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Alberta Agriculture and Rural Development

PRESS RELEASE
Changes to the *Farm Implement Act*

Bill 6, the *Statutes Amendment Act*, received Royal Assent on December 17, 2014. The bill consolidates the *Farm Implement Dealerships Act* with the *Farm Implement Act*, and makes numerous changes to the *Farm Implement Act,* including renaming the combined statute as the *Farm Implement and Dealership Act.*

"The *Farm Implement and Dealership Act* helps protect the investment that Albertan farmers make in farm implements by establishing minimum requirements for sale agreements, warranties, and the availability of spare parts," states Janet Patriquin, Assistant Farmers' Advocate with the Farmers' Advocate Office (FAO). The Act also provides a mechanism for resolving disputes regarding farm implements.

"The revised statute addresses gaps in the legislation and adds more clarity," Patriquin explains, "this legislation has been around since the mid-1960s and, like any good legislation, it needs to keep evolving to meet the realities we're facing. We've also taken this opportunity make our *Farm Implement and Dealership Act* more consistent with equivalent legislation in Saskatchewan, Ontario, and Manitoba."

As the administrator for the *Farm Implement Act,* the FAO provides support to the Farm Implement Board, employs a Farm Implement Inspector, and manages licensing for dealer and distributors. The Farm Implement Board is comprised of 3 farmers, 3 industry representatives, and 1 member appointed by the Minister of Agriculture and Rural Development.

"The FAO strives to resolve complaints through the Farm Implement Inspector to help limit costs and ensure expediency for affected farmers," Patriquin explains. In 2013-14, the Farm Implement Inspector spoke with approximately 240 different farmers and agri-business owners, mediated 155 disputes, and completed over 20 farm implement inspections. As a result, the Farm Implement Board did not need to review any disputes in 2013-14.

Some of the key changes to the *Farm Implement Act* are as follows:

- **New Name**

  Combining the *Farm Implement Act* with the *Farm Implement Dealerships Act* and renaming the amended statute as the *Farm Implement and Dealership Act*.

- **Public Auction**

  Several amendments were made to provide clarity around the sale of farm implements by dealers or distributors at public auction. Farm implements sold by dealers or distributors at public auctions are not covered by the consumer protection provisions in the Act.

- **Publishing Notices of Failure to Perform**

  To help ensure consumer protection, the Minister will now publish the date, Vehicle Identification Number, and make and model for all farm implements for which a Notice of Failure to Perform is received.

- **Responsibility for Costs and Substitute Farm Implements**

  Sales agreements between dealers and buyers must explicitly state who (the dealer or the distributor) is responsible for the costs and provision of a substitute farm implement in the event that a purchased farm implement needs repairs.

- **Demonstrator Implements**

  The Act provides a definition for "distributor-approved demonstrator implement." Any demonstrator implements matching this definition are considered "unused" and are protected by the Act.

- **Distributor's Obligations Upon Termination of Dealership Agreement**

  As in the past, when the agreement between the distributor and a dealer is terminated, the distributor is required to repurchase unused farm implements and other related resources obtained from or required by the distributor. The new *Farm Implement and Dealership Act* includes several amendments that serve to better protect dealers and align the Act with similar legislation from other provinces.

- **Increased Fine for Noncompliance**

  The penalty for noncompliance with the Act or regulations has been increased from $50,000 to $100,000.

For a copy of Bill 6, please click here or go to www.assembly.ab.ca and look under "Bills and Amendments." The new legislation will come into force in 2015, once the required amendments are completed to the regulation to align with the amended legislation. Updated copies of the *Farm Implement and Dealership* Act will be available on the FAO website at www.farmersadvocate.gov.ab.ca shortly.

For more information, please contact the FAO at farmers.advocate@gov.ab.ca or 310-FARM (3276.)

Tools For Insect Management

Crops face many challenges during the growing season. One of the challenges that can impact yield and grain quality is the presence of insect pests. A number of insects can cause crop damage at various times throughout the growing season. For example, insects can impact canola can from the time of emergence (eg. cutworms) to pod ripening stage (eg. lygus bugs). In order to understand the potential risk that insect pests cause, sources of available information should be utilized.

One important source of information that producers can utilize is forecast maps. Alberta Agriculture and Rural Development produce a number of forecast maps for various insect pests that occur in Alberta. These forecast maps provide information on insects of canola, cereal and pulse crops. These maps are updated annually and are published on the Alberta Agriculture website (www.agric.gov.ab.ca).

Several of the forecast maps are produced from data collected in the fall and are made available prior to the growing season. Forecast maps for grasshoppers, wheat midge and wheat stem sawfly are generated from fall sampling. These maps allow producers to evaluate is any of these insects could be a concern in the upcoming growing season.

A second type of forecast map provides insect updates during the growing season. This allows producers to receive timely information on the number of insects in their farming area. Bertha armyworm and diamondback moth activity is monitored through the use of pheromone traps during a portion of the growing season. The number of moths captured in the traps is updated weekly. Areas with high moth counts are more likely to see feeding damage by the larvae that emerge later in the growing season.

