

This is the 3rd Affidavit
of Douglas Pankiw in this case
and was made on 23/Aug/2024

No. S-245481
Vancouver Registry

In the Supreme Court of British Columbia

IN THE MATTER OF THE *COMPANIES' CREDITORS ARRANGEMENT ACT*,
R.S.C. 1985, c. C-36, AS AMENDED

AND

IN THE MATTER OF THE *COOPERATIVE ASSOCIATION ACT*, S.B.C. 1999, C 28

AND

IN THE MATTER OF BC TREE FRUITS COOPERATIVE, BC TREE FRUITS
INDUSTRIES LIMITED and GROWERS SUPPLY COMPANY LIMITED

PETITIONERS

AFFIDAVIT

I, Douglas Pankiw of Kelowna, British Columbia, Interim Chief Executive Officer and Chief
Financial Officer, AFFIRM THAT:

1. I am the Interim Chief Executive Officer and Chief Financial Officer of the Petitioners, BC Tree Fruits Cooperative ("**BCTFC**"), BC Tree Fruits Industries Limited ("**BCTF Industries**") and Growers Supply Company Limited ("**GSC**", together with BCTFC and BCTF Industries, the "**Petitioners**"), and as such, I have personal knowledge of the facts and matters hereinafter deposed to, except where stated to be based on information and belief, in which case I verily believe the same to be true.
2. I have read the First Affidavit of Amarjit Singh Lalli made on August 21, 2024 in this proceeding (the "**Lalli Affidavit**") and make this affidavit to clarify certain matters. References to paragraphs below are references to the Lalli Affidavit except where indicated otherwise. I have restricted my comments in this affidavit to matters that I understand are relevant to the applications set to be heard August 26, 2024 in this proceeding. The absence of a specific response to any particular statement contained in the Lalli Affidavit does not indicate my agreement with such statements.

3. At paragraph 4, Exhibit A, the Lalli Affidavit attaches “a letter signed by each of the Ad-Hoc Growers in support of appointing Osler as representative counsel” in this proceeding. The Ad-Hoc Growers are described as 98 of the 174 voting Growers in BCTFC. Of note, nine of the individuals listed in this letter are not members of BCTFC. Further, 18 of the members delivered 0 apples to BCTFC in 2023 and three of them are current board members of BCTFC. Attached hereto and marked as **Exhibit “A”** to this Affidavit is a copy of an excel spreadsheet that describes the Ad-Hoc Growers’ current membership and apple deliveries in 2023.
4. At paragraph 6 of the Lalli Affidavit, it provides that tensions escalated between the “Ad-Hoc Growers and the BCTFC’s executives and board of directors” beginning in or around 2022. This is not accurate. As described in my first affidavit made in this proceeding at paragraphs 6 and 7, discourse amongst members, as well as the BCTFC Board, led to the liquidity crisis BCTFC is currently in, among other things. This discourse was noted by the Ministry of Agriculture, Food and Fisheries in its 2021 Analysis + Audit of Organizations Report entitled “The Path Forward: A Blueprint for B.C.’s Tree Fruit Industry (the “**2021 Report**”). Attached hereto and marked as **Exhibit “B”** to this Affidavit is a copy of the 2021 Report.
5. The 2021 Report discusses the Tree Fruit Industry Stabilization Plan. At page 1 of the 2021 Report, the stated purpose of the plan is to:
 - (a) Understand and substantiate the difficult economic circumstances of BC’s tree fruit industry (especially the apple sector) and the factors that have led to those circumstances.
 - (b) Assess the roles and responsibilities of the various organizations and the opportunities for renewed leadership within the industry.
 - (c) Engage industry stakeholders in a process to understand the circumstances and evaluate future potential opportunities.
 - (d) Realistically assess the future economic viability of the industry.
 - (e) Prepare a plan and accompanying implementation approach to stabilize the industry.

6. Page 13 of the 2021 Report discusses BCTFC. In particular, it includes the following statement:

Until recently, the Co-op suffered from several years of governance, management, and business challenges, which contributed to the departure of several growers to private packing houses. The Co-op has taken several steps to improve those circumstances.

7. The BCTFC Board and Management continue to support the Growers at this time, including by providing information on options for packing houses and government support. For example, on August 21, 2024, Management sent an update to the Growers on behalf of the BC Fruit Growers Association and the BC Ministry of Agriculture and Food (the "**Update**"). The Update includes, among other things, information in respect of harvest logistics, such as storage capacity and bin availability. Attached hereto and marked as **Exhibit "C"** to this Affidavit is a copy of the Update.
8. At paragraph 18(b), the Lalli Affidavit provides that Private Packers (as defined in the Lalli Affidavit) who operate on Agricultural Land Reserve zoned properties are not legally permitted to increase processing capacity beyond certain prescribed thresholds. On August 13, 2024, the Province of British Columbia issued a news release entitled "B.C. strengthens tree-fruit sector, protects growers, workers" (the "**Article**"). Attached hereto and marked as **Exhibit "D"** to this Affidavit is a print-out of the Article obtained August 23, 2024.
9. The Article states, among other things, that there is a temporary exemption to the 50% Agricultural Land Reserve (ALR) rule for tree fruits that will be implemented in August 2024. The exemption will allow private packing houses to take on an increased volume of fruit from farms across the region to fill the void of BCTFC's closure.

[This space is intentionally left blank]

10. The Article further provides that the Province of British Columbia continues to work directly with producers to mitigate impacts of the BCTFC closure, including an industry-led emergency table created to find solutions to issues such as certifications for export, logistics and cash flow. The article is clear that the Ministry of Agriculture and Food continues to connect growers to options for storage and packing facilities.

AFFIRMED BEFORE ME at Kelowna,
British Columbia on 23/Aug/2024.

A Commissioner for taking
Affidavits for British Columbia

BRADLEY G. CRONQUIST
BARRISTER & SOLICITOR
#301 - 1665 Ellis Street
Kelowna, BC V1Y 2B3
Phone: (250) 762-2108

Douglas Pankiw

This is **Exhibit A** referred to in the Affidavit #3
of Douglas Pankiw sworn (or affirmed) before
me on 23/August/2024.



A Commissioner for Taking Affidavits
for British Columbia

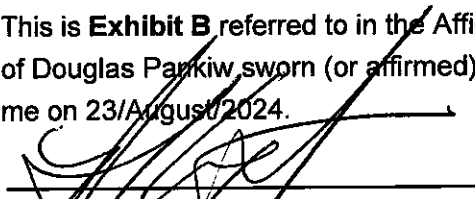
BRADLEY G. CRONQUIST
BARRISTER & SOLICITOR
#301 - 1665 Ellis Street
Kelowna, BC V1Y 2B3
Phone: (250) 762-2108

Grower Number	Grower Name	2023		Pound Conversion	Signed Affidavit	Voting Member	Region	NOTES
		Total Fresh Bins						
13	JA Orchard Ltd	666		532800	X	Y	N	
26	AUJLA Hardev (Dave)	554		443200	X	Y	N	
53	BAINS Ravinder	89		71200	X	Y	S	
61	BASSI Talwinder	0		0	X	Y	S	
97	BOPARAI Surinder K & Avtar S	1,476		1180800	X	Y	N	
111	BRAR Gurdarshan S	637		509600	X	Y	N	
131	BRAR Rajjinder Singh	0		0	X	Y	S	
146	BUTTAR Darshan S	156		124800	X	Y	S	
150	BUTTAR Sohan S	253		202400	X	Y	S	
196	COOK Wendy & Shaun	272		217600	X	Y	N	
233	DEU Dalbir	221		176800	X	Y	N	
238	DHALIWAL Gurpiar	0		0	X	Y	N	
271	DHALIWAL PARMJIT	0		0	X	Y	S	
272	DHALIWAL Bhupinder S	148		118400	X	Y	S	
273	DHAND Joginder	258		206400	X	Y	N	
279	DHOOT Tarsem & Mohinder	365		292000	X	Y	N	
352	GHUMAN Charnjeet S	230		184000	X	Y	S	
358	GILL Baljinder	204		163200	X	Y	S	
364	GILL Chetan Singh	176		140800	X	Y	N	
365	GILL Gurmit S	782		625600	X	Y	S	
368	HP-G Farms Ltd	220		176000	X	Y	N	
373	GILL Parmjit	0		0	X	N	S	No longer a contracted grower, membership redeemed June 5 2024
420	GORAYA Tarsem Singh	1,197		957600	X	Y	N	
421	GOSAL Surinder S & the Estate	203		162400	X	Y	N	
481	HEHAR Narinderpal S &	840		672000	X	Y	N	
501	HOTHI Balraj K & Sandeep S	1,339		1071200	X	Y	N	
517	JANDA Paramjit Singh	1,127		901600	X	Y	N	
525	JASWAL Kamaljit	1,238		990400	X	Y	N	
579	KLAR Lakhmer	203		162400	X	Y	N	
591	KULLAR Jasbir Singh	379		303200	X	Y	N	
600	LALLI Amarjit S	204		163200	X	Y	N	
615	LEKHI Orchards Ltd	792		633600	X	Y	S	
706	MUNDH Gurdip	152		121600	X	Y	N	
708	MUNDI Harhajan Singh &	50		40000	X	Y	S	
721	NIJJAR Sarwan & Sarbjit	265		212000	X	Y	N	
747	PABLA Gurjit S	196		156800	X	Y	N	
748	PABLA Paramjit S	215		172000	X	Y	N	
756	PARMAR Kamlesh Kumar	725		580000	X	Y	N	
760	0872645 BC Ltd (Phil Patara)	1,260		1008000	X	Y	N	
786	POONI Gurdeep Singh	159		127200	X	Y	N	
809	RANDHAWA Kabal Singh	428		342400	X	Y	N	
827	NIN Orchards Ltd	238		190400	X	Y	S	
853	SAINI Joginder K & SAINI	184		147200	X	Y	N	
862	SANDHU Ajmer	0		0	X	N	S	Membership redeemed May 24 2022
879	SARAN Chamkaur Singh	344		275200	X	Y	S	
898	SEKHON Harpreet	0		0	X	Y	S	
916	SHERGILL Surinder	0		0	X	Y	N	
921	BNR Farms Inc	144		115200	X	Y	S	
933	SIDHU Sukhjot & Bhupinder	1,344		1075200	X	Y	N	
957	SOHAL Orchards Ltd	1,364		1091200	X	Y	N	
1051	WANDER Gian	0		0	X	Y	S	
1070	WISBEY Richard	57		45600	X	Y	N	

