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national farmers union
In Union Is Strength

FOR IMMEDIATE RELEASE

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RULING CONFIRMS FARMERS' RIGHT TO DETERMINE CWB FUTURE

SWIFT CURRENT, Sask.—“Farmers went to court to protect our right to collectively, democratically, and properly determine how we market grain. We won. The judge ruled that the government of Canada—whether Conservative, Liberal, NDP, or another party—must follow the law. The law dictates clear procedures for changing the CWB’s mandate: a fair plebiscite on a clear question, good-faith consultation with CWB Directors, and legislation democratically passed in the House of Commons by elected MPs. This law is there to ensure that farmers maintain democratic control over their marketing agency,” said NFU President Stewart Wells, one of the 12 Applicants that brought the case to the Federal Court.

Wells was commenting on today’s decision by Federal Court Justice Dolores Hansen that quashed the Cabinet Order which would have taken away the Canadian Wheat Board’s single desk marketing advantage for barley.

Wells was extremely critical of the federal government conduct that precipitated the farmers’ court challenge. “Illegal and reckless government actions have caused a high-speed collision between ideologically-driven party politics, on the one hand, and the proper, lawful, and transparent conduct of democracy, on the other,” stated Wells. He continued: “The judge’s ruling today holds the government to account for that collision and re-asserts the rule of law and democracy.”

Wells reemphasized that the Order-in-Council removing barley from the CWB single desk through regulatory change—rather than amendments to the *CWB Act*—was unlawful, undemocratic, and unsustainable. He noted that, at the hearing in Calgary, the federal government revealed that it had done absolutely no analysis of either the legal ramifications or the economic consequences of its Order-in-Council. “In their haste, the government ignored both the law and sound business practice,” he said.

“Farmers hope the federal government will now use some common sense and not appeal this decision,” concluded Wells. “It is also our hope that the government will now stop interfering in CWB business and let the CWB maximize the returns from grain marketing and get that money back to farmers. In 1998, control of the CWB was given to farmers through the *CWB Act*. Justice Hansen has confirmed that it is Our Board, Our Business.”

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