

PLEASE NOTE

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This document is *not* the official version of these regulations. The regulations and the amendments printed in the *Royal Gazette* should be consulted to determine the authoritative text of these regulations.

For more information concerning the history of these regulations, please see the *Table of Regulations*.

If you find any errors or omissions in this consolidation, please contact:

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CHAPTER A-9

AGRICULTURAL PRODUCTS STANDARDS ACT

GRAIN GRADING REGULATIONS

Under authority of section 4 of the Agricultural Products Standards Act R.S.P.E.I. 1988, Cap. A-9, Council made the following regulations:

1. In	these 1	regul	lations		

Definitions

- (a) "Act" means the Agricultural Products Standards Act R.S.P.E.I. Act 1988, Cap. A-9;
- (b) "Commission" means the Canadian Grain Commission;

Commission

(c) "dockage" means any material intermixed with a parcel of grain;

dockage

(d) "grader" means an inspector as defined in the Act;

grader

- (e) "grain" means wheat, barley, oats, corn, rye, buckwheat, whole grain soybeans, canola, oilseed rape, rapeseed, flax or field peas, which are used directly for livestock feed or in the manufacture of livestock feed and any other product designated as grain by the Minister by notice published in the Gazette;
- (f) "sample" means a sample of grain. (EC531/85; 658/08)

sample

2. Grain is a designated product to which the standards specified in the Designated product Act apply. (EC531/85)

- 3. Grades of grain and the characteristics, qualities and names Grades corresponding to such grades are those prescribed for Eastern Canada under the Canada Grain Act R.S.C. 1985, Chap. G-10 and the regulations made under that Act. (EC531/85)
- 4. All grading of grain shall be done in accordance with the grades and Grading procedures set out in these regulations. (EC531/85)
- 5. No person may assign to grain a grade referred to in section 3 unless Prohibition appointed as a grader by the Minister. (EC531/85)
- **6.** Every person wishing to be appointed as a grader shall apply to the Application Minister in Form 1 of the Schedule. (EC531/85)
- 7. The Minister may suspend for such period as he may determine or suspension, revoke the appointment of a grader if the grader contravenes these revocation of regulations. (EC531/85)

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Agricultural Products Standards Act **Grain Grading Regulations**

GRADING AND INSPECTION OF GRAIN

Operation and location of equipment

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8. A grader is responsible for ensuring that the equipment used to grade grain is in a proper location and operated in accordance with guidelines issued by the Minister. (EC531/85)

Grade certificates to Minister

9. Every grader shall issue a grade certificate for each sample of grain graded and shall provide to the Minister a copy of every grade certificate issued within five days after the fifteenth day and the last day of each month. (EC531/85)

Grade certificate

10. The grade certificate issued by a grader under these regulations shall be in Form 2 of the Schedule. (EC531/85)

Official sample

- 11. In order for a sample to be considered an official sample it shall
 - (a) be representative in that it is taken in either of the following ways:
 - (i) where the sample is taken from a bulk load of grain, a minimum of five portions are taken with an approved probe in such a manner that the portions taken are uniformly distributed throughout the load, and are sufficient in number to represent the apparent variation in the load, or
 - (ii) where the sample is taken during the loading or unloading of grain, the sampling, be it mechanical or manual, shall be spaced regularly during the total discharge of grain; and
 - (b) be taken by a grader or an individual under his supervision. (EC531/85)

Unofficial sample

- **12.** A sample shall be considered an unofficial sample when
 - (a) it is random sample; or
 - (b) it is taken by a person other than a grader or an individual under his supervision. (EC531/85)

Weight of sample

13. A sample, whether official or unofficial, shall be at least 1500 grams. (EC531/85)

Assessment

14. The assessment of the dockage, the moisture level and the test weight of the grain shall be performed in the presence of the person delivering the grain if he requests the grader to do so. (EC531/85)

Moisture meter accuracy

15. The moisture level shall be determined with a moisture meter approved by the Minister, the accuracy of which shall be verified by the Minister annually or upon request. (EC531/85)

Guidelines for grading

16. After cleaning the sample taken, the grader shall grade the sample according to the guidelines issued by the Minister. (EC531/85)

