

**AMENDING ORDER 11
TO THE
GENERAL ORDER AND REGULATIONS 2021
MADE BY
THE BRITISH COLUMBIA TURKEY MARKETING BOARD**

On April 28, 2022

The British Columbia Turkey Marketing Board orders as follows:

This Order comes into effect on April 28, 2022.

THE BRITISH COLUMBIA TURKEY MARKETING BOARD pursuant to
THE NATURAL PRODUCTS MARKETING (BC) ACT (The Act)
And the BRITISH COLUMBIA TURKEY MARKETING SCHEME (The Scheme)

Remove #5 and renumber the section, with #5-18, incorporate into General Order and Regulations 2022.

3. FARM PRACTICES REGULATION 2021 – Page 20

FOOD SAFETY AND BIO-SECURITY

4. All growers, regardless of license class, are subject to all government and/or board approved on farm food safety (OFFSP) and bio security protocols.
~~5. All growers, regardless of license class, are subject to bio security protocols endorsed by the industry as stipulated in the B.C. Poultry Industry Bio Security Manual.~~
5. All growers, regardless of license class, are subject to OFFSP audits and certification.
6. (1) Every Grower, regardless of license class, shall comply with the Turkey Farmers of Canada's Flock Care Program and On Farm Food Safety Program, as well as the BC Poultry Biosecurity Protocols. A copy of these programs are available from the Board on request.
(2) Growers who fail to comply with the bio-security protocols, on farm food safety, and flock care protocols will be subject to suspension or cancellation of license per the British Columbia Turkey Marketing Board's General Order Division 3 – Suspension & Cancellation of License, Section. 16.

MINIMUM SPACE REQUIREMENTS

7. Every grower, regardless of class of license, shall provide a minimum space of 4 kgs per sq. ft. of confined and covered housing for the production of all types of turkeys.

Notwithstanding the above, every grower shall provide enough space to enable the turkeys to stand normally, turn around and stretch their wings without difficulty.

GROWER'S PROGRAM

8. Every grower, regardless of class of license, shall prepare a written grower's program to be counter signed by a processor or turkey broker and a hatchery or poult broker, and filed with the Board by the date specified by the Board before the commencement of the quota year to which the program relates. In the case of new entry growers planning to direct market the regulated product, they are

3. FARM PRACTICES REGULATION 2021

to have their Grower's Program counter signed by the government-inspected plant that will be "custom killing" their turkeys.

9. Any amendments to a grower's program shall be immediately filed by the grower with the Board.

TRANSPORT ORDERS

10. Every grower shall, at the time the grower receives any poults, submit to the Board a poult placement card in a form prescribed by the Board. The poult placement card will include the following information;
 - a. the grower's name and number,
 - b. the address of where the turkeys are being grown,
 - c. the name of the hatchery or poult broker or other person who supplied the poults,
 - d. the date the poults were received,
 - e. the number and type of poults placed (Light hens, Heavy hens, Light toms, Heavy toms)
 - f. the anticipated date(s) of marketing the turkeys,
 - g. the name of the agency to whom the turkeys are to be shipped, including all turkeys to be self marketed as direct sales,
 - h. the name of the trucker who will be transporting the turkeys, including all turkeys to be self trucked,
 - i. the signature of the grower or the grower's agent.
11. Provided that all required information included in the poult placement card is found to be in order, the board shall issue a transport order to the grower and the agency.
12. No person shall transport regulated product unless the person is in possession of a transport order issued by the Board authorizing and directing the transportation of the regulated product.
13. No grower shall market any regulated product, authorized to be transported under one allocation, under any other allocation, without the prior written consent of the Board in the form of a re-issued transport order.
14. No agency shall receive regulated product unless the agency is in possession of a transport order issued by the Board authorizing and directing the transportation of the regulated product.

