**Bulk Haulage Regulations**  
made under clauses 15(1)(b) and (e) of the  
Dairy Industry Act  
S.N.S. 2000, c. 24

as amended to N.S. Reg. 107/2017 (July 14, 2017, effective August 1, 2017)

Citation  
1 These regulations may be cited as the Bulk Haulage Regulations.

Interpretation  
2 In these regulations, “transporter licence” means a licence issued by the Board in accordance with Section 3.

Transporter licence  
3 (1) A person carrying on the business of transporting milk from a licensed producer to a licensed processor must hold a valid transporter licence issued by the Board.  

(2) An application for a transporter licence shall be on a form supplied by the Board.  

Subsection 3(3) repealed: N.S. Reg. 64/2017.

(4) A transporter licence shall be valid for a period of 36 months.  

(5) The Board may suspend, revoke or cancel a transporter licence, in whole or in part, for failure to comply with  

(a) any transportation-related provision of an applicable Act or regulation; or  

(b) an order made or policy established by the Council or by the Board.

Transporter acts on behalf of Board  
4 (1) While transporting milk, a transporter is a bailee acting for and on behalf of the Board, and the Board obtains title to the milk when accepted by the bulk milk grader of the transporter.  

(2) A transporter is responsible for preservation of the Board’s title to the milk being transported.  

(3) A transporter may represent that it is authorized to transport milk for and on behalf of the Board, but shall not represent that it is owned by or related to the Board.  

Subsection 4(3) amended: N.S. Reg. 64/2017.

Delivery of milk  
5 (1) A transporter licensed to transport milk by tank truck shall deliver milk, skim milk and cream to a licensed processor on the days required by the processor, including the period when highway weight restrictions are in effect by order of the Minister of Transportation and Infrastructure Renewal, unless accidents or circumstances beyond the control of the transporter make delivery impossible.  

(2) Where the Board is required to ship milk out of Nova Scotia, the Board shall direct transporters to deliver milk to licensed processors outside Nova Scotia.
Subsection 5(2) amended: N.S. Reg. 64/2017.

Protection of milk
6 A transporter shall
   (a) transport milk without unnecessary delay and in such manner as to protect the milk from heat, frost, dust and contamination of any kind; and
   (b) comply with all requirements of Provincial health authorities, the Council and the health authorities of the municipality within which the milk is being delivered.

Bulk haulage rates for farm milk pick-up
7 The following rates shall be the maximum bulk haulage rates that may be charged to the Board by a transporter and shall be applicable to all transporters in the Province:
   (a) for farm pick-up:

<table>
<thead>
<tr>
<th>Transporter</th>
<th>Maximum Rate/100 L</th>
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<tbody>
<tr>
<td>Agropur Co-operative</td>
<td>$2.25</td>
</tr>
<tr>
<td>Agropur Scotsburn Division</td>
<td>$2.91</td>
</tr>
<tr>
<td>Fisher Transport Limited</td>
<td>$1.61</td>
</tr>
<tr>
<td>Winterthur Farm–Rudolph Burghardt</td>
<td>$5.02</td>
</tr>
</tbody>
</table>
Clause 7(a) replaced: N.S. Reg. 107/2017.

   (b) Inhibitor truckload dumped administration fee: $250 per contaminated compartment or load.
Clause 7(b) replaced: N.S. Reg. 64/2017.

Clause 7(c) repealed: N.S. Reg. 64/2017.

Bulk haulage charges paid by producers
7A The following rates shall be the maximum bulk haulage rates to be charged to a producer by a transporter and shall be applicable to all transporters in the Province:
   (a) for milk transported from a farm that has milk pick-up every day: mandatory charge, calculated on all milk, in accordance with a Board policy established for the purpose of calculating the rate for every day pick-up;
   (b) for a second trip in one day by a bulk milk truck to a farm for milk pick up: charge of $50 per return trip, in addition to the amount payable by the Board pursuant to subsection [clause] 7(a);
   (c) minimum charge: if the total amount payable during a week by the Board to a transporter pursuant to subsection [clause] 7(a) for milk transported from a farm is less than $63, the producer that owns that farm must pay to the transporter the difference between $63 and the amount paid by the Board for that week.
Section 7A added: N.S. Reg. 64/2017.

Other bulk haulage charges
7B The amounts to be paid by the Board to a transporter for all bulk haulage of milk except milk transported from farms as set out in subsection [clause] 7(a), including out-of-Province haulage, shall be determined by the Board by agreement with the transporter, taking into account the following criteria:

(a) the pick-up location and destination of the milk, and the distance of the haul;

(b) whether the haul is a one-way haul or the transporter has a back-haul of cargo;

(c) the cost of fuel, labour, maintenance and other costs of the transporter;

(d) the availability of other transporters for the haul, and the rates offered by those transporters. 

Section 7B added: N.S. Reg. 64/2017.

Distributor who transports milk to file schedule of rates
8 A distributor who transports milk for or on behalf of a producer shall file with the Board a schedule of all rates to be charged for the transportation of the milk.

Transportation agreements
9 A licensed transporter shall have a transportation agreement with the Board that is in force.

Section 10 repealed: N.S. Reg. 64/2017.