

B. C. Vegetable Marketing Commission

AMENDING ORDER #35

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

MADE BY THE BRITISH COLUMBIA VEGETABLE MARKETING COMMISSION ON AUGUST 22, 2012

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

1. The definition of "Specialty Crops" in Section 5 of Part 1 – *Introductory* – of the General Order is repealed and replaced with the following:

"Specialty Crops" means crops with unique production based attributes which give rise to market differentiation from mainstream commodity crops which is preserved through grading, packing, marketing and distribution to the final consumer. Differentiating attributes may include some or all of unique genetics, specialized production programs, and unique facility and management requirements. Greenhouse Vegetable Crops designated as specialty crops are listed in Schedule 5 to these Orders."

2. Schedule I – "Regulated Crops Designated Agencies Authorized to Market" of the General Order is repealed and replaced with the attached Schedule I.
3. Schedule II – "Regulated Vegetables" – of the General Order is repealed and replaced with the attached Schedule II.
4. Schedule V – "Specialty Greenhouse Vegetables" - is added to the General Order
5. Section 12 of Part V – Agencies – of the General Order is repealed and replaced with the following:

"Each Agency is authorized to and may conduct a pool or pools as directed by the Commission for the distribution of all proceeds received from the sale of the Regulated Product. Each Agency shall distribute the proceeds of sale of each pool, after deducting necessary and proper disbursements, expenses and charges as permitted or required by the Commission."

6. Section 6 of Part VII – Agency Responsibilities – of the General Order is repealed and replaced with the following:

“Before finalizing a contract each Agency shall provide to the Commission for its prior approval as to form any proposed contracts with Processors or other firms approved by the Commission located in BC that are to receive regulated products regardless of end use.”

7. Section 11 of Part IX – General Prohibitions – of the General Order is repealed and replaced with the following:

“No Producer, shall market or transport any Regulated Product unless the Producer is currently licensed with the Commission, except as expressly authorized by the Commission pursuant to Section 4 of Part IV of the General Order.”

8. Section 6 of Part X – Exemptions – of the General Order is repealed and replaced with the following:

“The following classes of Producers are not required to market their Regulated Vegetable Production through an Agency or Processor unless otherwise directed by the Commission:

- (a) All Producers of organically certified Regulated Storage crops with the exception of those producers marketing through Fraserland Organics Inc.***
- (b) All licensed Producer-Shippers of Greenhouse Vegetable Crops.***
- (c) Licensed producers holding, in aggregate, less than 5,000 m² of Greenhouse Vegetable Production Allocation.”***

9. Section 1 (b) (iii) of Part XIII – Procedures for the Regulation of Produce – of the General Order is repealed and replaced with the following:

“On receipt of a request to regulate a product, not currently regulated, from the majority of Producers involved in the production of the crop in question, or their representatives, who hold the majority of production, the Commission may, at its discretion, schedule a General Meeting not more than 30 days following receipt of the request. If such a meeting is scheduled, the Commission, at its discretion may proceed as follows:

- (b) The Notice of Meeting and the Agenda shall be delivered to:***
 - (iii) representatives of the British Columbia Ministry of Agriculture; and***

DATED at Surrey, British Columbia on August 22, 2012

BRITISH COLUMBIA VEGETABLE MARKETING COMMISSION

David Taylor, Chair

Hugh Reynolds, Secretary

Schedule I Regulated Crops Designated Agencies Authorized to Market

1. **BC Hothouse Foods Inc.** is hereby designated as an Agency through which greenhouse cucumbers, greenhouse tomatoes, and greenhouse peppers grown in the Regulated Area may be packed and stored and shall be Marketed unless otherwise ordered by the Commission.
2. **Country Fresh Produce Inc.** is hereby designated as an Agency through which greenhouse cucumbers, greenhouse tomatoes, and greenhouse peppers grown in the Regulated Area may be packed and stored and shall be Marketed unless otherwise ordered by the Commission.
3. **Fraserland Organics Inc** is hereby designated as an Agency through which organic potatoes grown in the Regulated Area may be packed and stored and shall be Marketed unless otherwise ordered by the Commission.
4. **Global Greenhouse Produce Inc** is hereby designated as an Agency through which greenhouse tomatoes and greenhouse peppers grown in the Regulated Area may be packed and stored and shall be Marketed unless otherwise ordered by the Commission.
5. **Greenhouse Grown Foods Inc** is hereby designated as an Agency through which greenhouse tomatoes, greenhouse peppers and greenhouse cucumbers, grown in the Regulated Area may be packed and stored and shall be Marketed unless otherwise ordered by the Commission.
6. **Okanagan Grown Produce Ltd.** is hereby designated as an Agency through which beets (tops off), green cabbage, red cabbage, carrots (tops off), yellow onions, parsnips, potatoes, rutabagas, white turnips, greenhouse cucumbers, greenhouse tomatoes and greenhouse butter lettuce grown in the Regulated Area may be packed and stored and shall be Marketed unless otherwise ordered by the Commission.
7. **Island Vegetable Co-operative Association,** is hereby designated as an Agency through which beets (tops off), green cabbage, red cabbage, carrots (tops off), onions, parsnips, potatoes, rutabagas and white turnips grown in the Regulated Area may be packed and stored and shall be Marketed unless otherwise ordered by the Commission.
8. **BC Fresh Vegetables Inc.** is hereby designated as an Agency through which beets (tops off), green cabbage, red cabbage, carrots (tops off), onions, parsnips, potatoes, rutabagas, white turnips and organic root crops (storage crops) except potatoes grown in the Regulated Area may be packed and stored and shall be Marketed unless otherwise ordered by the Commission.
9. **V. I. P. Produce Ltd.** is hereby designated as an Agency through which beets (tops off), green cabbage, red cabbage, carrots (tops off), onions, parsnips, potatoes, rutabagas, greenhouse peppers, greenhouse tomatoes and greenhouse cucumbers may be packed and stored and shall be Marketed unless otherwise ordered by the Commission.
10. **VF Operations Canada Inc** is hereby designated as an Agency through which greenhouse tomatoes, greenhouse peppers and greenhouse cucumbers, grown in the Regulated Area may be packed and stored and shall be Marketed unless otherwise ordered by the Commission.

Amended – June 17, 2010
August 22, 2012

Schedule II Regulated Vegetables

Storage Crops

Beets (tops off); Green Cabbage; Red Cabbage; Carrots (tops off); Parsnips; Rutabagas; White (purple top) Turnips; Yellow Onions; and Potatoes (all types and varieties) when the end use is not for seed.

Greenhouse Crops

Cucumbers (all types); Tomatoes (all types); Peppers; (all types); and Butter Lettuce

Processing Crops

Peas, Beans, Corn, Broccoli, Brussels sprouts, Cauliflower, Potatoes (all types and varieties) and Strawberries when the end use is manufacture/processing.

Amended: August 22, 2012

Schedule V

Specialty Greenhouse Vegetables

TOMATOES	PEPPERS	CUCUMBERS
Cocktail	Mini	Mini
Roma	Baby Bells	Mini Cocktail
Strawberry	Sweet Tooth	
Cherry	Hot	
Grape		
Mini [gems, teardrop and berry]		

Effective: August 22, 2012