

Carleton-Victoria Forest Products Marketing Board Order 2022-001

Whereas Section 7 of the *New Brunswick Regulation 2014-1*, under the *Natural Products Act* (O.C. 2014-1). 1999 establishes the purposes for which Carleton-Victoria Forest Products Marketing Board is established, including the promotion, control and regulation within its regulated area of the marketing of the regulated product, the promotion within its regulated area of the production of the regulated product, the development, conservation and management of forestry resources on private woodlots in its regulated area, and the promotion of the consumption and use of the regulated product.

Whereas Section 9(d) of said *Regulation* vests in the Board the power to require any and all persons before commencing or continuing in the marketing or the production and marketing of primary forest products on private woodlots to register with and obtain licences from the Board; and

Whereas pursuant to Section 9(o) the Board is vested with the power to make orders necessary or advisable to regulate effectively the marketing or the production and marketing of primary forest products;

Whereas the Forest Product Marketing Boards have the authority and responsibility to issue Transportation Certificates under Sections 4 and 5 of the *General Regulation - Transportation of Primary Forest Products Act*.

Now therefore be it resolved the Carleton-Victoria Forest Products Marketing Board makes the following order:

Citation

1. This order may be cited as the Order Respecting the Registration of Producers in the regulated area of the Carleton-Victoria Forest Products Marketing Board.

Definitions

2. The following definitions apply in this order:
 - (a) "Board" means the Carleton Victoria Forest Products Marketing Board
 - (b) "Marketing" means marketing as defined in the *Natural Products Act* (NB Ch. N-1.2)
 - (c) "Producer" a person who produces and/or transports primary forest products for sale from a private woodlot
 - (d) "Primary forest products" means primary forest products as defined in the Forest Products Act (RSNB 2012, c 105)

- (e) "Private woodlot" means a private woodlot as defined in the Forest Products Act (RSNB 2012, c 105)
- (f) "Regulated Area" means Carleton County and Victoria County, with the exception of the parish of Drummond in Victoria County
- (g) "Regulation" means New Brunswick Regulation 2014-1 under the *Natural Products Act (NB Ch. N-1.2)*

Registration of Marketing or Production and Marketing

1. This order applies to any and all Producers operating in the regulated area.
2. Any and all Producers operating in the regulated area must submit a completed copy of Schedule A to the Carleton-Victoria Forest Products Marketing Board within 60 days of the issuance of this order. This schedule may be submitted in person, by mail or electronically.
3. In the case of a Producer who is newly commencing operations in the regulated area, a completed copy of Schedule A must be submitted to the Board prior to the commencement of their operations.
4. Schedule A shall state that the Producer agrees to abide by any and all applicable provisions of the Natural Products Act (NB Ch. N-1.2), the Transportation of Primary Forests Act, RSNB 2014, c 134 and any and all regulations, orders, directions and determinations issued thereunder.
5. On receipt of Schedule A, a registration card shall be issued to the Producer within 3 business days.
6. The registration card shall contain the name of the Producer to whom the registration is issued, as well as their registration number.
7. Prior to harvesting, each Producer shall notify the Board of the PID's which are being harvested. Such notice can be made orally or in writing.
8. The Board will acknowledge in writing, receipt of the notice within 3 business days. Such acknowledgement shall constitute proof that the notice was given.

Offence Respecting Section 2, 3, 4 or 7

9. Any Producer who is deemed by the Board to be in contravention of provisions of Sections 2, 3, 4 or 7 of this order, shall be notified of the contravention in writing, delivered by certified mail

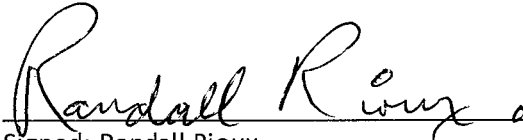
or in person, the reasons for the contravention, the steps required to place them back into compliance, and the deadline for so doing.

10. Any Producer served with such notice may request to meet with the Board for the purpose of showing why they are not in contravention of the order, and such meeting will be convened without delay, and in any event, within 3 business days, unless by the consent of the Producer.
11. Such meeting may be in person, by conference call, or other electronic means.
12. Any Producer who, following the meeting pursuant to Section 9, is still deemed by the Board to be in contravention of the order, and/or who fails to take corrective action as per section 8, shall have their registration revoked and shall not be issued private wood Transportation Certificates.
13. Any decision made by the Board pursuant to Section 12 may be appealed by the Producer within 30 days to the New Brunswick Forest Products Commission pursuant to section 65(1) of the *Natural Products Act (NB Ch. N-1.2)*.

This order shall come into effect September 1, 2022.



Signed: Andrew Clark
Chairman



Signed: Randall Rioux
Secretary

Schedule A

Carleton Victoria Forest Products Marketing Board Producer Registration

Business Name: _____

Contact Name: _____

Address: _____

Email Address: _____

Telephone: _____

Cell Phone: _____

Registration Number (to be completed by CVFPMB Staff): _____

I hereby agree to abide by any and all applicable provisions of the *Natural Products Act (NB Ch. N-1.2)*, the *Transportation of Primary Forests Act, RSNB 2014, c 134* and any and all regulations, orders, directions and determinations issued thereunder.

Signature

Date

