

BRITISH COLUMBIA VEGETABLE MARKETING COMMISSION

IN THE MATTER OF THE *NATURAL PRODUCTS MARKETING (BC) ACT* AND
A COMPLAINT MADE BY GREENHOUSE GROWN FOODS INC.
CONCERNING HUMBLE FARMER LTD. and GREENHOUSE DELIGHT FOODS INC.

August 20, 2026

CONTENTS

Introduction and Outcome	1
Brief Background and Process	2
The Applicable Regulatory Framework.....	3
Standard of Proof and Approach to the Evidence	5
Brief Summary of the Parties' Positions.....	6
Issues.....	8
Analysis and Findings	8
Agreed or Largely Undisputed Facts	8
Unauthorized Marketing, Handling, or Receipt of Regulated Product	9
Mass Balance Analysis.....	11
Packing or Repacking Arrangement and Section 19.....	12
Record-Keeping, Traceability, and Section 33	13
Effect of the Record-Keeping Deficiencies	14
Summary of Findings	15
SAFETI.....	16
Next Steps and Right of Appeal.....	17

Introduction and Outcome

1. These reasons address allegations concerning Humble Farmer Ltd. (“Humble Farmer”) and Greenhouse Delight Foods Inc. (“Greenhouse Delight”) arising from the marketing, packing, traceability, and movement of cucumber product during March and April 2026.
2. Greenhouse Grown Foods Inc. (“GGFI”) alleged that Humble Farmer, while assigned to GGFI as its designated agency, marketed regulated product through Greenhouse Delight without Commission authorization. GGFI also alleged that Greenhouse Delight received, packed, handled, or marketed regulated product originating from Humble Farmer, and that the arrangement between Humble Farmer and Greenhouse Delight was contrary to the Commission’s General Order.
3. Humble Farmer and Greenhouse Delight deny those allegations. They say that the product handled by Humble Farmer for Greenhouse Delight was Greenhouse Delight-owned product sourced from outside British Columbia, and that Humble Farmer provided only fee-for-service packing or repacking services.
4. The Panel has considered the disclosed record as a whole. The record contains evidence capable of supporting competing inferences. It also contains significant gaps, particularly concerning product origin, ownership, chain of custody, shipment, traceability, production, packing, yield, inventory, and final disposition.
5. For the reasons that follow, the Panel is not satisfied, on the balance of probabilities and on the disclosed record, that regulated Humble Farmer product was marketed, packed, shipped, transferred, received, or otherwise handled through Greenhouse Delight contrary to sections 16, 19, or 28 of the General Order, or contrary to the Commission’s March 11, 2026 direction.
6. That conclusion should not be understood as an acceptance of the respondents’ explanations. The Panel is not satisfied that the records produced by Humble Farmer and Greenhouse Delight permit the Commission to determine, with confidence, the origin, ownership, packing, shipment, traceability, and disposition of the product handled under their arrangement.
7. The Panel finds that Humble Farmer and Greenhouse Delight failed to maintain or produce records sufficient to afford an intelligent understanding of the conduct of their business activities relevant to this matter. The Panel therefore finds non-compliance with section 33 of the General Order. The Panel also finds that the deficient records impaired the Commission’s ability to verify the respondents’

explanations and substantially complicated the Commission's investigation and decision-making process.

8. The findings are therefore limited. Unauthorized marketing or unauthorized packing of regulated product has not been established. However, the respondents' records were insufficient to verify their explanations and did not meet the record-keeping requirements of the General Order.
9. Having made those findings, the Commission will invite submissions from Humble Farmer, Greenhouse Delight, and GGFI concerning what regulatory response or sanction, if any, should follow.

