

Agreements have been made under this Act pertaining to a wide variety of agricultural products. In 1963 the only agreement made was with respect to apples for processing.

*Milk Control Legislation.*—Most of the provinces enacted milk control legislation before 1940. Many of them finance these milk-control agencies out of public funds, others finance through the collection of licence fees and assessments from those engaged in the fluid milk industry, and some combine the two methods. Most milk-control agencies have authority to carry out some system of licensing which provides for the revocation of such licences if those engaged in the fluid milk business do not conform with the orders of the milk control board.

In all provinces with such boards, the milk control board sets the minimum price which distributors in specified markets may pay producers for Class I milk, that is, milk actually sold for fluid consumption. In Ontario and British Columbia, this minimum price is based on formulas. Most provinces also set either minimum or fixed wholesale and retail prices for fluid milk. The wholesale and retail prices are fixed in Prince Edward Island, Nova Scotia and Saskatchewan; minimum prices are established in New Brunswick, Quebec 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 producers' board, in at least some provinces, may set production quotas for each farmer. One producers' 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 usually 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