

**Farm Products Council
of Canada**

**Conseil des produits
agricoles du Canada**

SUBJECT

SUJET

**Red Raspberry Research,
Market Development and
Promotion Agency**

**Agence de recherche, de
développement des marchés et
de promotion de la framboise rouge**

Pre-Hearing Conference

Conférence préliminaire

BEFORE / DEVANT :

Tim O'Connor
Mike Pickard

Panel Chairperson / Président du Panel
Member / Membre

ALSO PRESENT / AUSSI PRÉSENTE :

Nathalie Vanasse
Duane Schippers

Secretary / Secrétaire
Legal Counsel / Conseiller juridique

2013/06/11
via teleconference/téléconférence

Transcription

In order to meet the requirements of the Official Languages Act, transcripts of proceedings before the Council will be bilingual as to their covers, the listing of the Council members and staff attending the public hearings, and the Table of Contents.

However, the aforementioned publication is the recorded verbatim transcript and, as such, is recorded and transcribed in either of the official languages, depending on the language spoken by the participant at the public hearing.

Transcription

Afin de rencontrer les exigences de la Loi sur les langues officielles, les procès-verbaux pour le Conseil seront bilingues en ce qui a trait à la page couverture, la liste des membres et du personnel du Conseil participant à l'audience publique ainsi que la table des matières.

Toutefois, la publication susmentionnée est un compte rendu textuel des délibérations et, en tant que tel, est enregistrée et transcrite dans l'une ou l'autre des deux langues officielles, compte tenu de la langue utilisée par le participant à l'audience publique.

TABLE OF CONTENTS

| | PAGE |
|--|-------------|
| Opening Remarks by Panel Chair / Discours d'ouverture du Président du comité | 1 |
| Review of the General Rules of Procedures / Revue des Règles générales de procédure | 7 |
| Questions | 13 |
| Closing Remarks by Panel Chair / Discours de fermeture du Président du comité | 14 |

1 Schippers, our legal counsel and Nathalie
2 Vanasse, Hearing Secretary, who are here to
3 answer your questions regarding rules and the
4 process for the hearing.

5 Before we begin, please note that
6 the transcript of this teleconference will be
7 produced and posted on FPCC's Web site.

8 The Council appointed this Panel
9 to conduct hearings into the merits of
10 establishing a Red Raspberry Research, Market
11 Development and Promotion Agency.

12 As part of its duties, the
13 Council must inquire into the merits of
14 establishing an agency for any farm product where
15 producer groups file such a request, and then
16 proceed to make recommendations to the Minister
17 of Agriculture and Agri-Food in accordance to the
18 Farm Products Agencies Act.

19 In connection with such
20 inquiries, Section 8 of the Act directs Council
21 to hold public hearings. While doing so, it has
22 all of the powers of a Commissioner appointed
23 under Part I of the Inquiries Act.

24 During this inquiry, the merits
25 of a proposal developed by the British Columbia

1 Red Raspberry Industry Development Council will
2 be examined. The proposal pertains to the
3 establishment of a Red Raspberry Research, Market
4 Development and Promotion Agency under Part III
5 of the FPAA.

6 The notice was published in the
7 Canada Gazette on January 19, 2013 as required
8 under Section 9 of the Act. The notice gave the
9 purpose and scope of the hearing. Council's
10 inquiry was also advertised in weekly newspapers
11 and farm journals across Canada.

12 The Council extended submissions
13 on the proposal for the Raspberry agency to
14 April 30, 2013. We have received a total of 26
15 submissions and 3 requests to appear.

16 The Act stipulates that, in
17 making recommendations to the Minister, Council
18 will not propose the establishment of an agency
19 unless it is satisfied that a majority of
20 producers and importers are in favour of such
21 action.

22 In the proposal submitted by the
23 Raspberry Industry Development Council, as well
24 as the submissions received following the
25 April 30th extension, the Panel is satisfied with

1 the demonstrated support and therefore decided to
2 proceed with next steps.

3 As a panel, we want to encourage
4 participation at the hearings and, depending on
5 our agenda at each hearing, we hope to hear from
6 the floor.

7 Any person or party who has filed
8 a Request to Appear will be given the right to
9 cross-examine other interveners at the hearing.
10 Second priority will be given to anyone who has
11 filed a submission with the Panel within the
12 prescribed deadline. Although they will not be
13 allowed to cross-examine other interveners, the
14 Panel does recognize them as participants in the
15 hearing.

16 The last part of the agenda will
17 be reserved, time permitting, to hear from anyone
18 who wishes to make their views known.

