



British Columbia
Farm Industry
Review Board

BC Farm Industry Review Board

**Centre for Organizational Governance in Agriculture
(COGA)**

BC Council of Marketing Boards

Kelowna, BC

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**Kirsten Pedersen
Executive Director**

BC Farm Industry Review Board (BCFIRB)

- Independent Administrative Tribunal
 - Current 7 member Board (government appointments)
 - Supervision of supply managed and regulated agricultural commodity boards in BC – ensuring sound marketing policy in the public interest
 - Signatory to federal-provincial agreements

- Hearing and making decisions on regulated marketing appeals, farm practices complaints, SPCA animal custody appeals



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BC Farm Industry Review Board (BCFIRB)

- One of the oldest tribunals in BC – established in 1934 (formerly BC Marketing Board)
- When regulated marketing first created in BC, it was recognized that significant powers were being given to marketing boards – supervision, independent from government – essential to balance interests and protect the public interest
- Basic supervisory role of agricultural commodity boards unchanged to this day



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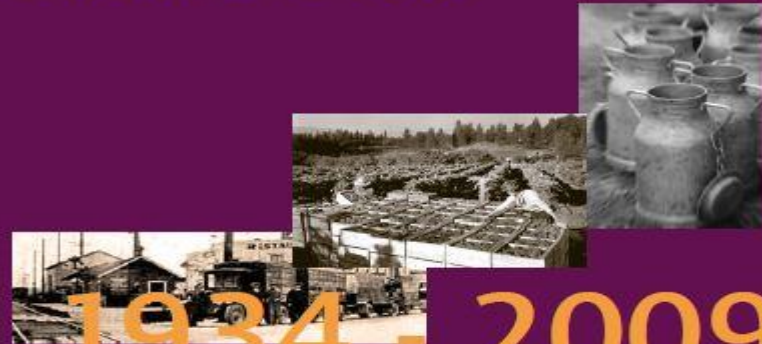


[www.gov.bc.ca/
BCFarmIndustry
ReviewBoard](http://www.gov.bc.ca/BCFarmIndustryReviewBoard)

Looking Back at 75 Years

of the British Columbia
Farm Industry Review Board (BCFIRB)

*Balancing interests
in BC agriculture since 1934*



1934 - 2009



Regulated Marketing in BC

- Government-legislated system that provides for the orderly production and marketing of certain agricultural commodities
- Agricultural commodity boards, with government-appointed chairs, regulate each of the sectors.
- Commodity boards operate under the Natural Products Marketing (BC) Act - responsive to the needs of producers, processors, consumers, and other participants in the food system.
- System operates in the interests of all British Columbians.

Supervision of Commodity Boards

- BCFIRB supervises eight commodity boards within regulated marketing system in BC
- **Milk, eggs, chicken, turkey and broiler hatching eggs** are managed by provincial boards within a national supply management system
- Marketing of **cranberries, hogs and vegetables** is regulated within BC but these commodities are not supply managed

Supply Management

- Established by federal and provincial legislation and agreements – instrument of public policy
- Import, production and price controls – to ensure an adequate, consistent and safe supply of food and a fair return for efficient farmers
- Designed to be consistent with Canada's international trade agreements and obligations
- Managed by levy-funded provincial marketing boards at no cost to government
- Supervisory boards in each Canadian jurisdiction

Regulated Commodities

- Hogs, cranberries and vegetables
- These commodities are not subject to the same production, import and price controls as supply-managed products.
- Limited authorities over production and pricing
- No border controls
- Focus is on regulation of volumes marketed to promote stability and fair returns

BC Agricultural Overview 2015

- Primary agriculture in BC generated \$3.1 B in farm gate/cash value in 2015
- Regulated commodities contribute just over half to BC's agricultural farm gate value
- More than 200 commodities and about 20,000 farms in BC
- Top 10 commodities in 2015 were dairy products, chicken, beef, greenhouse vegetables, floriculture, nursery, blueberries, eggs, mushrooms and cherries (farm gate)

BCFIRB – Adjudicative Role

- Appeals on orders/decisions of commodity boards (Natural Products Marketing Act)
- Complaints from persons aggrieved by odour, noise, dust or other disturbances arising from farm operations (Farm Practices Protection Act)
- Appeals of SPCA decisions to take custody or dispose of an animal (Prevention of Cruelty to Animals Act)
- About 40-60 cases per year



Farm Practices Protection (Right to Farm) Act - FPPA

- FPPA established in BC in 1996 (similar legislation in other provinces)
- Increasing urban-rural interface
- BCFIRB mandate – hears complaints and can conduct studies

FPPA

- Balances community interests
- Protects farms from certain bylaw enforcement, court injunctions and lawsuits provided they meet criteria in act
- Provides neighbours a right to formal conflict resolution
- BCFIRB has no jurisdiction over environment, health, pollution

FPPA Farmer Protections

- For protections to apply to farmers:
 - Farm operation conducted as part of farm business and in accordance with normal farm practices
 - Operating on defined agricultural land
 - Farm practice not in contravention of laws

Enforcement of FPPA Decisions

- If something not a “normal farm practice”, local governments may enforce its bylaws and the farm can be subject to lawsuits or injunctions.
- A BCFIRB order can be filed with the Supreme Court and if not complied with – can be found in contempt of court – fines or prison.

Looking Ahead

- Continued collaboration between BCFIRB, commodity boards and industry
- Emerging federal-provincial trade policy issues
- Increasing urban-rural interface, public awareness and outreach key initiatives