1124 BASSI Jagsher S	457	365600	X	Y	N	
1133 DHALI WAL Naib	0	0	X	Y	S	
1152 Chananwal Tree Fruit Ltd	1,193	954400	X	Y	N	
1170 SINGH SAKINDER	0	0	X	Y	S	
1177 SHERGILL Partap S &	396	316800	X	Y	N	
1199 LIT Avtar Singh	1,343	1074400	X	Y	N	
1220 Dhaliwal Sukhdev	0	0	X	Y	S	
1236 K & T TOOR Holdings Ltd	424	339200	X	N	S	Never a member
1258 SANDHAR Farms Ltd	884	707200	X	Y	N	
1275 JUDGE Charanjit	607	485600	X	Y	N	
1279 GILL Kiranpreet S	377	301600	X	Y	S	
1284 MOHAMMAD Abid	399	319200	X	N	N	Applied for Membership in 2024 but was not approved by MRC
1291 RAZA Tahir	1,499	1199200	X	Y	N	
1298 TATLA Orchard Ltd	353	282400	X	Y	N	
1306 BRAR Nirmal	0	0	X	N	S	Membership redeemed May 25 2023
1314 SIDHU Navdeep &	339	271200	X	Y	N	
1318 SAMRA Inderdeep Singh	36	28800	X	N	N	Membership redeemed June 5 2024
1325 LALLI Balwant Singh	81	64800	X	Y	N	
1370 BRAR Harinder Singh	0	0	X	Y	S	
1387 DHALI WAL Mohinder	268	214400	X	Y	S	
1392 SHAHID Asam	772	617600	X	Y	N	
1397 SARAN Jagtaran & Bhawandeep	933	746400	X	Y	S	
1403 SIDHU Phoola	654	523200	X	Y	S	
1408 DHALI WAL Harkaran Singh	345	276000	X	Y	S	
1416 PADDA Bhupinder	122	97600	X	Y	N	
1417 UPPAL Parvinder & Baljit	1,490	1192000	X	Y	N	
1425 UDDAR Resham S	173	138400	X	Y	N	
1450 0936487 BC Ltd	1,741	1392800	X	Y	S	
1463 K & R Orchards Ltd	993	794400	X	Y	N	
1465 DHANOA Balwinder S (Bobby)	328	262400	X	Y	N	
1476 RANDHAWA Simarjit Kaur	194	155200	X	Y	N	
1485 MALHI Jaswinder & Harjinder	149	119200	X	Y	N	
1494 JASWAL Gian Singh	148	118400	X	Y	N	
1500 GILL Gurinder & GILL Manjit	160	128000	X	Y	N	
1502 Dhillon Ranjit (Ramsar Orchards)	0	0	X	Y	S	
1514 MANSHAHIA Bhupinder S &	243	194400	X	Y	S	
1520 1194489 BC Ltd c/o	1,554	1243200	X	Y	N	
1525 SIDHU Harpreet Singh	282	225600	X	Y	N	
1528 Mann Orchard & Nursery Ltd	103	82400	X	Y	N	
1529 Dhillon Sukhwinder	0	0	X	Y	S	
1530 GILL Tajvir Singh	0	0	X	N	S	Never a member
1531 Jaggar Orchard & Vineyard Ltd	353	282400	X	Y	N	
1536 SIDHU Gurmit & Navdeep	1,845	1476000	X	Y	N	
1544 SIDHU Prabhjit	395	316000	X	Y	N	
1546 BANGA Kuldeep	202	161600	X	N	N	Never a member
10493 SANDHA Balbir	0	0	X	N	N	No longer a contracted grower
SIGNED AFFIDAVIT TOTALS	43,189	34,551,200	98	89	63N 35S 59N 30S	TOTALS N/S OF SIGNED MEMBERS

*** Of the 98 signatories, 18 delivered zero apples in 2023
174 Voting Members overall (87 N and 87 S including Creston)

This is **Exhibit B** referred to in the Affidavit #3
of Douglas Parkiw sworn (or affirmed) before
me on 23/August/2024.



A Commissioner for Taking Affidavits
for British Columbia

BRADLEY C. CRONQUIST
BARRISTER & SOLICITOR
#301 - 1665 Ellis Street
Kelowna, BC V1Y 2B3
Phone: (250) 762-2108



Ministry of
Agriculture, Food
and Fisheries

ANALYSIS + AUDIT OF ORGANIZATIONS 2021

The Path Forward:
A BLUEPRINT FOR B.C.'S TREE FRUIT INDUSTRY

Table of Contents

Introduction.....	1
Government Agencies	2
Government of Canada	2
Agriculture and Agri-Food Canada	2
Province of British Columbia	2
Representative Industry Organizations	3
BC Agriculture Council	3
BC Fruit Growers' Association	4
BC Cherry Association.....	6
New Tree Fruit Varieties Development Council	8
Other Organizations Vital to the Tree Fruit Sector	9
OK Sterile Insect Release Program	9
Summerland Varieties Corp	10
Western Agriculture Labour Initiative	11
Summerland Research and Development Centre	12
Packing Houses	13
BC Tree Fruits Cooperative	13
Sandher Fruit Packers.....	14
Consolidated Fruit Packers	14
Jealous Fruit Company / Coral Beach Farms.....	14
Fairview Orchards Ltd.....	14
Cawston Cold Storage Ltd.	15
Observations and Assessments Regarding Organizations Involved in B.C.'s Tree Fruit Industry.....	15
General Assessment.....	17

Introduction

The Tree Fruit Industry Stabilization Plan is intended to:

- Understand and substantiate the difficult economic circumstances of BC's tree fruit industry (especially the apple sector) and the factors that have led to those circumstances.
- Assess the roles and responsibilities of the various organizations and the opportunities for renewed leadership within the industry.
- Engage industry stakeholders in a process to understand the circumstances and evaluate future potential opportunities.
- Realistically assess the future economic viability of the industry.
- Prepare a plan and accompanying implementation approach to stabilize the industry.

The project will have three key phases, including:

- Phase 1 – Development of Industry Engagement Strategy: project planning, assessment of current activities, context gathering.
- Phase 2 – Implementation of Industry Engagement Strategy: Industry engagement, consideration of options, etc.
- Phase 3 – Development of Tree Fruit Industry Stabilization Plan for BC: recommendations and decision-making.

Phase 1 includes an analysis and audit of organizations in the tree fruit sector to assess:

- Formal and informal responsibilities.
- Any authority for those responsibilities.
- Any concerns and/or overlap of responsibilities.
- The overall leadership structure in the industry.

Agencies and organizations that play a key role in the sector include:

- Governments and their representative department/ministry (Canada and British Columbia).
- Representative associations and organizations.
- Organizations that play a particular role in supporting the industry.
- Packing houses that process the fruit for sale or further processing.

Government Agencies

In Canada, agriculture is a responsibility shared between the federal, provincial, and territorial governments.

Government of Canada

Agriculture and Agri-Food Canada

Agriculture and Agri-food Canada (AAFC) is the department of the Government of Canada with responsibility for policies governing agriculture production, farming income, research and development, inspection, and the regulation of plants and animals.

AAFC's activities range from the farmer to the consumer, from the farm to global markets, through all phases of producing, processing, and marketing of farm, food, and bio-based products. The department works closely with provincial and territorial governments in the development and delivery of policies and programs. The department also collaborates with partners involved in regulating and supporting Canadian agriculture.

AAFC's key initiatives include:

- The Canadian Agricultural Partnership is a five-year, \$3-billion investment by federal, provincial, and territorial governments to strengthen the agriculture, agri-food, and agri-based products sector, launched in April 2018. B.C.'s tree fruit sector can access many CAP programs through AAFC, the BC Ministry of Agriculture, Food and Fisheries, or the BC Investment Agriculture Foundation (IAF).
- A Food Policy for Canada, which is intended to help Canada build a healthier and more sustainable food system. The Food Policy will include a long-term vision for our health, environmental, social, and economic goals related to food and short-term actions to help address issues and pursue opportunities in the production, processing, distribution, and consumption of food.

AAFC's Summerland Research and Development Centre was established in 1914 in the Okanagan Valley, located in Canada's most water challenged but biologically diverse eco-region. Research at the Centre is focused on building resilient and profitable horticultural production systems. Researchers at the Centre focus on sustainable crop production practices to help preserve and enhance the resilience of such sensitive environments. More detailed information on the Centre is located later in this document.

Province of British Columbia

In British Columbia, the Ministry of Agriculture, Food and Fisheries (the Ministry) is responsible for:

- Production, marketing, processing, and merchandising of agricultural and aquaculture products,
- Food security, and
- Supporting enhancement of wild fish populations.

The Ministry provides important programs relevant to the tree fruit industry. These programs may be administered through other organizations and includes programs specific to:

- Business, innovation, and market development (e.g.: business planning, market development, land matching, the replanting of fruit, Buy BC partnerships, etc.),
- Insurance and income assistance protection (e.g.: income protection, crop loss and wildlife damage, price, and production insurance, etc.),
- Food safety and traceability (e.g.: on-farm and post-farm food safety, traceability cross the value chain, etc.), and
- Environmental sustainability (e.g.: environmental farm planning, climate action, etc.).

The Ministry has programs specifically targeted at supporting the province's tree fruit sector, including:

- The Tree Fruit Competitiveness Program which supports enhanced competitiveness initiatives through infrastructure, innovation, marketing, and research, and
- The Tree Fruit Replant Program, which provides financial help for growers to replace fruit trees with varieties that will meet consumer demands for high-value, high-quality B.C. fruit.

