



WESTERN BARLEY GROWERS ASSOCIATION

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Farmers Win against Canadian Wheat Board (CWB) in Right to go to Court

March 14, 2005, Airdrie, AB.: "This class action suit by prairie farmers will put money into the farmers' pool accounts, and that's good news," says Doug McBain, President of the Western Barley Growers Association, when commenting on the ruling to allow the farmers case to precede with their landmark case against the CWB. "For years the Canadian Wheat Board has defied Federal Legislation and taken money from the prairie farmers' pool account to pay licensing cost for all of Canada," claims McBain. The claim in the law suit will make the Federal government pay back what it owes in past licensing costs."

After the suit was launched on February 8, 2002, the CWB tried to have the *farmers* statement of claim struck down, claiming, among a host of other distractions, that the CWB owed no duty of care to western farmers. "What a bunch of arrogant hypocrites," stormed McBain. "The Board continually tells us they are working for farmers and when they are challenged by farmers in court they repeatedly argue that they have no responsibility to farmers whatsoever," continued McBain. The board of directors and the staff do have a duty to follow the act and the Judge agreed, and ordered the CWB's motion to be dismissed, allowing the farmers to proceed with their case to reduce cost and maximize the returns to farmers.

Why do we have to go to court to get the CWB to stop paying money out of our pool accounts contrary to their own legislation? If these costs are to be paid by the government and they paid it in the past, when and who decided that western farmers should pay cost for issuing all export licenses.

"There isn't a prairie farmer who cannot use extra money in pool accounts," says Western Barley Grower Vice President Jeff Nielsen from Olds Alberta. "We are not sure how much money is owing to the pools, but costs include administration staff, including lawyers and accountants, office space, telephones, tax machines computers, programs, license application and extensive verification and coordination with Canada customs.

Prominent Regina lawyer, Tony Merchant, QC, Council for farmers leading the class action lawsuit against the CWB states, "The decision shows that farmers working together can assert their right to justice in spite of the federal government."

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