

January 31, 2022

File No.: 582211-1

Sent Via E-mail (Kirsten.Pedersen@gov.bc.ca)

Kirsten Pedersen, Executive Director
British Columbia Farm Industry Review Board
1st Floor 2975 Jutland Rd.
Victoria, BC V8T 5J9

Dear Ms. Pedersen:

Re: MPL British Columbia Distributors Inc. ("MPL BC") Agency Designation

We write further to your letter of January 24, 2022, in response to our prior correspondence of January 18, 2022.

As you know, on January 12, 2021 the British Columbia Farm Industry Board ("BCFIRB") received the BC Vegetable Marketing Commission's (the "BCVMC") decision granting MPL BC an agency designation, pending the approval of BCFIRB. While we understand that the approval of agencies is not a routine matter, there are issues that we wish to raise with respect to the timing of BCFIRB's approval.

MPL BC has been seeking approval for an agency licence in British Columbia since its first application submitted to the BCVMC on September 10, 2020. At that time, the BCVMC had a moratorium over new agency and producer-shipper applications, in place since June 28, 2019. On October 21, 2020, a panel of BCFIRB, constituted to hear the 2019-2020 Vegetable Supervisory Review, directed the BCVMC to lift its moratorium effective immediately. In coming to this finding, the panel noted that "lifting the moratorium is critical as it is not sound marketing policy to put business on hold indefinitely."

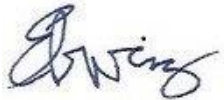
Under the policies of the BCVMC, growers seeking to transfer from one agency to another are required to provide advanced notice to the BCVMC and their agency of record by October 31 of a calendar year. Since MPL's first application to the BCVMC in September 2020, this deadline has now been missed twice. MPL requires time in advance of this deadline to advise growers of its agency status, solicit possible grower partners and negotiate grower marketing agreements, should BCFIRB confirm the prior decision of the BCVMC.

Consequently, MPL BC has requested that the decision of the BCVMC be approved by BCFIRB pursuant to s. 8 of the *Natural Products Marketing (BC) Act Regulations*, BC Reg 328/75. While MPL acknowledges the importance of BCFIRB's supervisory role, it respectfully requests that the process be undertaken in a timely manner, to avoid losing the 2023 growing season.

In consideration of the above, we respectfully request that the panel be told of my client's concerns around timing and the next growing season as it sets its timeline to review the decision of the BCVMC.

Yours truly,

Dentons Canada LLP

A handwritten signature in black ink, appearing to read "E Irving", is positioned above the typed name.

Emma Irving
Partner

EI/rb