



**BC Farm Industry  
Review Board**

February 21, 2025

Files: N2501

**DELIVERED BY E-MAIL**

Craig A.B. Ferris, Q.C.  
Michelle Casey, Counsel  
Lawson Lundell LLP  
1600 – 925 West Georgia St  
Vancouver BC V6C 3L2

Robert Hrabinsky  
Afleck Hrabinsky Burgoyne LLP  
1000 – 570 Granville St  
Vancouver BC V6C 3P1

Dear Parties:

**RE: Greenhouse Grown Foods Inc. & Windset Farms (Canada) Ltd. v BC  
Vegetable Marketing Commission**

On February 7, 2025, the British Columbia Farm Industry Review Board (BCFIRB) received a notice of appeal and filing fee from Greenhouse Grown Foods Inc. (GGFI) and Windset Farms (Canada) Ltd. with respect to a decision of the BC Vegetable Marketing Commission (BCVMC) designating MPL British Columbia Distributors Inc. (MPL) and Jem-D International Inc. dba Red Sun Farms (Red Sun) as agencies under section 8 of the Natural Products Marketing (BC) Act Regulations.

The designation of MPL and Red Sun as agencies by the BCVMC requires the prior approval of BCFIRB and a supervisory process has been initiated for that purpose. On February 13, 2025, BCFIRB directed the parties to provide their submissions with respect to deferring the appeal pursuant to s. 8(8) of the *Natural Products Marketing Act* (NPMA) to allow the prior approval supervisory process to conclude.

On February 19, 2025, counsel for the appellants emailed BCFIRB to confirm his clients' consent to an order deferring the appeal to the conclusion of the supervisory process.

On February 20, 2025, counsel for the BCVMC emailed BCFIRB and submitted as follows:

“... the appeals should be deferred pending completion of the BCFIRB’s approval process. This would be consistent with the approach taken by the BCFIRB in connection with the first approval process regarding MPL, which was undertaken while several appeals from the Commission’s decision to grant agency status were held in abeyance. Most importantly, the Commission submits that deferring the appeals would minimize the prospect of all parties unnecessarily duplicating their efforts.”

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**British Columbia  
Farm Industry Review Board**

**Mailing Address:**  
PO Box 9129 Stn Prov Govt  
Victoria BC V8W 9B5  
Telephone: 250 356-8945  
Facsimile: 250 356-5131

**Location:**  
780 Blanshard Street, 1<sup>st</sup> Floor  
Victoria BC V8W 2H1  
Email: [firb@gov.bc.ca](mailto:firb@gov.bc.ca)  
Web: [www.gov.bc.ca/BCFarmIndustryReviewBoard](http://www.gov.bc.ca/BCFarmIndustryReviewBoard)

## Decision

I agree with the submission of the BCVMC that a deferral of the current appeal would be both consistent with BCFIRB's previous decisions and will minimize unnecessary resources being expended by the parties and by BCFIRB. Furthermore, both parties consent to the deferral. As such I order that the appeal will be deferred to the conclusion of the supervisory process at which time I will seek further submissions from the parties as to whether any live issues remain.

Dated at Victoria, British Columbia this 21st day of February, 2025.

## BRITISH COLUMBIA FARM INDUSTRY REVIEW BOARD

Per:



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David Zirnhelt  
Presiding Member

cc: Wes Shoemaker, Chair, BCVMC