

ORDER 2010-06
AN ORDER ESTABLISHING THE MARKETING SERVICE CHARGES OF
DAIRY FARMERS OF NEW BRUNSWICK
(the "**MARKETING CHARGES ORDER**")

PURPOSE: To outline the levies and charges that the Board shall collect from Producers to carry out the purposes of the Plan.

WHEREAS the Board, inter alia, is vested with the power to make such orders as are considered by the Board necessary or advisable to regulate effectively the marketing or production and marketing of milk in New Brunswick.

AND WHEREAS these recitals form part of this Order.

NOW THEREFORE BE IT ENACTED pursuant to

- *Milk Plan Order – Dairy Farmers of New Brunswick and all of its Orders*, and amendments or successor thereto;

DAIRY FARMERS OF NEW BRUNSWICK (hereinafter called the "Board") in its exercise of its Federal and Provincial powers, where applicable, in whole or in part, concurrently and in combination hereby repeals Order 2009-10 – Marketing Charges Order and replaces it with:

2010-06
THE MARKETING CHARGES ORDER

- 1) **DEFINITIONS:** The terms referenced herein have the same meaning as given in the by-law, act, regulation, order or agreement in which the term was originally defined. If a term originates herein the term will be defined below.

Total Solids means the kilograms of butterfat, protein and lactose and other solids contained in the milk, determined by the average of the tests provided by the Commission.

2) **MARKETING SERVICE CHARGES**

The Producer shall pay to the Board on a monthly basis:

- a) an administration service charge in the amount of \$0.059 for each kilogram of Total Solids produced in a month.
- b) a promotion service charge in the amount of \$0.0999 for each kilogram of Total Solids produced in a month.
- c) a New Brunswick laboratory service charge in the amount of \$0.0016 for each kilogram of Total Solids produced in a month to recover the cost of the New Brunswick laboratory component testing services.
- d) a transportation service charge, the amount to be determined by the Board, for every hectolitre of Milk produced in a month.
- e) a research levy service charge in the amount of \$0.0016 for each kilogram of Total Solids produced that DFNB will direct to Milk 2020 at their discretion.

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3) PRODUCER DEDUCTIONS

a) The following list of Producer deductions have been approved by the Board:

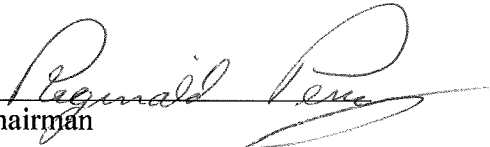
Approved deductions at discretion of Producer		
Farm Credit Canada	Agriculture Development Board	Manulife – RRSPs
Producer Group Insurance	Group Insurance Retirees	Blue Cross Life & AD/D
Paul Revere	Quality Milk Management	Canadian Quality Milk Program
Food Bank Donation Program		
Approved deductions required by the Board		
Board Penalties In Trust	Processor Invoice Prior Month	Receiver General
Extra Transportation	Due Board	

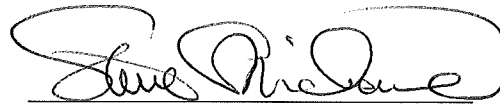
- b) For only those deductions at the discretion of the Producer, the Producer must indicate the monthly amount he wishes to have the Board deduct from his monthly milk sales and sign a direction authorizing the Board to pay the moneys to the appropriate entity. The Board may cease making discretionary Producer deductions should the Producer have a Due Board.
- c) For those deductions required by Board, the Board will automatically deduct the amount from the Producer.

4) DUE BOARDS

- a) The Board may, in the case of a Producer with two consecutive Due Boards, suspend payment advances to the Producer until said Due Boards are paid in full.
- b) The Board may claim from the proceeds of a sale of Daily Quota through the Quota Exchange money owed to itself by a Producer with a Due Board before distributing the remaining proceeds to said Producer.

This Order comes into effect August 1, 2010


 Chairman


 Secretary/Manager