

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

AND

IN THE MATTER OF AN APPEAL FROM THE BRITISH COLUMBIA MILK
MARKETING BOARD BEING FILED WITHIN TIME

BETWEEN:

BAINS DAIRY FARM LTD.

APPELLANT

AND:

BRITISH COLUMBIA MILK MARKETING BOARD

RESPONDENT

DECISION

APPEARANCES:

British Columbia
Marketing Board

Mr. Doug Kitson, Chair
Ms. Christine Dendy, Vice Chair
Ms. Christine Moffat, Member
Ms. Karen Webster, Member
Mr. Jim Collins, Secretary

Appellant

Mr. G.J. Singh Bains
Mrs. D.K. Singh Bains

Respondent

Mr. Tom Demma, General Manager

Date and Place of
Hearing:

September 30, 1996
Richmond, British Columbia

The matter before the British Columbia Marketing Board (BCMB) is whether special circumstances warrant an extension of the 30 day time limit for the filing of an appeal by Bains Dairy Farm Ltd. from the British Columbia Milk Marketing Board (Milk Board). The Appeal arises from a decision of the Milk Board communicated in a letter dated November 15, 1994.

Finding

1. Having heard the submissions and evidence of the Appellant and the Respondent, the BCMB has determined that there are special circumstances, in this case, to warrant an extension of the time for filing an appeal.

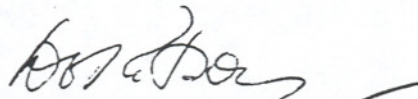
Decision

2. The period for the filing of an appeal of the Milk Board decision in question is extended to April 16, 1996.
3. The BCMB will hear the Appeal on its merits. The parties are directed to proceed to such a hearing in an expeditious fashion.

Comment

4. The parties have expressed an interest in mediation as an alternative means of resolving this matter. A hearing under paragraph #3 may be deferred pending the outcome of any mediation.

Dated at Abbotsford, British Columbia, this 21st day of October, 1996.



D. Kitson, Chair
for the
British Columbia Marketing Board