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DELIVERED BY EMAIL

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Dear Chairs:

REGULATED MARKETING AND ANIMAL WELFARE – BCFIRB POSITION AND EXPECTATIONS UPDATE

Following the recent animal welfare issue in the BC chicken industry, BC Farm Industry Review Board (BCFIRB) members reviewed and discussed their general supervisory position and expectations in relation to regulated marketing and animal welfare. The purpose of this letter is to reinforce and update BCFIRB's August 1, 2014 position and expectations of the regulated marketing boards and commissions with respect to animal welfare.

BCFIRB Position

As per BCFIRB's August 1, 2014 letter:

Overarching government policy to do with animal welfare is the responsibility of the Ministry of Agriculture. Establishing effective legislation, regulations and standards – and educating stakeholders, monitoring and ensuring compliance – is a broader initiative for government, regulators, industry and other stakeholders. Questions about such policy, regulations or legislation should be directed to the ministry.

**British Columbia
Farm Industry Review Board**

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BCFIRB does however consider that there is scope within the *Natural Products Marketing (BC) Act (NPMA)* for boards and commissions to address appropriate animal welfare standards, from their Chairs unique regulatory perspective, as an incident of and as a matter of sound marketing policy. BCFIRB is of the view that the *NPMA* provides boards and commissions the authority necessary to adopt and require producers to adhere to certain production standards related to animal welfare so as to ensure orderly marketing is maintained in their sectors. Key aspects of regulation under the *NPMA* concern “production” and “marketing”, and give boards and commissions authority to make orders considered necessary or advisable to promote the marketing of a regulated product. It is clear that without a consumer market for regulated natural products, which market is inevitably influenced by consumer confidence in the methods and practices used to produce those regulated products, the orderly marketing system contemplated by the *NPMA* falls apart.

The addition of s. 14(1)(a.1) to the *NPMA* on May 14, 2015 further clarified board and commission authority to establish or designate a biosecurity program¹ and to require producers to implement or comply with the biosecurity program.

Regulated marketing operates in the public interest. Along with other public interest issues such as food safety, the ethical treatment of animals is a public expectation. The recent issue with chicken catching reflected poorly on the industry and undermined confidence in the sector as a whole. Such situations impact provincial and national producers, processors, consumers as well as the allied trades that support the regulated sectors and market their products.

Expectations

As summarized in the August 2014 letter, BCFIRB’s supervisory expectations regarding animal welfare were communicated to your boards at different times over the years. A more recent example includes a June 30, 2015 BCFIRB letter² drawing attention to the *NPMA* amendments that clarify board authority in relation to animal welfare.

BCFIRB expects boards and commissions to continue their SAFETI-based³ proactive activities in animal welfare standards and issues. For example:

- The BC Chicken Marketing Board requires all BC chicken producers to follow the national Chicken Farmers of Canada Animal Care Program. The program is third party audited and a penalty system is in place.
- The BC Milk Marketing Board requires producers to follow the national Code of Practice for the Care and Handling of Dairy Cattle. It published its 2016 compliance report on its web site.

There is good work going on, including activities not mentioned here. BCFIRB encourages boards and commissions to continue to share information, best practices and ideas on animal welfare and other public interest matters (such as food safety and environmental management) with each other.

¹ “Biosecurity program” is broadly defined in the *NPMA*. It encompasses any program resulting in “...protecting and providing for the safety of a natural product”. This may include animal welfare programs.

² 2015 June 30. BCFIRB. Amendments to the [Natural Products Marketing \(BC\) Act](#).

³ Strategic Accountable Fair Effective Transparent Inclusive

As noted, animal welfare issues, such as the recent event involving chickens, have significant negative consequences on individual stakeholders and the sector at large. Accordingly, it is BCFIRB's expectation that your boards will continue to demonstrate that they are taking a "proactive and risk management approach" to animal welfare. This continues to include:

1. Adopting up to date, enforceable standards and putting measures in place to respond quickly, effectively and appropriately to such issues as they arise; and,
2. Public reporting on animal welfare management.

Conclusion

As in 2014, BCFIRB's overall position and expectations are not new. BCFIRB does recognize the initiatives of the boards already well underway. This includes the Chicken Board's recent work to directly address animal welfare and catching using its regulatory authorities.

If your boards have any questions, please feel free to contact BCFIRB.

Yours truly,



John Les
Chair

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

Jack Brown, Chair
BC Cranberry Marketing Commission

Alf Krause, Chair
BC Vegetable Marketing Commission

BCFIRB Website