

## STANDING FISH PRICE-SETTING PANEL

### COD FISHERY – 2013

The Standing Fish Price-Setting Panel, hereinafter referred to as “the Panel”, issued its Schedule of Hearings for 2013 on March 5<sup>th</sup>, 2013. Under Section 19 of the *Fishing Industry Collective Bargaining Act*, hereinafter referred to as “the Act”, the Panel set Thursday, May 9<sup>th</sup>, 2013, as the date by which collective agreements binding on all processors in the province that process Cod, must be in effect. In the absence of such collective agreement, the Panel set Friday, May 10<sup>th</sup>, 2013, as the date on which the Panel would conduct a hearing regarding prices and conditions of sale for the species Cod.

It was noted by the Panel, at that time, that it had been advised by the Department of Fisheries and Aquaculture that no processors’ organization had been identified that represents processors in the province that process the majority of the species Cod. As a result, should a hearing be required for Cod, the provisions of Section 19.9 of the Act were to apply. Presentations would be accepted by the Panel from any processor, processors’ organization and the Fish, Food and Allied Workers, at the hearing.

The Panel further advised that parties intending to make a presentation to the Panel on Cod were to provide the Panel with written submissions not later than 24 hours before the scheduled hearing time and date. The Panel also advised that it would decide on all matters in dispute between the parties relating to price and conditions of sale for the species Cod, and the decision of the Panel is final and binding on the parties and all other processors that process the species Cod, and constitutes a collective agreement or part of a collective agreement between them.

At the request of industry representatives, the Panel rescheduled the dates for a hearing to 2:00 pm, Monday, May 13<sup>th</sup>, 2013.

The Panel convened its hearing for Cod at 2:00 pm on Monday, May 13<sup>th</sup>, 2013. Appearing before the Panel were representatives of Iceswater Seafoods Inc. and the Fish, Food and Allied Workers, who supported their submissions by oral representations in main argument and rebuttal.

The parties and the Panel had to benefit of a Cod Market Report prepared by Seafood.com for the Minister of Fisheries and Aquaculture, Government of Newfoundland and Labrador.

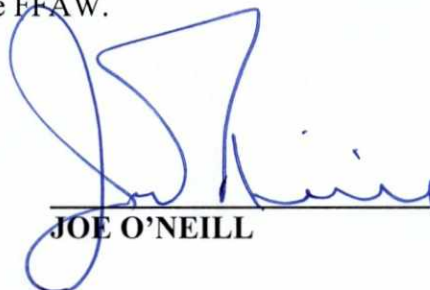
At the conclusion of the hearing the parties requested that the Panel delay its decision to give Iceswater Seafoods Inc. an opportunity to further explore the market opportunities. Both parties were in agreement to request and extension of the date set by which prices and conditions of sale must be in place for the species Cod.

The Minister, at their request, changed the date to June 10<sup>th</sup>, 2013. On June 4<sup>th</sup>, the Panel were advised that the parties had reached an agreement on prices for the 2013 season, and filed the agreed Cod Schedule with the Panel.

It is the decision of the Panel that the prices and condition of sale for the species Cod for the 2013/2014 collective agreement(s) will be as set out in the attached 2013/2014 Cod Schedule dated the 6<sup>th</sup> day of June, 2013, between the FFAW and Icewater Seafoods Inc.

Under the Act, this agreement is binding on all processors that purchase Cod in the areas noted and during the periods stated therein, and will form a collective agreement, or part of a collective agreement with the FFAW.

Dated the 6<sup>th</sup> day of June, 2013.



**JOE O'NEILL**



**BILL WELLS**



**MAX SHORT**

## 2013/14 Cod Schedule

The prices and related terms and conditions for cod during the 2013/14 season are set out in this Schedule.

The parties agree that this Schedule and the Master Collective Agreement between FFAW/CAW and the Association of Seafood Producers (ASP) dated May 9, 2011 together constitute a Collective Agreement between the parties for cod for the purposes of the *Fishing Industry Collective Bargaining Act*.

1. Both Parties recognize the importance of maintaining quality. To ensure top quality cod, all fish must:
  - be gutted and properly iced immediately after coming onboard the vessel;
  - be free of gut and liver;
  - have temperatures maintained at <4 degrees C.
2. Fish Harvesters' Resource Centres (FRC) will be the exclusive dockside monitoring company for the cod fishery.
3. The terms and conditions of this Schedule may be amended by mutual consent.
4. This Schedule is in effect from date of signing until March 31, 2014, inclusive.
5. Minimum cod prices will be as follows. For the purpose of this Schedule, length of fish is measured from the tip of the nose to the crux (meat) of the tail.

### 3Ps, 2J3KL, 4R and 3Pn

Hook and Line/Trawl Gillnet/Otter Trawl (18" and over)	\$0.50 per lb.
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6. Prices are based on the following conditions:
- (a) Minimum acceptable quality is 80% Grade A. Raw material below 80% Grade A will be rejected.
  - (b) Prices are for fish including tongues and/or cheeks. Fish with tongues and/or cheeks removed will be deducted \$0.05 per lb. This provision does not entitle the buyer to require harvesters to remove tongues and/or cheeks as a condition of sale.
7. The parties recognize that the Company's cod markets have stringent quality specifications. The Company reserves the right to cease buying at times when intrinsic quality characteristics of the fish in particular areas fail to meet these specifications.

For Fish, Food and Allied Workers  
FFAW/CAW

Paul McCarty

Lina Pretty  
Witness

June 6, 2013  
Date

For Icewater Seafoods Inc.

Albert

Thomas Shown  
Witness

June 6/13  
Date

*AW*