

Marketing Plan Overview

September 2025



The following is a summary of the revised Marketing Plan as of September 2025. This document includes:

- A summary of the core elements of the revised Marketing Plan.
- A summary of the removal of powers made to the Marketing Plan.
- Additional Q & A based on questions raised during the consultations.

Note: The detailed text of the Marketing Plan, as circulated in your voter package, is the definitive source of information. This document is provided to help with understanding and to address key points raised during consultations.

Core Elements

The following section outlines the core elements of the proposed Marketing Plan, including how Board members are elected, the Board's meeting requirements and accountability mechanisms, and the key powers and responsibilities it would hold under the Natural Products Marketing Act.

Board Membership and Elections

All Board members are **elected from among registered producers** in the province, with regional representation from the Western, Central, and Eastern districts, along with at-large members to ensure Island-wide balance.

The initial Board would be composed of the current Association board, and the first election would be held within nine months of the Marketing Plan coming into force. After that, elections would be held on a staggered basis under the following conditions.

- Nine members in total: two from each district and three elected at-large.
- Only registered producers (growing five or more acres and residing in PEI) are eligible to vote or run.
- Nominations require signatures from three eligible producers.
- If only one candidate is nominated, they are declared elected.
- If no nominations are received, Council may appoint someone based on the Board's recommendation.

Financial Structure and Levy:

Under the Marketing Plan the levy system will become mandatory, and changes are only permitted with grower approvals. Specifically, the Marketing Plan outlines the following.

- The current levy of \$0.008 per pound will remain in place unless a proposed change through the following process:

- Two-thirds of support from the elected Board to call a *levy meeting*.
- Two-thirds of voting producers approve the change at the *levy meeting*.
- Buyers are responsible for collecting the levy at the point of sale and remitting it to the Board.

Meetings and Accountability

The Board is required to engage regularly with growers and uphold transparent operations. The following is specifically outlined within the Marketing Plan.

- An Annual General Meeting (AGM) must be held by April 30 each year.
- The AGM agenda includes financial approvals, board confirmations, levy discussions, and resolutions.
- The Board must hold at least one consultation meeting per year in each district.
- Special meetings can be triggered by a petition signed by at least 10% of registered producers.

Board Powers and Responsibilities:

The plan grants the Board several regulatory and advocacy powers. Several powers in the consultation draft to reflect grower input. (See below under ***Removal of Powers***).

The revised Marketing Plan provides the Board with the following powers.

- Levy and collect fees from producers, through buyers, to fund the work of the Board.
- Establish and maintain a register of producers.
- Require buyers to provide information and submit levy remittances.
- Negotiate the price or minimum price that must be paid for wild blueberries sold in PEI.
- Inspect buyer records to ensure proper levy collection.
- Use funds for marketing, research, administration, and grower representation.
- Represent and advocate for PEI growers at the provincial and national levels.
- Resolve disputes within the industry.
- Recommend amendments to regulations to government
- Dissolve the Board, and distribute levy funds equally to all registered producers once outstanding debts and expenses are paid

Removal of Powers

Based on grower feedback, several powers originally included in the draft Marketing Plan have been removed. These changes narrow the scope of authority of the proposed Marketing Board and focus its role on marketing, promotion, levy administration, and representing growers.

The following powers have been removed:

- References to licensing have been replaced with memberships. The Board will maintain a register of producers but will have no authority to control who may grow wild blueberries.
 - This includes the removal of the ability to suspend or revoke a buyer's or producer's license.
- All powers related to quota systems or supply management have been removed.

- The power to operate pooling systems or directly buy, sell, or possess blueberries has been removed.
- The authority to acquire or dispose of land and other real property has been removed.
- The ability to require proof of financial responsibility from producers or buyers has been removed.
- Enforcement powers to seize products or search vehicles have been removed.

Questions and Answers

This section will summarize answers to specific questions raised by growers during the consultation process.

Voter and Board Eligibility

Q: Who is eligible to vote in elections or plebiscites under the Marketing Plan?

A: Only registered producers—those who grow five or more acres of wild blueberries in PEI and are ordinarily resident in the province—are eligible to vote. Registration is confirmed through a formal process with the Board, and the register is updated at least 90 days before any vote. (See Section 9 of the Marketing Plan)

Q: If a company owns more than five acres and has multiple shareholders or owners, does each person get a vote?

A: No. Each registered producer receives one vote, regardless of how many individuals are associated with the operation. In cases where the grower is a company, partnership, or group, that entity must designate a single individual to act on its behalf. This ensures that every registered production operation—whether owned individually or corporately—has a single vote. (See Section 12(1) of the Marketing Plan)

Q: How are at-large Board members identified and voted on? Can anyone be elected to the Board, or only registered producers?

A: All Board members, including representatives at-large, must be registered producers. At-large members are elected by all registered producers across the Island (not just those in a specific district). A person may run for an at-large position if they are a registered producer residing anywhere in PEI. All registered producers are eligible to vote in at-large elections. (See Sections 12–17 of the Marketing Plan)

Price Negotiation

Q: Is the Board required to negotiate a price with buyers?

