

**IN THE MATTER OF THE
NATURAL PRODUCTS MARKETING (BC) ACT
AND AN APPEAL FROM A DECISION CONCERNING CHICKEN PRICING**

BETWEEN

PRIMARY POULTRY PROCESSORS ASSOCIATION OF BRITISH COLUMBIA

APPELLANT

AND:

BRITISH COLUMBIA CHICKEN MARKETING BOARD

RESPONDENT

BC CHICKEN GROWERS' ASSOCIATION

INTERVENER

ORDER

WHEREAS:

1. On October 10, 2008, the panel in its decision found that the Chicken Board erred in the process it undertook to set the price for live chicken for the periods A-86 and A-87.
2. On October 22, 2008, following a submission process, the panel remitted the issue of the price for live chicken for the periods A-86 and A-87 back to the Pricing Committee directing that "if consensus cannot be reached by the industry in a timely fashion, the Chicken Board follow its General Orders and send the pricing of chicken for Periods A-86 and A-87 to arbitration."
3. On November 7, 2008, the Chair of the Pricing Committee wrote to the British Columbia Farm Industry Review Board advising of the pricing agreement reached for periods A-86-A-89:

The agreement reached today is as follows:

- Period A-86 Ontario posted price plus 5.35 cents
- Period A-87 Ontario posted price plus 5.35 cents
- Period A-88 Ontario posted price plus 5.00 cents
- Period A-89 Ontario posted price plus 5.00 cents

THEREFORE THIS PANEL ORDERS:

1. That the pricing agreement reached for the two periods under appeal, namely A-86 and A-87, be affirmed.

Dated this 14th day of November, 2008, at Victoria, British Columbia.

FOR THE PANEL

(original signed by:)

Sandi Ulmi
Panel Chair