



News Release

Summary Panel to hear trade dispute between Alberta and Ontario July 22, 2010

July 19, 2010 - A Summary Panel will hold a hearing under the dispute resolution provisions of the *Agreement on Internal Trade (AIT)* to review an outstanding dispute since 2004 regarding access to the Ontario market for certain vegetable and vegetable oil seed food products, which together comprise imitation or alternative dairy products.

The original dispute, initiated by the Governments of Alberta and British Columbia, challenged Ontario measures which regulate imitation dairy products. In a report in December 2004, an earlier Panel found that Ontario's licensing requirements under the *Edible Oil Products Act (EOPA)* impaired internal trade and caused injury. Ontario repealed the EOPA but introduced new regulations under the Ontario *Milk Act*. To date Ontario considers the dispute resolved but the complaining Parties do not.

Under new AIT dispute resolution provisions which came into effect in October 2009 to resolve outstanding government-to-government disputes, in March 2010, Alberta requested a summary panel to review the case.

The Summary Panel is comprised of: Bryan Schwartz (Chair) Madeleine Renaud and Lorne Seitz. The Panel hearing will begin at 9:00 A.M. on July 22 and will be held at the Delta Chelsea Hotel, 33 Gerrard Street West, Toronto, Ontario, in the Mountbatten Salon. The hearing is open to the public. Written submissions can be found on the AIT website (see below) The Panel shall issue its report within 90 days after the hearing.

The AIT is an intergovernmental trade agreement signed by Canadian First Ministers in July 1994. Its purpose is to reduce and eliminate, to the extent possible, barriers to the free movement of persons, goods, services, and investment within Canada so as to establish an open, efficient, and stable domestic market. Access to the dispute resolution mechanisms of the AIT is open to governments, individuals and businesses.

For more information on the AIT and its dispute resolution procedures, visit www.ait-aci.ca. and/or contact: Anna Maria Magnifico, Executive Director, Internal Trade Secretariat, T: 204 - 987-8094 or email: amagnifico@ait-aci.ca

Background information attached.

Biographical Notes – Panel Members

Bryan Schwartz is the Asper Professor of International Business and Trade Law at the University of Manitoba and counsel to the Pitblado Law Firm. He is the author of seven books and over seventy academic articles, and often appears as a media expert on matters of law and political process. Bryan's experience as an advocate has included writing briefs or presenting argument in over a dozen cases at the Supreme Court of Canada. His experience as an arbitrator has included labour cases and serving on panels under NAFTA.

Madeleine Renaud Ad.E. is a partner in the law firm of McCarthy Tétrault. A member of the firm's Competition Group, Ms. Renaud advises a broad range of Canadian and international clients on all aspects of Canadian competition law and practises litigation focussing on administrative, constitutional and regulatory law. She is a frequent speaker at national conferences and has published widely on competition law and other topics. In 2006-07, she was part of an external task force of lawyers and experts economists selected by the Competition Bureau to advise on the reform of the cartel legislation. She was awarded the title *Advocatus Emeritus* by the Quebec Bar in 2007 in recognition of her professional excellence, outstanding contribution to the profession and exceptional outreach.

R. Lorne Seitz is a former deputy minister in the British Columbia government, serving in several portfolios including Agriculture, Fisheries and Food and International Business and Immigration. He also served as C.E.O of the B.C. Trade Development Corporation and the B.C. Assets and Land Corporation. From 1993 to 1995 he was a lead negotiator for B.C. in the negotiations leading to the Agreement on Internal Trade (AIT). Prior to joining the B.C. government, he served as Senior Vice-President, International, of the Canadian Chamber of Commerce during the Canada-U.S. Free Trade Agreement negotiations. More recently, Mr. Seitz served as Vice-Chair of the B.C. Agriculture Land Commission and Director of the British Columbia Safety Authority.