It appears the introduction and continuation of these programs by the Ministry may have resulted because of advocacy and lobbying, rather than based on evidence and substantiated by demonstrated impacts.

The Ministry has a dedicated tree fruit specialist providing direct support and service to the sector on a full-time basis and employees in other positions that provide direct or indirect support service to the sector on a part-time, as needed basis.

The Ministry used to have to have more extensive extension services than it does today. The Ministry has not been able to sustain extension services. This is a challenge that has also impacted other organizations in the agriculture industry, including in the tree fruit sector.

The Ministry possesses some powerful tools (e.g.: legislation and regulations, program capacity, funding, etc.) that could be used as a policy or financial lever to support the sector if appropriate. This includes, for example, the *Agricultural Land Commission Act* (ALCA). The ALCA is a powerful piece of legislation in BC and perhaps the strongest agricultural land protection legislation in North America.

Representative Industry Organizations

BC Agriculture Council

BC Agriculture Council (BCAC) is a non-profit, non-governmental council of member associations representing 28 farm associations that generate 96% of B.C. provincial farm gate sales. Members from the tree fruit sector include the BC Fruit Growers' Association (BCFGA) and the BC Cherry Association (BCCA).

BCAC is governed by a Board of Directors which represent various components of the agriculture industry (e.g.: horticulture).

BCAC represents most sectors of BC's agriculture industry, including floriculture, horticulture, greenhouse vegetables, poultry, cattle, dairy, grain, organics, aquaculture, etc.

BCAC has the following committees, most having direct or indirect impact on, or implications for, the tree fruit sector:

- BC Young Farmers: provides networking and professional development opportunities,
- Water Working Group: ad hoc committee providing agricultural representation during the Water Act modernization process (jointly with the Ministry),
- Labour: overseeing policies and issues related to human resources and skills development,
- Climate Action Advisory: enabling a pan-agriculture approach to identifying and analyzing the impacts of climate change and climate action public policy on the agriculture and food processing sectors (jointly with the BC Investment Agriculture Foundation),

- Provincial Risk Management Advisory: which advises and provides direction to the Ministry on the safety net program policy and recommends representation on certain national programs and advisory committees (jointly with the Ministry), and
- Finance, responsible for BCAC's finance, internal audit, and compliance processes.

BCAC's mandate includes:

- Advocacy to help farmers and ranchers on key issues for agriculture in BC.
- Proactive communication by distributing relevant information to increase industry awareness.

BCAC operates:

- ARDCorp (the BC Agricultural Research & Development Corporation), a wholly owned subsidiary of BCAC which delivers farmer focused program. ARDCorp manages:
 - o The Environmental Farm Plan program which helps farmers reduce agriculture's impact on the environment and help improve their efficiency and profitability and attract new customers.
 - o The Climate & Agriculture Initiative BC, which helps the agriculture sector adapt to climate change through collaboration, programs, tools, resources, and information sharing.
- The Western Agriculture Labor Initiative (WALI), a subsidiary of BCAC that works with employers and governments to enable employers to find adequate domestic workers and continually improve working conditions for temporary workers.

BCAC's priorities include:

- Water security to ensure a safe, reliable water source for BC's food system.
- Environmental sustainability, through ARDCorp's administration of the Environmental Farm Program and Climate Action Initiative).
- Labour.
- Community engagement.
- On-farm safety.

BCAC has no direct or indirect programs or responsibilities that are specific to BC's tree fruit sector, other than the work of its committees noted above.

BC Fruit Growers' Association

According to their website, the BC Fruit Growers' Association (BCFGA) is an industry association representing BC fruit growers' interests through activities which include lobbying governments for positive change to risk management programs, such as crop insurance and the Net Income Stabilization Program and providing services and products to growers.

The BCFGGA is governed by a Board of Directors elected by all members for multi-year terms. Members elect the President, Vice President and Board members.

The organization's listed member services include:

- Financial assistance during the COVID-19 pandemic (an information sharing function in Co-operation with the Central Okanagan Economic Development Corporation).
- Farm jobs (a combination of information about the nature of, and opportunities for, seasonal work on orchards in the Okanagan-Similkameen Valley and the BCFGGA Farm Labour Project which provides

orientation and farm safety sessions for new workers and coordinates jobs postings between farm labour agencies).

- Administration of the Province's Tree Fruit Replant Program.
- In partnership with the BC Investment Agriculture Foundation (IAF), administration of the Province's Tree Fruit Competitiveness Fund.
- The provision of contact information for local wood chipping programs and contractors.
- The Pesticide Application Recertification Program, which allows pesticide applicators to attend industry courses, workshops, and events to obtain credits to renew their certification, rather than writing an exam.
- Three BCFGA bursaries of up to \$1,000 to a close relative of a BCFGA members who meets eligibility criteria related to attendance at a recognized post-secondary institution.
- Links to information about preventative measures for the coronavirus for employers and employees.
- Spray schedule recording forms.
- In cooperation with the Ministry and the BC Investment Agriculture Foundation, the BC Tree Fruit Production Guide (a separate website with information and links relevant to growers).

The Summerland Varieties Corp., a subsidiary of the BCFGA, identifies and commercializes promising new tree fruit varieties developed through AAFC's plant breeding program.

The committees listed on the BCFGA's website include Honorary, Resolutions, Labour, Water and Environment, Member Services, Horticulture Forum, Crop Protection and Research, and Financial Programs. The site contains no links or details about these committees or their roles, other than the Membership Services Committee report to the 2021 AGM.

The BCFGA is funded through voluntary membership dues, dividends from Summerland Varieties Corporation, and contract administration fees (Replant, etc.). BCFGA members are automatically members of the BC Agriculture Council and the Canadian Horticulture Council (CHC).

Note: the CHC is a voluntary, not-for-profit, national association based in Ottawa that represents fruit and vegetable growers across Canada in the production of over 120 different types of crops with farm cash receipts of \$5.4 Billion annually. The CHC advocates for industry on issues such as promoting healthy, safe, and sustainable food to ensure the continued success and growth of the industry. Areas of advocacy include labour, business risk management, trade, etc. CHC member organizations represent Canada's ten province, national organizations (e.g.: Farm Credit Canada), and international groups (e.g.: Ag World Support Systems). At present, there are 14 member organizations from British Columbia, including the BCFGA and WALL.

The BCFGA's membership structure includes:

- Direct membership, for individual growers with a farm capable of producing \$15,000 worth of tree fruits in any one year. Benefits include reduced costs or free access to certain services (e.g.: magazine subscription, newsletter, etc.) and the ability to vote at the AGM.
- Associate membership, for individual growers with farms not capable of producing \$15,000 worth of tree fruits in any one year. Benefits are the same as for a direct membership but without the ability to vote at the AGM.
- Business associate membership, for businesses affiliated with the sector. Benefits include membership mail-out service, recognition of the business, etc.

According to the BCFGA 22 (6.3%) of the BCFGA's 350 members are not also part of the BC Tree Fruits Cooperative (the Co-op). Membership in the BCFGA is a condition of membership in the Co-op.

There are about 850 apple and cherry producers in BC. The 22 growers in the BCFGA who are not in the Co-op represent 0.26% of all growers, while the 350 total members represent about 41% of all growers.

This level of voluntary members suggests the BCFGA is not providing effective lobbying, services, or support for growers to commit to the cost of membership.

The BCFGA's communication channels, such as their website, reflect a disconnect between the industry's circumstances and what growers need – and what the BCFGA provides its members. The website is not effective, with many broken links and incorrect dates. This is a challenge for an organization that must communicate effectively to maintain and attract members and execute effectively on their stated mandate.

BC Cherry Association

The BC Cherry Association (BCCA) indicates the BCCA represents growers, marketers, packers, researchers and industry members involved in B.C.'s cherry industry. The BCCA sponsors research to grow and deliver top quality cherries to markets around the world. They also work to promote and strengthen marketing opportunities.

The BCCA is governed by an elected Board of Directors and elected President.

In 2013, changes were made to enable growers, packers, brokers, scientists, suppliers, and service providers to work better together on behalf of the BC cherry industry. This reflected an effort to respond to changing circumstances.

The BCCA is active in lobbying government about labour and housing issues and market access.

The organization's listed services and activities include:

- Research projects that help advance the cherry industry. Successful projects on pest control, post-harvest handling, breeding, and disease suppression are examples of work done in past.
- Marketing efforts by working with the Canadian Food Inspection Agency and the Ministry to administer export programs and act as the industry body when negotiating market access for new cherry export deals. Cherries are shipped to Asian (e.g.: China) and European markets.
- Grower resources by providing linkages to a variety of weather, horticulture, labour, and organization resources.

The BCCA is funded through voluntary membership dues. BCCA members are automatically members of the BC Agriculture Council. BCCA's membership structure includes:

- Voting and non-voting (small growers only) memberships for growers, for whom benefits include new research and technology, BCCA promotion and market development, industry events, education, online listings for employees, sales directory, industry forum, and classified ads.
- Trade (voting) memberships for brokers, marketers, which include information and consultation in market development issues, strengthened policy and regulatory input, promotion in trade missions and exhibitions, online platform, consolidated list of producers/packers, and group purchasing opportunities as benefits.
- Non-voting memberships for sponsors (industry service and suppliers). Benefits for sponsor members include logo and promotion on website, potential customers, access to industry events, seminar opportunities, and recognition for the sponsors' significant contribution to research and market development for the BC cherry industry.

- Associate memberships for researchers, consultants, and media, for whom benefits include newsletters, access to producers, research, and communications.

This membership structure reflects the BCCA's efforts to allow all parties to work together on behalf of the industry (140 members in 2017).

The BCCA's February 2021 AGM included a series of business items (e.g.: reports on market access and exports), reports on several research initiatives (e.g.: tree fruit breeding processes, the impact of irrigation deficits, etc.), and important business updates from outside agencies (e.g.: AgriStability by BRM verification specialist, temporary foreign workers by the WALI program manager, etc.).