Brief Background and Process

10. Humble Farmer is a British Columbia greenhouse vegetable producer. During the relevant period, Humble Farmer was assigned to GGFI as its designated agency. Greenhouse Delight is a licensed agency under the Commission's regulatory framework.
11. On March 5, 2026, the Commission denied Humble Farmer's application for reassignment from GGFI to another agency. On March 11, 2026, the Commission directed that Humble Farmer production continue to be marketed and shipped through GGFI unless and until otherwise authorized by the Commission.
12. In March and April 2026, GGFI raised concerns with the Commission regarding possible unauthorized marketing or handling of cucumber product involving Humble Farmer and Greenhouse Delight. Those concerns included a Long English cucumber customer complaint involving Windset packaging, Windset PLU information, Greenhouse Delight traceability labels, and Buy BC identification. GGFI also raised concerns about mini cucumbers observed in Greenhouse Delight packaging at the Humble Farmer facility, non-GGFI carrier activity, and reduced volumes of mini cucumbers being shipped through GGFI.
13. Humble Farmer and Greenhouse Delight denied that regulated Humble Farmer product was marketed, packed, shipped, transferred, received, or otherwise handled through Greenhouse Delight. They maintained that Greenhouse Delight had sourced product from outside British Columbia and that Humble Farmer provided fee-for-service packing or repacking services for Greenhouse Delight-owned product.

14. Commission staff conducted an investigation, including a site visit to the Humble Farmer facility on April 22, 2026. Commission staff observed mini cucumber product packed for Greenhouse Delight, but the site visit did not permit staff to verify whether the product observed was Humble Farmer regulated product or externally sourced product. The record also includes evidence that Cucumber Green Mottle Mosaic Virus (“CGMMV”) was present in Humble Farmer’s mini cucumber crop.
15. The Commission established an expedited written process to address the allegations. The parties were provided with disclosure of the materials to be considered, an opportunity to propose redactions for confidential information, and opportunities to file written submissions and supporting evidence. The Commission also issued further directions requiring Humble Farmer and Greenhouse Delight to produce records relevant to product origin, ownership, chain of custody, packing, shipment, traceability, quantity reconciliation, production, yield, inventory, and disposition.
16. The Panel has based these reasons only on the disclosed record. The Panel has not made substantive findings based on undisclosed information or information that remained redacted from the parties.
17. Following completion of the written process, the Panel considered the parties’ submissions, affidavits, business records, photographs, staff site visit evidence, traceability materials, production information, and the records produced in response to the Commission’s directions. These reasons set out the Panel’s findings on the issues before it.

The Applicable Regulatory Framework

18. The allegations arise under the Commission’s General Order and the Commission’s specific directions issued in this matter.
19. Section 16 of the General Order governs producer marketing obligations. In general terms, a producer, other than a Producer-Shipper, must market Greenhouse Crops, Processing Crops, and Storage Crops through the producer’s designated agency or through another channel authorized by the Commission. Section 16 also restricts the transportation of regulated product from a producer’s farm except in accordance with a written transport authorization issued by the producer’s designated agency, unless otherwise expressly permitted by the Commission.

20. Humble Farmer was assigned to GGFI during the relevant period. On March 11, 2026, the Commission directed that Humble Farmer production continue to be marketed and shipped through GGFI unless and until otherwise authorized by the Commission. If regulated Humble Farmer product was marketed, shipped, transferred, packed, or otherwise handled through Greenhouse Delight rather than through GGFI without Commission authorization, section 16 and the March 11 direction may be engaged.
21. Section 28 of the General Order governs agency obligations. It restricts an agency from receiving or marketing Greenhouse Crops, Processing Crops, or Storage Crops except in accordance with the General Order, the agency's approved marketing plan, and any applicable Commission directions. If Greenhouse Delight received, handled, or marketed regulated product originating from Humble Farmer, section 28 may be engaged.
22. Section 19 of the General Order governs Packinghouse requirements. It provides that no person, other than an agency, may receive Raw Product for washing, sorting, grading, sizing, or packing directly into a container except as a Packinghouse with a valid licence or as an agency operating such a facility. Section 19 also requires a Packinghouse to be assigned by the Commission to one or more agencies or Producer-Shippers.
23. The section 19 issue depends on the regulatory status of the product handled. Under the *British Columbia Vegetable Scheme* (B.C. Reg. 96/80), regulated product is product grown in British Columbia. If the product handled by Humble Farmer for Greenhouse Delight was entirely grown outside British Columbia, Humble Farmer did not require a Packinghouse licence under section 19 merely because it packed or repacked that out-of-province product. If, however, Humble Farmer received, packed, repacked, staged, shipped, transferred, or otherwise handled regulated product grown in British Columbia for Greenhouse Delight, section 19 may be engaged.
24. Section 33 of the General Order imposes record-keeping obligations. It requires every person engaged in the marketing of regulated product to keep books, records, and accounts sufficient to afford an intelligent understanding of the conduct of that person's business, and to make those records available for inspection by the Commission or persons authorized by the Commission.
25. Section 33 is central to this matter. The respondents' explanation depends on product origin, ownership, chain of custody, packing, shipment, traceability, quantity reconciliation, production, yield, inventory, and disposition. Records addressing those matters are necessary to permit the Commission to understand whether regulated product was handled in compliance with the General Order, and whether

the respondents' external-source and fee-for-service packing explanation can be verified.