19 We intend to be an active Panel
20 and ask a lot of questions. We are going to look
21 at this proposal from all sides, both in support
22 and against, and to examine any constructive
23 suggestions for change to the proposal as it has
24 been put forward by the British Columbia
25 Raspberry Industry Development Council.

1 The Panel intends to be fair
2 throughout the process hearing. We want to be
3 fair to all individuals and groups appearing
4 before us, and we intend to ensure that each
5 group will be given an equal chance to speak and
6 to ask questions; we hope to be as flexible as
7 possible during these hearings

8 We also want to be sure that we
9 have carried out our mandate as fairly as
10 possible, to allow us to submit a well-balanced
11 report, having considered every element brought
12 forward.

13 In terms of the outcome of the
14 process, the Panel will prepare a report for
15 Council which will contain recommendations. In
16 these, the Panel could support the proposal, in
17 whole or part, recommend that certain powers
18 under Section 42 of the Act be included or
19 excluded and, alternatively, the Panel could
20 offer some of the changes that may be proposed
21 during the hearings.

22 This is perhaps the most
23 important part of this process. Public hearings
24 are conducted to get input from people from all
25 sectors of the industry and to use this in

1 preparing our recommendations.

2 Once the hearings are concluded,
3 the Panel will make its suggestions to Farm
4 Products Council of Canada. Council will then
5 prepare a report with recommendations to the
6 Minister of Agriculture.

7 It is then up to the Minister to
8 decide whether or not to proceed with the
9 Proclamation of the Agency. I want to emphasize
10 that the Panel does not make the decision in
11 terms of whether or not there is to be an agency.

12 The purpose of this meeting is to
13 discuss the dates and locations of the hearings
14 themselves, and to settle the other procedural
15 matters listed on the agenda.

16 All decisions on these matters
17 will be published in a report which will be sent
18 to all participants. The dates and the locations
19 of the hearings will be advertised on FPCC's Web
20 site as soon as possible.

21 The public examination file that
22 contains all of the submissions and letters of
23 opinion received is also on our Web site for
24 public view, as it will be at all hearing
25 sessions. Another set is kept at the Council

1 office.

2 Evidence tabled during the
3 hearings will be added to the public file as we
4 go, including the transcripts of the hearings.

5 Ladies and gentlemen, this
6 concludes my opening remarks and we will now
7 proceed with the agenda for today.

8 Thank you.

9 MS VANASSE: Thank you,
10 Mr. Chair, and hello everyone.

11 The General Rules of Procedure
12 govern the hearings conducted by the Council to
13 provide a framework to the process in a uniform
14 and expeditious manner, while maintaining
15 safeguards to ensure fairness throughout the
16 proceedings.

17 From these rules, guidelines were
18 developed to outline the procedures for the
19 public hearing to be conducted by the Panel
20 appointed to review the British Columbia
21 Raspberry Industry Development Council's
22 proposal.

23 The objectives of the public
24 hearings are to provide opportunities for the
25 Applicant to explain the proposal and respond to

1 concerns and questions raised by interveners
2 during the hearing.

3 It also provides a forum for
4 stakeholder groups, Government representatives,
5 and the public, to provide their views on the
6 implications of the proposal.

7 In addition to these procedures,
8 the Panel, under Section 25 of the Rules, has the
9 power to summon persons to appear as witnesses
10 and provide evidence before the Panel.

11 The information presented to the
12 Panel will help them complete its assessment of
13 the merits and effects of the proposal.

14 The procedures are meant to
15 ensure that the public hearings take place in a
16 fair and equitable manner, with maximum
17 co-operation and courtesy. The Chair of the
18 Panel will maintain order and efficiency of the
19 proceedings.

20 In accordance with Section 10 of
21 the Farm Products Agencies Act, the Panel will
22 conduct the public hearings in a manner that
23 ensures a thorough examination of relevant
24 matters, and encourages public input and
25 participation.

1 As mentioned by the Chair, 26
2 submissions were received by the April 30, 2013
3 deadline.

4 All submissions have been placed
5 on the public record and made available for
6 viewing. Interveners who wish to have a copy of
7 the application and any submissions may do so by
8 accessing FPCC's internet site.

9 The submission period is now
10 closed. However, any additional request could be
11 considered by the Panel Chair. If an intervener
12 requests that information be kept confidential,
13 the Panel will deliberate and decide whether the
14 information can be protected.

15 To ensure that the hearings are
16 held in a manner that offers all parties an
17 effective opportunity to participate, the Panel
18 will hold two hearings, one in Abbotsford,
19 British Columbia in mid-October and one in Ottawa
20 around mid-November. Further details will be
21 posted on FPCC's Web site as they become
22 available.