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- 17. Where the person requesting the grade is not satisfied with the grade Dispute of grade given to the sample by the grader, the sample shall be forwarded to the Canadian Grain Commission for determination of a final binding grade using the following procedures:
 - (a) the sample shall be sent within seven days of grading to the Minister in a sealed airtight container together with a Dispute of Grade form in Form 3 of the Schedule duly completed;
 - (b) the Minister shall forward the sample to the Commission. (EC531/85)
- 18. When results are received from the Commission, the Minister shall Notification of notify the grader and the person requesting the grade of the decision and shall issue, where applicable, a new grade certificate and shall cancel specifically any previous grade certificate. (EC531/85)

Commission

19. The decision of a grader on the moisture level shall not be the subject Moisture level of a reference to the Commission. (EC531/85)

GRADING CHARGE

20. The person requesting the grade shall pay to the grader a fee of \$5 Fees per sample. (EC531/85)

SCHEDULE

FORM 1

GRAIN GRADING REGULATIONS APPLICATION FOR APPOINTMENT AS A GRAIN GRADER

This is application for an appointment as a grain grader in accordance with the Grain Grading Regulations.

A. INFORMATION ON THE APPLICANT

	1.	Name of app	licant				
	2.	_	ess				
					Postal Code	·	
		Telephone N	o. (Business)		(Home)		
	3.		ldress of establishme	_	C		
		Name of esta	ıblishment				
		Address			Postal Code	·	
В.	KIN	ND OF GRAII	N TO BE GRADED				
	Plea	ase select the	kind of grain you wi	sh to be auth	orized to grad	de:	
	Oa	heat ats arley	Rye Mixed grain Buckwheat	Corn Field Pea Whole S		Canola Rapesee Oilseed Flax	
C.	GR	ADING EQU	IPMENT				
			oment must be accept following list.	table to the N	Minister. Pleas	se identify yo	ur
						None	Owned
		ter Dockage N					
		,	cleaning) Catch Pan				
			Kind				
		edo Scale					
	Gra	iii Scale	Kind				
		x Funnel and S	Striker				
	Pro	be	ind				
	Gra	nding Lights	.ina				

OTHER INFORMATION		
1. Volume of grain handled	Last	This
intended to be graded	year	year
		(Est.)
Wheat		
Oats		
Barley		
Rye		
Mixed Grain		
Buckwheat		
Corn		
Field Peas		
Whole Soybeans		
Canola		
Rapeseed		
Oilseed rape		
	1. Volume of grain handled intended to be graded Wheat Oats Barley Rye Mixed Grain Buckwheat Corn Field Peas Whole Soybeans Canola Rapeseed	1. Volume of grain handled intended to be graded year Wheat Oats Barley Rye Mixed Grain Buckwheat Corn Field Peas Whole Soybeans Canola Rapeseed Last year

2. By signing this application I agree to participate in a grain-grading course, and to undergo testing conducted by the Minister in order to be considered for authorization to grade grain.

To the best of my knowledge, the information noted on this application form is correct.

Flax

ignature	
osition	
Date	

FORM 2

GRAIN GRADING REGULATIONS GRAIN GRADE CERTIFICATE

Name				
Address		Postal Code		
Sample Identification		Date		
Grain		Temperature		
Dockage	%	Reading		
Test weight	kg/hl	Moisture		
		Protein		
Grade				
Grader		Authorized Number		
Grade and Moisture test applies only to the sample submitted: OFFICIAL SAMPLE				
WHITE & CANARY: Owner/Seller	PINK: Minist	er GOLDENROD: Grader		

FORM 3 GRAIN GRADING REGULATIONS DISPUTE OF GRADE

Name of p	berson disputing grade:			
Mailing A	ddress:		Postal Code	
Telephone	Number:			
Name of C	Grader:			
Mailing A	ddress:		Postal Code	
Telephone	Number:			
NOTE:	All copies of the initial Grade Coto this form.	ertificate issue	d for this sample must be attached	
	GRADE CERTIFICA	ATION NO		
The sample submitted is agreed by both the grader and the person disputing the grade as being a sample of the lot of grain.				
	Signature:	Person Dispu	ting Grade	
		Grader	Certificate No.	
Location .		Date		
(EC531/8:	5; 658/08)			