26. The Commission's production directions in this matter are also relevant. The Commission directed Humble Farmer and Greenhouse Delight to produce records sufficient to permit the Commission and the parties to understand product origin, chain of custody, quantity reconciliation, transaction linkage, labels, traceability information, country of origin, date codes, lot codes, shipment, harvest, packing, production, yield, inventory, and disposition.
27. The Panel's task is to apply this framework to the disclosed record and determine what findings of compliance or non-compliance are available on the balance of probabilities.

Standard of Proof and Approach to the Evidence

28. The applicable standard of proof is the balance of probabilities. The Panel must determine whether it is more likely than not, on the disclosed record as a whole, that non-compliance with the General Order or a Commission direction has been established.
29. Though this matter came to the Commission's attention through allegations made by GGFI, it is an inquisitorial, rather than an adversarial, regulatory process. The question is not whether GGFI has proven its allegations. The question is whether the Panel, having considered the whole of the disclosed record, is satisfied on the balance of probabilities that a particular contravention has been established.
30. The Panel may consider direct evidence, circumstantial evidence, business records, affidavits, written submissions, photographs, site visit observations, production information, traceability information, labelling information, and the presence or absence of records that would reasonably be expected to exist. The weight to be given to each category of evidence is for the Panel to determine.
31. The Panel has approached the evidence holistically. Individual facts, documents, photographs, observations, or record gaps may have limited significance when viewed in isolation, but may take on greater significance when considered together. At the same time, the Panel must ensure that any inference it draws is grounded in the evidence and is more persuasive than competing available inferences.

32. The Panel is not required to determine with certainty what occurred. Nor is it necessary for the Panel to express a conclusion on every possible factual theory that might be consistent with the record. The Panel's task is to determine what findings of compliance or non-compliance are available on the balance of probabilities.
33. The absence of records may be relevant in more than one way. First, missing or inadequate records may affect the Panel's ability to determine whether unauthorized marketing, unauthorized packing, unauthorized receipt or other non-compliance occurred. Second, the absence of adequate records may itself support a finding of non-compliance with the record-keeping obligations in section 33 of the General Order or with the Commission's production directions.
34. An adverse inference from missing records is not automatic. In considering whether the absence of records affects the weight of a party's explanation or supports an adverse inference, the Panel has considered whether the records were relevant, whether they would reasonably be expected to exist, whether they were within the possession or control of the party, whether they were requested, whether they were produced, and whether an adequate explanation was given for their non-production. Where records would reasonably be expected to exist and are not maintained or produced, the Panel may also give reduced weight to an explanation that depends on those records.
35. Where the Panel is not satisfied that unauthorized marketing, unauthorized packing, or unauthorized receipt has been established on the balance of probabilities, that conclusion should not be understood as a positive finding that the respondents' explanations are correct. It means only that the disclosed record does not permit the Panel to make that finding. The Panel may still find that the respondents' records were insufficient to verify their explanations and insufficient to meet the requirements of the General Order.
36. The Panel has therefore considered the evidentiary record both for what it may establish about the product actually handled by Humble Farmer and Greenhouse Delight, and for what it demonstrates about the adequacy of the records maintained and produced by those respondents.

Brief Summary of the Parties' Positions

37. GGFI submits that Humble Farmer marketed regulated cucumber product outside its designated agency arrangement with GGFI and without Commission authorization. GGFI relies on the regulatory history, the Commission's March 11, 2026 direction, the Long English cucumber customer complaint, the presence of Windset packaging and PLU information together with Greenhouse Delight traceability labels and Buy BC

identification, observations of mini cucumbers in Greenhouse Delight packaging at or in relation to the Humble Farmer facility, carrier observations, apparent production shortfalls, and deficiencies in the records produced by the respondents.

