
Farm Practices Protection (Right to Farm) Act

2. “NORMAL FARM PRACTICE” AND THE “RIGHT TO FARM”

What is farming?

The act applies to a farm operation conducted as part of a farm business – those operations needed to grow, produce, raise or keep animals or plants.

Under the act farm operations also include game and fur farming but exclude forestry and raising pets. A farm operation includes all the things that farmers normally do such as clearing land, using machinery, applying fertilizer to soil and controlling pests. A farm operation also includes processing and marketing of the products of the farm.

What is a “normal farm practice”?

The fundamental policy of the new act is that farmers have a right to farm in B.C.’s important farming areas, particularly the Agricultural Land Reserve, provided they use normal farm practices and that they follow other legislation listed in the act (*Waste Management Act, Pesticide Control Act, Health Act*).

A normal farm practice is defined in the act to include an activity... “*that is conducted by a farm business in a manner consistent with proper and accepted customs and standards as established and followed by similar farm businesses under similar circumstances.*”

What guidelines exist now?

Currently, there are a number of documents that provide operational guidelines for farm practices, such as the ministry’s environmental guidelines and production guides for various farm commodities. In addition, there are some special regulations such as the codes of practice for farm waste handling under the *Waste Management Act*.

There are also technical crop production guides (oriented towards pest management) and other specialized technical publications available from a wide variety of sources.

The ministry, in co-operation with B.C.’s farm community, local governments and other ministries, is developing a comprehensive guide to farm practices. This guide, which describes existing farm practices and references ministry and government guidelines for farm practices, will be useful to farmers, local governments and other interested individuals

FACTS



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Who decides what is “normal”?

The farming community and local governments will have an ongoing role in working with government to establish guidelines or standards for farm practices. However, when a complaint is made to the Farm Practices Board, the board is charged with making a final decision about whether a specific farmer is using “normal farm practice” in relation to that farm in that location. The ministry, the farm community and other knowledgeable persons may be requested to provide assistance to the board during its fact finding process.

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FOR MORE INFORMATION,
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The Farm Practices Board
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The Agricultural Land
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Or visit the ministry’s home
page on the Internet.

<http://www.agf.gov.bc.ca/>

This fact sheet is one of a
series on the new *Farm
Practices Protection
(Right to Farm) Act*