

SUMMER  
2024

# THE COMMISSION REPORT

BC Vegetable Marketing Commission Newsletter



Issued 2024/06/21

[HTTPS://WWW.BCVEG.COM](https://www.bcveg.com)

## BCVMC WORKING FOR BC'S VEGETABLE GROWERS

The BC Vegetable Marketing Commission (BCVMC) is back to business after the turmoil caused by unfounded allegations of misfeasance and operating without a full slate of Commissioners. These allegations unfortunately drew time and resources away from the Commission's primary responsibility of regulating BC's vegetable industry. There were also several Commissioners who stepped down from the BCVMC at the same time given they were agency directors.

It is significant to note that on May 31, 2024, since the resolution of those allegations, the BCFIRB confirmed that it does not have (nor has it ever had) a lack of trust or confidence in the ability of the BCVMC to regulate the industry. In that same communication, the BCFIRB confirmed that the BCVMC's powers, including its authority to impose a levy or charge, are to be interpreted broadly, particularly in light of those levies being a principal source of the BCVMC's funding.

The BCVMC is now fully staffed with 3 greenhouse growers, 3 storage crop growers, 2 independent members and a government appointed Chair. The BCVMC is now solely focused on regulating the greenhouse and storage crop sectors and ensuring BC has a strong and viable vegetable industry.

### Policy Development and BCVMC Orders re: Agencies

The largest initiative currently being undertaken by the BCVMC is the clarification and enforcement of policies concerning agencies, and the refinement of BCVMC orders reflecting those policies. It is critical to the health of the industry that agencies operate in a manner that promotes orderly marketing and maximizes producer returns.

The BCVMC uses its authority and discretion to assess agencies as a matter of fundamental policy to ensure the orderly marketing of regulated vegetables. Holding an agency license is a privilege that has compliance obligations as outlined in the General Order. However, the BCVMC retains discretion to impose terms and conditions on an agency licence, or to suspend or cancel an agency license, even if there is no instance of non-compliance, where the BCVMC concludes that the agency is not adequately furthering the BCVMC's policy objectives.

The BCVMC's policies, as reflected in its orders, are designed to ensure that agencies operate in a manner that promotes orderly marketing and maximizes producer returns. As an element of this, the

### KEY DATES

- **June 25<sup>th</sup>** BCGGA AGM
- **June 26<sup>th</sup>** BCVMC Commission Meeting
- **July 19<sup>th</sup>** GH Advisory Meeting
- **July 22<sup>nd</sup>** BCVMC Governance Committee Meeting

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BCVMC will also assess and determine the number of agencies required to effectively support policy objectives.

## Maximize Returns for BC Growers

A key objective of regulated marketing is to ensure growers maximize their returns to further growth and investment in their operations. The BCVMC accomplishes this in two ways, first by using production and delivery allocation to effectively service the market and requiring agencies to apply for production growth and expansion. The second way is through the BCVMC's oversight and assessment of an agency's ability to market regulated product in a way that promotes orderly marketing and maximizes grower returns. In some sectors, this also involves using minimum pricing orders to ensure price stability.

By using production and delivery allocations, assessing production growth plans, providing oversight on agency marketing activities, and using minimum pricing in some sectors, the BCVMC is ensuring there is a healthy pricing structure for growers.

## Collection of Association Levies

As per the *Natural Products Marketing (BC) Act*, the BCVMC has the authority to set and collect levies or charges from designated persons engaged in the marketing of a regulated product: (i) to carry out the purposes of the scheme; (ii) to pay the expenses of the BCVMC; (iii) to pay costs and losses incurred in marketing a regulated product; (iv) to equalize or adjust returns received by producers of regulated products; and (v) to set aside reserves for those purposes. The BCVMC uses some of the proceeds from these levies and charges to cover its operating expenses for regulating the industry. In addition, some of the proceeds from these levies and charges are granted to grower associations to assist in research relating to the marketing of the regulated product, or otherwise expended by the BCVMC for authorized purposes.

Given the significance of some of the levies being collected and granted, it is incumbent on the BCVMC to ensure that it is only imposing levies and charges that are necessary to promote the BCVMC's authorized objectives, and that the proceeds of those levies and charges are being used only for those purposes. Therefore, the BCVMC has decided there is a need to review the levies and charges imposed by it.

The BCVMC appreciates the cooperation of the associations in this exercise and looks forward to ensuring the levies collected are consistent with its objectives, and implementing procedures to ensure that proceeds from the BCVMC's levies and charges are used only for those authorized purposes.