38. GGFI submits that these matters, considered cumulatively, support the inference that regulated Humble Farmer product was handled through Greenhouse Delight rather than through GGFI. GGFI also submits, in the alternative, that the packing or repacking arrangement between Humble Farmer and Greenhouse Delight raised independent regulatory concerns under the General Order, including concerns relating to packinghouse requirements, agency obligations, traceability, and regulatory transparency.
39. Humble Farmer denies that it marketed regulated product outside its designated agency arrangement. Humble Farmer says that all regulated product grown by Humble Farmer continued to be marketed through GGFI or Windset, and that the product packed or repacked for Greenhouse Delight was Greenhouse Delight-owned product sourced from outside British Columbia. Humble Farmer characterizes its role as limited to providing fee-for-service packing or repacking services for product that was not part of Humble Farmer's regulated production.
40. Humble Farmer says the evidence relied upon in support of the allegations does not establish product origin, ownership, chain of custody, or unauthorized marketing. It submits that photographs, packaging, labels, carrier observations, and production estimates do not, without more, establish that regulated Humble Farmer product was marketed through Greenhouse Delight. Humble Farmer also relies on the presence of crop disease and ordinary production variability as explanations for reduced mini cucumber volumes.
41. Greenhouse Delight also denies that it received, packed, handled, or marketed regulated Humble Farmer product contrary to the General Order. Greenhouse Delight says that it purchased Long English cucumbers from Ontario and mini cucumbers from Mexico, transferred product to Humble Farmer for packing or repacking, retained ownership of that product, and sold the product through its own customer network.
42. Greenhouse Delight submits that the presence of its packaging, labels, or product at the Humble Farmer facility is consistent with the fee-for-service packing arrangement and does not establish that regulated Humble Farmer product was involved. It also submits that product-origin, ownership, and chain-of-custody concerns cannot be resolved by photographs, packaging identifiers, or production comparisons alone.

43. Humble Farmer and Greenhouse Delight both submit that the disclosed record does not establish, on the balance of probabilities, that they contravened sections 16, 19, or 28 of the General Order. They ask that the unauthorized marketing and related allegations be dismissed.
44. The Panel has considered the parties' positions in light of the disclosed record as a whole, the Commission's regulatory framework, and the record-keeping obligations imposed by the General Order.

Issues

45. The Panel must determine the following issues:
 - (a) First, whether the disclosed record establishes, on the balance of probabilities, that regulated Humble Farmer product was marketed, packed, shipped, transferred, received, or otherwise handled through Greenhouse Delight contrary to section 16 of the General Order, section 28 of the General Order, and/or the Commission's March 11, 2026 direction.
 - (b) Second, whether the packing or repacking arrangement between Humble Farmer and Greenhouse Delight contravened section 19 of the General Order or any related packinghouse, agency, assignment, or transport authorization requirement.
 - (c) Third, whether Humble Farmer and Greenhouse Delight maintained or produced records sufficient to comply with section 33 of the General Order and the Commission's production directions.
 - (d) Fourth, what findings of compliance or non-compliance are available on the disclosed record, and what further process should follow in relation to any regulatory response or sanction.

Analysis and Findings

Agreed or Largely Undisputed Facts

46. The following facts are agreed or largely undisputed.
47. Humble Farmer remained assigned to GGFI during the relevant period and had no Commission authorization to market regulated product through Greenhouse Delight. Humble Farmer had applied to transfer to another agency, that application had been

denied, and a later request involving Greenhouse Delight remained unresolved. On March 11, 2026, the Commission directed that Humble Farmer production continue to be marketed and shipped through GGFI unless and until otherwise authorized.

