

**BRITISH COLUMBIA FARM INDUSTRY REVIEW BOARD**

IN THE MATTER OF THE *NATURAL PRODUCTS MARKETING (BC) ACT*,  
RSBC 1996, c. 330

AND

IN THE MATTER OF AN APPEAL FROM A DECISION OF THE B.C. VEGETABLE  
MARKETING COMMISSION CONCERNING THE DENIAL OF A DELIVERY  
ALLOCATION TRANSFER

BETWEEN:

PROKAM ENTERPRISES LTD.

APPELLANT

AND:

BRITISH COLUMBIA VEGETABLE MARKETING COMMISSION

RESPONDENT

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**ORDER**

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WHEREAS:

- On January 29, 2015 Prokam Enterprises Ltd. filed an appeal from the January 14, 2015 decision of the British Columbia Vegetable Marketing Commission to deny a delivery allocation transfer to multiple transferees. The appellant was a transferee named in the December 18, 2014 application for transfer.
- The transferor applied on January 15, 2015 to the respondent to transfer all of its delivery allocation to a single transferee, but not the appellant. On February 11, 2015, the transferor confirmed its intention to make the transfer of the entirety of its delivery allocation to a single transferee which was not the appellant, resulting in an inability to transfer delivery allocation to the appellant.

- The respondent applied to the British Columbia Farm Industry Review Board (Board) for a summary dismissal of the appeal, citing various grounds for the dismissal.
- The appellant advised the Board on February 26, 2015 that it wished to abandon the appeal because “there is effectively nothing left to appeal”.
- Section 17 of the *Administrative Tribunals Act*, SBC 2004, c. 45 provides that if an appellant withdraws an appeal, the tribunal must order that the appeal is dismissed.

THEREFORE THIS BOARD ORDERS:

1. That the appeal filed on January 29, 2015 by Prokam Enterprises Ltd. from the January 14, 2015 decision of the British Columbia Vegetable Marketing Commission concerning a delivery allocation transfer is hereby dismissed.

BRITISH COLUMBIA FARM INDUSTRY REVIEW BOARD

Per:



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Daphne Stancil  
Presiding Member

Dated: March 2, 2015 at Victoria, British Columbia.