

AND

IN THE MATTER OF AN APPEAL TO  
THE BRITISH COLUMBIA MARKETING  
BOARD FROM A DECISION OF THE  
BRITISH COLUMBIA TURKEY MARKETING  
BOARD

Between:

4 R's Turkey Farm  
(Rudy Redekop)

Appellant

And:

British Columbia Turkey Marketing  
Board

Respondent

Rudy Redekop

Appearing on  
behalf of the  
Appellant

Colyn Welsh

Appearing for  
the Respondent

Members of the Board hearing  
the Appeal:

Chas. E. Emery -  
Chairman,  
E. Mona Brun, Marti  
Hunter, Nigel Taylo  
Robert Reynolds -  
Members

Donald A. Sutton

Counsel for the  
Board

This appeal was brought on pursuant to the provisions of  
Section 11 of the Natural Products Marketing (BC) Act and  
was heard in Richmond, B.C. on Monday, the 30th of March,  
1981.

The Appellant is appealing the decision of the Respondent,

1. not to allow the Appellant to transfer 136,500 pounds

of broiler turkey quota owned by it to Cloverhill Farms Ltd.,

2. the Respondent's decision to assess an "increase licensing fee" on over production by the Appellant in the 1980 quota year.

During the hearing an argument was presented by the Appellant with respect to the second item concerned in this appeal. However, at the end of its argument it indicated that the decision in this matter should be adjourned until such time as the Canadian Turkey Marketing Agency decision concerning British Columbia's position with regard to over-quota levy is determined.


With respect to the first item of the appeal with reference to the transfer of quota the Respondent in argument indicated that it had the power and authority to refuse the transfer. In denying application for transfer it exercised the authority granted to it by the Natural Products Marketing (BC) Act and the British Columbia Turkey Marketing Scheme.

The Respondent indicated that the policy of the Board has been to disallow the transfer of quota of less than 420,000 pounds which it had determined to be a size viable for a profitable farm. The matter had been referred by the Respondent to a meeting of growers who had confirmed that this decision was correct.

In its argument the Appellant indicated that, Cloverhill Farms Ltd., as the transferee of the quota in question, was a viable economic unit to which to transfer the turkey quota in that it would be operated in the same location as it is currently operating an egg production unit. It also argued that it was of a size that could be added to as conditions permitted and could eventually become a fully fledged turkey farm.

This Board has determined that this appeal should be allowed and that 136,500 pounds of quota should be transferred to Cloverhill Farms Ltd. In its judgment it has found the transferee will be a viable economic unit in that it will be operating on the same location as a viable egg production unit is presently being conducted. It is ordered therefore that the Respondent approve the transfer in question. As the decision as to the assessment of the "increase licensing fee" has been adjourned this Board will defer a decision as to the disposition of the deposit lodged by the Appellant until that matter has been determined.

DATED at Richmond, B.C. this            day of            , 1981.

  
CHAS. E. EMERY -- CHAIRMAN  
B.C. MARKETING BOARD

April 22, 1981.