



## **Decision Re: Manner in which Prokam is to market potatoes on an interim basis**

**(Friday, September 17, 2021)**

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On September 14, 2021, a panel of the Commission met by video conference to determine what orders, if any, should be made to address the manner in which Prokam is to market potatoes on an interim basis, pending further decisions to be made with respect to Prokam's licence class, its standing to apply for a producer-shipper licence, and possible direction to CFP (if it obtains an agency licence).

The panel was comprised of Chair, Etsell and Commissioners, Newell (greenhouse sector), Royal (greenhouse sector), VanderMeulen (greenhouse sector), and Lodder (storage crop sector). Prokam presented at the meeting, and was represented by Bob Dhillon, Bob Dhillon's son, Bob Gill, and its legal counsel, Claire Hunter.

In advance of the meeting, the Commission advised Prokam that any decision that the Commission may make will not preclude the possibility of a subsequent decision in favour of Prokam's desired outcome, namely, to have its potatoes marketed through CFP. However, CFP's agency application was not the subject of the meeting, nor was Prokam's licence class, or its standing to apply for a producer-shipper licence.

The question of how Prokam is to market potatoes on an interim basis is a matter of some urgency, given that Prokam had advised that there are 13 acres of potatoes presently in the ground. In light of this urgency, these reasons are abbreviated in nature.

Prokam expressed its view that it should be granted an interim producer-shipper licence. The Commission is not prepared to grant such a licence, in part because Prokam's standing to apply for a producer-shipper licence is dependent on its licence class, which will be the subject of future deliberations. Prokam had not taken, or had been unable to take, any steps to canvass its opportunities to market through any existing agencies. In addition, Prokam reiterated its position that it does not wish to market its production through BCfresh, in particular.

Given the urgency of the matter, and recognizing that any order made by the Commission is interim in nature only, the panel has decided to direct that Prokam's potato production be marketed through Okanagan Grown Produce Ltd., pending further orders or directions made by the Commission. While Prokam took the position that an order directing it to market through an existing agency is "not optimal", it appeared to be willing to abide by such an order if one was made by the Commission.

It is the Commission's view that direction of Prokam's potato production to Okanagan Grown Produce Ltd. is strategic, accountable, fair, effective, transparent and inclusive.

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The order is **strategic**, insofar as it responds to the systemic challenge presented by the existing potato production that does not yet have a marketing avenue, while preserving the Commission's ability to make further orders and directions as a consequence of other outstanding applications and requests before it. The order is **accountable** insofar as it maintains the legitimacy of centralized, coordinated marketing, which is the principal means by which the Commission maximizes the returns to producers. The process by which the decision was made was **fair** given that Prokam had a fulsome opportunity to present its position to the Commission. The order is **effective** in that it will address a matter of urgency on an interim basis only. The process was **transparent** as Prokam was provided with all written materials that were before the panel in advance of the meeting. The order is **inclusive**, insofar as the panel took into consideration Prokam's position as well as the interests of other industry stakeholders who support centralized, coordinated marketing.

DATED AT SURREY, BRITISH COLUMBIA, THIS 17<sup>th</sup> DAY OF September 2021

BRITISH COLUMBIA VEGETABLE COMMISSION



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Debbie Etsell, Chair