

B. C. Vegetable Marketing Commission

INTERIM ORDER TO PRESERVE THE ORDERLY MARKETING OF STORAGE CROPS PENDING FURTHER REVIEW

MADE BY THE BRITISH COLUMBIA VEGETABLE MARKETING COMMISSION ON NOVEMBER 18, 2019

WHEREAS the British Columbia Vegetable Marketing Commission (the “Commission”) has established orders providing for the orderly marketing of storage crops that reflect three core principles: (1) coordinated marketing of regulated product by agencies on behalf of producers; (2) compliance by producers and agencies with delivery allocation rules; and (3) compliance by agencies with the minimum prices set by the Commission.

AND WHEREAS there is an urgent need to maintain the orderly marketing of storage crops pending a broad-based consultative process that will be undertaken with a view to effecting substantial revisions to the General Order.

NOW THEREFORE, the British Columbia Vegetable Marketing Commission orders as follows:

Application

1. (1) In the event of any inconsistency between this Order and the Commission’s General Order, the provisions of this Order shall prevail.
- (2) The Commission’s General Order continues to apply except to the extent of any inconsistency with the provisions hereof.

Definitions

2. In this Order:

“**Container**” means a sack, box, bag, crate, hamper, basket, carton, package, barrel, or any other type of receptacle used in the packaging, transportation, sale, or other handling of potatoes.

“**Marketing Period A**”

Means the period from the start of a new Storage Crop to July 31.

“**Marketing Period B**”

Means the period from August 1 to September 30.

“**Marketing Period C**”

Means the period from October 1 to January 31.

“**Marketing Period D**”

Means the period from February 1 to the end of an old Storage Crop.

“Packaged For End Use”

Means graded and packaged in a Container in the manner in which the food:

- (a) is ordinarily sold to, used by, or purchased by, a retailer or a consumer; or
 - (b) may reasonably be expected to be obtained by a food service institution;
- such that no further repackaging occurs, or is necessary or contemplated.

Books, Records and Accounts

- 3. (1) Every Storage Crop Producer, Storage Crop Producer-Shipper, and Agency shall keep complete and accurate books, records and accounts of all matters relating to the production, transportation, packing, storage and marketing of Storage Crop Regulated Product.
- (2) All books, records and accounts required to be kept under subsection (1) must be retained for a period of three years and shall be available for inspection by:
 - (a) the Commission;
 - (b) any officer or auditor of the Commission; and
 - (c) any other Person as may be authorized by the Commission from time to time.

Obligation to Furnish Information and Permit Inspection

- 4. (1) Every Storage Crop Producer, Storage Crop Producer-Shipper, and Agency shall, upon request, furnish to the Commission, or to any officer or auditor of the Commission, or to any other Person as may be authorized by the Commission from time to time, any information or documentation relating to the production, transportation, packing, storage and marketing of Storage Crop Regulated Product.
- (2) Every Storage Crop Producer, Storage Crop Producer-Shipper, and Agency shall make specific answers to any questions relating to the production, transportation, packing, storage and marketing of Storage Crop Regulated Product, as submitted to that Person by the Commission, or by any officer or auditor of the Commission, or by any other Person as may be authorized by the Commission from time to time.
- (3) Every Storage Crop Producer, Storage Crop Producer-Shipper, and Agency shall permit the Commission, or any officer or auditor of the Commission, or any other Person as may be authorized by the Commission from time to time, to search vehicles in which Storage Crop Regulated Product is transported, and to inspect all farm or business premises owned, occupied or controlled by such Storage Crop Producer, Storage Crop Producer-Shipper, or Agency.

Agency Reporting to Commission

- 5. Every Agency shall, at the earliest possible opportunity, furnish the Commission with true and detailed reports disclosing:
 - (a) the name and address of each Storage Crop Producer from whom the Agency has received Storage Crop Regulated Product;

- (b) the volume of Storage Crop Regulated Product received from each Storage Crop Producer in each Marketing Period, expressed in tons;
- (c) the volume of Storage Crop Regulated Product marketed in each Marketing Period, expressed in tons;
- (d) the volume of Storage Crop Regulated Product marketed as Packaged For End Use in each Marketing Period, expressed in tons;
- (e) the volume of Storage Crop Regulated Product marketed as other than Packaged For End Use in each Marketing Period, expressed in tons; and
- (f) the net return payable to each Storage Crop Producer expressed as an amount per ton, for each type and grade of Storage Crop Regulated Product, for each Marketing Period.

Marketing Obligations and Prohibitions

- 6. (1) Each Agency is obliged to market Storage Crop Regulated Product with a view to securing the highest net return payable to each Storage Crop Producer for each type and grade of Storage Crop Regulated Product, for each Marketing Period.
- (2) All Storage Crop Regulated Product must be marketed by each Agency as Packaged For End Use, except where the Agency has obtained the prior, express, written approval of the Commission.

DATED at Surrey, British Columbia on **November 18, 2019.**

BRITISH COLUMBIA VEGETABLE MARKETING COMMISSION



Debbie Etsell, Chair



John Newell, Member