The BCCA's efforts to engage and coordinate the efforts of the cherry sector supply chain, the focused nature of the BCCA's programs, research, and efforts (labour, housing, and market access), and the business-like nature of its public and member-oriented communications demonstrate a proactive and forward-looking approach.

The BCCA has struck two operational committees:

- Research and Development Committee, with terms of reference task to:
 - o Promote the interests of the BC cherry industry by selecting and facilitating research and extension proposals which advance the priorities of the BCCA.
 - o Keep abreast of current developments in the BC and broader Pacific Northwest cherry industry and bring this knowledge to bear in committee deliberations and decisions.
- Market Access Committee, with terms of reference to:
 - o Prioritize and develop access to new export markets with good potential demand, specifically China, Brazil, South Korea, Mexico, Australia, and Japan.
 - o Facilitate effective promotion of BC cherries and the BC cherry industry internationally through participation in strategic international trade shows, particularly Asia Fruit Logistics in Hong Kong, European Fruit Logistics in Berlin, and Produce Marketers Association Fresh Summit in USA.
 - o Promote BC cherries through Canadian branding, promotion of the quality of Canadian cherries and quality assurance certification standards followed in their production.
 - o Maintain access to valuable existing markets, specifically monitoring and responding to country changes in requirements, such as Thailand, India.
 - o Identify and work to alleviate trade barriers and issues that impede competitiveness of Canadian cherries in export trade, monitoring and presenting industry positions on tariffs and trade agreements.
 - o Identify common issues that can be collectively addressed by the BC Cherry Association / OKCGA through its research, education, and industry development, such as post-harvest research on fumigation developments or alternatives, packaging technology, logistical issues of air freight capacity and airport services, etc.
 - o Update producers, packers, and brokers on trade and marketing issues, such as changes in Maximum Residue Levels set by countries.

The cherry sector has benefited from new export markets including China, Japan, and California. It is currently working on gaining access to South Korea.

New Tree Fruit Varieties Development Council

The New Tree Fruits Varieties Development Council (NTFVDC or Ambrosia Council) supports and generally promote the Ambrosia apple variety by conducting research, promoting the variety, and encouraging quality production.

The NTFVDC was formed via a regulation under BC's *Farming and Fisheries Industry Development Act*.

Individuals, Co-operatives, partnerships, or corporations that grow ambrosia apples are automatically members of the Council. The NTFVDC is governed by a Board of Directors elected by the membership at the AGM in rotating two-year terms. The Board is comprised of six to nine voting members including five grower representatives, one member or representative from the variety owners, at least one grower from the organic industry, and one or two members at large. The Board also includes a non-voting representative from the Ministry.

The NTFVDC is funded through mandatory industry levies on BC ambrosia apple sales and project funding from government. The levy is in place until June 30, 2021 and was previously renewed for three five-year terms. The levy that BC growers pay is used to fund:

- Research projects on production and storage,
- Marketing research,
- Market promotions.

The NTFVDC manages the Light Reflecting Materials Program, funded by B.C.'s Tree Fruit Competitiveness Fund. The program offers a partial grant (50% of material costs) towards the purchase of light reflecting fabrics by tree fruit producers with a focus on apples. Research and practical demonstrations show that light reflecting materials improve coloring and enhance product quality when apples are harvested at the proper ripeness.

As the levy is due to expire on June 30, 2021, the NTFVDC has been investigating how support for research and marketing for B.C. apples (especially Ambrosia apples) should continue. Based on research and analysis it commissioned, the NTFVDC is recommending the establishment of a B.C. Apple Marketing Commission. The NTFVDC asserts the Commission would help packers with new export markets, pursue short-term market improvements, and longer-term market development.

The NTFVDC is pursuing a move from the status quo (declining returns and growing costs for growers) to a circumstance where growers earn profitable returns through efforts to make the Ambrosia apple a world class variety and the preferred crop for investment because of superior returns.

The NTFVDC has a comprehensive implementation plan for establishment of the proposed Commission which has been available, but not been actioned, since June 2020. As part of the Stabilization Project, the Ministry has engaged with the NTFVDC to assess the nature and appropriateness of establishing a commission. The Ministry would have to take an active and supportive role for a commission or some similar agency to be established.

While the NTFVDC has not yet successfully implemented a commission or any form of successor program to ensure continued support for the development and marketing of Ambrosia (and potentially other varieties) of B.C. apples, its efforts to understand the options and pursue support for a successor agency are positive, informed, and forward-looking.

The NTFVDC has struck two working committees:

- Marketing Commission Committee, with a mandate to guide the research and development of a potential Marketing Commission.
- Market Access Committee, with a mandate to provide specific targets and goals for expanding the access of Canadian apple producers to export markets.

Other Organizations Vital to the Tree Fruit Sector

OK Sterile Insect Release Program

The Okanagan-Kootenay Sterile Insect Release Program (OKSIR or SIR) is an environmentally responsible, area-wide approach to control codling moth pest populations in the fruit-growing regions of the Okanagan, Similkameen, and Shuswap Valleys.

The SIR is governed by a Board of Directors that include eight voting members (five appointed by participating regional districts and three grower representatives) and two non-voting members (representing AAFC and the Ministry).

The tree fruit industry in these areas plays an important role in the lives of residents and commercial growers and these codling moth populations are one of the B.C. industry's most damaging and costly pests if left uncontrolled.

The program is sustainable, transparent, and informed by the best available data and technical expertise. It mitigates the threat of codling moth to the local fruit industry and helps create a healthier environment for local communities and the planet.

The program raises and releases sterile moths into commercial orchards to disrupt codling moth mating. SIR produces sterile codling moths and releases them at regular intervals to breed with wild moths. A mating pair cannot produce viable offspring which helps reduce the wild codling moth populations.

The SIR's services include:

- Monitoring of codling moths and the sterilization and release of sterile moths.
- Visits and information sharing with urban residents.
- Public awareness and education at local outreach events.
- Enforcement to ensure orchard growers and urban owners of host trees that are responsible for keeping their property free of codling moth infestations comply with those obligations and remove infested materials or neglected host trees, as necessary.
- Assisted in the implementation and dissemination of information on the recent pest Apple Clearwing Moth survey project, which has become a devastating pest to apple orchards.
- Adaption of the Washington State University Decision Aid System to B.C. for all B.C. orchardists for apples, cherries, peaches, and apricots.

The program indicates it has:

- Significantly reduced the amount of pesticide required to manage codling moths (SIR indicates a 96% reduction since 1991).

- Improved the relationship between orchard growers and residents, positively impacted tourism in the region.
- Assisted the industry in expanding into markets that favor growers from areas of “low pest prevalence” and low reliance on chemical pesticides.
- Contributes to the reputation of the Southern Interior as a centre of excellence in horticultural research and innovation. This includes the attendance of international scientists at SIR training to learn the principles and procedures of an area-wide pest management program using sterile insect technology and the application of the program is now being applied in several countries.
- Served as a major seasonal employer for the region.

Funding for the program comes from:

- Local property taxpayers (60%) through the Okanagan-Similkameen, Central, and North Okanagan Regional Districts.
- Commercial fruit growers (40%) through a per-acre fee (apples) attached to property taxes.
- The recent sale of sterile moths to Washington State and New Zealand.

SIR is funded exclusively by entities that rely on their services and/or expertise to improve their living and business circumstances. It has demonstrated its value to the region but is also at risk if B.C.’s tree fruit industry (especially apples) continues to decline in size and value.

Summerland Varieties Corp

The Summerland Varieties Corp. (SVC) identifies and commercializes promising new tree fruit varieties developed through AAFC’s plant breeding program at the Summerland Research and Development Centre. SVC’s listed varieties include apples, cherries, and cider apples.

Commercialization is a long-term process, taking up to 35 years for a varietal to be developed, tested, and earn royalties.

SVC is a wholly owned subsidiary of the BC Fruit Growers’ Association. SVC is governed by a Board of Directors appointed by the BCFG Board. SVC Board members must be audited and in good standing in terms of royalty payments at the time of the audit. Board members can be appointed for two three-year terms but a member’s appointment as President re-starts a member’s two term tenure.

SVC’s mandate is to:

- Ensure Canadian growers, packers and marketers have a continual supply of improved fruit varieties (e.g.: collect and remit levies, growing, packing and storage trials, etc.).
- Provide Canadian growers, packers & marketers with a competitive advantage in global markets (e.g.: restrict competition by managing markets, fund research, etc.).

SVC operates the Oliver Test Orchard and Budwood Orchard. The Corporation supplies authorized growers and nursery partners with certified virus-free propagating material from the budwood, scion wood, and seed orchard.

SVC is funded by cherry and apple royalty payments on protected plant materials. The budwood program is funded by budwood cutting charges, scion wood cutting charges, and seed charges. Certain varieties incur a royalty charge that goes to the variety owner in exchange for the right to grow and produce fruit from a protected variety.

SVC requires sufficient and substantial funds to maintain its operations, which include protecting the interests of the B.C. grower community internationally.

SVC represents the Government of Canada and the holders of private rights. SVC pays royalties to the Government of Canada. Further, SVC pays dividends to the BCFGA, at the BCFGA's request, to offset project funding shortfalls (including at least one top-up to the Ministry's Tree Fruit Replant Program).

SVC plays a role in the introduction of new tree fruit varieties that have been developed by AAFC and offer commercial and consumer opportunities. SVC has used money it has raised to contribute to other tree fruit research projects, sponsored growers to attend industry educational events, and at times acted as a source of horticulture extension to B.C. orchardists.

Funded solely by users that rely on their services and/or expertise, SVC has demonstrated its value to the region. This includes:

- The presence of Ambrosia apples in the national and international marketplace and the benefits accruing to Canadian and B.C. growers (e.g.: exclusivity in Canadian markets and access to world markets.
- The strong presence of B.C. sweet cherries in the international marketplace and the corresponding success of B.C. growers.

