



July 20, 2017

File: 44200-20 DA ENFORCE

DELIVERED BY E-MAIL

Island Vegetable Cooperative Association
A-6680 Mirah Road
Saanichton, BC V8M 1Z4

Dear Mr. Michell and Mr. Dhillon,

BC VEGETABLE MARKETING COMMISSION AND ENFORCEMENT OF DELIVERY ALLOCATION

Thank you for your July 10, 2017 letter. In your letter you raise a number of concerns related to a June 14, 2017 letter you received from the BC Vegetable Marketing Commission (Vegetable Commission). In its June 14 letter, the Vegetable Commission provided a warning notice to Island Vegetable Cooperative (IVCA) and Prokam Enterprises Ltd. that it would be enforcing its policy and related rules concerning delivery allocation in the 2017/18 crop year.

First, please be aware that if IVCA and/or Prokam Enterprises is aggrieved by or dissatisfied with an order, decision or determination of the Vegetable Commission, the order, decision or determination can be appealed to the BC Farm Industry Review Board (BCFIRB)¹.

I would also like to take this opportunity to clarify that the Vegetable Commission does not operate on the basis of "...the powers invested in it by BCFIRB". The production and marketing of vegetables in B.C. is regulated under the *Natural Products Marketing Act* (NPMA), NPMA Regulations and the British Columbia Vegetable Marketing Scheme (Scheme). Under this legislation, the Vegetable Commission has the authority to "regulate the time and place at which and designate the agency through which a regulated product must be marketed". Given the legislated powers it is granted and the responsibilities it is charged with, the Vegetable Commission must ensure it, and the agencies it supervises, operate within legal authority, in accordance with the Vegetable Commission Consolidated General Order, and with good governance to deliver sound marketing policy in the broad public interest. Under the NPMA BCFIRB is responsible for the general supervision of the Vegetable Commission.

¹ *Natural Products Marketing Act* s. 8(1)

**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

Terry Michell
Bob Dhillon
July 20, 2017
Page 2

If you have any questions or chose to file an appeal you can contact BCFIRB at 250-356-8945 or firb@gov.bc.ca.

Regards,



Kirsten Pedersen
Executive Director

cc: Honourable Lana Popham
Minister of Agriculture

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

John Les, Chair
BC Farm Industry Review Board

Alf Krause, Chair
BC Vegetable Marketing Commission

Andre Solymosi, General Manager
BC Vegetable Marketing Commission

BCFIRB website