

# BC VEGETABLE MARKETING COMMISSION

## POLICY

### INITIAL WHOLESALE 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 re-sale of regulated product when operating as a wholesaler the procurement of Regulated Product(s) is only to occur once the BC Vegetable Marketing Commission (VMC) has issued a Wholesale Licence to the legal entity operating in the capacity of a wholesaler.

Wholesale Licensees are limited to completing transactions for procuring a supply of regulated products with Designated Agencies authorized and licensed by the VMC.

Wholesale licensees are prohibited from completing transactions with individual growers for the procurement of Regulated Product(s).

#### Eligible Persons

Persons other than a Registered and Licensed Producer and whether to operate as a proprietorship, partnership or a company may make application to the VMC for the issuance of an Initial Wholesale Licence.

#### Licensing Period

The licensing period for which an issued Wholesale 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 Wholesale Licence is valid from the date of issue and expires on March 1.

#### Annual Renewal – Wholesale Licence

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

An Annual Renewal Wholesale Licence Application package is sent to Wholesale 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 Licence Application package for Annual Renewal includes: 1) a completed and signed Wholesale Annual Renewal Licence Application form (supplied by the Commission); 2) evidence or documents acceptable to the Commission for demonstrating that all elements of the **Annual Renewal Wholesale Licence Criteria** 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 Annual Renewal Wholesale Licence fee.

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## POLICY

### INITIAL WHOLESAL LICENCE Continued

#### Non-Refundable Wholesale Application Fee

A non-refundable Whole Licence Application fee of \$500.00 is to accompany the Wholesale Licence Application.

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

#### Annual Wholesale Licence Fee

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

The annual Wholesale Licence fee is not the same amount as the non-refundable \$500.00 initial application fee. Application and licence fees established by the VMC may change from time to time. The prevailing Class 1 Annual Wholesale Licence Fee is set out in Schedule III of the General Order.

#### VMC Licence Issuance Decision

The VMC decision to issue an Initial Wholesale Licence will rely upon the Initial Wholesale Licence Policy and Criteria. The criteria are set out in a separate document titled Initial Wholesale Licence Criteria.

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

#### VMC Decision Criteria

For each of the listed Initial Wholesale Licence Criteria (see above referenced separate document) the applicant is to provide supporting documentation to the VMC. These documents are to accompany the Initial Wholesale 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 Wholesale Licence Applications.

#### Cancellation or Suspension of a Wholesale Licence

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

October 21, 2010  
Revised: Sept., 2012

# BC VEGETABLE MARKETING COMMISSION

## CRITERIA

### INITIAL WHOLESALE LICENCE

At all times the Commission shall have the final authority in the granting of licences, and, it may Decide not to issue an INITIAL Wholesale Licence, if it is determined that doing so, is not in the best interest of the industry as a whole.

Any wholesale licensee found to be in violation of any of the above criteria may have the licence suspended or cancelled

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

- 1) whether to operate as a proprietorship, partnership or limited company the ownership structure is one that is at "arm's length" from a Licensed Producer
- 2) wholesale operations, including the transporting, packing, storing and marketing of a Regulated Products, are not to rely upon the use of facilities or equipment located in or on real property owned, leased, rented, occupied, controlled or managed by a Licensed Producer
- 3) demonstrate to the Commission's satisfaction the intention and ability to purchase a minimum of \$75,000 worth of regulated product from an agency or agencies of the Commission in the initial operating year and that a minimum of 10 retail food outlets/food service firms will be regularly serviced
- 4) demonstrate to the Commission's satisfaction that the premises where the wholesale activities are to be conducted have storage, cooler and ripening room capacity that is commensurate with the intended regular volume of business so that care and handling of regulated product in a food safe manner is assured
- 5) demonstrate to the Commission's satisfaction that the wholesale operating premises meet health and food safety standards of the area, municipality or city where located and for doing so provide a valid certificate issued by either the Canada Food Inspection Agency (CFIA); a provincial regional health agency; or an issuing authority acceptable to the Commission.

Note: Wholesale Initial licences will be renewed based on the Annual Renewal Wholesale Licence Policy and Criteria

Approved: November 18, 2010  
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