



BC Farm Industry Review Board

August 22, 2023

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DELIVERED BY EMAIL

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Derek Sturko
Chair
BC Vegetable Marketing Commission
207 – 15252 32nd Ave
Surrey BC V3Z 0R7

Dear Ms. Camley and Mr. Sturko:

MPL BRITISH COLUMBIA DISTRIBUTORS INC. (MPL BC) AGENCY PRIOR APPROVAL PROCESS – SUPPLEMENTAL WRITTEN SUBMISSIONS

The British Columbia Farm Industry Review Board (BCFIRB) is currently deliberating on the MPL BC agency designation prior approval.

The March 8, 2023 “Final Terms of Reference Prior Approval Application: MPL British Columbia Distributors Inc. Agency Designation” (Terms of Reference), provided that BCFIRB would:

“...take into consideration the January 25, 2023 ruling of Chair Peter Donkers made in the Allegations of Bad Faith and Unlawful Activity supervisory review, and will seek written submissions on that ruling, including implications of the voluntary reporting requirement agreed to by MPL BC” (which were attached to the Terms of Reference as Appendix A).

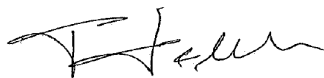
We have attached as Appendix A Chair Donkers January 25, 2023 ruling made in the Allegations of Bad Faith and Unlawful Activity supervisory review (the Ruling). To date, only the BC Vegetable Marketing Commission (Vegetable Commission) has been asked to comment on the voluntary reporting requirements in the prehearing questions. We have also reviewed the closing submissions of the Vegetable Commission, MPL BC and Greenhouse Grown Foods Inc./Windset Farms (Canada) Ltd. (GGFI/Windset), and note that there are only limited comments on the Ruling.

Accordingly, all eligible participants¹ are invited to make a supplemental written submission on the implications, if any, of the Ruling on the designation of MPL BC as an agency, including implications of the voluntary reporting requirement agreed to by MPL BC.

Any supplemental written submissions are **due by August 25, 2023**. Final replies from MPL BC and the BC Vegetable Marketing Commission are **due by August 30, 2023**.

Please send your submissions to Wanda Gorsuch, Senior Manager at Wanda.Gorsuch@gov.bc.ca, cc firb@gov.bc.ca

Regards,



Pawan Joshi

Panel Chair

cc: Robert Hrabinsky, Legal Counsel, BC Vegetable Marketing Commission
Craig Ferris, K.C., Legal Counsel, GGFI/Windset
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

¹ Vegetable Marketing Commission, MPL BC, Agencies licenced to market BC regulated greenhouse vegetables, Producer-shippers licenced to produce and market BC regulated greenhouse vegetables, Wholesalers licenced to market BC regulated greenhouse vegetables, Processors licenced to process regulated greenhouse vegetables, Producers licenced to produce BC regulated greenhouse vegetables.