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## BC Farm Industry Review Board

April 20, 2020

File: 44200-20\CMB

### DELIVERED BY EMAIL

Harvey Sasaki  
Chair  
BC Chicken Marketing Board

Jim Collins  
Chair  
BC Broiler Hatching Egg Commission

Blair Shier  
President  
Primary Poultry Processors' Association of  
BC

Dale Krahn  
President  
BC Chicken Growers' Association

Dear all,

### **REQUEST FOR POSITIONS RE: PPPABC AND BCCGA v. BC CHICKEN MARKETING BOARD LONG-TERM CHICKEN PRICING FORMULA ORDER**

On April 14, 2020, the Chair of the BC Chicken Marketing Board (Chicken Board) wrote to the BC Farm Industry Review Board (BCFIRB) to advise that it will be unable to comply with the amended direction in the *PPPABC and BCCGA v BC Chicken Marketing Board* appeal that set an A-163 (May 10, 2020) deadline for reaching a long-term pricing formula. The letter is attached for reference.

In its May 16, 2019 appeal decision, the BCFIRB appeal panel made the following Order regarding the chicken pricing formula:

118. The appeals are dismissed. The Chicken Board is directed to issue its decision regarding a long-term pricing formula not later than period A-161.

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**British Columbia  
Farm Industry Review Board**

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On January 21, 2020 in response to a request by the Chicken Board and after hearing from the parties, the appeal panel amended its Order regarding the deadline as follows:

The Chicken Board is directed to issue its decision regarding a long-term pricing formula not later than the start of period A-163.

In light of the Chicken Board's advice that a new pricing formula will not be reached by period A-163 and given the ever-changing circumstances related to chicken pricing, processing and the impact of the COVID pandemic, the appeal panel is contemplating rescinding its January 21, 2020 Order that established the specific A-163 deadline.

This would allow the pricing appeal panel to conclude its role in relation to the May 16, 2019 appeal by referring the matter of a time for the adoption of a new chicken pricing formula to BCFIRB's supervisory authority.

Before making such an order, the parties will have **until the close of business on April 23, 2020** to advise the appeal panel of their respective positions on this proposal. Please send your responses to [firb@gov.bc.ca](mailto:firb@gov.bc.ca).

Should you have any questions, please contact Kirsten Pedersen, BCFIRB Executive Director.

Regards,



Al Sakalauskas  
Vice Chair

Attachment: 2020 Apr 14 CMB re A163 deadline

cc: Bill Vanderspek, Executive Director  
BC Chicken Marketing Board

Stephanie Nelson, Executive Director  
BC Broiler Hatching Egg Commission

Bryan Brandsma, President  
BC Broiler Hatching Egg Producers' Association

BCFIRB Web site