



December 22, 2017

File: 44200-20 CHCK

DELIVERED BY E-MAIL

Corey Spitters
Oranya Farms II Holdings Inc.

Mark Driediger
Windberry Farms Inc.

Dear Mr. Spitters and Mr. Driediger:

MANAGEMENT OF MAINSTREAM AND SPECIALTY CHICKEN QUOTA

I am writing in response to your letter to the BC Chicken Marketing Board (Chicken Board) dated December 19, 2017, copying the BC Farm Industry Review Board (BCFIRB) and the Minister of Agriculture.

In your letter you are asking the Chicken Board to revisit the December 2015 Mediated Agreement between yourselves and the Chicken Board which resulted in your withdrawal of your appeal to BCFIRB.

The matters you raise in your letter relating to the ability of Oranya Farms and Windberry Farms to meet the terms of the Mediated Agreement are issues that are squarely within the jurisdiction of the Chicken Board as first instance regulator of the chicken industry in BC. I would encourage you to discuss your issues with the Chicken Board to see if there can be a satisfactory resolution.

Should you be unable to resolve your issues, the appropriate course would be for you to file an appeal with BCFIRB pursuant to s. 8(1) of the *Natural Products Marketing (BC) Act*. At that time, BCFIRB would consider whether the Chicken Board has struck the right balance between the needs of all growers and the full value chain as a matter of sound marketing policy after an appropriate process.¹

¹ *NPMA* s. 9 (1) The Provincial board has exclusive jurisdiction to inquire into, hear and determine all those matters and questions of fact, law and discretion arising or required to be determined by the Provincial board under this Act or a federal Act and to make any order permitted to be made. (2) Without limiting subsection (1), the Provincial board has exclusive jurisdiction to inquire into, hear and determine whether a decision, order or determination of a marketing board or commission accords with either or both of the following: (a) sound marketing policy; (b) a scheme or the orders of the marketing board or commission.

**British Columbia
Farm Industry Review Board**

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

Location:
1st Floor, 780 Blanshard Street
Victoria BC V8W 2H1
Email: firb@gov.bc.ca
Website: www.gov.bc.ca/BCFarmIndustryReviewBoard

Oranya Farms II Holdings Inc.
Windberry Farms Inc.
December 22, 2017
Page 2

Appeals must be filed within 30 days of the Chicken Board's decision, or you may lose your right of appeal. For more information or questions about filing an appeal, contact Gloria Chojnacki at 250-356-1817 or Gloria.Chojnacki@gov.bc.ca

Regards,



Kirsten Pedersen,
Executive Director

cc: Honourable Lana Popham
Minister of Agriculture

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

Robin Smith, Chair
BC Chicken Marketing Board

BCFIRB website