



BC Farm Industry Review Board

March 21, 2023

File: 44200-35\MPL

DELIVERED BY EMAIL

Morgan Camley
Counsel
Dentons Canada LLP
20th Floor, 250 Howe Street
Vancouver, BC, Canada V6C 3R8

Derek Sturko
Chair
BC Vegetable Marketing Commission
207 – 15252 32nd Ave
Surrey BC V3Z 0R7

Dear Ms. Camley and Mr. Sturko:

MPL BRITISH COLUMBIA DISTRIBUTORS INC. (MPL BC) AGENCY PRIOR APPROVAL PROCESS – SUBMISSION SCHEDULE

As per BCFIRB's Final Terms of Reference, the BC Vegetable Marketing Commission (Commission) was required to:

...file with BCFIRB all documents, in its possession, in unredacted form that it relied on in coming to its January 12, 2022, decision no later than March 17, 2023.

On March 16, 2023, BCFIRB received from the Commission:

- a) A non-disclosure order application with respect to:
 - i. 2021-05-27 - MPL Amended Agency Application; and
 - ii. 2021-09-27 - Email from Andre to Panel with Attachments.

- b) A request to defer circulation of the following documents until MPL BC has an opportunity to make any non-disclosure order application with respect to:
 - i. 2021-10-08 - Agency Application Slide Deck;
 - ii. 2021-10-08 - Document Entitled Category Expansion; and
 - iii. 2021-11-15 – MPL Reply Submission

- c) Redacted versions of:
 - i. 2021-05-27 - MPL Amended Agency Application; and
 - ii. 2021-09-27 - Email from Andre to Panel with Attachments.

The Commission non-disclosure application and the redacted documents were posted to BCFIRB's web site to ensure distribution to all eligible participants.

On March 17, 2023, BCFIRB received a letter from MPL BC:

Web:

Email: firb@gov.bc.ca

Website: www.gov.bc.ca/BCFarmIndustryReviewBoard

Phone:

Info: 250 356-8945

Fax: 250 356-5131

Mail:

PO Box 9129 Stn Prov Govt
Victoria BC V8W 9B5

Office:

2975 Jutland Rd
Victoria, BC V8T 5J9

- a) Supporting the Commission's non-disclosure request that portions of its May 27, 2021, application be protected, and also requests the application be protected by a non-disclosure order;
- b) Taking no position on the Commission's non-disclosure request on the September 27, 2021, Andre Solymosi email with attachments;
- c) Requesting that it be granted until March 22, 2023, to identify the specific information that should be protected by a non-disclosure order in the following documents, and provide submissions regarding same:
 - i. 2021-10-08 - Agency Application Slide Deck;
 - ii. 2021-10-08 - Document Entitled Category Expansion; and
 - iii. 2021-11-15 – MPL Reply Submission.

Counsel for Greenhouse Grown Greenhouse Grown Foods Inc. and Windset Farms (Canada) Ltd. did not object to the proposed March 22, 2023 extension, provided they are allowed a similar time frame in which to reply to the non-disclosure application.

BCFIRB instructed me to provide the following submission schedule:

MPL BC non-disclosure application and submissions on the three documents identified by the Commission and MPL BC are **due no later than March 22, 2022.**

Eligible participants' responses to non-disclosure applications are **due no later than Wednesday, March 29, 2023.**

MPL BC and Commission final reply are **due no later than Friday, March 31, 2023.**

Submissions should be submitted to **Wanda Gorsuch, Manager of Issues and Planning at Wanda.Gorsuch@gov.bc.ca.**

Regards,



Wanda Gorsuch,
Manager, Issues and Planning

cc: Robert Hrabinsky, Legal Counsel, BC Vegetable Marketing Commission
Craig Ferris, K.C., Legal Counsel, Greenhouse/Windset
Agency Applicants and Storage crop Agency Managers
Greenhouse Agency Managers
Storage crop/Greenhouse Managers
Storage crop Producers
Greenhouse Producers
Processing Producers
Wholesalers
Processors
BCFIRB web site