

December 22, 2023

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BC Farm Industry Review Board  
PO Box 9129 Stn Prov Govt  
Victoria, BC V8W 9B5

**Attention: Peter Donkers  
Chair**

**Olivia Mattan  
Senior Manager**

Dear Sirs/Mesdames:

**Re: PPPABC's Confidentiality Application pursuant to the Chicken Board Long-Term Chicken Pricing Recommendation Review**

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We act as legal counsel to the British Columbia Chicken Growers Association (the "BCCGA") and have been provided with copies of the submissions of Mr. Gruber and Ms. Hunter respecting the Primary Poultry Processors Association of BC (the "PPPABC") application for a confidentiality order pursuant to section 42 of the *Administrative Tribunals Act*.

## **Background**

As BC-FIRB will recall, for many years the PPPABC has opposed pricing models and BCCGA requests for live price increases on the basis that the adoption of such models and requests would be detrimental to processor operations in British Columbia. Despite routine requests from the BCCGA for demonstrative evidence establishing those claims, the PPPABC historically refused to provide this information. This refusal, over time, led to continued distrust between stakeholders which the Board, to its credit, has worked to remedy.

## **Discussion**

As in the past, beyond its bald assertion of harm, the PPPABC has not provided any actual evidentiary basis for its request for the confidentiality order.

The BCCGA recognizes that there are legitimate concerns respecting confidentiality of sensitive business information which, if publicly disclosed, would cause harm to PPPABC members.

Similarly, the BCCGA recognizes that there are legitimate concerns respecting confidentiality of sensitive business information which, if disclosed to the membership of the BCCGA, could cause harm to individual PPPABC members.

However, as noted by the Board, there are a multitude of options to protect the confidentiality of such data, short of the imposition of a blanket confidentiality order, which would address the PPABC concerns.

For the foregoing reasons, the BCCGA adopts the Board's submissions in opposing the blanket issuance of a confidentiality order based on the submissions of the PPPABC and submits that any information disclosed by the PPPABC should first be directed to the Board as opposed to BC-FIRB.

Yours truly,

**Mathews, Dinsdale & Clark LLP**



Paul D. McLean

cc: David Gruber, Legal Counsel, Primary Poultry Processors' Association of BC  
Woody Siemens, Executive Director, BC Chicken Marketing Board  
Stephanie Nelson, Executive Director, BC Broiler Hatching Egg Commission  
BC Chicken Growers' Association  
Ernie Silveri, Executive Director, BC Egg Hatchery Association  
Claire E. Hunter, K.C., BC Chicken Marketing Board