

BC VEGETABLE MARKETING COMMISSION

POLICY

INITIAL PROCESSOR LICENCE

The regulated marketing of certain vegetables provides for their orderly marketing and the licensing of producers, Designated Agencies (central selling desks), wholesalers and processors engaged in the transportation, packing, storage and marketing of Regulated Products for sale within British Columbia and in interprovincial and export trade.

For the processing of regulated product(s), which has as its meaning what is set out in Part I – *Introductory – Interpretation*- of the General Order, a Processor shall only buy or offer to buy Regulated Product(s) from Producers by way of a uniform written contract approved by the Commission, including by reference terms, covenants and conditions required by Part XI – *Marketing Regulated Product for Processing or Manufacture* – of the General Order.

Further, a Processor Licensee is a Person who changes the nature of a Regulated Product by mechanical means or otherwise, including among others freezing, canning, packing or in any way preserving or altering the Regulated Product, and markets, offers for sale, supplies, stores or transports the processed or manufactured product.

Eligible Persons

A Person, whether operating as a proprietorship, partnership or a company, may make application to the BC Vegetable Marketing Commission (VMC) for issuance of a Processor – INITIAL Licence.

Licensing Period

The licensing period for which an issued Processor Licence is valid is set out on the licence. The 365 consecutive day licensing period is March 2 of one year and ends March 1 of the following year. A Processor Licence is valid from the date of issue and expires on March 1.

Transfer of Licences

Licences issued by the VMC are not transferable.

Annual Renewal – Processor Licence

Once issued, Processor Licences are to be renewed each year prior to their March 1 expiration.

A Processor Annual Renewal Licence Application package is sent to Processor Licensees in early February. This allows approximately one-month for licensees to compile the requisite criteria and supporting documents to be sent to the VMC prior to licence expiration on March 1.

A complete Processor Annual Renewal Class 1 Application includes: 1) a completed and signed Processor – Annual Renewal Licence Application form (supplied by the Commission); 2) evidence or documents acceptable to the Commission for demonstrating that all elements of the **Criteria - Annual Renewal Processor Licence** are satisfied, including providing evidence to the Commission's satisfaction that the licensee's premises meet health and food safety standards; and 3) payment for the then prevailing requisite Processor Annual Renewal Licence fee.

VMC Initial Processor Licence - Issuance Decision

The VMC decision to or not to issue an INITIAL Processor Licence will rely upon the Policy – Initial Processor Licence and Criteria. The Criteria are set out in a separate document titled Criteria - Initial Processor Licence.

At all times the Commission shall have the final authority in the granting of licences and may decide not to issue an Initial Processor Licence if it determines that doing so is not in the best interest of the industry.

Non-Refundable Application Fee

A non-refundable application fee of \$500.00 is to accompany the Processor Application.

The VMC will not provide administration to applications not accompanied by the non-refundable application fee.

Processor Annual Renewal Licence Fee

If approved for issuance of an Initial Processor Licence, the applicant is then required to complete and submit an Initial Processor Licence Application and fee payment.

The Initial Processor Licence fee is the same amount as the Processor Annual Renewal Class 1 Licence fee which is established by the VMC, and, may change from time to time. The prevailing Processor Annual Renewal Licence fee is set out in Schedule III of the General Order.

VMC Decision Criteria

For each of the listed Criteria - Initial Processor Licence (see above referenced separate document) the applicant is to provide supporting documentation. These documents are to accompany the Initial Processor Licence application when submitted to the VMC.

All submitted information will be treated in a confidential manner.

Submitting complete documentation will allow timely administration of Initial Processor Licence applications.

Cancellation or Suspension of a Processor Licence

Any Processor Licensee found to be in violation of any of the Initial Processor Licence - Criteria; Annual Renewal Processor Licence - Criteria or; the General Order, may be subject to the VMC cancelling or suspending the issued licence.

September 26, 2010
Revised Sept., 2012

CRITERIA

INITIAL PROCESSOR LICENCE

At all times the BC Vegetable Marketing Commission (VMC) shall have the final authority in the granting of licences and it may decide not to issue an initial licence if it is determined that doing so is not in the best interest of the industry as a whole.

Any Processor Licensee found to be in violation of any of the below listed criteria or the General Order may have the issued licence suspended or cancelled.

The criteria the VMC uses for reaching a decision to issue a Processor - INITIAL Licence are:

1. Provide a written undertaking to the VMC that the applicant understands the General Order, in particular the “processing” of regulated products and that when sourcing product directly from Licensed Producers it will only do so using a uniform VMC approved contract as required pursuant to Part XI - *Marketing Regulated Product for Processing or Manufacture* - of the General Order.
2. Demonstrate to the Commission’s satisfaction that \$75,000 or more in value of regulated product(s) is intended to be purchased during the initial operating year from Registered and Licensed Producers having entered into a VMC approved uniform contract or in the alternative from Designated Agencies of the VMC.
3. Demonstrate to the Commission’s satisfaction that the premises where the processing activities are to occur has machinery and equipment for the intended purpose, including adequate freezing, refrigeration and/or dry storage capacity, commensurate with the intended regular volume of business so that care and handling of regulated product(s) in a food safe manner is assured.
4. Demonstrate to the Commission’s satisfaction that the processing operating premises meet applicable health and food safety standards for the regulated product(s) to be processed of the area, municipality or city where located and for doing so provide to the VMC a valid certificate issued by either the Provincial Government, a provincial regional health agency, the Canada Food Inspection Agency (CFIA) or another issuing authority acceptable to the Commission.

September 26, 2011
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