48. Humble Farmer and Greenhouse Delight had a packing or repacking arrangement. Humble Farmer and Greenhouse Delight characterize that arrangement as a fee-for-service arrangement under which Greenhouse Delight supplied product and retained ownership of that product. GGFI says the arrangement was, or may have been, used to move regulated Humble Farmer product outside GGFI.
49. Greenhouse Delight produced records showing that it purchased Long English cucumbers from Ontario and mini cucumbers from Mexico during the relevant period and transferred product to Humble Farmer for packing or repacking. Humble Farmer issued invoices to Greenhouse Delight for packing services.
50. The record also establishes that GGFI raised concerns regarding a Long English cucumber customer complaint involving Windset packaging, Windset PLU information, Greenhouse Delight traceability labels and Buy BC identification. GGFI also raised concerns regarding mini cucumbers observed in Greenhouse Delight packaging at the Humble Farmer facility.
51. Commission staff attended at the Humble Farmer facility on April 22, 2026. Staff observed approximately 150 cases of mini cucumbers packed for Greenhouse Delight, but could not verify from visual inspection or available documentation whether the product observed was regulated Humble Farmer product or externally sourced product. The record also establishes that CGMMV was present in Humble Farmer's mini cucumber crop.
52. The disclosed record does not contain a complete set of records establishing product origin, ownership, chain of custody, packing, shipment, traceability, production, yield, inventory, and final disposition for all product handled under the Humble Farmer and Greenhouse Delight arrangement.

Unauthorized Marketing, Handling, or Receipt of Regulated Product

53. The central question is whether the disclosed record establishes, on the balance of probabilities, that regulated Humble Farmer product was marketed, packed, shipped, transferred, received, or otherwise handled through Greenhouse Delight without Commission authorization.
54. The record does not establish that conclusion.

55. With respect to Long English cucumbers, the evidence raises serious concerns. The customer complaint involved an unusual combination of Windset packaging or identifiers and Greenhouse Delight traceability information and Buy BC identification. That evidence supports questions about product origin, traceability, labelling, and chain of custody.
56. However, the disclosed record also contains documentation showing that Greenhouse Delight purchased Long English cucumbers from Ontario, transferred product to Humble Farmer, and that Humble Farmer performed packing or repacking services for Greenhouse Delight. The record does not permit the Panel to conclude, on the balance of probabilities, that the Long English product associated with the customer complaint was regulated Humble Farmer product marketed through Greenhouse Delight. That conclusion is reinforced by the evidence that Humble Farmer had transitioned from Long English cucumbers to mini cucumbers following a crop clean-out, and by the closer alignment between Greenhouse Delight's Ontario purchase and transfer records and the associated packing records.
57. The Panel therefore makes no finding that Humble Farmer contravened section 16 of the General Order, or the Commission's March 11, 2026 direction, in relation to Long English cucumbers. The Panel also makes no finding that Greenhouse Delight contravened section 28 in relation to that product.
58. With respect to mini cucumbers, the evidence also raises serious concerns. Mini cucumbers in Greenhouse Delight packaging were observed at the Humble Farmer facility during the period when Humble Farmer was producing mini cucumbers and was required to market its regulated production through GGFI. There were also concerns regarding production volumes, crop yield, Buy BC and Product of Canada labelling, and the absence of complete traceability and shipment records.
59. At the same time, Greenhouse Delight produced records showing that it purchased mini cucumbers from Mexico and transferred product to Humble Farmer for packing or repacking. Some records align by date, product, quantity, and customer invoice. Those records support the possibility that at least some of the product packed by Humble Farmer for Greenhouse Delight was externally sourced Greenhouse Delight product.
60. The disclosed record does not permit the Panel to resolve, on the balance of probabilities, whether regulated Humble Farmer mini cucumbers were moved through Greenhouse Delight, whether externally sourced product was handled lawfully, whether product substitution occurred, or whether some other explanation accounts for the unresolved inconsistencies. Those possibilities remain unresolved because the records necessary to verify product origin, ownership, chain of custody,

packing, shipment, traceability, inventory, and disposition were not maintained or produced in a manner that permits the Panel to make a reliable finding.

61. The Panel is therefore not satisfied, on the balance of probabilities and on the disclosed record, that unauthorized marketing, shipment, transfer, receipt, or handling of regulated mini cucumbers has been established under sections 16 or 28 of the General Order, or under the Commission's March 11, 2026 direction.
62. This conclusion does not amount to acceptance of the respondents' explanations. It means only that the alleged contraventions of sections 16 and 28 are not established on the record.

