



April 28, 2010

NOTICE TO ALL ONTARIO DAIRY FARMERS

Deadline for filing requests for quota transactions planned under August 1, 2009 quota policies

Dairy Farmers of Ontario (DFO) has established a policy for producers who planned to conduct transactions under the August 1, 2009 quota policies and whose plans were interrupted by the introduction of the February 24, 2010 quota policy revisions. Producers have until July 31, 2010 to request permission to conduct a quota transaction under quota policies that DFO could have approved, had they been conducted on or before January 14, 2010. These requests must be received or sent by registered mail on or before July 31, 2010. To be considered, producers must provide the following:

- a) a sworn affidavit by legal counsel for the producer or accountant for the producer, or, if an affidavit cannot be provided by legal counsel or accountant, by the producer, describing plans that were in place to conduct a quota transaction;
- b) supporting documentation from a service provider such as a lender or contractor, etc., dated on or before January 14, 2010 supporting the producer's plans; and
- c) if available, written documentation from DFO staff dated on or before January 14, 2010 showing the actions that were taken by staff and the producer with respect to the intended quota transaction.

Upon receipt of the information, DFO staff will review the information. DFO may require that the affiant attend an examiner's office for the purpose of examining the affidavit under Rule 39 of the Ontario Rules of Civil Procedure. Rule 39 permits the examination of records and the cross-examination of the person making statements in the affidavit. This process could be used where a statement or statements are made that are not supported by any other evidence.

Following the completion of the review, staff will provide a report and any supporting documentation to the Quota Committee. The committee will make a recommendation to the Board.

For the request to be recommended by the Quota Committee and approved by the Board, the Board must be satisfied that plans were in place to conduct a quota transaction that could have been approved by the Board prior to January 14, 2010 but were interrupted by the February 24, 2010 quota policy changes.

Planned quota transaction requests that are approved by the Board must have an effective date no later than February 1, 2012. This means that quota transfer application forms must be received by DFO or sent by registered mail on or before January 1, 2012.