



BC Farm Industry Review Board

July 27, 2020

File: 44200-60/VEG

DELIVERED BY EMAIL

Morgan Camley
Dentons Canada LLP

Dear Ms. Camley:

RE: AGENCY APPLICATION MORATORIUM AND SUBMISSION

Thank you for your July 20, 2020 letter on behalf of Mastronardi Produce Ltd. (Mastronardi) in response to the BC Farm Industry Review Board's (BCFIRB) July 14, 2020 letter regarding the Vegetable Review timeline and the BC Vegetable Marketing Commission (Commission) temporary moratorium on new agency applications.

BCFIRB's July 14 letter stated that the supervisory panel will provide direction to the Commission regarding the moratorium by early fall 2020. Mr. Mastronardi also raised the moratorium and the desire for an agency licence during a consultation session with the supervisory panel July 17, 2020.

In summary, Mastronardi:

- Intends to submit an agency application to the Commission within the coming weeks.
- Requests BCFIRB direct the Commission to consider Mastronardi's agency application.
- Identifies that September 15, the date by which currently licenced producers need to provide notice to their agency and the Commission if they are moving to a different agency, will likely come before BCFIRB's target date of early fall.
- Observes that the Commission's reasons for the moratorium primarily relate to storage cobs, not greenhouse vegetables.
- Expresses that any delays in lifting the moratorium due to ancillary changes to the Commission's General Orders (Agency Accountability Framework) and Commission strategic planning (now estimated to be completed in January 2021) will harm BC growers, and consumers and is unfair.

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- States that Commission rationales for the moratorium do not justify excluding Mastronardi from submitting an agency application.

The panel thanks Mastronardi for raising the September 15, 2020 deadline issue and the delay in the Commission strategic planning schedule. It will take these points in to consideration as part of its deliberations, as needed.

While the panel agrees that the moratorium arose out of a storage crop agency application, any requirement for an agency accountability framework would extend to the Commission's regulation of both the storage crop and greenhouse sectors. The supervisory panel at this point is on track with the timeline I advised you of on July 14, 2020. At this time it is premature to issue any directions to the Commission in respect of any agency application Mastronardi may choose to submit.

If you have any questions, please feel free to contact me at Wanda.Gorsuch@gov.bc.ca or 778-974-5790.

Regards,



Wanda Gorsuch
Manager, Issues and Planning

cc: Matthew Sveinson

Roark Lewis

André Solymosi,
General Manager, BC Vegetable Marketing Commission

BCFIRB web site