Western Agriculture Labour Initiative

The Western Agriculture Labour Initiative (WALI) works with employers and governments to enable employers to find adequate domestic workers and continually improve working conditions for temporary workers.

WALI is a subsidiary corporation of BCAC created to lead that work. WALI is governed by the BCAC Board of Directors which includes an Executive Committee.

WALI supports B.C.'s farmers and ranchers by working with governments to develop labour policies that benefit farmers and workers. WALI works with member organizations to find solutions for temporary foreign worker (TFW) program related issues.

WALI is comprised of 16 partner organizations representing producers or growers in most of B.C.'s agriculture industry primary production areas. WALI's Labour Committee is comprised of producers appointed by sector organizations to ensure direct farmer input when discussing concerns, priorities and solutions with government agencies and other stakeholders.

A main objective of WALI is to help producers meet critical Labour needs through temporary foreign workers. TFWs help B.C. producers meet their labour needs during peak agricultural periods when Canadian workers and permanent residents are not available.

There are four programs through which an employer can hire a TFW in Canada. The rules and requirements for Canadian employers wanting to access foreign workers are set by the Government of Canada.

Of the four programs, WALI works primarily with the Seasonal Agriculture Worker Program (SAWP). In this program, TFWs hired must be citizens from Mexico or participating Caribbean countries and production must be in specific commodity sectors, and the activity must be related to on farm primary agriculture.

To a lesser degree, WALI works with the program known as the Agricultural Stream. In this stream, production must be in specific commodity sectors and the activity must be related to on-farm primary agriculture.

An important part of applications for TFWs in either stream is the requirement for a housing inspection form, available only from approved home inspectors. These have an important focus on worker safety.

The WALI website includes links to other Labour opportunities, including the BC Farm, Fish and Food Job Connector (online resource created to share jobs in agriculture, while providing agriculture employers with support for their hiring and planning needs) and the Go2HR website (a tourism and hospitality focused job board to include the agriculture and food processing sector).

WALI is part of an inter-agency working group (representing the Ministries responsible for health, labour, agriculture, and industry) working to ensure healthy living conditions for workers and meeting the requirements of federal programs.

Since the COVID-19 pandemic, the federal and provincial governments have agriculture-specific protocols for employers of temporary foreign workers to address the implications. Those requirements are reflected in WALI's work to ensure temporary foreign workers (TFWs) can enter Canada, enter, and work on BC farms, and return to Mexico.

Since 2017, employers using SAWP have contributed directly to support WALI's work. These funds allow WALI to:

- Process completed Labour Market Impact Assessment applications.
- Increase representation at the national level.
- Facilitate more regional engagement with employers.
- Work with government partners to ensure safe working conditions for all employees.

WALI is an organization supporting BC's agriculture sector (including the tree fruit industry) with practical programs and resources to help growers and producers access temporary foreign Labour during peak agricultural periods. WALI also participates in efforts to improve worker housing and safety.

Summerland Research and Development Centre

AAFC's Summerland Research and Development Centre (SRDC) was established in 1914 in the Okanagan Valley. This is Canada's most water challenged but biologically diverse eco-region.

SRDC is a part of Agriculture and Agri-Food Canada, Government of Canada.

Research at SRDC focuses on building resilient and profitable horticultural production systems. The relatively mild climate in southern BC allows the production of high-value tender fruit crops (tree fruits, grapes, berries) that cannot be grown in most regions of the country.

SRDC is in an ecologically sensitive location and surrounded by urban development. The setting and limited water supply allow researchers at SRDC to focus on sustainable crop production practices to help preserve and enhance the resilience of such sensitive environments within and across Canada.

There are a large variety of facilities at SRDC, including for example:

- A 320-hectare site (approx. 90 irrigated hectares planted to various tree fruits and wine grapes).
- Orchards, vineyard, and small lot winery.
- Research greenhouses, controlled environment growth chambers, and cold storage rooms.
- Laboratories (e.g.: cold hardiness testing laboratory, food research, standard and level II containment microbiology, etc.).
- Large plant pathogen (fungal and bacterial) collection
- Canadian Plant Virus Collection

Current research activities:

- Improving the capacity to resist climate change and other stresses to the environment (e.g.: models to assess and predict the effect of climate change on water supply and demand, greenhouse gas emissions, soil carbon sequestration, soil biodiversity, pest distribution and ecology, and crop distribution, etc.).
- Improving the sector's ability to respond to diseases, viruses, and other biological threats (e.g.: management strategies that use reduced risk chemicals or non-chemical alternatives to control important pest insects, etc.).
- Supporting opportunities to grow agriculture's contributions to the economy and society (e.g.: new apple and cherry cultivars that meet consumer preference, have market appeal, and are adapted to local growing conditions, etc.).

SRDC indicates its research has:

- Improved the sector's capacity to weather stress from climate, weather, and other physical challenges (e.g.: BC Water Demand Model for regional water supply and demand which will assist in assuring agricultural water supply is maintained in the future, etc.).
- Improved the sector's capacity to weather stress from pests, viruses, and other biological risks (e.g.: a strategy to reduce codling moth, apple clearwing moth, and other pests, while reducing the use of insecticide in commercial apple and pear orchards, etc.).
- Supported opportunities to grow agriculture's contributions to the economy and society (e.g.: new fruit handling processes from harvest through shipping which enabled cost-effective shipment of BC cherries to more international markets, etc.).

Packing Houses

Almost 40 packing houses operate in the Okanagan, Similkameen and Creston Valleys. This includes six major conventional and main organic houses.

BC Tree Fruits Cooperative

The BC Tree Fruits Cooperative (BCTF Co-op) is owned by its approximately 400 members, who are all growers. The Co-op has growers that supply fruit that are not members.

The Co-op is governed by a Board of Directors elected by members for multi-year terms. Currently, the board only includes grower members. However, as of the 2021 AGM, the Board must include two independent, external members elected by members. The President and Vice Presidents are chosen by the Board.

The Co-op operates BC Tree Fruits, Growers Supply Co. Ltd., BC Tree Fruits Cider Company, and a fresh produce market in Kelowna. The Co-op operates 3 packing houses and 6 receiving facilities (Vernon, Kelowna, Summerland, Penticton, Oliver, Osoyoos, Keremeos and Creston).

The Co-op packs and sells apples, cherries, pears, peaches, nectarines, prunes/plums, apricots, and table grapes for both domestic and export sales.

Until recently, the Co-op suffered from several years of governance, management, and business challenges, which contributed to the departure of several growers to private packing houses. The Co-op has taken several steps to improve those circumstances.

Sandher Fruit Packers

Sandher Fruit Packers (SFP) is a private packing house owned by Brothers Dave and Bill Sandher and sons Prabtaj and Gurtaj Sandher.

SFP operates one packing/receiving facility in Kelowna where it packs and sells apples and cherries grown on their own family-owned orchards. SFP has state-of-the-art cleaning, sorting, and packing facilities. This allows the packing house to ensure quality fruit through sophisticated defect detection, etc.

Products serve the local community and are exported as SFP is expanding its export sales.

SFP is a vertically integrated supply process, from their orchards to stores, which they say allows them to maximize fruit quality. SFP has ownership of the entire process and full control over their farms, facilities, and operations.

Consolidated Fruit Packers

Consolidated Fruit Packers (CFP) is a private company owned by the Star Produce Group.

CFP initially handled sales and marketing for independent BC apple and blueberry packers. CFP developed marketing strategies to boost fresh sales, open new markets, and help new packers launch their businesses.

CFP sources fruit through contracted growers that must meet high standards of food quality and safety.

CFP operates one packing/receiving facility in Osoyoos (as well as one in the Fraser Valley), where it packs and sells apples, cherries, peaches, nectarines, apricots, pears, grapes, citrus, and berries.

They focus on year-round supply of fruit and the ability to track and deliver their product anywhere in the world. CFP has both domestic markets and expanding export sales.

Jealous Fruit Company / Coral Beach Farms

Jealous Fruits (JF) is a vertically integrated packing house privately owned by the Geen Family.

JF operates one packing/receiving facility in Lake County, where it packs and sells cherries from the family's own orchards.

JF focuses on premium export sales and some domestic markets. JF produces bulk, retail, and frozen products for sale.

Because JF's orchards are the most northerly large scale cherry producer in North America. They have an elongated harvest season.

The family farm has become an international business with expanded cherry acreage, state-of-the-art sorting and packaging, and an efficient transportation network which lets JF get cherries to domestic and international markets in record time.

Fairview Orchards Ltd.

Fairview Orchards Ltd. (FOL) is a vertically integrated, privately owned by: Machial Family (Brothers Rick and Joe and sons Dave and Brian).

FOL operates one packing/receiving facility in Oliver, where it packs and sells apples, cherries, peaches, and nectarines.

FOL focuses on premium export sales and domestic markets.

FOL has a limited web presence but has been partners with Thrifty Foods since 1996.

Cawston Cold Storage Ltd.

Cawston Cold Storage Ltd. (CCS) is a certified organic, member-owned organization that stores, packs, repackages, and handles organic fruits under the Nature's First Fruit brand.

CCS is certified under Part 13 of the Safe Food for Canadians Regulations (SFCR).

CCS operates one packing/receiving facility in Keremeos/Cawston, where it packs and sells organic apples, cherries, peaches, nectarines, plums/prunes, apricots, and grapes for domestic and export sales.

As cold storage conditions are required for most of the apple crop harvested each year, a dedicated certified organic facility is essential for certified organic produce.

Observations and Assessments Regarding Organizations Involved in B.C.'s Tree Fruit Industry

Roles and Responsibilities of the Governments of Canada and British Columbia

The federal and provincial governments provide leadership and support to the tree fruit sector through funding programs (e.g.: CAP, tree fruit replant, etc.), programs and services (e.g.: business planning, market development, industry specialists, etc.), and a legal and regulatory framework in which industry operates (e.g.: *Agricultural Land Commission Act*, etc.).

