

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

AND

IN THE MATTER OF AN APPEAL TO THE
BRITISH COLUMBIA MARKETING BOARD
AGAINST ORDER NO. 28/89
OF THE BRITISH COLUMBIA BROILER HATCHING EGG COMMISSION
DATED FEBRUARY 7, 1990

BETWEEN:

HORIZON HATCHERY LTD.

APPELLANT

AND:

BRITISH COLUMBIA BROILER HATCHING EGG COMMISSION

RESPONDENT

DECISION

Appearances: Horizon Hatchery Ltd.
A. Fauchon, Principle
S. Ritchie, McCausland Consulting Services Ltd.
C. Goebel, Counsel

APPELLANT

British Columbia Broiler Hatching Egg Commission
B. Peterson, Chairman
J. Durham, Secretary Manager
D. Wallace, Producer
B. Fraser, Counsel

RESPONDENT

DATE OF HEARING

MARCH 23, 1990

1. The matter before the British Columbia Marketing Board ("the Board") is an appeal by Horizon Hatchery Ltd. against Order 28/90 of the British Columbia Broiler Hatching Egg Commission dated February 7, 1990, ordering that the product produced by Dave and Jean Wallace in Barn 2 be directed to Horizon Hatchery and that such Regulated Product be purchased by Horizon Hatchery commencing February 7, 1990.
2. The Board orders that Order 28/90 of the British Columbia Broiler Hatching Egg Commission is confirmed, with Reasons for Decision to follow.
3. In keeping with this Board's Rules of Appeal the Appellant's deposit shall be forfeit.

Dated this 12th day of April, 1990 in Vancouver, British Columbia.

(Original signed by):

E. Mona Brun, Vice-Chairperson
G. Aylard, Member
J. Reger, Member