23 To date, we have received 3
24 requests to appear. Interveners who filed a
25 request to appear will be granted a time, either

1 in Ottawa or in Abbotsford, depending on the
2 origin of their request. If any change is
3 required, do not hesitate to contact me.

4 Interveners are invited to make
5 their presentation in the official language of
6 their choosing, as interpretation services will
7 be available.

8 Interveners who will make an oral
9 statement at the hearings will have their views
10 officially entered into the record of the
11 proceedings through the official transcripts.
12 All new documents or information referred to
13 during the presentation must be submitted to the
14 Hearing Secretary within ten working days ahead
15 of the Public Hearing.

16 Participants making presentations
17 at the hearing session may be asked questions by
18 the Panel, the Applicant and other interveners.
19 Questioning will allow the Panel and all
20 participants to gather information and explore
21 issues related to the potential effects of the
22 proposal.

23 All participants should be
24 courteous and respectful when asking questions.
25 The Panel Chair may refuse to permit further

1 questioning from an individual who is being
2 discourteous or disrespectful; clarity and
3 brevity are encouraged.

4 The Panel Chair may limit or
5 exclude questions or comments that fall outside
6 the mandate of the Panel or the scope of the
7 hearings, are repetitive, irrelevant, or
8 immaterial. The Panel may also limit questions
9 if it feels it has sufficient information on a
10 specific topic.

11 The Panel Chair may also limit
12 the number of questions in order to respect the
13 time schedule for each session. If a participant
14 would like additional time during the question
15 period to ask detailed questions, advance
16 notification should be provided to the Panel.

17 Additional questions to any or
18 all parties may be communicated to the Panel in
19 writing. The questions will be forwarded to all
20 parties for information sharing purposes, and the
21 appropriate party will respond, in writing, via
22 the Panel, whom will distribute the response.

23 This can be done via FPCC's Web
24 site, by e-mail to the Hearing Secretary or by
25 postal mail.

1 Interveners who have not yet
2 registered still have the opportunity to address
3 the Panel. Registration may be made until the
4 day of the hearing sessions.

5 The opportunity for persons who
6 have not previously registered to make a
7 presentation may be granted at the discretion of
8 the Panel Chair. Priority will be given to
9 Interveners who have registered in advance.

10 As mentioned earlier, the public
11 examination file that contains all of the
12 submissions and letters of opinion received is
13 available on our Web site, as it will also be
14 available during all hearing sessions. Evidence
15 tabled during the hearings will be added to the
16 public file as we go, including the transcripts
17 of the hearings.

18 In addition, the transcript of
19 this pre-hearing conference will be available
20 within the next few days.

21 That concludes my presentation
22 Mr. Chair, if you agree we can now open the floor
23 to questions.

24 Thank you.

25 THE CHAIRPERSON: Yes, we'll turn

1 it over to the moderator.

2 OPERATOR: Thank you.

3 Please press "*1" at this time if
4 you have a question.

5 There will be a brief pause while
6 the participants register for questions. Thank
7 you for your patience.

8 --- Pause

9 OPERATOR: Once again, please
10 press "*1" at this time if you have a question.

11 Our first question is from
12 Sharmin Gamiet. Please go ahead.

13 MS GAMIET: For somebody to say
14 something at the sittings, must they be a
15 Canadian citizen?

16 Can they be a foreign --

17 MS VANASSE: They can be foreign.
18 It doesn't have to be a Canadian intervener.

19 MS GAMIET: Okay.

20 OPERATOR: Thank you.

21 There are no further questions
22 registered at this time. I would like to turn
23 your meeting back over to Mr. O'Connor.

24 THE CHAIRPERSON: Thank you.

25 Well, this concludes our agenda.

1 I now have a few closing remarks.

2 First of all, I appreciate your
3 presence here today and I would like to thank, on
4 behalf of the Panel, the participants on this
5 pre-hearing teleconference, and especially the
6 staff that have worked so diligently during this
7 process.

8 The Panel is looking forward to
9 the hearing. As I previously mentioned, we
10 intend on being an active Panel and to ask a lot
11 of questions. We encourage participation from
12 all individuals and groups appearing before us,
13 and expect fair, constructive and thorough
14 discussions during these proceedings.

15 Thank you very much for your
16 participation. This concludes today's
17 pre-hearing conference.

18 OPERATOR: Thank you. The
19 conference has now ended. Please disconnect your
20 lines at this time, and we thank you for your
21 participation.

22 --- Conference adjourned at 3:16 p.m. /

23 La conférence se termine à 15 h 16

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Reporters / Sténographes

William Curley

Brian Denton