

B. C. Vegetable Marketing Commission

AMENDING ORDER # 46

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

MADE BY THE BRITISH COLUMBIA VEGETABLE MARKETING COMMISSION May 14, 2018

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

1. Section 5 – Interpretation – of **PART I INTRODUCTORY** – of the General Order is amended to include the following definition:

“Packinghouse” means a person who operates a packing operation where regulated product is delivered for the purpose of washing, sorting, grading, sizing and packing the produce directly into a container to be offered for sale.

2. **PART IV LICENSING** of the General Order be amended to include a new licence category titled Licences – Packinghouse and sections 1 through 4 as follows:

Licences – Packinghouse

1. *No person other than a Packinghouse shall receive Regulated Product from a Producer for the purpose of washing / sorting / grading / sizing and packing the produce within British Columbia, except that:*
 - a) *A Person who is specifically exempted from the requirements of this section pursuant to these General Orders or otherwise by Order of the Commission may pack the Regulated Product as permitted by the Commission.*
2. *The Packinghouse shall be assigned a designated Agency. No other Agency shall receive regulated product from a Packinghouse without approval of the assigned designated Agency unless otherwise ordered by the Commission.*

3. No person other than the assigned designated Agency shall have the authority to ship Regulated Product from the Packinghouse except that:
 - a) A Person who is specifically exempted from the requirements of this section pursuant to these General Orders or otherwise by Order of the Commission may ship Regulated Product from the Packinghouse as permitted by the Commission.

4. A Person is authorized to act as a Packinghouse if:
 - a) The Person is registered with the Commission and is designated as a Packinghouse of the Commission;
 - b) The Person is qualified to and obtains annually from the Commission one of the appropriate licenses herein described; and
 - c) The designated Agency pays to the Commission annually the fees for such license as described in Schedule III to these General Orders.
 - d) A Class I License may be issued on the initial application to the Commission or on any subsequent application if that Person or Agency has not had a license of any class suspended or cancelled pursuant to Section 5.

5. If any license is suspended or cancelled, the Commission may issue a Class II, Class III, Class IV or Class V license at its discretion; such a classification will be for a minimum of one year unless otherwise ordered by the Commission.

3. Section 14 be added to **PART IX GENERAL PROHIBITIONS** of the General order as follows:

14. A Wholesaler cannot be licensed as a Packinghouse.

4. **Schedule III Annual Licence Fees** is amended with the addition of the Packinghouse licence category and fee structure as follows:

Licensee	Class 1	Class 2	Class 3	Class 4	Class 5
Packinghouse	\$ -	\$1,250	\$2,500	\$12,500	\$50,000

Sections 1, 2, 3 and 4 of this Order come into effect March 1st, 2018.

DATED at Surrey, British Columbia on May 14, 2018
 BRITISH COLUMBIA VEGETABLE MARKETING COMMISSION



 Debbie Etsell, Chair



 Hugh Reynolds, Secretary