

November 27, 2006

The Honourable Chuck Strahl, P.C., M.P.  
Minister of Agriculture and Agri-Food and  
Minister Responsible for the Canada Wheat Board

Dear Minister:

**Re: October 5, 2006 Directive**

I am writing once again with respect to the Order-in-Council dated October 5<sup>th</sup> directing the CWB to refrain from expending funds for the purpose of advocating the retention of its statutory mandate.

We have your fax of November 17, 2006 asking us to remove the CWB's response to the Task Force report from our website. We have been advised that posting this document on our website does not violate the directive and accordingly, we must respectfully refuse your demand to remove it.

Your letter also indicates that you are not prepared to request that the Governor in Council rescind the order. Needless to say we are disappointed in that response. As we have previously stated, the directive is inappropriate for a number of reasons, not least of which is that it is entirely contrary to the spirit of the 1998 amendments to the *Canadian Wheat Board Act*. The directive creates an intolerable uncertainty as to what is or is not an appropriate expenditure or comment. That uncertainty is in turn severely hindering the CWB's ability to discharge its statutory mandate and to provide producers with the information that they are entitled to receive from their marketing agent.

Accordingly, we have instructed our counsel to prepare and file an application for judicial review of the directive.

However, in the interest of respecting the shared aspect of the CWB's governance structure we would like to explore whether there is a middle ground that can accommodate the needs of both parties without the need of court action.

You have indicated that you will be holding a plebiscite on barley early in 2007. There can be no dispute that producers are entitled to have a full understanding of the facts. And, as you yourself have stated, the CWB "understands the issues better than anyone and has access to detailed marketing and operational information not available to others." The CWB has an obligation to ensure that producers have access to the information that they need to inform the decision that they are being called upon to make.

If the Governor in Council suspends the application of the directive in respect of the plebiscite, the CWB will defer challenging the directive.

Under the circumstances, time is of the essence and so we would ask for your response by December 1, 2006, failing which we will assume that you have declined our proposal.

Yours very truly,

Ken Ritter,  
Chair, CWB Board of Directors