



BC Farm Industry Review Board

July 15, 2022

File: 44200-35\MPL

DELIVERED BY EMAIL

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Debbie Etsell
Chair
BC Vegetable Marketing Commission
207 – 15252 32nd Ave
Surrey BC V3Z 0R7

Dear M. Camley and D. Etsell:

RE: MPL BRITISH COLUMBIA DISTRIBUTORS INC. (MPL BC) AGENCY PRIOR APPROVAL PROCESS - DRAFT TERMS OF REFERENCE UPDATE

I write to provide an update on the British Columbia Farm Industry Review Board's (BCFIRB) prior approval process regarding the British Columbia Vegetable Marketing Commission's (Commission) decision to approve MPL BC's application for a Class 1 agency licence.

The BCFIRB draft Terms of Reference was sent to B.C. regulated vegetable industry stakeholders on June 28, 2022 for written submissions by July 6, 2022. The panel thanks the Commission, MPL BC and Greenhouse Grown Foods Inc. and Windset Farms (Canada) Ltd. for their submissions, which will be duly taken into consideration in finalizing the Terms of Reference.

On July 14, 2022 BCFIRB released its Allegations of Bad Faith and Unlawful Activity Review decision (Allegations Review decision). This decision, as forecast in the draft Terms of Reference, may have implications for the prior approval process. The panel determined it is effective, strategic and accountable to review this decision prior to finalizing the Terms of Reference. As such, the panel will not be finalizing the Terms of Reference by July 15, 2022 as previously communicated.

The panel is aware MPL BC is asking for a timely prior approval process. However, the panel cannot overlook the potential implications of the Allegations Review decision on its process, as the decision deals directly with MPL BC's allegations of bad faith and misfeasance by Commission staff and members in addressing its agency application.

The panel is meeting on July 19, 2022 to discuss the draft Terms of Reference in light of the Allegations Review decision and the submissions received. Should the panel

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determine any further steps are necessary before finalizing the Terms of Reference, regulated vegetable industry stakeholders will be notified.

Regards



Wanda Gorsuch,
Manager, Issues and Planning

cc: Robert Hrabinsky, Legal Counsel, BC Vegetable Marketing Commission
Agency Applicants and Storage crop Agency Managers
Greenhouse Agency Managers
Storage crop/Greenhouse Managers
Storage crop Producers
Greenhouse Producers
Processing Producers
Wholesalers
Processors

BCFIRB web site