Mass Balance Analysis

63. The Panel has considered a mass balance analysis prepared from the records produced by the parties. That analysis is relevant both to the allegations of unauthorized marketing and to the adequacy of the respondents' records.
64. With respect to Long English cucumbers, the records show that Greenhouse Delight purchased and transferred Ontario-sourced Long English cucumbers to Humble Farmer, and that Humble Farmer issued packing or repacking invoices that substantially align with the quantity of product transferred. That documentary alignment supports the possibility that the Long English product handled by Humble Farmer for Greenhouse Delight was externally sourced product. However, the records do not provide a complete source-to-customer chain for the specific product associated with the customer complaint, nor do they fully explain the combination of Windset packaging, Windset PLU information, and Greenhouse Delight traceability labels and Buy BC identification.
65. With respect to mini cucumbers, the records show that Greenhouse Delight purchased and transferred Mexican-sourced mini cucumbers to Humble Farmer. The records also show packing or repacking activity and subsequent Greenhouse Delight customer sales. However, the records do not fully reconcile all product transferred to Humble Farmer with product packed, sold, shipped, held in inventory, culled, disposed of, returned, or otherwise accounted for. A material quantity of mini cucumbers remains untraced on the records produced. The Panel's ability to assess the mini cucumber volume evidence was also limited by redactions in GGFI's submitted records concerning the precise volumes received by GGFI. The Panel has therefore not relied on undisclosed or redacted volume information to make a finding of unauthorized marketing, but has considered the redactions as part of the overall limitations in the record.

66. The mass balance analysis therefore supports the Panel's conclusion that the record admits of competing inferences. It provides some support for the respondents' external-source and fee-for-service packing explanation, particularly in relation to Long English cucumbers. At the same time, it confirms that the records do not permit the Panel to verify all product origin, chain of custody, shipment, inventory, and disposition issues, particularly in relation to mini cucumbers.
67. The Panel does not treat the mass balance analysis as proving unauthorized marketing, product substitution, or unauthorized packing of regulated product. Nor does the Panel treat it as verifying the respondents' explanations. Rather, the analysis demonstrates both why the allegations under sections 16, 19, and 28 are not established on the balance of probabilities, and why the respondents' record-keeping and traceability deficiencies are significant.

Packing or Repacking Arrangement and Section 19

68. The packing or repacking arrangement between Humble Farmer and Greenhouse Delight must be considered separately from the unauthorized marketing allegation.
69. Section 19 may be engaged if Humble Farmer received, packed, repacked, staged, shipped, transferred, or otherwise handled regulated British Columbia-grown product for Greenhouse Delight in circumstances requiring a Packinghouse licence, assignment, transport authorization, or other Commission authorization.
70. However, section 19 is not engaged merely because Humble Farmer packed or repacked product grown outside British Columbia for Greenhouse Delight. If the product handled by Humble Farmer for Greenhouse Delight was entirely out-of-province or imported product, it was not regulated product under the *British Columbia Vegetable Scheme*.
71. For the reasons already given, the Panel is not satisfied, on the balance of probabilities, that regulated British Columbia-grown product was packed or repacked by Humble Farmer for Greenhouse Delight. The Panel therefore makes no finding of non-compliance under section 19 of the General Order.
72. Again, this conclusion should not be understood as approval of the arrangement or acceptance that all product handled under the arrangement has been fully verified. The conclusion is limited to the finding that the record does not establish the regulatory status of the product in a manner that permits a section 19 contravention to be found.

Record-Keeping, Traceability, and Section 33

73. The Panel reaches a different conclusion with respect to record-keeping and traceability.
74. Section 33 requires persons engaged in the marketing of regulated product to keep books, records, and accounts sufficient to afford an intelligent understanding of the conduct of their business, and to make those records available for inspection by the Commission or persons authorized by the Commission.
75. As licensed participants in the regulated marketing system, Humble Farmer and Greenhouse Delight were required to maintain records sufficient to permit the Commission to understand the conduct of their relevant business activities. Where a regulated producer facility is used to handle product said to be externally sourced, and where the same circumstances raise questions about whether regulated and non-regulated product were adequately distinguished, records concerning product origin, segregation, packing, shipment, inventory, and disposition are necessary to permit an intelligent understanding of the business and compliance with the General Order. Among other things, this is essential in order to permit product to be traced in the event of a food safety issue.
76. In this matter, adequate records were essential. The respondents' explanation depended on product origin, ownership, chain of custody, packing, shipment, traceability, quantity reconciliation, production, yield, inventory, and final disposition. Without records capable of verifying those matters, the Commission could not determine with confidence whether regulated product was handled in compliance with the General Order.
77. Humble Farmer did not maintain or produce records sufficient to permit the Commission to understand and verify its regulated production, yield, packing, shipment, segregation, inventory, and disposition during the relevant period. In particular, Humble Farmer did not produce records sufficient to quantify the effect of CGMMV on its mini cucumber crop, reconcile expected and delivered production, verify segregation between regulated and externally sourced product, or trace product packed or shipped from its facility.
78. Greenhouse Delight produced substantial records, including purchase orders, supplier invoices, inbound bills of lading, transfer records, repacking invoices, and customer invoices. Those records were relevant and useful. However, they did not fully connect the externally sourced product to the product transferred to Humble Farmer, packed or repacked at the Humble Farmer facility, and ultimately shipped, sold, or otherwise accounted for.

