

**AMENDING ORDER #009
TO THE
CONSOLIDATED ORDER OF NOVEMBER 1, 2017**

**MADE BY
THE BRITISH COLUMBIA EGG MARKETING BOARD
ON June 24, 2019**

The British Columbia Egg Marketing Board orders as follows:

1. Section 1, subsection (2) of Part IV of the Consolidated Order of November 1, 2017 is amended by adding the following subsection immediately after subsection (2):
 - (a) The Board may, in its sole discretion, select applicants for a New Producer Program quota allotment without using the formal draw process based on a demonstrated need within a region. Selected applicants would be required to follow the same application process as a regular applicant.
2. Section 1, subsection (4)(e) and (4)(j) of Part IV of the Consolidated Order of November 1, 2017 are repealed and replaced with the following:
 - (e) a non-refundable application fee of \$750.00, payable to the "British Columbia Egg Marketing Board" by way of cheque;
 - (j) proof, in a form satisfactory to the Board, that the applicant owns, or will own prior to the commencement of egg production, an Independent Production Unit, independent of any other supply managed production unit, conforming to all applicable requirements under the Consolidated Order;
3. Section 1, subsection (4)(l)(ii) and (4)(l)(iii) of Part IV of the Consolidated Order of November 1, 2017 are repealed and replaced with the following:
 - (ii) the applicant's past experience in, or knowledge of, farming in general and egg production in particular;
 - (iii) why it would be in the interests of the industry as a whole for the applicant to be actively engaged in egg production;
4. Section 1, subsection (4)(m)(v) of Part IV of the Consolidated Order of November 1, 2017 are repealed and replaced with the following:
 - (v) that neither the applicant, nor the Spouse of the applicant, nor any co-applicant, holds, or has held at any time, any legal or beneficial interest in quota or any similar transferable production right issued or Issued by a

supply management commodity board or commission in Canada, including Layer Quota, whether directly or indirectly, through any organization or entity.

5. Section 1, subsection (4) of Part IV of the Consolidated Order of November 1, 2017 is amended by adding the following subsection immediately after subsection (4)(m):

- (n) proof, in a form satisfactory to the Board, the demonstrated market need for the number of hens requested and the timeframe to be in production;

6. Section 1, subsection (8)(e) of Part IV of the Consolidated Order of November 1, 2017 is repealed and replaced with the following:

- (e) must be willing to produce 400 to 3000 hens, based on their demonstrated market needs.

7. Section 2 subsection (2)(a) and (2)(b) of Part IV of the Consolidated Order of November 1, 2017 is repealed and replaced with the following:

- (a) the Board will award between 0 and 75 points to a business plan based on the extent to which the applicant has economically viable plans to sustain the production and marketing of eggs within their region. The business plan must include an Operations Management section that describes in detail how the applicant will manage day-to-day operations.

- (b) the Board will award between 0 and 25 points for an essay containing the following information:

- (i) the applicant's past experience in, or knowledge of, farming in general and egg production in particular, and an explanation of why the applicant wishes to be actively engaged in egg production, and

- (ii) why the applicant's involvement in egg production would be in the interests of the industry as a whole.

8. Section 2 subsection (2)(c) and (2)(d) of Part IV of the Consolidated Order of November 1, 2017 are repealed.

9. Section 2 subsection (3) of Part IV of the Consolidated Order of November 1, 2017 is repealed and replaced with the following:

- (3) An applicant must score a minimum of 50 out of 75 points for the business plan and 15 out of 25 points for the essay, plus a total minimum of 75 points in order to be considered further. Any applicant scoring less than what has been outlined will not be given any further consideration. Applications that

have scored 75 or more will be eligible to participate in a New Producer Program draw.

10. Section 2 subsection (4) of Part IV of the Consolidated Order of November 1, 2017 is repealed and replaced with the following:

(4) The Board may appoint a review committee for the purposes of grading the applications as per subsection (2). The committee shall be chaired by the program administrator and be comprised of a minimum of three and a maximum of six well-respected and knowledgeable representatives that may include:

11. Section 2 subsection (4)(e) and (4)(g) of Part IV of the Consolidated Order of November 1, 2017 is repealed and replaced with the following:

(e) A representative from the BC Egg Processors Council

(g) A BCEMB Producer-Vendor

12. Section 2 subsection (5), (6), and (7) of Part IV of the Consolidated Order of November 1, 2017 is repealed and replaced with the following:

(5) After all qualifying applications have been reviewed, all applicants will receive formal notification from the Board regarding the status of their applications.

(6) The Program Administrator will request the Performance Deposit from qualifying applicants who scored 75 or more either 30 days after qualifying applicants were notified of their scores, or after the conclusion of any appeals resulting from the comprehensive review process. At that time, the applicants will have 30 days to provide a \$10,000 deposit.

(7) Failure to make the said deposit within the time specified will result in immediate termination of the eligible applicant's participation under the program, in which event the applicant will not be permitted to participate in a New Producer Program draw. Any interest earned on this account will remain with the administration.

13. Section 3 of Part IV of the Consolidated Order of November 1, 2017 is amended by adding the following subsection immediately after subsection (3):

(4) The Board may, in its sole discretion, interview candidates who are selected by Random Draw. In the interview, candidates should be prepared to answer questions about themselves and their applications and should be prepared to provide additional information about their proposed egg operations.

- (a) based on the interview the Board may, in its sole discretion, determine a candidate does not meet all criteria and should be removed from the New Producer Program.

14. Section 5 subsection (3)(a) of Part IV of the Consolidated Order of November 1, 2017 is repealed and replaced with the following:

- (a) that successful applicant will be issued between 400 and 3,000 units of Layer Quota units as determined through the application process; and

15. This Order comes into effect August 22, 2019.

DATED at Abbotsford, British Columbia, on August 22, 2019

BRITISH COLUMBIA EGG MARKETING BOARD

A handwritten signature in black ink, appearing to read 'Gunta', with a long horizontal flourish extending to the right.

Gunta Vitins, Chair