

BRITISH COLUMBIA VEGETABLE MARKETING COMMISSION

POLICY

New Greenhouse Production Allocation Established Producers

Background

The addition of new greenhouse vegetable Production Allocation serves to increase the total Provincial greenhouse production area for the production of greenhouse tomatoes, peppers and cucumbers. The mentioned greenhouse vegetable crops are regulated products pursuant to the BC Vegetable Scheme and the BC Vegetable Marketing Commission (VMC) General Order.

Increasing the production area for the four mentioned regulated crops is subject to the authority and approval of the VMC.

General Order Provisions

Provisions set out in sections 1 – 8 of Part XVIII of the General Order – *Procedures for Assigning Production Allocations for Greenhouse Crops* - govern new greenhouse vegetable Production Allocation applications.

Applications Received from Established Producers

Established Producers having an interest to expand their current greenhouse vegetable production area must first obtain written VMC approval for doing so. Approval is to be obtained prior to construction commencing.

On receipt of an application for new greenhouse vegetable Production Allocation an administrative process is followed by the VMC for reaching a decision to approve or not approve it.

If the VMC approves new greenhouse Production Allocation it is assigned to the Producer only once it has been demonstrated to the VMC that a greenhouse vegetable crop is planted in the newly erected greenhouse facility. The planted crop must be the greenhouse vegetable crop set out on the New Greenhouse Production Allocation form.

Applications Received from Person Who Are Not Established Producers

Persons, who are not established Producers, may make application for new greenhouse vegetable Production Allocation. Application is to be made in the same manner as described for established producers.

For both types of applicants there is no difference in the administrative process used by the VMC for reaching a decision.

Administrative Procedure

For the purpose of maintaining orderly marketing and having regard to industry stakeholder interests greenhouse vegetable Designated Agencies are informed by the VMC about received applications and responses sought. Designated Agencies receive information from the VMC on a no-name basis.

Responses are sought from the Designated Agencies in order that the VMC learns of stakeholder support or concerns regarding an increasing supply and how that may affect the provincial greenhouse vegetable sector. Agencies are able to register with the VMC their objection to it approving an application for new greenhouse vegetable Production Allocation.

Should a Designated Agency register an objection the application it is referred to Commission members and it will no longer be handled as an administrative matter.

Commission members will then determine a course of action to be followed for resolving matters raised in the objection registered with the VMC.

The course of action the VMC may order to be followed includes the following:

- for the purpose of addressing concerns and resolving them the VMC will call the applicant and the party(ies) registering an objection to an informal meeting (mediation)

- failing the reaching of a resolution by way of mediation the VMC is to reach a decision with or without the holding of a public Hearing

Application

Established Producers or Persons wishing to enter the BC greenhouse vegetable sector may make application for new greenhouse vegetable Production Allocation at any time.

Application Form

The VMC New Greenhouse Vegetable Production Allocation form is to be used.

Application Fee

An application is to be accompanied by a non-refundable \$500.00 application fee. Cheques are to be made payable to the BC Vegetable Marketing Commission.

Performance Security

If an application for new greenhouse vegetable Production Allocation is approved the VMC may require the applicant to provide performance security. [See Performance Security Policy].

Approved - June 2008

POLICY

New Greenhouse Production Allocation Prospective Producers

Background

The addition of new greenhouse vegetable Production Allocation serves to increase the total Provincial greenhouse production area for the production of greenhouse tomatoes, peppers and cucumbers. The mentioned greenhouse vegetable crops are regulated products pursuant to the BC Vegetable Scheme and the BC Vegetable Marketing Commission (VMC) General Order.

Increasing the production area for the four mentioned regulated crops is subject to the authority and approval of the VMC.

General Order Provisions

Provisions set out in sections 1 – 8 of Part XVIII of the General Order – *Procedures for Assigning Production Allocations for Greenhouse Crops* - govern new greenhouse vegetable Production Allocation applications.

Applications Received from Prospective Producers

Persons who are not established greenhouse vegetable producers having an interest to enter the regulated greenhouse vegetable sector by making application for new greenhouse Production Allocation as provided for in the General Order must first obtain written VMC approval for doing so. Approval is to be obtained prior to construction of a greenhouse facility commences.

This policy also applies to Persons who are not established Producers who may be purchasing a greenhouse facility when a transfer of Production Allocation is not to occur.

On receipt of an application for new greenhouse vegetable Production Allocation an administrative process is followed by the VMC for reaching a decision to approve or not approve it.

If the VMC approves new greenhouse Production Allocation it is conditionally assigned to the prospective producer. At an established time the prospective producer is to demonstrate to the VMC that a greenhouse vegetable crop is planted in the greenhouse facility. The planted crop must be the greenhouse vegetable crop set out on the New Greenhouse Production Allocation form.

Decision Criteria

The VMC decision to approve new greenhouse vegetable Production Allocation for prospective producers is to be in accordance with the provisions set out in sections 8-11 Part XVIII of the General Order. As well, and for clarity purposes, for the purpose of reaching a decision the VMC will also consider the criteria set out below.

The prospective producer is to demonstrate to the VMC:

- competency in Integrated Pest Management (IPM), including being knowledgeable about the use of beneficial insects and the safe use and storage of crop management materials in a greenhouse;
- competency in on-farm food safety programs that are recognized by the greenhouse sector and the retail trade;
- competency regarding international trade practices that apply to the greenhouse vegetable trade.

Administrative Procedure

For the purpose of maintaining orderly marketing and having regard to industry stakeholder interests greenhouse vegetable Designated Agencies are informed by the VMC about received applications and responses sought. Designated Agencies receive information from the VMC on a no-name basis.

Responses are sought from the Designated Agencies in order that the VMC learns of stakeholder support or concerns regarding an increasing supply; how that may affect the provincial greenhouse vegetable sector; and other matters. Agencies are able to register with the VMC their objection to it approving an application for new greenhouse vegetable Production Allocation received from a person who is not an established producer.

Should a Designated Agency register an objection about an application it will be referred to Commission members and it will no longer be handled as an administrative matter.

Once an application is referred to Commission members the VMC will determine a course of action to be followed for resolving matters identified in the objection(s) registered with the VMC.

The course of action the VMC may order to be followed includes the following:

- for the purpose of addressing concerns and resolving them the VMC will call the applicant and the party(ies) registering an objection to an informal meeting (mediation)
- failing the reaching of a resolution by way of mediation the VMC is to reach a decision with or without the holding of a public Hearing
- for the purpose of addressing concerns and resolving them the VMC will call the applicant and the party(ies) registering an objection to an informal meeting (mediation)
- failing the reaching of a resolution by way of mediation the VMC is to reach a decision with or without the holding of a public Hearing

Application

Prospective producers wishing to enter the BC greenhouse vegetable sector may make application for new greenhouse vegetable Production Allocation at any time.

Application Form

The VMC New Greenhouse Vegetable Production Allocation by a Prospective Producer form is to be used when making application.

Application Fee

An application is to be accompanied by a non-refundable \$1,000 application fee. Cheques are to be made payable to the BC Vegetable Marketing Commission.

Performance Security

If an application for new greenhouse vegetable Production Allocation by a prospective producer is approved the VMC will require the applicant to provide performance security. [See Performance Security Policy].

Approved – September 14, 2010