79. The deficiencies were particularly significant in relation to mini cucumbers. The records did not fully account for the quantity of product transferred to Humble Farmer, packed or repacked by Humble Farmer, sold by Greenhouse Delight, held in inventory, culled, disposed of, returned, or otherwise shipped. The absence of those records prevented the Panel from determining what happened to all product handled under the arrangement.
80. The labelling evidence reinforces the same concern in relation to both Long English cucumbers and mini cucumbers. The labelling and the records cannot both be right. The Panel makes no finding under the Buy BC program, federal labelling requirements, or any statute administered by another regulator. However, the inconsistency between the labels and the records is relevant to product origin, traceability, and the reliability of the respondents' records and explanations.
81. Nothing in these reasons determines any civil claim or remedy that GGFI may have in relation to the alleged misuse of packaging, labels, trade identifiers, or product descriptions. Those matters are not before the Panel except to the extent they are relevant to product origin, traceability, record-keeping, and compliance with the General Order.
82. The Panel finds that the records maintained and produced by Humble Farmer and Greenhouse Delight were not sufficient to afford an intelligent understanding of the conduct of their relevant business activities. The Panel therefore finds that Humble Farmer and Greenhouse Delight failed to comply with section 33 of the General Order.
83. The Panel also finds that the failure to maintain or produce adequate records impaired the Commission's ability to verify the respondents' explanations, prolonged and complicated the investigation, required the Commission to attempt to reconstruct product movement from incomplete, indirect, and inconsistent records, and prevented the Panel from resolving the underlying product-origin and chain-of-custody questions with confidence.

Effect of the Record-Keeping Deficiencies

84. The Panel's findings under section 33 are central to this decision.
85. The Panel has not found that unauthorized marketing, unauthorized receipt, or unauthorized packing of regulated product has been established on the balance of probabilities. However, that conclusion does not validate the respondents' explanations. Nor does it mean that the record-keeping deficiencies are neutral. Those deficiencies reduce the weight that can be given to explanations that depend

on records that would reasonably be expected to exist but were not maintained or produced.

86. The Panel does not draw the broader inference that regulated product was necessarily diverted, substituted, or improperly marketed. The record does not permit that finding on the balance of probabilities. The Panel does find, however, that the respondents' deficient records created significant unresolved concerns about product origin, traceability, regulatory compliance, and the integrity of the Commission's oversight process.
87. The Commission's regulatory system depends on records that permit product movement and compliance to be understood and verified. Where regulated persons engage in arrangements involving product from different sources, packing or repacking at a producer facility, third-party agency involvement, and potentially regulated and non-regulated product, the need for accurate and complete records is especially important.
88. The failure to maintain or produce adequate records in those circumstances is not a merely technical deficiency. It undermines the Commission's ability to supervise compliance with the General Order and to maintain confidence in the orderly marketing system. It also impairs traceability that is essential to respond to a food safety concern.

Summary of Findings

89. The Panel makes the following findings:
 - (a) The Panel is not satisfied, on the balance of probabilities and on the disclosed record, that regulated Humble Farmer Long English cucumbers were marketed, packed, shipped, transferred, received, or otherwise handled through Greenhouse Delight contrary to section 16 or section 28 of the General Order, or contrary to the Commission's March 11, 2026 direction.
 - (b) The Panel is not satisfied, on the balance of probabilities and on the disclosed record, that regulated Humble Farmer mini cucumbers were marketed, packed, shipped, transferred, received, or otherwise handled through Greenhouse Delight contrary to section 16 or section 28 of the General Order, or contrary to the Commission's March 11, 2026 direction.
 - (c) The Panel is not satisfied, on the balance of probabilities and on the disclosed record, that Humble Farmer contravened section 19 of the General Order by packing or repacking regulated product for Greenhouse Delight.

