

**REGULATION REGARDING
THE STRAWBERRY AND RASPBERRY GROWERS' CONTRIBUTION TO
THE ASSOCIATION DES PRODUCTEURS DE FRAISES ET FRAMBOISES DU QUÉBEC**

Act respecting the marketing of agricultural, food and fish products
(R.S.Q., c. M-35.1, s. 133)

1. Every Quebec strawberry and raspberry grower who, during at least one year in the 2 previous years and the current year, purchased or planted more than 1,000 strawberry plants or, during one year in the previous 6 years and the current year, purchased or planted more than 250 raspberry plants, must pay the following contribution to the *Association des producteurs de fraises et framboises du Québec*:

1° \$0.00668 for each strawberry plant purchased or planted by the grower;

2° Notwithstanding the first paragraph, the contribution is of \$0.00268 per strawberry plant grown under a high density crop management including a day neutral plant, purchased or planted by the grower;

3° \$0.04538 for each raspberry plant purchased or planted by the grower;

4° despite paragraph 3, the contribution is \$0.01088 per hydroponic raspberry plant** purchased or planted by the producer when he has given a written notice to this effect to the Association, no later than November 15 of the year of purchase or planting.

“High density crop management” refers to the production of at least 40 000 strawberry plants per hectare under strawberry plasticulture production where the fruits of the mother-plants are harvested.

** “Hydroponic” means a production technique whereby a plant remains in a bag or a pot, its roots do not come into contact with the field soil and it cannot propagate in that soil.

2. In addition to the contribution set forth in article 1, a strawberry grower must pay an annual contribution of \$141.83 to the *Association* if he purchased or planted 1,001 to 1,500 strawberry plants during at least one year within the two previous years and the current year. The strawberry grower who purchases or planted more than 1,500 strawberry plants must pay an annual contribution of \$283.66.

However, a grower who planted strawberries in high density must pay the *Association* an annual contribution of \$141.83 if he purchased or planted 2,351 to 3,500 plants during the previous year. A strawberry grower who, during this period, purchased or planted more than 3,500 strawberry plants must pay an annual contribution of \$283.66.

In addition to the contribution set forth in article 1, a raspberry grower must pay the *Association* an annual contribution of \$178.71 if he purchased or planted 251 to 500 raspberry plants during at least one year within the six previous years and in the current year. The raspberry grower who purchases or planted more than 500 raspberry plants in the same period must pay an annual contribution of \$357.39.

A grower to whom the first and/or second and/or third paragraphs of the present article apply shall only pay one contribution, which will be the higher of the three.

A strawberry and raspberry grower, who is a member of the *Fédération de la Relève Agricole du Québec*, is exempted from paying the contribution referred to in the present article for the first year of establishing the strawberries and for the two first years of establishing the raspberries.

3. In addition to the contributions set forth in articles 1 and 2, the strawberry or raspberry grower must pay the *Association* a contribution determined according to the purchase price of strawberry and raspberry selling boxes identified as such, alone or with other fruits and vegetables, of 12 X 1 dry pint, 12 X ½ dry pint, 8 X 1 dry quart, one-pound plastic clamshell, 6 X 1 dry quart and any wood or cardboard baskets, excluding the containers, calculated as follows:

1° if the purchase price does not exceed \$33,333.33, 3% of such amount;

2° if the purchase price exceeds \$33,333.33, \$1000 in addition to 1% of the amount exceeding \$33,333.33.

As of the year 2008, the contributions set forth in articles 1 and 2 shall be adjusted annually on December 1, following the percentage that represents the variation between (i) the average consumer price index in the province of Québec, published by Statistics Canada in accordance with the Statistics Act (R.S.C. 1985, C. S-19) for the previous year and (ii) the average consumer price index in Quebec published by Statistics Canada for the prior year to that used in (i).

Such adjusted amounts are decreased to the closest \$0.00001 if it comprises a fraction of a dollar lower than \$0.000005 and increased to the closest \$ 0.00001 if it comprises a fraction of a dollar equal or higher than \$0.000005.

The *Association* informs the public of the indexation result according to the present article by a public notification published in Part 1 of the *Gazette officielle du Québec* and by any other appropriate mean.

4. Contributions are payable upon receipt of invoice.

Unpaid contributions within 90 days of their due date carry an interest rate of 7% per year.

5. The *Association* may establish agreements with strawberry or raspberry plants suppliers and with containers manufacturers and distributors for the collection of the contributions set forth in the present regulation.

6. The *Association* uses the contributions set forth in articles 1 and 3 to pay the expenses related to its duties and responsibilities resulting from its accreditation.

7. The present regulation replaces the regulation of the strawberry and raspberry growers' contribution to the *Association des producteurs de fraises et framboises du Québec (decision 6945, 1999-05-04)*.

8. This regulation is effective as of the date of its publication in the "*Gazette officielle du Québec*".