



BC Farm Industry Review Board

September 10, 2021

File: 44200-60VAREV

DELIVERED BY EMAIL

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Dear all:

HEARING ADJOURNMENT AND COMMISSION COMPOSITION: VEGETABLE COMMISSION ALLEGATIONS OF BAD FAITH AND UNLAWFUL ACTIVITY REVIEW:

I am writing in respect of two matters that have arisen in this supervisory review.

First, I am in receipt of the enclosed letter from hearing counsel (Appendix A), which includes a recommendation that the oral hearing dates of this supervisory review be adjourned to January 2022.

I am hereby asking the parties to provide me with their position and submissions on the proposed adjournment **no later than September 15, 2021**. At that time, I also ask that the parties provide me with their availability for a hearing in January and February 2022.

Second, I have been provided with Commission counsel's email of September 9, 2021 (Appendix B), in which the Commission is proposing that Mr. Royal continue in his capacity as a Commission member despite having sold his farm effective September 16, 2021.

Before I determine whether it is necessary to hear from the other parties on this issue, I ask that the Commission provide its analysis of how Mr. Royal has the legal authority to remain a Commission member in light of the Scheme, the recent amendments thereto, and the Regulations to the *Natural Products Marketing (BC) Act*. I will then determine what further steps are required.

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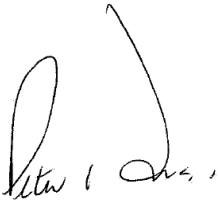
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I ask that the Commission provide its analysis **by September 15, 2021**.

Regards,

A handwritten signature in black ink, appearing to read "Peter Donkers". The signature is stylized with a large, looped initial "P" and a long, sweeping underline.

Peter Donkers
Chair

Attachments: Appendix A: 2021 Sept 10 Investigation and Hearing Schedule
Appendix B: 2021 Sept 9 VMC counsel email re Mr. Royal

cc: Nazeer Mitha, Q.C.
Mark Underhill
Kate Phipps
BCFIRB web site