



February 9, 2016

File: 44200-60/CKN OA

DELIVERED BY EMAIL

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BC Chicken Marketing Board
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Scott Cummings
President
Primary Poultry Processors Association of BC
c/o Sunrise Farms
13542 – 73A Av
Surrey BC V3W 1C9

Dear Sirs:

SUPERVISORY REVIEW OF PROPOSED AMENDMENTS TO THE FEDERAL-PROVINCIAL AGREEMENT FOR CHICKEN – SCHEDULE “B” OPERATING AGREEMENT

STEP 2: PROCESS SCHEDULE AND INITIAL QUESTIONS

In its January 26, 2016 letter¹, the BC Farm Industry Review Board (BCFIRB) initiated a review of the BC Chicken Marketing Board (Chicken Board) request for approval to sign the amended Schedule “B” Operating Agreement (Operating Agreement). BCFIRB, as the B.C. supervisory agency and a supervisory signatory to the Operating Agreement must also make its own, independent determination as to whether it will approve the amendments. This includes an examination of the issues which would have been raised by the Primary Poultry Processors Association of BC should it have continued to pursue its concerns by way of appeal(s).

This letter sets out the schedule and process by which BCFIRB will address this matter under authority of s. 7.1 of the *Natural Products Marketing (BC) Act (NPMA)*.

Schedule

The following sets out process details, including written submission deadlines and dates for a potential in-person hearing. As the process unfolds BCFIRB may amend the deadlines and details as required. All stakeholders will be notified appropriately should any changes be made.

¹ 2016, Jan 26. [BCFIRB. Supervisory Review of Proposed Amendments to the Federal-Provincial Agreement for Chicken – Schedule “B” Operating Agreement.](#)

**British Columbia
Farm Industry Review Board**

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January 26	<u>Chicken Board</u> initial submissions [received January 15 and January 26, 2016].
February 9	<u>BCFIRB</u> issues submission schedule.
February 16	<u>Chicken Board</u> updates its submission based on February 2-3 CFC meeting.
February 26	<u>Primary Poultry Processors Association of BC</u> (PPABC) to provide its written response to the Chicken Board's submission, including addressing BCFIRB's initial questions (below) and identifying any additional issues.
March 18	<u>Industry stakeholders</u> respond to Chicken Board and PPPABC submissions, provide any additional information and indicate whether they will request to appear at an oral hearing.
April 1	<u>Chicken Board and PPPABC</u> written responses to stakeholder submissions.
April 12	<u>BCFIRB</u> confirms whether further written submissions are needed (which would be due April 22) and/or confirms an oral hearing is required to address any outstanding issues.
April 22 (tentative)	<u>Non-hearing participants</u> submit final written submissions, <u>hearing participants</u> written submissions on outstanding issues.
May 16-20 (tentative)	<u>Hearing participants</u> in-person hearing (maximum 5 days)
June	<u>BCFIRB</u> decision.

Participants and interested persons are advised that all process information, supporting documents and submissions will be posted on BCFIRB's web site² as received.

BCFIRB Initial Questions

BCFIRB will conduct its review through a principles/outcomes-based approach using SAFETI³. As required by s. 9 of the *NPMA*, BCFIRB must find that the proposed amendments are in accord with the British Columbia Chicken Marketing Scheme, 1961, with "sound marketing policy" and comply with governing legislation, regulation and agreements.

To that end, BCFIRB expects submissions to include a SAFETI-based analysis of stakeholder positions, including argument and evidence related to:

² www.gov.bc.ca/BCFarmIndustryReviewBoard

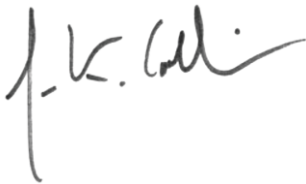
³ SAFETI: [Strategic, Accountable, Fair, Effective, Transparent, Inclusive](#)

- (a) Are the proposed changes, including providing an additional share of growth to Ontario and Alberta, in compliance with governing legislation, regulations and agreements?
- (b) Do the proposed changes address issues related to allocation decision-making?
- (c) If the answers to (a) or (b) are no, why not and what would be the proposed remedies?
- (d) In considering the answer to (b), are there potential implications arising out of the Trans-Pacific Partnership trade agreement over the course of the proposed Operating Agreement, including in terms of the allocation of new tariff rate quota and adjustments to domestic allocation?

The Chicken Board (and all industry stakeholders) are again encouraged to review BCFIRB's April 11, 2013 letter "Current National and Provincial Chicken Industry Issues" (attached) in advance of making submissions. The letter provides BCFIRB's views on federal legislative requirements, including with respect to differential growth, as well as systemic allocation and governance issues facing the national chicken industry.

BCFIRB staff remains available to address any questions the Chicken Board and stakeholders may have going forward.

Yours truly,



Jim Collins
Executive Director

Attachment

cc: Laurent Pellerin, Chair
Farm Products Council of Canada

James Mack, Assistant Deputy Minister
Agriculture Science and Policy
Ministry of Agriculture

Ravi Bathe, President
BC Chicken Growers' Association

National Association of Agri-Food Supervisory Agencies

Dave Janzen, Chair
Chicken Farmers of Canada

Casey Langbroek, Chair
BC Broiler Hatching Egg Commission

BCFIRB web site