Forecast maps are also provided based on surveys performed the previous growing season. The maps provided for pea leaf weevil and cabbage seed pod weevil are generated in this manner. Although they are not strict forecast maps the information is still beneficial. Generally, areas with high numbers of these pests in one growing season
(eg. 2014) are at risk to have economically damaging populations the next growing season (eg. 2015).

It is important to note that while forecast maps provide insight into a potential insect pest, they cannot replace a field scouting program. Field scouting allows producers to evaluate the type and number of insect pests present, the presence of any insect damage and the growth stage of the crop. This information can then be utilized to make an appropriate management decision regarding the control of an insect pest.

Please contact the Ag-Info Centre for more information on insect forecast maps and insect management.

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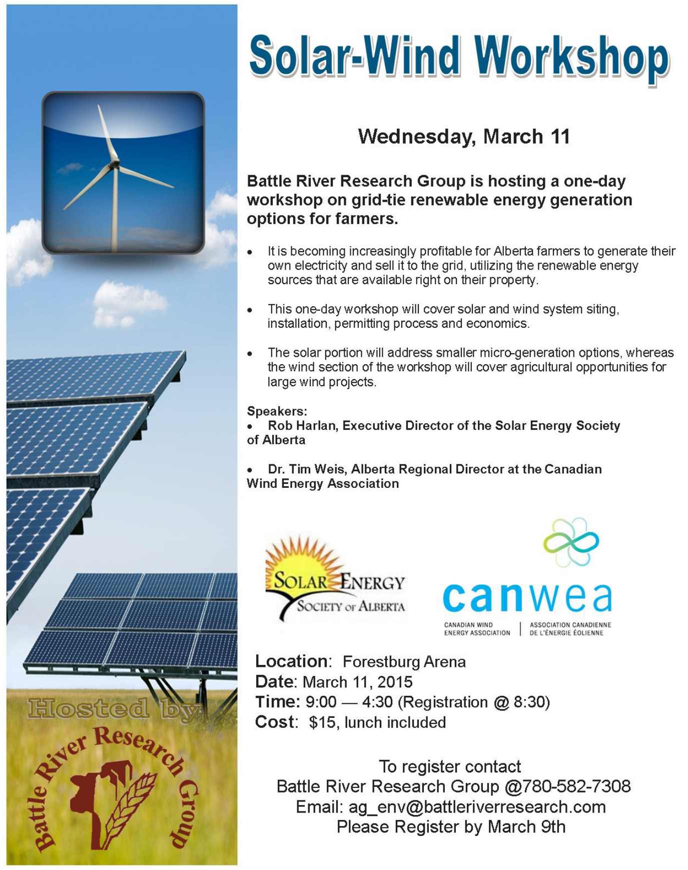

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Marketing Cull Cows

Marketing cull cows is an important aspect of a cow-calf operation. Common reasons for culling a cow are that she has either lost her calf or she has been diagnosed open at weaning. Also, cows who have had calving difficulty, whose calves do poorly, or who have a bad disposition could be culled. Other culling factors include physical problems, such as udder or chronic foot trouble.

The benefits of culling cows from a beef herd include higher calf crop percentages and lower health related problems. Weaning is a logical time to cull unproductive cows since it is the end of a production cycle. For spring calving herds, other appropriate culling times for cows failing to calve or losing their calf are the spring or summer.

At culling time, a decision is made either to sell cull cows immediately, leave them with the herd in anticipation of increased cow prices, or separate and feed them a higher grain diet before sale. That decision is based on such factors as expected price changes, feeding costs verses potential weight gain, grade improvement potential and available facilities and time.

Cow prices have a seasonal pattern based on both demand and the number of slaughter cows for sale. November and December cull cow marketings are much higher than the numbers marketed in July and August. Marketings continue to be high in January as many producers delay sales into a new tax year. Marketing volumes typically remain stable from April through August as producers sell open cows or cows that have lost a calf.

Cull cow prices are usually the lowest in November and December when marketing volumes are the highest. Prices typically begin to improve in February, and from April through August, the cull cow price tends to be seasonally high. During this period, cull numbers are lower and demand for hamburger, the primary use of slaughter cow meat, is higher. This usually is the best time to sell cows that have failed to calve, have lost their calf or for any fall calving cows that are open.

The longer term average annual beef cow culling rate is about 11% of the herd. Compared to 2013, 2014 cow slaughter was down about 9% in Canada and down about 14% in the US. Despite the drop in cow slaughter from 2013, Canfax estimates that the 2014 Canadian beef cow culling rate was still about 13%. This implies that Canada's beef cow numbers are likely to be down again in the January 1st cattle inventory report. Because of reduced US cow slaughter, the weak Canadian dollar and continued strong demand for ground beef, cull cow prices are likely to remain historically high near-term. However, it is prudent to keep the seasonal supply and demand factors in mind when making the culling decisions.

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