions must be met:
1. The License Fee Report Form is completed
2. Report Form and any fees owing are received no later than 30 days following the month of sale
3. Account must be current
4. No post-dated cheques past due date

I verify that this is a true and accurate statement.

Print Name

Signature

Date



OntarioSheep.org

130 Malcolm Road, Guelph, Ontario N1K 1B1 T 519.836.0043 E admin@ontariosheep.org



FORM D: LICENSE FEE REPORT FORM

Auction Market

COMPANY _____

PERIOD COVERED _____

TOTAL NUMBER HEAD SOLD: A _____

TOTAL LICENSE FEES COLLECTED: (Line A x \$2.20) B _____

HST On License Fees: (Line B x 13%) C _____

DISCOUNTS AVAILABLE

Fee For Service for Submitting Forms
(Remittance Form & Sellers Data Form): (Line B x 3%) D (_____)

Prompt Payment (Line B x 0.5%) E (_____)

For Providing Processing Plant Purchase Report (Line B x 2%) F (_____)

For Submitting Forms & Reports Electronically (Line B x 0.5%) G (_____)

Total Discount: (Line D+E+F+G) H _____

NET REMITTANCE: (Line B + C - H) J _____

Cheques payable to: Ontario Sheep Farmers or OSF
E-transfer payment to finance@ontariosheep.org (include company name)

I verify that this is a true and accurate statement.

Print Name

Signature

Date



OntarioSheep.org

130 Malcolm Road, Guelph, Ontario N1K 1B1 T 519.836.0043 E admin@ontariosheep.org

FORM E: LICENCE FEE REPORT FORM/INVOICE



Ontario Sheep Farmers
 130 Malcolm Road, Guelph, ON N1K 1B6
 T: 519-836-0043 F: 519-231-0445

FORM E: LICENCE FEE REPORT FORM / INVOICE

Invoice to: **Processor Name**
Address
City, Prov, PC

INVOICE NO.: XXX
 INVOICE DATE: XXX
 DUE DATE: XXX

Description	Slaughter Volume as per CFIA/OMAFRA	Rate	Amount
Slaughter Volume for (month) as reported by CFIA/OMAFRA	MONTHLY VOLUME	2.2	\$
Less Fee For Service (FFS) @ 2.5%			\$
HST			\$
Total:			\$

Outstanding Balance Owning: **\$**

Interest Charges: **\$**

Our records show an outstanding balance. If payment has been sent, please disregard. Thank you.

Less Prompt Payment Discount*:

Balance Due: **\$**

ADJUST LICENCE FEES OWING BELOW IF THERE ARE ONTARIO AUCTION MARKET PURCHASES .
 Slaughter volume from above less auction purchases in table below = The number of licence fees owing (A)

AUCTION MARKET PURCHASES	
Purchases this Month	
Previous Unclaimed Purchases	
Available to Claim	
Claiming this month (do not exceed slaughter volume above)	
Excess to Carry Forward to Next Month	

Slaughter Volume less Auction Market Purchases : A _____

Licence Fees (Line A x \$2.20): B _____

HST (Line B x 13%): C _____

Less Fee For Service (Line B x 2.5%): D _____

Subtotal (Line B + Line C - Line D): _____

Outstanding Balance Owning: _____

Less Prompt Payment Discount*:

Balance Due: _____

By signature, I state that these purchases were from and paid directly to Ontario Auction Markets

Signature: _____

Payment can be remitted by one of the following options:
 e-transfer to finance@ontariosheep.org (put company name in the memo field)
 Cheque payable to Ontario Sheep Farmers

If you have any questions regarding this invoice, please contact Jennifer Johanson at 519-836-0043 ext. 327

*Prompt Payment Discount = \$5 for remittance within 30 days of Invoicing.
 10% annual interest may be charged on all overdue invoices.
 HST/ GST No. 867000023

