

and Alberta. However, maximum but not minimum prices are set in Manitoba and no control is exercised over milk prices at the wholesale and retail levels in Ontario and British Columbia. In these three provinces some degree of price competition between store and home delivery sales has developed.

The powers given to or requirements made by milk control boards include: (1) authority to inquire into all matters pertaining to the fluid milk industry, to define market areas, to arbitrate disputes, to examine the books and records of those engaged in the industry, to issue and revoke licences, and to establish a price for milk, and (2) authority to require a bond from distributors, periodic reports from distributors, payments to be made to producers by a certain date each month, distributors to give statements to suppliers, distributors to give notice before ceasing to accept milk from any producer, producers to give notice before ceasing to deliver milk to any distributor, and the prohibition of distributors requiring capital investment from producers.

Thus, fluid milk controls are not only widespread but also numerous. They are generally considered to be administered in the public interest as well as in the interest of those who have regular opportunities to appear before the boards in connection with requests for price changes.

Producer Marketing Boards.—During the 1930's strong support developed for legislation whereby agricultural producers could exercise legal authority under certain conditions to control the marketing of their produce. The Natural Products Marketing Act of 1934 attempted to provide this power at the federal level but proved *ultra vires*. The Natural Products Marketing (British Columbia) Act 1936 was *intra vires* of provincial government powers and provided the model from which marketing board legislation has evolved in all ten provinces.

While marketing board legislation has been revised from time to time on the basis of experience, and there are variations in detail from province to province, the same basic powers are given to producers in all provinces. These powers include authority for a duly constituted producer board to control the marketing of 100 p.c. of a specified commodity produced in a designated area. A producer's board, in at least some provinces, may set production quotas for each farmer as has been done with respect to tobacco in Ontario. One producer's board may control the marketing of several related commodities and the designated area may be either the whole or part of a province. A producer vote is required to establish a producer marketing board whose powers are delegated either by a provincial marketing board, which has certain supervisory authority, or by the Lieutenant-Governor in Council.

The powers of a producers' board provided by provincial legislation are necessarily limited to intraprovincial trade. Under the Agricultural Products Marketing Act, the Federal Government may delegate to a marketing board with respect to interprovincial and export trade similar powers to those obtained with respect to intraprovincial trade under provincial authority. This Act also gives the Governor in Council the right to authorize a provincial marketing board to impose and collect levies from persons engaged in the production and marketing of commodities controlled by it for the purposes of the board, the creation of reserves and equalization of returns.

In mid-1964 there were 80 such marketing boards organized in Canada, 50 of which were in the Province of Quebec and 16 in Ontario; each of the other provinces with the exception of Newfoundland had one or more boards. It is estimated that about one seventh of the 1962 farm cash income was received from sales made under the control of provincial marketing board plans, including the following commodities: hogs, certain dairy products, poultry, wool, tobacco, wheat, soybeans, sugar beets, potatoes, other vegetables, fruits, seed corn, white beans, honey, maple products and pulpwood. As at Apr. 30, 1964, 38 of these provincial boards had received an extension of powers for purposes of interprovincial and export trade from the Federal Government. Four boards had received authority with regard to seven commodities to collect levies in excess of administrative expenses.