

For Immediate Release
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\$20 MILLION MORE TO BE DISTRIBUTED UNDER VITAMINS CLASS ACTION SETTLEMENT

TORONTO – In the largest class action settlement distribution of its kind in Canada, an additional \$20 million will be disbursed to universities and other organizations involved in vitamins and food education and research as a result of a pan-Canadian class action brought on behalf of direct purchasers, indirect purchasers and consumers of vitamins and vitamin products. The announcement was made today by the law firms of Sutts Strosberg LLP (Windsor, Ontario), Siskinds (London, Ontario) and Camp Fiorante Matthews (Vancouver, British Columbia). A further \$6 million will be distributed to recipients in Quebec.

These funds are part of the settlement in excess of \$132 million approved by the courts of Ontario, British Columbia and Quebec in 2005 pertaining to the alleged price-fixing of vitamins in Canada.

Today's announcement almost doubles the amount of money distributed under the settlement to Canadian charitable organizations, universities, research or consumer services/protection organizations in Canada to date. As the settlement amount cannot be economically distributed to individual consumers or farmers across Canada who purchased vitamins between 1986 and 1999 in light of their sheer numbers and the likely small dollar amount per claim, the courts approved the distribution of monies to the following:

University of British Columbia	\$ 3,458,837.66
University of Alberta	\$ 2,536,480.95
University of Manitoba	\$ 922,356.71
University of Saskatchewan, Western College of Veterinary Medicine	\$ 768,630.59
University of Toronto	\$ 2,435,265.24
University of Guelph	\$ 2,435,265.24
University of Guelph, Ontario Veterinary College	\$ 2,435,265.24
Ontario Agri-Food Education	\$ 2,435,265.24
Memorial University	\$ 963,959.16
Dalhousie University	\$ 963,959.16

Sometimes in a class action, claims and/or individual losses are simply so small that they would be eaten up in the administration and distribution of the money. It is therefore difficult to justify going ahead with these payments. In these cases, the court allows for a settlement where redress is not given on an individual basis but rather to be applied in the public interest. In this way, a grant or contribution is done in a manner that benefits the class and fulfills the goal of providing relief and redress.

Universities with doctoral programs in food and nutrition were chosen to receive funds on behalf of consumers of vitamins and vitamin products. Universities with veterinary medicine schools were chosen to receive funds given their connection to the agriculture sector – a major purchaser of vitamins or vitamins products. These organizations shall use these funds for activities related to vitamin products including food and nutritional research and education.

"A successfully settled class action that results in defendants paying out million of dollars against their bottom line will, no doubt, deter people in the future who are considering price-fixing," stated Harvey Strosberg, counsel with Sutts Strosberg. "This is precisely the kind of behaviour modification that the class proceedings legislation was enacted to achieve."

"In any class action, class counsel works to ensure that any ill-gotten gains by the defendants are redistributed among those people who suffered harm. In the vitamins price-fixing case, there could be millions of Canadian consumers and indirect purchasers who could be affected," noted J. J. Camp, counsel for Camp Fiorante Matthews. "Class counsel opted for the fairest alternative option – to distribute it to the associations, councils, agencies and institutions who would commit to use the funds for the well-being of the whole class."

"Siskinds is proud to have been part of the class counsel team that pursued a vitamins price-fixing cartel and achieved a \$132 million settlement. With more than \$20 million going to universities and other research organizations to further our knowledge in areas related to vitamins, it is difficult to imagine a better use of the settlement funds," added Scott Ritchie, counsel for Siskinds. "Not only was an historic settlement achieved but an important message was sent to manufacturers who might be tempted to illegally fix prices that cause harm to the public."

Over \$11 million of settlement funds were previously distributed for the benefit of indirect purchasers of vitamins to national associations, agencies and councils active in the raising of animals and the selling of animal products across Canada. Similarly, over \$11 million of settlement funds were previously distributed for the benefit of consumers of vitamins to consumer services/protection associations and to Canadian charitable and research organizations across Canada for vitamins and food-related programs. Direct purchasers of vitamins from the defendants also recovered substantial damages from the overall settlement.

The disbursement of these funds will begin tomorrow, Tuesday, December 19th.

- 30 -

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