For several years, British Columbia has provided targeted financial support to the tree fruit industry, more than the level of support provided to any other commodities in B.C.'s agriculture sector. Despite this level of additional support, the sector has continued to decline in scale, scope, and profitability. It is not clear what, if any, impacts the Ministry's investments have had in stabilizing the industry, let alone helping to rejuvenate the sector.

The continued investment of public funds needs to be rationalized, informed by evidence, and focused on initiatives that are likely to have a positive impact on stabilizing the industry and creating the circumstances that could provide the best potential for recovery and renewal. While government assists all parts of the provincial economy, it must be realistic in its assessment of this industry's viability and the potential benefits of further investments.

Assessment of the Roles and Responsibilities of Industry Organizations

Four organizations have leadership responsibility in BC's tree fruit sector.

BCAC is a province-wide entity with a mandate that includes most of the commodities in B.C.'s agriculture industry. BCAC represents and advocates on behalf of all commodities on key issues of generally equal importance to all agriculture sectors. Through wholly owned subsidiaries, BCAC provides program (environmental farm plans, climate adaptation, labour) of value to all commodities, including tree fruit growers.

Two associations (BCFGA and BCCA) represent individuals and groups in the industry. The BCFGA is generally representative of all B.C. tree fruit commodities (apples, cherries, etc.), while BCCA represents growers and others in the cherry sector.

The BCFGA could represent all BC tree fruit commodities (apples, cherries, etc.). The BCFGA's membership is mostly comprised of members of the Co-op for whom membership in the BCFGA is automatic and paid for by the Co-op. The small number of growers that have chosen to be members completely independently of any other circumstance or obligation suggests the BCFGA is not successfully representing the sector's interests to sufficiently attract their membership. The organization's mandate and programs do not appear to reflect a strategic direction. The BCFGA is not exerting the leadership necessary to objectively assess the economic viability of the industry and plan accordingly. Its most recent "strategic plan" is inadequate in understanding the challenges facing the sector and identifying realistic strategies to sustain some level of tree fruit production in BC.

BCCA represents growers and others in the cherry sector. Its programs and services have successfully helped advance cherry production and get BC cherries to lucrative export markets (e.g.: China, Japan etc.). The organization has been successful in these efforts. Its structure, programs, and recent AGM are business-like in approach and aimed solely at real challenges (e.g.: market access, Labour, etc.).

The NTFVDC has a specific leadership mandate related to the promoting new tree fruit varieties (especially Ambrosia apples). Faced with the looming end to its primary source of funds, the Council has proposed a new approach to ensuring ongoing research support for and marketing of BC apples (especially ambrosia apples) and is working with the Ministry to assess the viability of that approach.

Assessment of The Roles and Responsibilities of Support Organizations

Four organizations play important support roles to BC's tree fruit industry.

SIR controls the codling moth population in the area, which helps reduce the use of pesticides by growers and others and has enhanced the region's reputation and the ability of growers to expand their markets. SIR has demonstrated its value to the region as it is funded exclusively by groups that rely on its services.

SVC helps commercialize promising new tree fruit varieties that offer commercial and consumer opportunities. As it has no base funding source(s), SVC relies on the sale of propagating materials to growers and orchards, which restricts its ability to engage in any comprehensive commercialization or market identification opportunities. SVC's value is reflected in those purchases. The work underway at SVC includes varieties that could help B.C.'s apple sector in terms of domestic and international market opportunities.

WALI helps connect producers of many of BC's agricultural commodities with Labour. The organization focusses on Labour policies to support worker housing and safety, helping producers meet Labour shortages during peak production, and the provision of supporting information and opportunities. WALI is funded by employers that access the primary Labour program with which WALI deals.

Canada's SRDC provides important research and other services to the industry's horticultural practices. These programs are aimed at addressing the impacts of climate change, pest management, and economic development. SRDC is a party of the Government of Canada providing direct and important support to BC's tree fruit sector.

Assessment of The Roles and Responsibilities of Packing Houses

There are almost 40 fruit packing houses in the Okanagan, Similkameen and Creston Valleys. With an estimated 800 growers in the area, this suggests a packer to grower ratio of about one packer for every 40 growers.

While this analysis has only reviewed six packing houses, it is clear there is overlap between these organizations and overlap in contributions to the industry. Even though two of those six houses only processed fruit from family-owner orchards, competition among packing houses for the limited supply of quality fruit (especially apples and cherries) is apparent.

Except for the Co-op and CCS, the other packing houses are privately owned and operated.

General Assessment

The following series of observations concerning the organizations involved in, and their impact on, B.C.'s tree fruit sector reflect fundamental problems that must be addressed if the industry is going to have a realistic opportunity to stabilize, let alone be rejuvenated to any degree.

Overall Leadership Structure and Direction in the Sector

To be successful, any industry requires effective leadership that represents the entire industry and is coordinated among and across the different organizations' mandates, roles, and responsibilities.

- The leadership structure in the tree fruit sector is confused and unclear. No organization has clear responsibility for leading efforts in the sector. The leadership vacuum has caused some groups to act independently in terms of sub-sectors (e.g.: BCCA as it relates to cherry growers, the NTFVDC as it relates to Ambrosia apples).
- Despite its mandate being primarily to lobby government, the BCFGA has stated responsibilities in program delivery and other functions and suggests it is the voice of BC's tree fruit industry.
- Alternatively, by title the BCFGA is the only organization that theoretically represents the full sector. The limited number of independent members indicates that is not the case.
- The sector has no comprehensive business plan or approach.
- The lack of a plan has caused some organizations to plan independently in support of a sub-sector (e.g.: the NTFVDC plan for a marketing commission).

Overlapping or Competing Responsibilities or Interests

- There is overlap in the roles and responsibilities of associations and organizations in the sector. For instance, at least three groups (BCAC, BCFGA, BCCA) have some role in lobbying, information exchange and/or program delivery as it related to Labour).
- A high level of mistrust in the sector has led to the establishment of many private packing houses which compete with, and have a competitive advantage over, the Coop.
- The support provided to the industry and community by some organizations (e.g.: SIR program) are essential to the existence of the industry. Those relationships appear to be spiraling in a negative direction and threatened as industry faces financial challenges.
- The SVC commercialization model has proven to be largely ineffective as there are no marketing funds to launch apple varieties. With the notable exception of Honey Crisp apples, the owners of a variety have been responsible for providing marketing and promotional support.
- The work underway at SVC includes varieties that could help B.C.s apple sector in terms of domestic and international market opportunities. Unlike the cherry sector, it does not appear that B.C.s apple industry has taken full advantage of those opportunities in a systemic way to this point.

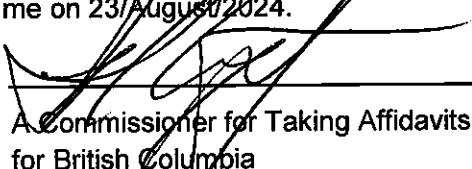
A Focus on the Past

- General disenfranchisement and apathy appear to be common with apple producers.
- Some of the industry (especially apple growers) is stuck in the past.
- Many apple growers and some packing houses appear to focus on product quantity, rather than quality. This may be to the detriment of the industry's reputation and overall market appeal. Consumer preferences likely dictate the need to not go to market with low-quality fruit.

Some Real Challenges

- Collectively, apple growers have not been able to overcome the real disadvantages they face (e.g.: land and Labour prices) to be able to respond effectively to legitimate competition and changing consumer preferences.
- The Government of Canada's SRDC conducts world-class research focused on the Okanagan but this information (i.e.: factsheets, quick 30-minute virtual lunch and learn sessions, etc.) is not readily accessible to producers.
- Several organizations in the agriculture industry, including in the tree fruit sector, have not been able to sustain extension services. These services would normally support growers in their horticulture endeavours.

This is **Exhibit C** referred to in the Affidavit #3
of Douglas Pankiw sworn (or affirmed) before
me on 23/August/2024.



A Commissioner for Taking Affidavits
for British Columbia

BRADLEY C. CRONQUIST

BARRISTER & SOLICITOR

#301 - 1665 Ellis Street

Kelowna, BC V1Y 2B3

Phone: (250) 762-2108

From: Laurel Van Dam
Subject: FW: Emergency table update for BCTF Growers
Attachments: image001.png
Importance: High

Growers, on behalf of the BCFGA and BC Ministry of Agriculture and Food, please see an update below.

Dear BCTFC growers,

We recognize that the closure of B.C. Tree Fruit Cooperative has brought about a range of significant challenges for you, from securing food safety certification to managing cash flow, arranging packing services, and navigating the overall impacts on your operations. In response to your feedback and since the launch of the Emergency Table on August 2nd, the BC Fruit Growers Association (BCFGA), BC Cherry Association (BCCA), and the Ministry of Agriculture and Food (The Ministry) have established four specialized sub-tables to address these critical areas:

1. Food Safety Certification for the 2024 Growing Season:

This sub-table is focused on helping you meet the necessary food safety certification requirements for the upcoming season. We're working closely with industry experts and certification bodies like CanadaGAP to identify and resolve challenges. Our goal is to assist you as best we can to achieve compliance before harvest. To this end, the Ministry has provided funding to the BCFGA to launch the Food Safety Bridging Program. **The BCTF group certification is no longer valid.** If you have secured a packer, it is imperative that you reach out to them as soon as possible for guidance on necessary certification. It's essential to start the process as soon as possible to avoid delays. The BCFGA will be coordinating access to support for BCTF growers that need to get their individual certifications through the BCFGA Food Safety Bridging Program.

The **Food Safety Bridging Program launch video** <https://www.youtube.com/watch?v=LnBIfly2sA> provides growers important information on obtaining your food safety certification. After watching, please contact the BCFGA if you need additional assistance or have questions on this program:

- **Gail Nelson, 250-762-5226, and watch the**

2. Grower Finance to Identify Solutions for Cash Flow Challenges:

This sub-table is focused on the cash flow difficulties many of you are facing, especially if you're owed outstanding payments from the cooperative. We're working with Farm Credit Canada (FCC) and the Agriculture Credit Corporation (ACC) to explore financial support options, including loan adjustments and other financial assistance.

