

99-18  
10/6/00



File: 44200-50/EMB 99-18

October 6, 2000

**DELIVERED BY FAX**

Mr. Bill Pottruff  
3259 Hallberg Road  
Ladysmith, BC V9G 1J8

Macaulay McColl  
Barristers  
Suite 600  
840 Howe Street  
Vancouver, BC V6Z 2L2  
Attention: Mr. Robert P. Hrabinsky

Dear Sirs:

**RE: AN APPEAL BY MR. BILL POTTRUFF FROM A DECISION OF THE  
BRITISH COLUMBIA EGG MARKETING BOARD CONCERNING THE  
SEIZURE OF A FLOCK**

The British Columbia Marketing Board ("BCMB") Panel hearing the subject appeal has received and reviewed the following submissions concerning the September 28, 2000 visit of a British Columbia Egg Marketing Board ("Egg Board") staff member, Ms. Jan Legere, to Mr. Pottruff's farm:

- September 29, 2000 letter from Mr. Pottruff;
- September 29, 2000 letter from Mr. Collins;
- September 29, 2000 letter from Mr. Hrabinsky; and
- October 2, 2000 letter from Mr. Pottruff.

The Panel has instructed me to provide you with the following.

The Panel notes that under the *British Columbia Egg Marketing Scheme, 1967*, the Egg Board is responsible for the regulation of all table egg production in British Columbia. A visit by Egg Board staff to any egg production unit in British Columbia is within the Egg Board's statutory mandate. Such visits are routine for the Egg Board.

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**British Columbia  
Marketing Board**

Mailing Address:  
PO Box 9129 Stn Prov Govt  
Victoria, BC V8W 9B5  
Telephone: (250) 356-8945  
Facsimile: (250) 356-5131

Location:  
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1007 Fort Street  
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The Panel finds nothing untoward in the visit or in the conduct of Ms. Legere who, as both parties agree, "left immediately upon Mr. Pottruff's request."

The Panel acknowledges the Egg Board's "postponement of this matter for the time being."

The Panel's decision on the appeal will be issued as soon as possible.

The Panel expects Mr. Pottruff to return the BCMB's transcript of the September 30, 1999 hearing to this office not later than Friday, October 13, 2000.

Yours truly,

A handwritten signature in blue ink, appearing to read "J. Collins".

Jim Collins  
Manager  
Dispute Resolution Services

cc: Mr. Peter Whitlock, General Manager  
British Columbia Egg Marketing Board