



THE PROVISION OF INFORMATION...

...IT'S EVERYBODY'S BUSINESS...!

...AND IT'S YOUR REGULATION !

WHAT TO DO ?

The Regulation on the provision of information (see back), which came into effect on July 26th, 2011 asks every cash crop producer to provide the Fédération, after each sale of grain, with the information related to any contract or agreement with a buyer.

For all harvested and sold grain

(with the exception of wheat intended for human consumption)

1 WHICH DOCUMENT TO PROVIDE ?

An example of documents to provide :

- Preferably :
 - Buyer written purchase contract;
 - Producer written sale contract;
 - Weight ticket showing the price and the location where the buyer is to take possession of the grain (when price is established at delivery time)
- In case of a verbal contract not paper-confirmed by the buyer :
 - Contract-form proposed by the Fédération filled by the producer;

Available on the Fédération web site :

http://www.fpccq.qc.ca/Files/Contrat_type.pdf

Any document including the following information :

- ✓ The date of the agreement
- ✓ The name of the producer
- ✓ The name of the buyer
- ✓ The type of grain and expected class
- ✓ The contracted quantity
- ✓ The price or any combination of basis price and future price (open or closed)
- ✓ The delivery date or period
- ✓ The location where the buyer is to take possession of the grain (FOB)

2 WHEN TO PROVIDE IT ?

Before 5 p.m the next working day after each agreement

- As soon as you get your buyer confirmation by e-mail or facsimile;
- As soon as you agree for an immediate or forward delivery, even if it is a verbal one;
- As soon as a price is established for a harvest delivery.

In case you don't get the document quickly enough from your buyer, please use and fill the contract form proposed by the Fédération in order to comply with the required time frame for the provision of information.

3 HOW TO PROVIDE IT ?



E-mail

contrat@fpccq.qc.ca



Facsimile

1-855-245-1878 (Toll free)



Telephone (If no facsimile nor Internet – Must be confirmed with regular mail), 450-679 0540
Mireille Blais, Ext. 8300 / Christine Zerbisias, Ext. 8544

References - October 2011

An English version of most of the documents related to the grain merchandising tools project is available at the following address :

- <http://www.fpccq.qc.ca/MiseMarche/OutilsMiseMarche.aspx>

All documents related to the Regulation on the provision of information are available on demand, by telephone at 450-679 0540 Ext. 8300 ou 8544.

French versions are also available at the following addresses :

All the documents related to the grain merchandising tools project:

- <http://www.fpccq.qc.ca/MiseMarche/OutilsMiseMarche.aspx>

Practical details related to the Regulation :

- http://www.fpccq.qc.ca/Files/Details_reglement_Juillet_2011.pdf

Contract form proposed by the Fédération the producers for the sale of their grain :

- http://www.fpccq.qc.ca/Files/Contrat_type.pdf

French official version of the Regulation :

- http://www.fpccq.qc.ca/Files/Reglement_transmission_reseignements.pdf

Non official translation of the Regulation

REGULATION ON THE PROVISION OF INFORMATION BY CASH CROP PRODUCERS IN QUEBEC

Act respecting the marketing of
agricultural, food and fish products
(R.S.Q., c. M-35.1, a. 97, 193)

SECTION I PROVISION OF INFORMATION

1. With the exception of marketing contracts for wheat intended for human consumption, a producer targeted by the Joint Plan of cash crop producers in Quebec (L.R.Q., c. M-35.1, r.177) is required to fax or email to the *Fédération des producteurs de cultures commerciales du Québec*, before 5 p.m. the working day after the day each grain marketing contract is agreed to, a document that the producer has requested that the buyer sign and which contains the following information relative to the verbal or nonverbal contract:

- 1° The producer's name and address;
- 2° The name and address of the buyer;
- 3° The sales contract number, where applicable;
- 4° The date of agreement between the parties;
- 5° The type of grain, quantity expected and the quality or expected class of the grain sold;
- 6° The location where the buyer is to take possession of the grain;
- 7° The period or date of delivery of the grain sold;
- 8° The acknowledged classification and weight of the grain sold at the time of delivery;
- 9° The selling price or method used to determine it, methods of payment and currency selected;
- 10° Any premium or discount applicable on the selling price based on the quality or classification of the grain and all other costs agreed to in advance by the parties;

When an amendment is made to one of the items identified in the first paragraph, the producer shall advise the *Fédération* of this amendment in the same manner and within the same delay as if the amendment were a new contract.

"Wheat intended for human consumption" is designated as the varieties of bread wheat listed in Clause 1 of the *Règlement sur la mise en vente en commun du blé destiné à la consommation humaine* (L.R.Q., c. M-35.1, r. 175).

2. The producer may mandate a third party to discharge the obligation provided for in Clause 1 in his name, but the producer remains liable for providing the information.
3. Notwithstanding Clause 1, the producer who is unable to provide the information by facsimile or email must communicate this information to the *Fédération* by telephone before 5 p.m. the working day after the day the contract is agreed by the parties and provide confirmation of this information by mail within the same delay.

SECTION II USE OF THE INFORMATION

4. The *Fédération* uses the information provided by the producer to apply the Joint Plan, agreements and regulations adopted in conformity with the Act respecting the marketing of agricultural, food and fish products (R.S.Q., c. M-35.1).

5. Information provided by the producer to the *Fédération* is handled confidentially; the *Fédération* does not disclose the information to anyone, with the exception of its Board of Directors and before the *Régie des marchés agricoles et alimentaires du Québec* or any other tribunal or *La Financière agricole du Québec* within the framework of a written agreement foreseeing terms of communication and use.

However, the *Fédération* may compile information received from producers for the purpose of analysis, study and market information and disseminate the results of its compilations.

6. For at least three years following the date of their preparation, the producer shall maintain the documents attesting to the exactitude of information provided.

SECTION III VERIFICATION AND APPLICATION

7. The *Fédération* may proceed with necessary verifications for the application of the regulation by producers targeted by the Joint Plan.
8. Failure by the producer to provide to the *Fédération* information foreseen in Clause 1 in the manner and within prescribed delays contravenes Clause 193 of the Act respecting the marketing of agricultural, food and fish products (R.S.Q., c. M-35.1).
9. This regulation comes into effect on July 26, 2011.