Both the BCFGA and the Province of BC have requested a stay of default on 2023 APP payments that are due this fall. Stay tuned for more information.

You are strongly encouraged to contact your lender as soon as possible to discuss financing options. Early engagement with your lender can help secure the support you need to manage cash flow.

AgriStability Enhancement Program 2024 provides:

- Higher compensation rates: The program increases the existing AgriStability compensation from 80 to 90 percent of net income margin losses over 30 percent for all participating producers
- Broader coverage: The program covers the difference between the existing AgriStability \$3M payment limit and the enhanced program's \$6.2M limit
- Faster financial relief: Farmers enrolled in AgriStability for 2024 will automatically receive the increased benefits without any additional action required
- No action needed if a farm is already participating in AgriStability 2024 - Farms that suffer a significant (greater than 30 percent) net income loss in 2024 will automatically receive the increased protection that the 2024 AgriStability Enhancement Program provides.
- For farms not yet enrolled in AgriStability 2024, the program allows late participation until April 30, 2025, for the 2024 program year.
- Increased interim AgriStability payments for farmers - Eligible B.C. farmers can now access up to 75 percent of their estimated final AgriStability 2024 benefit as an upfront payment to help manage cash flow challenges due to income declines in 2024. The application deadline for the interim payment is March 31, 2025.

If you have any questions, please contact the Ministry where dedicated staff are available to assist you with the Enhanced AgriStability Program in both English or Punjabi .

- **Visit:** [AgriStability 2024 - Province of British Columbia \(gov.bc.ca\)](https://gov.bc.ca/agrystability2024)
- **Phone:** 1-877-343-2767 toll-free. Support is available in English and Punjabi.
- **Email:** AgriStability@gov.bc.ca
- **Fax:** 1-877-605-8467 toll-free

3. Harvest Logistics (Storage Capacity, Bin Availability, and Other Logistics):

This sub-table is dedicated to helping you find packing and storage solutions for your fruit. We've engaged with packers to assess available capacity, and so far, over 60,000 bins of fruit have been redirected to alternative packing houses, and over 100 BCTF growers have made packing arrangements.

With financial support from the Ministry, The BCFGA will be coordinating horticultural information for you this fall. They have contracted local P.Ag. to collect and publish weekly maturity updates for the main cultivars throughout the major growing areas of the valley. These updates will be circulated through the packers, BCTF and BCFGa mailing lists.

The Ministry and BCFGa have compiled a list of packinghouses ready to be contacted by growers. You can find packer contact information here:

[Information for BC Tree Fruits Cooperative Members - Province of British Columbia \(gov.bc.ca\)](https://gov.bc.ca).

If you need assistance arranging packing services, please fill out this survey:

[Impacted Producer Survey \(gov.bc.ca\)](https://gov.bc.ca), or contact us directly at 1-888-221-7141

or AgriServiceBC@gov.bc.ca to discuss options. Upon request, a Punjabi speaking employee can be available to collect information.

4. Impacts to Growers:

The Impact sub-table is dedicated to staying closely connected with you to understand your concerns and challenges. We're holding regular meetings with stakeholders, including growers and industry representatives, to address immediate issues related to food safety, logistics, and financial support. Please feel free to connect with the BCFGA, BCCA or the Ministry to discuss concerns and challenges. We're focused on finding practical solutions to help you manage this season's challenges, and we'll keep you informed as we work through this together. Contact us at AgriService BC:

Visit: <https://www2.gov.bc.ca/gov/content/industry/agriculture-seafood/programs>

Phone: 1-888-221-7141 toll-free

Email: AgriServiceBC@gov.bc.ca

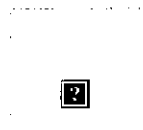
5. Other updates and resources:

AgSafe

If you or someone you know is experiencing a crisis, please call 911 for emergency assistance or 988 for 24/7 mental health crisis support. AgSafe offers free, completely confidential third-party counseling services for farmers, which you can access online from the privacy of your home. Counseling services are offered in English and Punjabi. Visit AgSafe online: [Mental Wellness | AgSafe \(agsafebc.ca\)](#)

We will continue to keep you updated on our progress and activities.

The BC Ministry of Agriculture and Food and the BC Fruit Growers' Association



Adrian Arts (he/him), MSc, P. Ag,

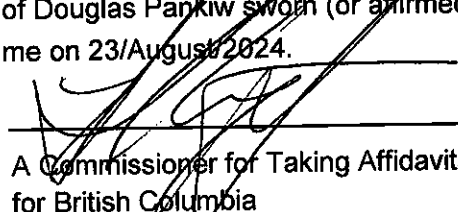
Manager – Southern Interior

Extension and Support Services Branch, Ministry of Agriculture and Food

Phone: 1.250.878.9053 - Email: Adrian.Arts@gov.bc.ca

I respectfully acknowledge that I live and work within the traditional and unceded territory of the Syilx people.

This is **Exhibit D** referred to in the Affidavit #3
of Douglas Pankiw sworn (or affirmed) before
me on 23/August/2024.


A Commissioner for Taking Affidavits
for British Columbia

BRADLEY C. CRONQUIST
BARRISTER & SOLICITOR
#301 - 1665 Ellis Street
Kelowna, BC V1Y 2B3
Phone: (250) 762-2108

- Skip to main content
- Skip to footer

British Columbia News

B.C. strengthens tree-fruit sector, protects growers, workers

<https://news.gov.bc.ca/31472>

B.C. tree-fruit growers will benefit from three new or updated financial supports and changes to help stabilize their bottom line and overcome significant challenges posed by extreme weather, market instability and the recent closure of the BC Tree Fruits Cooperative.

The supports are part of a package of actions being taken to protect and strengthen the tree-fruit sector and support those whose livelihoods depend on it.

"Locally grown fruit is loved across B.C., but for the last few years, farmers and the industry as a whole have faced unprecedented challenges," said Premier David Eby. "From extreme weather driven by climate change to the closure of the processing co-operative, growers need support if they are going to be able to survive and thrive in the future. We're taking action now at the provincial level, and also championing important changes needed from federal government. Farmers need all levels of government to pitch in during this critical moment."

The Province is enhancing its AgriStability program to raise the AgriStability compensation rate to 90% and double the compensation cap for all farmers for the 2024 program year. This will provide an estimated \$15 million in immediate relief to farmers in need. This enhancement will help stabilize farm income and help farmers manage the increasing risk due to extreme weather. Late enrolment will also be available for producers not enrolled in the AgriStability program.

The new Tree Fruit Climate Resiliency program will provide \$5 million to help tree-fruit farmers buy equipment and pursue projects that were not eligible under previous programs. This will strengthen farm resilience and preparedness for extreme weather. This program will build on the successful extreme weather preparedness program and recognizes the effect of climate-change events on the tree-fruit sector during the past few years.

"This has been a challenging time for farmers, including B.C. fruit growers. Our government has been listening to them. What we are hearing is everyone is facing different challenges, but the common denominator is that farmers need help now with their bottom line," said Pam Alexis, Minister of Agriculture and Food. "Today's announcement reflects both short-term support with more money available to farmers through AgriStability payments, and longer-term support with a new climate resiliency program so growers can plan and ensure there is a sustainable supply of B.C. cherries, peaches, apples and other tree fruits in future years."

Sukhpaul Bal, president, BC Cherry Association, said: "The BC Cherry Association is pleased with today's announcement by the B.C. government. Extreme weather events over the past five years have been devastating for agriculture in B.C., and as resilient as farmers are, this support recognizes these sudden changes in climate go far beyond what they can handle. Moving forward, British Columbia can and should be a leader in food production, but we recognize this needs an agricultural strategy that re-examines the entire food system and an unprecedented investment in agriculture. Finally, we would like to thank and acknowledge ministry staff for working tirelessly with industry leaders in providing this immediate support and we look forward to working collaboratively on long-term, sustainable strategies and solutions."

To support the longevity and sustainability of the sector, Premier Eby and Alexis have directed the Ministry of Agriculture and Food to begin developing, in consultation with industry, options for a one-time fund with an emphasis on smaller producers.

"We are appreciative of the Province's actions to support the tree-fruit sector, which has been grappling with significant challenges for the past four years," said Peter Simonsen, president, BC Fruit Growers Association. "The enhancements to the AgriStability program and the introduction of the Tree Fruit Climate Resiliency program are positive steps toward stabilizing our industry, and we are particularly encouraged by the development of a one-time Climate Change Response Fund that can provide immediate relief to our farmers who are on the front lines of climate change. However, we must remember this is just the first step in a long journey. There is much more work to be done to ensure the sustainability and growth of our sector. We look forward to working closely with the Province and all levels of government to ensure the longevity of the B.C. tree fruit sector."

The Ministry of Jobs, Economic Development and Innovation has offered community transition team supports to the Town of Oliver to assist adversely affected workers in the tree-fruit sector.

The Province continues to work directly with producers to mitigate impacts of the BC Tree Fruits Cooperative closure, including an industry-led emergency table created to find solutions to issues such as certifications for export, logistics and cash flow, as the Ministry of Agriculture and Food continues to connect growers to options for storage and packing facilities. The ministry has also been directed to explore options to support the co-operative's receiver and any private-sector interests in protecting certain functions of the BC Tree Fruits Cooperative to meet the needs of growers.

