



CHAPTER 33

An Act to amend the Dairy Products' Act

[Assented to, the 27th of March, 1941]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. Section 2 of the Dairy Products' Act (Revised Statutes, 1925, chapter 63, replaced by the act 23 George V, chapter 24, section 1), as amended by the act 24 George V, chapter 27, section 1, is again amended:

a. By striking out, in the fifth and sixth lines of paragraph 4, the words:

“; (in this definition, the word “milk” has the meaning given to it in its own definition)”;

b. By adding, at the end of paragraph 7 thereof, the following words: “; it includes any establishment where butter or cheese is worked over again for sale”;

c. By striking out, in the fifth, sixth and seventh lines of paragraph 9, the words:

“; (in this definition, the word “milk” has the meaning given to it in its own definition)”;

d. By striking out paragraph 12 thereof.

2. The said act is amended by inserting therein, after section 2 thereof, the following section:

“**2a.** All milk offered for sale, sold or delivered in the Province must be the product obtained by the complete, uninterrupted milking of one or more healthy cows, properly nourished and kept, excluding the milk obtained during the thirty days preceding and the eight days after parturition, or any other period of time necessary to have the milk free from colostrum.”

R. S., c. 63,
s. 2, am.

Id., s. 2a,
added.

Condition of
milk offered,
sold or de-
livered.

Milk for consumption in its natural state must contain at least 3.25% of milk fat and not less than 8.5% of solids not fat.

The milk must not contain any preservative, anti-septic or foreign substance nor present any abnormal physical character and must not have been diluted or creamed. Its flavour and odour must not show any taint."

R. S., c. 63,
s. 8, am.

3. Section 8 of the said act, as amended by the acts 24 George V, chapter 27, section 4; 25-26 George V, chapter 29, section 1 and 1 George VI, chapter 36, section 1, is again amended:

a. By striking out, after the word: "dealer", in the first line, of the first paragraph thereof, the words: "whose purchases exceed one hundred dollars per month";

b. By replacing the third paragraph thereof, by the following:

Amount of
guarantee.

"The amount of such guarantee shall be fixed by the inspector-general, according to the scale established by the commission."

R. S., c. 63,
s. 13, am.

4. Section 13 of the said act, as replaced by the act 24 George V, chapter 27, section 7, is amended by adding thereto, after paragraph 10, as added by the act 1 George VI, chapter 36, section 2, the following paragraph:

Permit re-
quired.

"11. To compel, in any territory which it may designate, distributors of dairy products to obtain a permit which shall be granted gratuitously by the inspector-general or his representative, at the time and upon the conditions prescribed."

R. S., c. 63,
s. 20, am.

5. Section 20 of the said act, as amended by the acts 25-26 George V, chapter 29, section 6, and 1 George VI, chapter 36, section 4, is again amended by replacing paragraph *h* thereof by the following:

"*h.* For compelling every factory to keep accounts in the form he shall prescribe, and for the inspection of such accounts;"

Id., s. 21, am.

6. Section 21 of the said act, as amended by the act 24 George V, chapter 27, section 11, is again amended:

a. By striking out, after the word: "factory", in the third line thereof, the words: "in a city or town";

b. By inserting therein, after the word: "herd", in the tenth line thereof, the words: "nor to a farmer transporting gratuitously, in turn, the milk of his herd and of not more than six neighbouring herds".

7. Section 24 of the said act, as replaced by the act R. S., c. 63, ss. 24, am.
24 George V, chapter 27, section 13, is amended by adding thereto the following paragraph:

"In the case of a milk dealer who pays or agrees to pay a producer-supplier a price lower than that fixed by the commission, the maximum fine must be imposed, and the term of imprisonment, if any, shall be from two to six months." Maximum fine, etc., in certain cases.

8. The following sections are added to the said act, after the said section 24 thereof: R. S., c. 63, ss. 24a-24c, added.

"**24a.** Any carrier who acts as intermediary between a milk dealer and a producer-supplier for the obtaining of a reduction in the price fixed by the commission or for the passing on of a discount in reduction of such price shall be liable to the same penalties as the milk dealer." Liability of milk carriers.

"**24b.** Every employer shall be liable to the penalties prescribed for infringements of this act committed by his employee, unless he proves that the employee acted against his orders and without his knowledge and, in the case of an infringement relating to the price of milk, that he discharged the employee as soon as he learned of the infringement." Employer liable for employee.

"**24c.** In case of an infringement of section 3, or of section 8, the judge shall, in addition to any other penalty applicable, order the closing of the factory, unless, within eight days from the service of the judgment, the offender shall have complied with the requirements of the law. If the offender does not satisfy such judgment and continues his operations after the expiration of the delay, the inspector-general must close the factory and keep it closed by using the necessary force until such judgment has been satisfied." Closing of factory in certain cases.

9. This act shall come into force on the day of its sanction. Coming into force.

