



Date: July 21, 2008

To: ALL SUNOPTA EMPLOYEES

From: Benjamin Chhiba

RE: Document Retention and *Restriction on Communications* relating to
LITIGATION

Privileged & Confidential - Solicitor & Client Communication

As you are all aware, from time to time, the Company may become party to litigation as a result of a wide range of matters. As a matter of legal requirement and in the best interests of SunOpta, please ensure that all documents relating to issues (*i.e that are the subject of litigation or could become the subject of litigation*) are preserved. The Company has production obligations in litigation that require it to collect those documents and make various productions to the plaintiffs which may not occur for some time. A current example is the Company's class action litigation relating to the berry operations write down and other issues from 2007.

Communications other than with legal counsel are not protected by privilege and may be producible in the litigation and used against the Company. Therefore, it is critical that you should avoid unnecessary discussion in emails and other communications relating to any such matter, and contact me before making any statements which could have an adverse affect on the Company in current or any future litigation.

If you have any doubt on any communication to be issued by you, relating to matters which are the subject of litigation *or could become the subject of future litigation*, please copy me as a recipient. If you have any questions about any of this or are unsure what to do in a situation, please contact me.

Thank you.