

# BRITISH COLUMBIA VEGETABLE MARKETING COMMISSION

## POLICY

### **Greenhouse Vegetable Producers Transferring From One Agency to Another**

#### Producer Required to be Affiliated with a Designated Agency

Unless otherwise provided (less than 5,000 m<sup>2</sup> of Production Allocation or licensed as a Producer-Shipper) all greenhouse vegetable crop producers are to market Regulated Product through a Designated Agency licensed by the VMC.

#### Producer Required to Provide Advance Notice to Designated Agency of Record

Producers having the intention of transferring from their current greenhouse vegetable Designated Agency of record to another must provide advance notice to their Designated Agency of record and the Commission by September 15.

#### VMC Application to Transfer from one Agency to Another

Keeping in mind the above mentioned notice deadline and using the appropriate VMC form at any time a Producer may submit an application for transferring from one greenhouse vegetable agency to another.

The VMC will not provide administration to agency transfer requests if advance notice has not been provided to the agency of record and the Commission by the September 15 deadline.

#### Confirmation of New Designated Agency to Receive Producer's Regulated Product

Using the appropriate VMC application form the producer is to arrange for the new agency to inform the VMC that it is prepared to receive the producer's regulated product for marketing. The effective date of the transfer is to be noted on the application.

#### VMC Approval of the Agency Transfer Request

In the normal course, VMC approved producer agency transfer requests are to have effect for the start of the ensuing crop year.

If all involved parties so indicate to the Commission that they are in agreement for the transfer to have effect at a time other than the start of a crop year the VMC may approve such applications so long as orderly marketing is not disrupted.

#### Grower Marketing Agreements

Designated Agencies are encouraged to create Grower Marketing Agreements that comply with the Commission's intention for producers to be able to transfer from one agency to another while maintaining orderly marketing.

The VMC will not disturb grower marketing agreements.

May 14, 2009  
November 20, 2009  
November 18, 2011  
November 28, 2012

BRITISH COLUMBIA VEGETABLE MARKETING COMMISSION  
PROCEDURE FOR TRANSFERRING FROM ONE AGENCY TO ANOTHER

GREENHOUSE VEGETABLES

**By the Producer (applicant)**

The Producer is to complete and submit the VMC *Application for Producer Transfer Between Agencies* form.

The Producer is to arrange for the completion of all parts of the form, including portions that require signatures of Designated Agency representatives.

The completed form is to be received by the VMC office no later than the September 15 deadline for providing advance notice of the intent to transfer from one Designated Agency to another (see Grower Marketing Agreement).

**By the Designated Agency Authorized Representative**

On presentation by the Producer of the *Application for Producer Transfer between Agencies* form the Designated Agency representative is to sign the application form in the provided location.

**Deadline for VMC Receipt of Applications**

The VMC policy governing Producers transferring from one agency to another requires Producers having that interest to provide to the VMC advance notice by September 15.

**Grower Marketing Agreements (GMA)**

Typically, Producers enter into Agency Grower Marketing Agreements (GMA). GMAs are contractual obligations and include a number of terms and conditions, including notice provisions having regard to termination.

It is important to note that when termination notice is to be provided pursuant to a GMA it may be different to the deadline for providing advance notice about agency transfer to the VMC.

The VMC will not disturb grower marketing agreements.

General Order References

Part VI – *Transfer of Producers Between Agencies* - of the General Order provides for Producers to transfer from one agency to another and for the VMC to make a determination binding upon the Producer and an Agency or Agencies in the event that an Agency wishes to discontinue receiving Regulated Product from a Producer.

Approved -May 14, 2009  
Revised - October 2009  
Revised – November 28, 2012