

IN THE MATTER OF A MEDIATION

BETWEEN:

WAY-JAC HOLDINGS

(the "Appellant")

AND:

THE BRITISH COLUMBIA CHICKEN MARKETING BOARD

(the "Respondent")

DECISION OF THE BC CHICKEN MARKETING BOARD
REGARDING SHIPMENT OF PRODUCT TO THE LOWER
MAINLAND AS COMMUNICATED IN A LETTER DATED
JULY 12, 1993

MEDIATORS:

Judi Korbin
Doug Kitson

APPEARANCES:

Peter Milner
Bev Milner
Vic Redekop

DATE OF HEARING: October 12, 1993

PUBLISHED: October 21, 1993

The matter referred to mediation specifically dealt with a complaint from the Appellant regarding a threatened reduction of quota in the event that the Appellant ships to the Lower Mainland as outlined in the Board's letter of July 12, 1993.

After meetings and discussions with the parties, the undersigned Mediators assisted them in reaching the following full and final settlement to this appeal. The terms of settlement are:

1. Notwithstanding that the letter categorically states that no shipment shall be made prior to January 1, 1995, without penalty, the parties agree that the Appellant shall be permitted to commence such shipment, without penalty, with effect from July 1, 1994, or at such earlier date that may be determined by the Board.
2. The parties agree that there is no financial advantage to the Appellants resulting from such earlier shipment.
3. The Board acknowledges that the Appellant's pursuance of this matter has been to the advantage of all producers in the Interior of British Columbia, and that the Board will communicate with the Appellant to this effect.
4. The parties recognize the importance of the maintenance of an Interior Processing Plant, and will encourage the industry to continue to support its economic viability.
5. The parties acknowledge that the Board did not advise the Appellant of the restrictions when they purchased the farm.
6. The Appellant's appeal is hereby withdrawn.

DATED at Vancouver, British Columbia, this 21st day of October, 1993.

(Original signed by):

Way-Jac Holdings
B.C. Chicken Marketing Board

Judi Korbin, Mediator

Doug Kitson, Mediator