

95-16  
9/18/95

**DECISION OF THE BRITISH COLUMBIA MARKETING BOARD**

HEARING DATE AUGUST 29, 1995

**BETWEEN:** PASTULA FARMS , APPELLANT

**AND:** BRITISH COLUMBIA VEGETABLE  
MARKETING COMMISSION , RESPONDENT

VANCOUVER ISLAND PRODUCE , INTERVENOR

**APPEARANCES:** Pastula Farms

Catherine and Gordon Pastula

BC Vegetable Marketing Commission

Chuck Amor

Svend Pedersen

Vancouver Island Produce

Danny Woodrow

## FACTS

1. In early April, 1995 Pastula Farms ("the Appellant") applied for designated agency status to market vegetables in the Duncan area to the British Columbia Vegetable Marketing Commission ("the Commission").
2. On April 20, 1995 the Appellant attended before a regular meeting of the Commission to give oral representations regarding its application.
3. As part of their submission the Appellant relied on a document entitled "Cowichan Vegetable Marketing Association Five-Year Business Outlook."
4. The Directors of Vancouver Island Produce ("the Intervenor") were in attendance to oppose the Appellant's application.
5. The Appellant has been growing potatoes for approximately forty years. They do not belong to a designated agency nor do they hold quota.
6. Historically, the Commission has had difficulties with the Appellant selling potatoes to local stores.
7. The Appellant, Gordon Pastula, is not a supporter of regulated marketing nor does he believe that the quota system works.

## DISCUSSION

Based on the evidence at the hearing it is clear that the Appellant does not support regulated marketing. Both through oral evidence and the contents of its business plan, the Appellant demonstrated a lack of working knowledge of the Natural Products Marketing (BC) Act and the British Columbia Vegetable Scheme necessary to run an agency as set out by the Act.

## FINDINGS

The evidence of the Appellant was insufficient to establish the need for a further agency on Vancouver Island. Accordingly, the British Columbia Marketing Board denies the appeal.

RECOMMENDATIONS

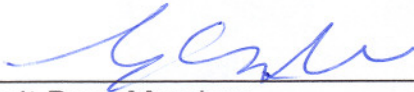
The British Columbia Marketing Board recommends:

- 1) that the Appellant work with the Commission and Intervenor to develop a cooperative working relationship and establish orderly marketing in the Duncan area; and
- 2) that the Commission should take all necessary steps to enforce the Scheme and the Natural Products Marketing (BC) Act.



---

Doug Kitson, Chairman  
British Columbia Marketing Board



---

Gurmit Brar, Member  
British Columbia Marketing Board



---

Christine Moffat, Member  
British Columbia Marketing Board