



September 15, 2016

File: 44200-60/BHEC SPEC

DELIVERED BY EMAIL

Greg Gauthier
Chair
BC Broiler Hatching Egg Commission
180 – 32160 Simon Av
Abbotsford BC V2T 1W5

Dear Mr. Gauthier:

BC BROILER HATCHING EGG COMMISSION – PRIOR APPROVAL REQUEST REGARDING REGULATION OF SPECIALTY HATCHING EGG PRODUCTION

Thank you for the August 19, 2016 submission to the BC Farm Industry Review Board (BCFIRB) seeking prior approval of the Broiler Hatching Egg Commission (BHEC) recommendation regarding the regulation of specialty hatching egg production.

In summary, BHEC is recommending that specialty (Asian breed) broiler hatching egg production be regulated only in terms of premises ID, food safety and biosecurity programs. BHEC is requesting BCFIRB prior approve its recommendation.

BCFIRB will consider BHEC's request under its supervisory authority set out in the *Natural Products Marketing (BC) Act (NPMA)*.

Background

As you are aware, there is a long history behind establishing an appropriate level of regulation of broiler hatching egg specialty production in BC, starting in 2005.

Most recently, an appeal of a BHEC specialty regulation decision resulted in the following BCFIRB decision: [Skye Hi Farms Inc., Casey Van Ginkel DBA V3Farms and Wilhelm Friesen & Lillian Fehr DBA W. Friesen Enterprises versus BC Broiler Hatching Egg Commission](#) dated March 29, 2016. In this decision the BCFIRB appeal panel ordered BHEC to follow several steps within a defined time period to reach a sound marketing policy decision on how specialty hatching egg production should be regulated going forward.

**British Columbia
Farm Industry Review Board**

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To date BHEC has submitted several reports to BCFIRB as ordered by the March appeal decision. BHEC has now also submitted the subject prior approval request of its final recommendation.

Concurrently, several appeals have been filed to date with BCFIRB in relation to the BHEC regulatory decision making process and outcomes.

Review process

BCFIRB will conduct its review of BHEC's prior approval request through a principles/outcomes-based approach using SAFETI¹. As required by s. 9 of the *NPMA*, BCFIRB must find that the recommendation complies with governing legislation, regulations and accords with "sound marketing policy".

A BCFIRB supervisory panel has been assigned to this process. The panel is composed of: Daphne Stancil, panel chair; John Les and Diane Pastoor.

The balance of the BCFIRB membership, not participating in the supervisory review, would be available to address any issues on appeal if and when they arise.

Next steps

The supervisory panel will be assessing the information available to date. Following this assessment, an appropriate and transparent, review process will be established and communicated – if indicated by the assessment -- in order to ensure the necessary information for sound decision making.

BCFIRB staff remains available to address any questions BHEC and stakeholders may have going forward.

Yours truly,



John Les
Chair

cc: BC Broiler Hatching Egg Producers' Association
BC Chicken Marketing Board
BC Chicken Growers' Association
BC Poultry Association
BCFIRB website

¹ SAFETI: [Strategic, Accountable, Fair, Effective, Transparent, Inclusive](#)