

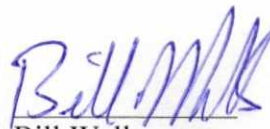
Lobster Fishery 2012

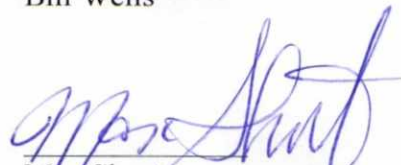
The Standing Fish Price Setting Panel hereinafter referred to as "The Panel, issued a decision respecting the price of Lobster for the 2012 season on the 2nd day of April, 2012. The Lobster Schedule, which formed part of that decision was to be effective from the 18th day of April until the end of the 2012 lobster fishing season. The prices for lobster were to be set in accordance with the Lobster Schedule, which formed a collective agreement, or part of a collective agreement binding on all processors that buy the species lobster.

At the time of making its decision involved that the Seafood Processors Association of Newfoundland and Labrador, had concerns about the pricing methodology. The Panel noted as well that the FFAW appeared to be open to other suggestions or alternatives, and the Panel stated it trusts that: "it will continue with that approach in seeking a mutually acceptable solution with SPONL".

The parties to the lobster price negotiations arrived at a mutually acceptable agreement on the 4th day of May with a revised Lobster Schedule to be effective as of the 6th day of May, 2012. the Panel hereby revises and amends its decision of April 2nd, 2012 to reflect the agreement of the parties. The prices for lobster will be set in accordance with the 2012 Lobster Schedule-Revised as attached, which will form a collective agreement or part of a collective agreement binding on all processors that buy and process the species Lobster.

DATED the 7th day of May, 2012


Bill Wells


Max Short

2012 Lobster Schedule - Revised

The prices and related terms and condition for lobster for 2012 are set out in this Schedule.

This Schedule together with the terms and conditions of the Master Collective Agreement between FFAW/CAW and the Association of Seafood Producers (ASP) shall together constitute a Lobster Collective Agreement for the purposes of the Fishing Industry Collective Bargaining Act.

- (1) The minimum price for lobster in NL in 2012 shall be determined on a weekly basis, adjusted in accordance with the Urner Barry price listing for 1 ¼ pound live lobster FOB New England.
- (2) The minimum price shall be \$3.25 for all Urner Barry price listings up to and including \$5.00.
- (3) The minimum price shall be increased by 70% of any incremental amount greater than \$5.00 Canadian, and 80% of any incremental amount greater than \$6.00 Canadian.

Example: Market price = \$6.50 U.S.

7 day average exchange rate: \$1.00 U.S. = \$0.97 Cdn.

i.e. Market price = \$6.50 x 0.97 = \$6.30 Cdn.

$$\begin{aligned}\text{Minimum Raw Material Price} &= \$3.25 + (.70 \times \$1.00) + (.80 \times \$0.30) \\ &= \$3.25 + .70 + .24 \\ &= \$4.19\end{aligned}$$

- (4) For all sales effective May 6, 2012 until the end of the 2012 season, the market price used in the calculation as per paragraph (3) above will be 15 cents less than the Urner Barry listing for 1 1/4 pound live lobster FOB New England.
- (5) The minimum price for each week of the lobster season shall be calculated based on the average of the Urner Barry listings on Thursday of that week and Tuesday of the following week, and shall apply retroactively to all sales from Sunday to Saturday, inclusive, payable no later than Thursday of the following week.

Example: The price payable for landings in Week 1 (from Sunday to Saturday inclusive) shall be calculated based on the average of the Urner Barry listings for Thursday of Week 1 and Tuesday of Week 2, payable no later than Thursday of Week 2.

- (6) All Urner Barry listings used for this purpose shall be converted to Canadian dollars based on the average exchange rate for the seven day period immediately preceding the Tuesday following the week in which the landings occurred, as per the Oanda website.
- (7) Should Urner Barry provide a listing on Thursday in a particular week, or on the following Tuesday, but not both, that listing shall be used as the basis of the calculation. Should there be no Urner Barry listing provided on either a Thursday or the following Tuesday, the most recent prior Urner Barry listing shall be the basis of the calculation.

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- (8) In the event that Urner Barry provides a range of prices on a given day, the low end of the range shall be used as the price listing for the purposes of this Schedule.

Example: If Urner Barry reports a market range of \$6.00 to \$6.10, all calculations done for the purposes of this Schedule shall be based on \$6.00.

- (9) Prices are based on legal size lobster.
- (10) This Schedule is effective from April 18, 2012 until the end of the 2012 lobster fishing season.

DATED at St. John's, Newfoundland & Labrador this 4 day of May, 2012.

Signed on behalf of the
Fish, Food and Allied Workers
FFAW/CAW:

Joan Petty
Witness

Earle McCurdy
Earle McCurdy
Fish, Food and Allied Workers
FFAW/CAW

DATED at St. John's, Newfoundland & Labrador this 4 day of May, 2012.

Signed on behalf of the
Seafood Producers of Newfoundland & Labrador
SPONL:

Joan Petty
Witness

George Joyce
George Joyce
Seafood Producers of Newfoundland & Labrador
SPONL