

IN THE MATTER OF THE NATURAL PRODUCTS
MARKETING (BC) ACT

AND

IN THE MATTER OF AN APPEAL TO THE
BRITISH COLUMBIA MARKETING BOARD
AGAINST THE NEW GROWER PROGRAM ESTABLISHED
BY THE BRITISH COLUMBIA CHICKEN MARKETING BOARD

BETWEEN:

A. M. VAN DER WERELD

APPELLANT

AND:

BRITISH COLUMBIA CHICKEN MARKETING BOARD

RESPONDENT

REASONS FOR DECISION

Appearances: A. M. Van Der Wereld

APPELLANT

British Columbia Chicken Marketing Board
J. Hunter, Legal Counsel

RESPONDENT

DATE OF HEARING

FEBRUARY 7-8, 1990

1. The matter before the British Columbia Marketing Board ("the Board") is an appeal by A. M. Van der Wereld against the New Grower Program established by the British Columbia Chicken Marketing Board ("Chicken Board").
2. The appeal was filed with the Board on May 24, 1989. At the request of the Appellant, the hearing was adjourned to permit the Appellant to retain legal counsel. The hearing was heard in Victoria, British Columbia on February 7 and 8, 1990.
3. The Appellant, who was not represented by counsel, made oral submissions on the facts under appeal. The Respondent was represented by counsel.
4. The Appellant requested that the Board vary the New Grower Program to allow the conversion of his roaster quota to an equivalent amount of broiler quota; and to establish a new roaster grower on Vancouver Island to provide roasters for the Vancouver Island processor.
5. The hearing was adjourned briefly to permit discussion between the Appellant and the Respondent.
6. Following the adjournment, the Respondent offered to convert the Appellant's remaining roaster quota to equivalent broiler quota and make alternate arrangements to ensure the processor's roaster requirements were met, on condition that the Appellant discontinue his appeal.
7. The Appellant accepted the terms and conditions offered by the Respondent and requested that the appeal be dismissed.
8. The Board directs that in order to encourage resolution of grievances between producers and boards, the Appellant's full deposit shall be refunded.

(Original signed by):

Mona Brun, Acting Chairperson
O. Astring, Member
G. Aylard, Member
J. Reger, Member

Dated this 27th day of March, 1990 in Victoria, British Columbia.