- (d) The Panel finds that Humble Farmer failed to maintain or produce records sufficient to afford an intelligent understanding of the conduct of its relevant business activities, contrary to section 33 of the General Order.
- (e) The Panel finds that Greenhouse Delight failed to maintain or produce records sufficient to afford an intelligent understanding of the conduct of its relevant business activities, contrary to section 33 of the General Order.

SAFETI

- 90. The Commission is guided by the SAFETI principles applicable to regulated marketing boards and commissions in British Columbia. Those principles require the Commission to act in a manner that is strategic, accountable, fair, effective, transparent, and inclusive.
- 91. The Panel has applied those principles in conducting this process and in making these reasons.
- 92. The process was strategic because the allegations raised issues capable of affecting orderly marketing, agency assignments, product traceability, packing arrangements, and confidence in the Commission's regulatory framework. The Commission therefore established an expedited process designed to identify the relevant issues, obtain the necessary records, and determine what findings were available on the disclosed record.
- 93. The process was accountable because the Commission identified the issues under review, directed production of records relevant to those issues, and has provided written reasons explaining the basis for its findings.
- 94. The process was fair because the parties were advised of the allegations and issues, provided with disclosure of the materials to be considered, given an opportunity to propose redactions for confidential information, and given opportunities to provide submissions, sworn evidence, records, and responding submissions. The Panel has based its findings only on the disclosed record and has not made substantive findings based on information withheld from any party.
- 95. The process was effective because it allowed the Commission to address serious compliance concerns without unnecessary delay, while still preserving procedural fairness. Although the record did not permit the Panel to resolve every question concerning product origin, ownership, chain of custody, shipment, and disposition, the process enabled the Panel to identify both the limits of the evidence and the record-keeping deficiencies that prevented fuller verification.

96. The process was transparent because the Commission communicated its process to the parties, identified the record on which the Panel would proceed, disclosed the materials to be considered, and has explained in these reasons how it approached the evidence, the standard of proof, the competing inferences, and the findings made.
97. The process was inclusive because the Commission considered the interests and submissions of GGFI, Humble Farmer, and Greenhouse Delight, as well as the broader public and industry interest in orderly marketing, traceability, compliance with Commission directions, and confidence in the regulated marketing system.

Next Steps and Right of Appeal

98. These reasons determine the compliance issues addressed above. The Panel has found non-compliance with section 33 of the General Order, but has not yet determined what regulatory response or sanction, if any, should follow.
99. The Commission will invite written submissions from Humble Farmer, Greenhouse Delight, and GGFI concerning the appropriate regulatory response. In those submissions, the parties may address any relevant mitigating or aggravating factors, the seriousness of the record-keeping deficiencies, the effect of those deficiencies on the Commission's investigation and oversight functions, food safety traceability concerns, deterrence, any additional time or expense incurred by the Commission, and any remedial steps taken or proposed. The timelines for written submissions will be communicated by email in due course.
100. The Commission will determine any regulatory response or sanction after considering those submissions. Nothing in these reasons should be taken as prejudging the outcome of that further process. For clarity, the Commission may determine that no further regulatory action is required, or it may impose one or more regulatory responses available under the *Natural Products Marketing (BC) Act*, the *British Columbia Vegetable Scheme*, and the General Order. Those responses may include, without limitation, the imposition of licence terms or conditions, the suspension or cancellation of a licence, the imposition of a charge, or any other order or direction available to the Commission.

101. A person aggrieved by or dissatisfied with an order, decision, or determination of the Commission may have a right of appeal to the British Columbia Farm Industry Review Board under the *Natural Products Marketing (BC) Act*. Any person considering an appeal should refer to the Act and BCFIRB's rules and procedures, including any applicable time limits. The Commission will also address appeal rights in any further decision issued following the sanctions process.

A handwritten signature in blue ink, appearing to read "W. Shoemaker", with a long horizontal flourish extending to the right.

Wes Shoemaker, Chair