

B.C. Vegetable Marketing Commission

AMENDING ORDER # 12

**TO THE
BRITISH COLUMBIA VEGETABLE MARKETING COMMISSION
GENERAL ORDER OF MARCH 16, 2005, AS AMENDED,**

**MADE BY THE
BRITISH COLUMBIA VEGETABLE MARKETING COMMISSION
September 5, 2007**

The British Columbia Vegetable Marketing Commission General Order of March 16 2005 as amended is further amended as follows:

- 1. Section 4(e) of Part I is amended by striking out “361” and substituting therefore “631”.**

- 2. Section 5 of Part I is amended by striking out the definition of “Marketing” and substituting the following therefore:**

“Marketing” includes producing, buying, selling, shipping for sale, offering for sale or storage, and in respect of a natural product includes its transportation in any manner by any person.

- 3. The following amendments delete references to “Commission Salesperson”:**
 - (a) strike out the definition of “Commission Salesperson” in Section 5 of Part I**
 - (b) strike out “Commission Salesperson” in Section 1(b) of Part IV**
 - (c) strike out “Commission Salesperson” in the heading of Section 4 of Part IV and “Commission Salesperson” and “grow” in Section 4(a) of Part IV**
 - (d) strike out “Commission Salesperson” in Section 7(c) of Part IV**
 - (e) strike out “Commission Salesperson” in the heading of Section 10 of Part IV**
 - (f) strike out Section 10(b) of Part IV and re-number subsections 10(c) through 10(h) and subsections 10(b) through 10(g) respectively.**
 - (g) strike out “Commission Salespersons,” in Section 5 of Part XX.**

4. The following amendments delete references to “Producer Processor”:
 - (a) strike out the definition of “Producer Processor” in Section 5 of Part I
 - (b) strike out “Producer Processor” in Section 1(b) of Part IV
 - (c) strike out “Producer Processor in Section 4(a) of Part IV
 - (e) strike out “Producer Processor” in the heading of Section 10 of Part IV
 - (f) strike out Section 10(d) of Part IV and re-number subsections 10(e) through 10(g) and subsections 10(d) through 10(f) respectively. {renumbering applies after changes implemented by *Amending Order 3(f) above.*}

5. The following amendments delete references to “Packing House”:
 - (a) strike out “or a Producer and a Packing House” in the definition of “Grower Marketing Agreement” in Section 5 of Part I
 - (b) strike out the definition of “Packing House” in Section 5 of Part I
 - (a) strike out “ a Packing House” in the definition of “Transport Order” in Section 5 of Part I
 - (b) strike out “Packing House” in Section 1(b) of Part IV
 - (c) strike out “Packing House” in Section 4(a) of Part IV
 - (e) strike out “Packing House” in the heading of Section 10 of Part IV
 - (f) strike out Section 10(e) of Part IV and re-number subsection 10(f) as subsection 10(e). {renumbering applies *after changes implemented by Amending Order 4(f) above.*}

- 5.1 The following amendments provide authority to implement and administer minimum pricing for any regulated vegetable crop:
 - (a) delete the word “Storage” and insert “subject to Commission minimum pricing” after the word “Crops” in section 15 of Part V.

 - (b) delete the word “storage” and insert the words “subject to Commission minimum pricing” after “crops” in Sections 1, 2, and 3 of Part VII and in section 9 of Part IX.

6. Section 7.1 is added to Part XI entitled “Producer also licensed as a Processor” with the wording “Every Producer who is also licensed as a Processor shall report each month to his designated Agency any and all marketings of Regulated Product for Processing. Nothing in this section operates to make permissible any such marketings as would otherwise be impermissible under the Commission’s General Order or pursuant to an arrangement between the Producer and its designated Agency.”

7. **Schedule I Number 8 is amended by striking out “Lower Mainland Vegetable Distributors Inc” and substituting therefore “BC Fresh Vegetables Inc”.**
8. **Schedule I Number 8 is further amended by adding “organic root crops (storage crops) except potatoes” after “rutabagas”.**
9. **Schedule III is deleted and the attached Schedule III identified as “Amended September 2007” is substituted therefore.**
10. **Sections 1, 2, 3, 4, 5, 5.1, 6, and 9 of this Amending Order take effect on September 5 2007; Sections 7, 8 of this Amending Order are retroactive and retrospective to August 1 2007.**

DATED at Surrey, British Columbia, on September 5, 2007.

BRITISH COLUMBIA VEGETABLE MARKETING COMMISSION

George Leroux, Chair

Hugh Reynolds, Secretary