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