RENTAL OF FACILITIES

15. A grower who wishes to rent facilities from any person must make application to the Board for approval of the rental arrangement. The Board shall approve a rental arrangement only if it satisfies the following criteria:
 - a. the application must be accompanied by a valid and legally enforceable rental agreement,
 - b. the rental agreement must be for a minimum term of four months. (*The Board recommends that any rental agreement with a term greater than three years should be registered with the Land Title Office.*), and
 - c. the owner of the facility must receive Board approval of the rental arrangement before placing any poults in the rented facilities.

ON FARM PROGRAM COORDINATOR

16. (1) the Board may designate a person to act as the On Farm Program Coordinator for the purpose of assisting in the administration of the Farm Practices Regulation.
- (2) a person designated by the Board to act as the On Farm Program Coordinator is authorized to exercise the following delegated powers of the Board:
- (a) the power to inspect the books, records and accounts of any person licensed by the Board relating to the production, transportation, processing, packing, storage or marketing of the regulated product, for the purpose of assessing the degree of compliance with the Farm Practices Regulation;
- (b) the power to request that any person licensed by the Board furnish information or documentation relating to the production, transportation, processing, packing, storage or marketing of the regulated product, for the purpose of assessing the degree of compliance with the Farm Practices Regulation;
- (c) the power to request that any person licensed by the Board make specific answers to any questions submitted to that person, for the purpose of assessing the degree of compliance with the Farm Practices Regulation;
- (d) the power to search vehicles in which the regulated product is transported, and to inspect any premises owned, occupied, or controlled by any person licensed by the Board and used for the production, transportation, processing, packing, storage or marketing of the regulated product, for the purpose of assessing the degree of compliance with the Farm Practices Regulation; and
- (e) the power to issue a corrective action request in relation to any matter noted by the On Farm Program Coordinator as being non-compliant with the Farm Practices Regulation.

REFERAL TO B.C. POULTRY BIOSECURITY COMMITTEE

17. (1) where a person has failed to comply with a corrective action request issued by the On Farm Program Coordinator, the Board may seek a non-binding recommendation from the B.C. Poultry Biosecurity Committee.

The Board, at its discretion, may exempt any person(s) of any of the sections of this Regulation upon an application by such person and due consideration of the matter including consultation with any other person(s) who might be affected by such an exemption.

SUSPENSION AND CANCELLATION

18. (1) After giving a person an opportunity to be heard, the Board may impose terms and conditions with respect to the production, transportation, processing, packing, storage and marketing of the regulated product and may suspend or cancel the license held by, or quota

3. FARM PRACTICES REGULATION 2022

allotted to, a person if that person has failed to comply with a corrective action request issued by the On Farm Program Coordinator.

- (2) Where a license and or quota has been suspended for a definite period by reason of a failure to comply with a corrective action request issued by the On Farm Program Coordinator, and that failure to comply has not been rectified within the period of suspension and continues, the Board may forthwith cancel the license and/or all or any part of the quota allotted to that person.
- (3) The Board may set and collect a charge or series of charges against a person who has failed to comply with a corrective action request issued by the On Farm Program Coordinator to recover the expenses incurred by the Board in connection with the imposition of terms and conditions with respect to the production, transportation, processing, packing, storage and marketing of the regulated product, and or the suspension or cancellation of the license held by, or quota allotted to, a person.
- (4) Before the Board imposes terms and conditions with respect to the production, transportation, processing, packing, storage and marketing of the regulated product, or suspends or cancels the license held by, or quota allotted to, a person, or sets a charge or series of charges against a person, the Board shall consider the following:
 - (a) previous enforcement actions for contraventions of a similar nature by the person;
 - (b) the gravity and magnitude of the contravention;
 - (c) the extent of the harm to others resulting from the contravention;
 - (d) whether the contravention was repeated or continuous;
 - (e) whether the contravention was deliberate;
 - (f) any economic benefit derived by the person from the contravention; and
 - (g) the person`s efforts to correct the contravention.

DATED at Surrey, British Columbia, on April 28, 2022

BRITISH COLUMBIA TURKEY MARKETING BOARD



Kevin Klippenstein, Chair