

**BRITISH COLUMBIA VEGETABLE MARKETING COMMISSION**

**IN THE MATTER OF THE *NATURAL PRODUCTS MARKETING (BC) ACT* AND  
A REVIEW OF A PROBATIONARY AGENCY DESIGNATION  
AND CERTAIN AGENCY APPLICATIONS**

October 11, 2024

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## Materials Received by the Commission for Circulation

1. On October 7, 2024, the Commission received the following materials:
  - (a) On behalf of Red Sun:
    - (i) Email dated October 7, 2024 from W. Stransky, counsel for Red Sun;
    - (ii) Letter dated October 7, 2024 from J.K. McEwan, K.C., counsel for Red Sun; and
    - (iii) A copy of page 25 of Red Sun's application without the first redaction at the top of the page.
  - (b) On behalf of MPL:
    - (i) Email from C. Denton dated October 7, 2024;
    - (ii) Letter dated October 7, 2024 from M. Camley, counsel for MPL; and
    - (iii) Redacted and unredacted written submissions of MPL dated October 7, 2024.
  - (c) On behalf of Windset and GGFI:
    - (i) Email dated October 7, 2024 from L. Duke, counsel for Windset and GGFI;
    - (ii) Letter dated October 7, 2024 from C. Ferris, K.C., counsel for Windset and GGFI;
    - (iii) Written Submissions of Windset and GGFI dated October 7, 2024; and
    - (iv) Book of Documents bearing redactions of certain identifying information at Tabs 1 and 2.
2. The Commission has reviewed the redactions made by MPL in its written submissions and is satisfied that these redactions are appropriate. The redactions made by Windset and GGFI to the records set out at Tabs 1 and 2 of their Book of Documents appear to relate to the identity of certain individuals who sought Production

Allocation. The basis for redacting such information is unclear, but the identity of the producers seeking production allocation may not be germane to the issues before the Commission. Any participant who seeks disclosure of the information redacted at Tabs 1 and 2 of the Book of Documents filed by Windset and GGFI may apply to the Commission for an order directing disclosure of the unredacted records. Any such application should be supported by written submissions articulating why that redacted information is necessary for a proper disposition of the issues before the Commission.

3. All of the materials referenced in paragraph 1, with the exception of MPL's unredacted written submission dated October 7, 2024, are available [here](#).

#### Other Matters

4. In Mr. McEwan's letter dated October 7, 2024, the following submission is made on behalf of Red Sun:

First, and as a threshold matter, Red Sun agrees generally with MPL's position that confidential and commercially sensitive information are properly redacted from submissions made under the Agency Order of June 27, 2024, and its predecessors and in this process. We note in MPL's current and original applications those redactions include or included:

- (a) details of MPL BC's ownership, corporate, and business structure, and in particular with respect to MPL's underlying or indirect shareholders;

5. In support of that position, Red Sun points specifically to Tab 1, pages 8 and 12, from MPL's Book of Documents.
6. The redaction at page 12 of MPL's Book of Documents does not relate to "MPL BC's ownership, corporate, and business structure." However, the redaction at page 8 of MPL's Book of Documents does appear to relate to "MPL BC's ownership, corporate, and business structure."
7. Rather than ask that it be provided with an unredacted copy of page 8 of MPL's Book of Documents, Red Sun appears to take the position that it "agrees generally" with those redactions, even if those redactions are inconsistent with the Commission's September 24, 2024 directions concerning disclosure of the identity of persons having an interest in an entity that is seeking agency status.

8. Though Red Sun has not sought disclosure of an unredacted copy of page 8 of MPL's Book of Documents, it is the panel's view that such disclosure would be consistent with the Commission's directions. MPL is therefore directed to provide an unredacted copy of page 8 of its Book of Documents for circulation to stakeholders. This will be circulated by the Commission as soon as it is received from MPL.
9. Consistent with the Commission's September 24, 2024 directions, MPL and Red Sun will have until October 22, 2024, to file any written reply submissions.



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Derek Sturko, Chair