

THE ONTARIO TENDER FRUIT PRODUCERS' MARKETING BOARD

Price Determination Order (Sour Cherries) 2009

made under

THE FARM PRODUCTS MARKETING ACT

Interpretation

1. In this Order,
 - (a) "buyer" means a person who buys sour cherries and includes a dealer and a processor;
 - (b) "dealer" means a person engaged in buying, transporting or selling sour cherries;
 - (c) "local board" means The Ontario Tender Fruit Producers' Marketing Board;
 - (d) "processing" means the manufacture of tender fruit products or juice, beverage spirits or wine from tender fruit and includes canning, bottling, distilling, fermenting, dehydrating, drying, freezing or processing with sugar or sulphur dioxide or any other chemical;
 - (e) "processor" means a person engaged in the processing of sour cherries;
 - (f) "producer" means a person engaged in the production of sour cherries;
 - (g) "sour cherries" means sour cherries produced in Ontario in 2008 except sour cherries used for any purpose other than processing by a processor.

Application of Order

2. This Order provides for the control and regulation in any or all respects of the marketing within Ontario of sour cherries, including the prohibition of such marketing in whole or in part.

Prices

3. (1) Subject to subsection 2 and section 4, the minimum prices that shall be paid to producers for sour cherries F.O.B. the buyer's plant or receiving station designated as the place of delivery of the sour cherries in the agreement relating to the marketing of the sour cherries between the producer and the buyer shall be as follows:

- (a) For cherries graded 97, 98, 99 and 100 at the rate of \$505 per ton.
- (b) For cherries graded 95 and 96 at the rate of \$490 per ton.
- (c) For cherries graded 93 and 94 at the rate of \$475 per ton.
- (d) For cherries graded 92 at the rate of \$460 per ton.
- (e) For cherries graded 90 and 91 at the rate of \$450 per ton.
- (f) For cherries graded 88 and 89 at the rate of \$440 per ton.
- (g) For cherries graded 85, 86 and 87 at the rate of \$430 per ton.
- (h) For cherries graded 80, 81, 82, 83 and 84 at the rate of \$420 per ton.
- (i) For cherries graded 75, 76, 77, 78 and 79 at the rate of \$410 per ton.
- (j) For cherries graded 70, 71, 72, 73 and 74 at the rate of \$400 per ton.
- (k) For cherries graded 69 and below at the rate of \$390.00 per ton.

4. The minimum price which shall be paid to producers for all varieties of sour cherries which meet the requirements of No. 1 Grade in the regulations made under The Farm Products Grades and Sales Act by processors licensed under the Liquor Control Act of Ontario shall be at the rate of \$560.00 per ton.

Revocation:

5. Price Determination Order (Sour Cherries) 2008 made by the local board on the 21st day of July, 2008 is revoked and Price Determination Order (Sour Cherries) - 2009 is substituted therefore.

DATED at the City of St. Catharines, Ontario this 16th day of July, 2009.

THE ONTARIO TENDER FRUIT PRODUCERS' MARKETING BOARD

Len Troup

Chairman

Adrian Huisman

Secretary