## Expansion of Regulated Authority

The BCVMC recently made the decision to expand the definition of regulated product to products grown north of the 53<sup>rd</sup> parallel. Prior to January 1, 2024, crops regulated by the Commission were limited to certain vegetable crops grown south of the 53<sup>rd</sup> parallel (including Vancouver Island and the Gulf Islands).

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Effective January 1, 2024, the Commission extended the regulated area to include regulated vegetable crops grown throughout the entire Province of British Columbia. There have been numerous requests for clarification with respect to expanding the geographical scope of regulated vegetables. Therefore, the Commission assessed the situation and passed an Amending Order that effectively defers the expansion of the geographic scope until January 1, 2026.

This will give the Commission time to consult with vegetable growers, grower organizations, and other industry partners across the province regarding the nature and extent of vegetable production in the north to develop a common-sense approach to the Commission's involvement in the northern region.

The consultation process will involve reaching out to organizations to discuss the expanded geographical scope, as well as which vegetable crops and farm operations will be regulated and how they will be regulated by the Commission.

## Summary

There have been several distractions for the BCVMC that impeded its operations and have now been resolved. The BCVMC is focused and working hard to effectively regulate BC's vegetable sector for the benefit of BC growers. It is our mandate to provide oversight to ensure agencies support orderly marketing, to ensure our regulatory policy helps to maximize grower returns, to confirm we are collecting levies only to the extent that the Commission considers to be necessary and only for authorized purposes, and to ensure the expansion of the regulated area for vegetables is carefully considered.

There is a lot of work to be done and your support is much appreciated. You are encouraged to reach out to BCVMC staff or any of the Commissioners if you have any questions or to discuss any of these matters further.



Derek Sturko, Chair  
BC Vegetable Marketing Commission

## BCVMC IS HIRING

We are currently hiring a Licensing and Compliance Manager. A copy of the job ad can be found on our website at <https://www.bcveg.com/news-and-notices/>. Anyone interested in the position can forward a resume and cover letter outlining your pertinent qualities and qualifications to Anna White via email: [annamwhite@lightspeed.ca](mailto:annamwhite@lightspeed.ca).

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## FROM THE ARCHIVES

During an office cleanup a little piece of history was found. As noted in previous Newsletters, the British Columbia Vegetable Marketing Commission (BCVMC) was an amalgamation of the BC Coast Vegetable Marketing Board and the BC Interior Vegetable Marketing Board in 1980. Both Boards commenced operations in 1935 after the Natural Products Marketing Act was introduced the previous year. The Provincial Board mentioned in the following excerpts was the forerunner to the British Columbia Farm Industry Review Board (BCFIRB).

On January 16<sup>th</sup>, 1940, the BC Coast Vegetable Marketing Board reviewed a piece of correspondence complaining about the lack of identification of Board Inspectors. During this time, the BC Vegetable Marketing Board employed twelve (12) Inspectors, located in various areas of the BC Coast region, including Vancouver Island. Each of these Inspectors was assigned the role of compliance and enforcement in their respective areas of responsibility. The minutes read as follows:

A letter was presented signed by Sam Yick which had been mailed to the Chairman by registered mail. This communication complained about Board Inspectors stopping trucks on the Highway stating that as they were in plain cloths, they did not know that at all times they were Board Inspectors. The Secretary was instructed to acknowledge receipt of this communication and forward a copy to the Provincial Board asking them to endeavour to arrange with the Attorney-General and Police Department to have uniforms furnished Board Inspectors and to permit Inspector Mackay to have a siren equipped to his car.

It would appear the idea of uniforms and a siren did not gain any traction. The minutes remain silent on the subject until the June 17<sup>th</sup>, 1940 meeting where the following determination was made.

No. 2's. He also advised that arrangements had been made to obtain badges for the members of the inspection staff at the cost of \$1.75 each and that the inspectors pay therefor \$1.00, to be refunded when the badges are surrendered, he was instructed to obtain 24 such badges.

**Recent News Releases:** <https://www.bcveg.com/news-and-notice.html>

- 2024-02-02 BCVMC Expands Regulatory Area
- 2024-03-27 Independent Commissioner Appointment
- 2024-03-05 Strategic Plan
- 2024-05-13 Postponement of Regulatory Expansion
- 2024-05-17 Amendments to the General Orders
- 2024-05-30 BCVMC Promulgate New General Orders
- 2024-06-18 Staff Changes



**WHO WE ARE:** The BCVMC is a Public Sector Organization (PSO) authorized by the BC Government to administer and ensure compliance with the provisions of the Natural Products Marketing (BC) Act (NPMA) as it relates to the regulation of BC grown vegetables.

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