A: No. The Board would have the authority to negotiate a base price for wild blueberries, but it is not obligated to do so automatically. Before price negotiation powers can be exercised, the Board must develop a negotiation process in consultation with growers and legal counsel and formally adopt it through a Board Order.

This process must then be approved by both the growers and the PEI Marketing Council. The intention is to ensure any negotiation process is transparent and has broad producer support before being implemented. (See Section 41(1)(i) of the Marketing Plan)

Q: How would prices be negotiated, and who would do it?

A: If established, the Board would have the authority to negotiate a base price for wild blueberries on behalf of all registered growers. This base price would ideally be set before harvest each year, providing predictability and fairness across the sector.

The process would not be developed until after the Board is in place, but it's expected that:

- A third-party service provider would help design the negotiation process.
- The process would be developed with input from the Board, legal counsel, and growers.
- The final process would be voted on and approved by growers and a *Board Order*.
- Only the base price would be negotiated. Growers and buyers would still be able to negotiate additional bonuses or premiums privately, such as for quality or volume.
- The Board would not control contracts or private arrangements beyond the base price.

If the Board and buyers cannot reach agreement, the matter may be referred to the PEI Marketing Council, which could:

- mediate discussions;
- conduct hearings;
- or, if necessary, set interim pricing terms that both parties must follow.

If either party is dissatisfied, they can appeal to the Natural Products Appeals Tribunal, which has the authority to confirm, reverse, or alter pricing decisions.

Supply and Inventory Management

Q: Does the Board have the power to limit how much I can grow or sell?

A: No. Based on grower feedback, all powers related to quota systems, supply management, or controlling the amount a grower can sell have been removed. The Board will not have authority to limit production or act as the sole buyer of product. (See “Removal of Powers” section in the Overview.)

Roadside Sales

Q: Will I still be able to sell berries through U-picks or at the roadside?

A: Yes. The proposed regulations focus on commercial sales to registered buyers. Roadside, U-pick, or direct-to-public sales are not restricted. If you sell direct to the public, you may still be required to remit the levy, but you would do so directly to the Board—not through a buyer. (See Section 41(x) of the Marketing Plan.)

Contracts (Existing and Future)

Q: What happens to my current contract with a processor?

A: Existing contracts will remain in force. The Board will not override private agreements already in place. Any future negotiations between the Board and processors would apply to new transactions and would respect current legal contracts.

Buyer Registration

Q: Who can buy wild blueberries under this plan, and what's required?

A: All buyers must be registered with the Board. Registration ensures buyers follow the rules—like collecting and remitting levies—and helps protect growers from late payments, price undercutting, or contract violations. The Board may authorize additional buyers during peak seasons to manage overflow. (See Sections 10 and 41 of the Marketing Plan.)

Future Marketing Board or Plan Changes

Q: Can the Board expand its powers or change the rules later?

A: Some changes—like amending powers or introducing new regulatory tools—require formal approval. For example, under Section 41(2) of the Marketing Plan, certain powers (such as terminating the Board or distributing levy proceeds) cannot be exercised unless growers approve them through a plebiscite conducted by the PEI Marketing Council.

In general, most structural changes would require approval from the Council and often a formal amendment to the Marketing Plan regulations under the Natural Products Marketing Act. Growers may also influence changes through annual meetings, special meetings, or formal resolutions.

Appeals and Arbitration

Q: What if I disagree with a decision made by the Board?

A: You have the right to appeal to the Natural Products Appeals Tribunal, an independent body appointed by government. The process includes:

- Submitting a written notice of appeal within 30 days of the decision.
- A hearing is scheduled within another 30 days, and both the grower and Board can present their cases.
- The Tribunal may confirm, change, or overturn the Board's decision, and its decision is provided in writing.
- The Minister may refer the issue back to the Tribunal for reconsideration.

This process is outlined in Part V of the Natural Products Marketing Act and ensures growers have recourse if they believe a Board decision was unfair or harmful.

Levy and Compliance Enforcement

Q: How is the levy set?

A: The current levy of \$0.008 per pound will remain unless growers vote to change it. To change the levy, two-thirds of the Board must vote to hold a levy meeting, and two-thirds of growers at that meeting must vote in favour.

Q: What happens if someone doesn't pay it?

A: Buyers are responsible for collecting and remitting levies at the point of sale. If a grower or buyer fails to comply, the Board may use legal or financial enforcement tools to recover funds. (See Sections 38–39 and 41.)

Off-Island Producers

Q: Would the Board have authority over growers in other provinces who sell to PEI processors?

A: No. The Board's authority only applies within Prince Edward Island. Growers located outside PEI are not subject to registration requirements, voting eligibility, or levy obligations unless they own five or more acres of production within PEI. However, if off-Island growers sell to PEI processors, those processors (as registered buyers) would still be required to report and remit levies on all purchases from registered PEI producers. The Board would have no authority over farms located solely in other provinces.

Crop Insurance

Q: Will this plan affect my ability to access crop insurance?

A: No. The creation of a marketing board does not change access to crop insurance programs. However, the Board could advocate for improved coverage or policy adjustments based on grower needs. Participation in crop insurance remains a separate provincial program.