



BC Farm Industry Review Board

March 11, 2022

File: 44200-60\AREV

DELIVERED BY EMAIL

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Dear All:

ALLEGATIONS OF BAD FAITH AND UNLAWFUL ACTIVITY REVIEW – REQUEST FOR ORDER IN RESPECT OF CFP AGENCY APPLICATION

I write in response to the March 9, 2022 letter from Ms. Hunter requesting an order directing the BC Vegetable Marketing Commission (Commission) to decide CFP Marketing Corporation's (CFP) outstanding agency application by March 23, 2022.

I am not prepared to grant any order at this time. By way of this letter, I request an update from Commission Chair Etsell with respect to the status of CFP's application **no later than March 24, 2022**. Based on that update, I will consider whether any order or direction is warranted.

However, I wish to make clear that CFP should have no expectation that it will receive an agency license in time to plan for the 2022 growing season.

As CFP will be aware, if the Commission decides in favour of CFP, BCFIRB will need to proceed with its prior approval process under the Natural Products Marketing (BC) Act Regulations s. 8.

Designation of agencies is not a routine matter. Agencies are businesses granted the right to market BC regulated product to the exclusion of others and are delegated certain legislated authorities. It is incumbent on BCFIRB to ensure the Commission

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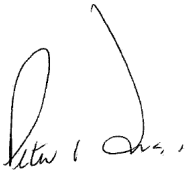
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decision accords with sound marketing policy. I expect the prior approval process will not be completed in time for planning for the 2022 growing season.

Should the Commission approve CFP's agency licence, I will be appointing a supervisory panel. Once the panel has reviewed the Commission decision, BCFIRB will communicate its prior approval process to CFP, the Commission and vegetable sector stakeholders.

Regards

A handwritten signature in black ink, appearing to read "Peter Donkers". The signature is stylized with a large initial 'P' and 'D'.

Peter Donkers, Chair

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

BCFIRB web site