

92-11
7/27/92

IN THE MATTER OF THE NATURAL PRODUCTS
MARKETING (BC) ACT

AND

IN THE MATTER OF AN APPEAL TO THE
BRITISH COLUMBIA MARKETING BOARD
AGAINST ORDERS OF THE
BRITISH COLUMBIA HOG MARKETING COMMISSION
AS COMMUNICATED BY LETTER DATED JUNE 29, 1992

FLETCHER'S FINE FOODS LTD.
BRITCO EXPORT PACKERS LTD.

APPELLANT

AND:

BRITISH COLUMBIA HOG MARKETING COMMISSION

RESPONDENT

ORDER

Appearances: David Covey, Legal Counsel

APPELLANT

Gail Maltby, Legal Counsel

RESPONDENT

DATE OF HEARING

JULY 17, 1992

1. The matter before the British Columbia Marketing Board (Board) is an appeal, as amended, by Fletcher's Fine Foods Ltd. and Britco Export Packers Ltd. (together the Appellants) against a decision of the British Columbia Hog Marketing Commission (the Respondent) as contained in the Respondent's letter dated June 29, 1992.
2. A Notice of appeal was filed with the Board on July 14, 1992. The Notice of Appeal was amended at the hearing of the appeal on July 17, 1992.
3. At the hearing on July 17, 1992 the parties agreed that the only matter which would be dealt with was a preliminary motion of the Appellant for an interim stay of the Respondent's decision contained in the Respondent's letter of June 29, 1992 pending the hearing of the appeal on the merits.
4. The Board Orders, and by consent, that
 - a) the implementation of the decision of the Respondent denying the Appellant any access to purchase British Columbia hogs, as set out in the Respondent's letter dated June 29, 1992 is stayed, and
 - b) the Respondent allocate four to five hundred hogs for sale to Fletcher's Fine Foods Ltd. for kill on each Monday of each week,

pending final decision on this appeal.
5. Either party may apply to extend or shorten the duration of this order.
6. The hearing will resume on August 19, 1992.

Dated *July 27,* 1992 in Richmond, British Columbia

D. Iverson

D. Iverson, Chair

E. Mona Brun

E. Mona Brun, Vice Chair

D. Kitson

D. Kitson, Member