

IN THE MATTER OF THE NATURAL PRODUCTS
MARKETING (BC) ACT

AND

IN THE MATTER OF AN APPEAL TO THE
BRITISH COLUMBIA MARKETING BOARD
AGAINST A DETERMINATION OF THE
BRITISH COLUMBIA CHICKEN MARKETING BOARD
DATED DECEMBER 13, 1989

BETWEEN :

TRACE DEBOER

APPELLANT

AND :

BRITISH COLUMBIA CHICKEN MARKETING BOARD

RESPONDENT

SUPPLEMENTAL DECISION

1. Following the Reasons for Decision of the British Columbia Marketing Board (the "Board") in the matter of an appeal by Trace DeBoer against the British Columbia Chicken Marketing Board (Chicken Board), Counsel for Trace DeBoer requested the Board consider further evidence in the form of an affidavit from Mr. Hakon Komm, accountant for Colonial Farms Ltd., dated February 23, 1990.
2. Counsel for the Chicken Board did not object to the review of new evidence by the Board.
3. On April 12, 1990, the Board examined the affidavit of Hakon Komm. After examination of the evidence and full consideration of the statements made therein, the Board concludes that there is no basis upon which it should change its decision of March 27, 1990, and the decision will stand.
4. For purposes of greater certainty and clarification, the Board is of the view that the 39% quota increase was a label used to describe the program implemented in 1980. In its Reasons for Decision dated March 27, 1990, the Board acknowledged that the actual increase received by Mr. DeBoer (whether it is described as a quota increase or a production increase) may be more or less than 39%.
5. It is the opinion of this Board that if Trace DeBoer is aggrieved by a decision of the Chicken Board with respect to the amount of increase they determine he received, that decision of the Chicken Board is appealable to the Board.

(Original signed by):

Mona Brun, Acting Chairperson
O. Astring, Member
G. Aylard, Member
J. Reger, Member

Dated this day of June, 1990 in Victoria, British Columbia.