Learn More:

More information for BC Tree Fruits Cooperative members as well as an online grower survey where growers can identify their immediate needs can be found online:

<https://www2.gov.bc.ca/gov/content/industry/agriculture-seafood/animals-and-crops/crop-production/tree-fruits/information-for-bc-tree-fruit-cooperative-members> (<https://www2.gov.bc.ca/gov/content/industry/agriculture-seafood/animals-and-crops/crop-production/tree-fruits/information-for-bc-tree-fruit-cooperative-members>)

To access the AgriStability Enhancement Program, farmers must be enrolled in the federal-provincial AgriStability program. To enrol, visit:

<https://www2.gov.bc.ca/gov/content/industry/agriculture-seafood/programs/agriculture-insurance-and-income-protection-programs/agristability-2024> (<https://www2.gov.bc.ca/gov/content/industry/agriculture-seafood/programs/agriculture-insurance-and-income-protection-programs/agristability-2024>)

For more information about the programs with which the Province supports farmers, visit:

<https://www2.gov.bc.ca/gov/content/industry/agriculture-seafood/programs>
(<https://www2.gov.bc.ca/gov/content/industry/agriculture-seafood/programs>)

For more information about the Tree Fruit Stabilization Plan, visit:

<https://www2.gov.bc.ca/gov/content/industry/agriculture-seafood/animals-and-crops/crop-production/tree-fruits>
(<https://www2.gov.bc.ca/gov/content/industry/agriculture-seafood/animals-and-crops/crop-production/tree-fruits>)

Three backgrounders follow.
Office of the Premier

Media Relations
premier.media@gov.bc.ca

Robert Boelens

Media Relations
Ministry of Agriculture and Food
250 882 2485

Backgrounders

Facts about government support for B.C.'s tree-fruit industry³⁶

The Province has delivered more than \$200 million in support to tree-fruit growers since 2020, including more than \$158 million in business risk management payments, as well as the perennial crop renewal program, Buy BC and funding to support the Tree Fruit Industry Stabilization Plan.

- The AgriStability Enhancement Program is available to all B.C. farmers, regardless of their commodity, and will pay farmers the difference between the base AgriStability compensation rate of 80% and a new compensation rate of 90%.
- The Enhancement Program will provide farmers with a higher payment cap of \$6.2 million, compared to the regular AgriStability cap of \$3 million and will pay the difference farmers are eligible to receive.
- AgriStability interim payments (interest-free advances) can be made in as few as 15 business days, providing as much as 75% of a farmer's expected final payment.
 - Several advance payments have been made to tree fruit growers for the 2024 crop year.
- Late enrolment in AgriStability will be made available.
- AgriStability participation has been increasing in B.C., with more than 3,000 farmers enrolled for the 2024 program year.
- The Tree Fruit Stabilization Plan was announced in November 2021 and involved extensive consultations with industry, analysis of the challenges facing B.C.'s tree-fruit sector and identifying possible solutions to address them.
 - The plan was endorsed by all industry stakeholder groups.

Immediate actions in response to the closure of the BC Tree Fruits Cooperative

Ministry of Agriculture and Food staff have been engaging with growers and stakeholders ever since the BC Tree Fruits Cooperative announced its decision to close. This emergency group includes the BC Fruit Growers Association, BC Cherry Association, individual farmers and private packing houses, and is working urgently on solutions to help co-operative members:

- Get their fruit to market by working with growers, private packers and other stakeholders to support packing-house availability and logistics:
 - The Ministry of Agriculture and Food has had individual calls with 10 packers on the volume of BC Tree Fruits Cooperative fruit they are taking on.
 - As of Aug. 9, 2024:
 - More than 60,000 bins of former co-operative fruit will be shipped to packing houses.
 - A majority of co-operative apple growers have found alternate arrangements.
- Meet market requirements by ensuring growers have the needed food-safety certifications in place.
- Maintain their operations by identifying options to support cash-flow challenges facing members owed outstanding payments from the co-op.
- Stay connected so growers, industry organizations and the Province all have the most current information.

The Ministry of Agriculture and Food continues to offer specialized assistance to any producers who have not made arrangements with a private packer and are in need. Growers in need of support can call the AgriService BC line at 1 888 221-7141, with representatives available in English or Punjabi, or visit a tree fruit support website that has been set up by the ministry: <https://www2.gov.bc.ca/gov/content/industry/agriculture-seafood/animals-and-crops/crop-production/tree-fruits/information-for-bc-tree-fruit-cooperative-members> (<https://www2.gov.bc.ca/gov/content/industry/agriculture-seafood/animals-and-crops/crop-production/tree-fruits/information-for-bc-tree-fruit-cooperative-members>)

The Ministry of Jobs, Economic Development and Innovation is working in close co-ordination with the Ministry of Agriculture and Food to ensure alignment of efforts to support the affected workers and growers.

37

The Ministry of Jobs, Economic Development and Innovation's community transition team has reached out to the Town of Oliver to offer team supports. The community has accepted the invitation. The team will work prudently to co-ordinate the timing of supports for affected workers in tandem with Ministry of Agriculture and Food.

Federal and provincial financial, regulatory supports for tree-fruit growers

Call for meaningful changes to Business Risk Management Programs:

The Ministry of Agriculture and Food has advocated strongly at federal/provincial/territorial (FPT) tables for the need to review the Business Risk Management suite of programs. In July 2024, at the most-recent ministerial FPT meeting, PTs and Canada agreed to review the suite of programs with urgency. Staff have been tasked with this review and the identification of proposals for consideration at the next Ministerial FPT meeting in January/February 2025.

Call for matching funding for replant program:

B.C.'s new expanded replant program, announced in March 2024 and launching in September, adds additional support to help B.C. tree-fruit growers, and ensures British Columbians have a sustainable supply of local fruit now and in the future. The Province is requesting the federal government match funding 50/50.

Call for review of supports provided to North American competitors:

The Province is requesting the federal government complete a comparison of subsidy frameworks provided to competitors in the United States, and implement changes as needed to address competitiveness challenges for B.C. growers.

Call for loan relief for growers:

The B.C. government is urging the federal government to provide relief to growers that participate in the federally funded Advance Payment Loan Program (APP) by granting an immediate two-year stay of default for growers unable to repay their 2024 loans. Additional flexibility on the timing of APP loan repayment dates would alleviate immediate cash-flow challenges and provide growers with the necessary time to make their APP repayments.

The Province has also asked for the federal government to enable B.C.'s Business Risk Management programs to halt deductions from APP outstanding balances for one year.

AgriStability fund:

The Province is creating an AgriStability fund of as much as \$15 million to fund a 10% compensation rate increase and an increase to the maximum annual compensation per producer for claims submitted for the 2024 year. Farmers enrolled in AgriStability do not need to do anything to qualify for this support and enhancement program funding will flow automatically when their AgriStability payments are calculated.

B.C. also requested and received approval from the federal government to allow farmers late participation in the federal-provincial AgriStability program. Those who did not apply by the April 30, 2024, deadline now have until April 30, 2025, to enrol for the 2024 program year, giving them extra time to assess their needs.

Tree Fruit Climate Resiliency program:

A new Tree Fruit Climate Resiliency program for the tree-fruit sector will invest \$5 million in tree-fruit farmers to help them buy equipment and pursue projects to strengthen farm resilience and preparedness for these extreme weather events. This program will build on the successful extreme weather preparedness (EWP) program and recognizes the significant impact of climate-change events on the tree fruit sector over the past year.

This new funding stream is for mitigative infrastructure projects responsive to extreme cold, frost and hail, cost-shared at 80/20 with growers. The current EWP funding streams are cost-shared 50/50 and fund projects responsive to heat, wildfire and drought.

Exemption to 50% Agricultural Land Reserve (ALR) rule:

With the closure of the co-operative, many private packing houses will be taking in an increased volume of fruit from farms across the region. To support and provide a legal pathway for the storage, packing and marketing of this fruit, the Province is making a temporary exemption to the 50% ALR rule for tree fruits, which is the requirement that value-added products processed on the ALR must have at least 50% of the processed product sourced from the farm itself or from a formal collective of farms (a co-operative). The Ministry of Agriculture and Food will consult with industry to determine the length of term for this temporary exemption and implement the change in August 2024.

Development of a one-time climate-change response fund:

The Ministry of Agriculture and Food has been directed to begin developing, in consultation with industry, parameters for a one-time climate change response fund to allow for longevity and sustainability in the tree-fruit sector. This fund would be targeted at smaller, family-run farms based on the number of acres (or hectares) in the operation.

Translations

- TreeFruitSupport_Chinese(simplified).pdf
([https://govbcnews.azureedge.net/translations/releases/2024AF0035-001295/TreeFruitSupport_Chinese\(simplified\).pdf](https://govbcnews.azureedge.net/translations/releases/2024AF0035-001295/TreeFruitSupport_Chinese(simplified).pdf))
- TreeFruitSupport_Chinese(traditional).pdf
([https://govbcnews.azureedge.net/translations/releases/2024AF0035-001295/TreeFruitSupport_Chinese\(traditional\).pdf](https://govbcnews.azureedge.net/translations/releases/2024AF0035-001295/TreeFruitSupport_Chinese(traditional).pdf))
- TreeFruitSupport_French.pdf (https://govbcnews.azureedge.net/translations/releases/2024AF0035-001295/TreeFruitSupport_French.pdf)
- TreeFruitSupport_Punjabi.pdf (https://govbcnews.azureedge.net/translations/releases/2024AF0035-001295/TreeFruitSupport_Punjabi.pdf)

Acknowledgment

The B.C. Public Service acknowledges the territories of First Nations around B.C. and is grateful to carry out our work on these lands. We acknowledge the rights, interests, priorities, and concerns of all Indigenous Peoples - First Nations, Métis, and Inuit - respecting and acknowledging their distinct cultures, histories, rights, laws, and governments.

No. S-245481
Vancouver Registry

In the Supreme Court of British Columbia

IN THE MATTER OF THE *COMPANIES' CREDITORS*
ARRANGEMENT ACT, R.S.C. 1985, c. C-36, AS AMENDED

AND

IN THE MATTER OF THE *COOPERATIVE ASSOCIATION ACT*,
S.B.C. 1999, C 28

AND

IN THE MATTER OF BC TREE FRUITS COOPERATIVE, BC
TREE FRUITS INDUSTRIES LIMITED and GROWERS SUPPLY
COMPANY LIMITED

Petitioners

AFFIDAVIT

NORTON ROSE FULBRIGHT CANADA LLP

Barristers & Solicitors

1800 – 510 West Georgia Street

Vancouver, BC V6B 0M3

Attention: Howard A. Gorman, K.C. & Candace Formosa

CLF/

Matter# 1001252553