

FARM INDUSTRY REVIEW BOARD

ANNUAL PERFORMANCE REPORT 2023-24



Chairperson's Message

The Honourable Gerry Byrne
Department of Fisheries, Forestry and Agriculture
Petten Building
30 Strawberry Marsh Road
P. O. Box 8700
St. John's, NL A1B 4J6

Dear Minister Byrne:

On behalf of the Farm Industry Review Board (the Board), I am pleased to present this annual performance report for the 2023-24 fiscal year.

The Board is classified as a category three government entity under the **Transparency and Accountability Act**. As such, the Board is required to submit annual performance reports outlining its success in achieving the objectives and indicators in its multi-year performance-based activity plan. This report outlines the accomplishments of the Board from April 1, 2023, to March 31, 2024, with regards to its responsibilities under both the provincial **Natural Products Marketing Act** (NPMA) and the **Farm Practices Protection Act** (FPPA).

In 2023-24, the Board continued to support the Agriculture Sector Work Plan to advance the agriculture industry and improve the province's food self-sufficiency. The Board was involved in the development of this work plan and will continue to support advancements in the industry. The Board continued to strengthen its relationship and provide oversight and support to each of the three commodity boards under its purview.

As Chairperson, and on behalf of the Board, I accept accountability for the achievement of its objectives. My signature on behalf of the entire Board signifies the Board's accountability for the preparation of this report and the actual results reported.

Respectfully submitted,

Tammy Pike Farrell

Tammy Pike-Farrell Chairperson

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Board Overview

The Board was established in 2005 when the NPMA was proclaimed by the House of Assembly. In addition to the creation of the Board, the Act allowed for the creation of three commodity boards in the province: the Dairy Farmers of Newfoundland and Labrador (“DFNL”), the Chicken Farmers of Newfoundland and Labrador (“CFNL”) and the Egg Farmers of Newfoundland and Labrador (“EFNL”). The Board is also responsible for carrying out the duties of two former boards; the Agriculture Products Marketing Board under the NMPA and the Farm Practices Review Board under the FPPA.

The NPMA requires that the Board shall consist of not less than five and not more than seven members appointed by the Lieutenant-Governor in Council, one of whom shall be a person nominated by the Newfoundland and Labrador Federation of Agriculture (NLFA). Appointments are made using a merit-based process; however, gender balance is considered during the appointment process and efforts are made to ensure the Board is representative of the population it serves.

The Board reports directly to the Minister of the Department of Fisheries, Forestry and Agriculture (the Minister). Members of the Board shall be appointed for a three-year term and are eligible for reappointment. The Board is supported by the Manager of the Farm Industry Review Board and Economist, both employees of the Department of Fisheries, Forestry and Agriculture (FFA). All other members are volunteers and are reimbursed for expenses related to meetings or their duties of the Board.

As of March 31, 2024, the Board was comprised of the following:

Name	Title	Appointment Date	Expiry Date	Area
Pike Farrell, Tammy	Chairperson	2022/06/21	2025/06/20	East
Kennedy, Sarah	Vice-Chairperson	2022/06/21	2025/06/20	West
Harte, Kevin ¹	Member	2022/06/21	2025/06/20	East
Legge, Darryl	Member	2022/06/21	2025/06/20	East
Reid, Rodney	NLFA Member	2022/06/21	2025/06/20	Central
Vacant ²	Member			
Vacant ²	Member			

¹ Vacated on October 5, 2023.

² Position being advertised by the Public Service Commission.

Nine virtual board meetings were held during 2023-24 in April, May, July, August, October, November, January, February and March. Audited financial statements are not required as the Board is budgeted through FFA. Remuneration to Board members for the 2023-24 fiscal year was

approximately \$13,135. Travel expenditures for the Manager totaled \$11,613 and \$576.29 for the Board members.

Key Statistics:

Revenue Type	Description	2022-23 (million)	2023-24 (million)	Change Since 2022-23
Total Farm Cash Receipts	Receipts paid to farmers for products produced on the farm (excluding cannabis)	\$152.4	\$163.9	7.6%
Total Supply Managed Farm Cash Receipts	The portion of cash receipts made to producers for dairy, eggs and chicken production.	\$125.4	\$132.6	5.7%
	Dairy	\$52.1	\$53.6	2.9%
	Eggs	\$24.4	\$25.3	3.7%
	Chicken (estimated)	\$48.9	\$53.7	9.8%

Source: Statistics Canada. Table 32-10-0046-01, Farm cash receipts, quarterly (x 1,000).

* Due to source data timing, availability and revisions, figures may differ comparatively.

Farm Cash Receipts

Farm Cash Receipts (FCR), excluding cannabis, increased 7.6 per cent in 2023-24 to \$163.9 million. The majority of commodities reported growth in receipts in 2023-24 with significant growth occurring in Fruits and Berries at \$1.9 million (12.8 per cent increase), Cattle and Calves at \$5.9 million (17.5 per cent increase), and Eggs at \$25.3 million (3.7 per cent increase).

Dairy and Poultry Production Receipts

Receipts from milk production increased 2.9 per cent in 2023-24 to \$53.6 million. The increase was due to higher milk prices as Statistics Canada reports the volume of production was unchanged from 2022-23 at 48.7 million litres. Production of butterfat was unchanged at 2.0 million kilograms, of which, 65.5 per cent was used in the fluid market and 34.5 per cent in the industrial market.

Statistics Canada does not provide an estimate of FCR for chicken production for any of the Atlantic provinces. The CFNL reports production increased 4.2 per cent in 2023 to reach a record high of 17.9 million kilograms (eviscerated weight). Based on this increase production from the CFNL and the average Atlantic chicken pricing, the 2023-24 production value was estimated at \$53.7 million.

Farm cash receipts from egg production rose 3.7 per cent in 2023-24 to \$25.3 million. The increase was due to higher prices as production declined 5.4 per cent from the record high 10.1 million dozen reported in 2022-23.

The three supply-managed commodities (i.e., dairy, chicken, and eggs) are the top three FCR

generators of all the agricultural commodities, covering approximately 81 per cent of total cash receipts for 2023. This highlights the tremendous importance of supply management to this province's agriculture industry.

Lines of Business:

Based on legislative requirements, the Board has four lines of business as follows:

1. Supervisory Role
2. Appellate Role
3. Conflict Management Role (Farm Practices)
4. Signatory Role

Vision:

The vision of the Board is of a regulated but fluid marketing system which supports the growth and operations of a harmonious, sustainable farming environment through good governance, transparency and stakeholder engagement.

Contact Information:

For information about the Board, commodity boards, farm practices dispute resolution or the regulated marketing system in Newfoundland and Labrador, please contact us at:

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This report is available in alternate formats. Please contact us at the above to request an alternate format.

Mandate:

The Board is a regulatory and adjudicative body, responsible for general supervision of provincial agricultural commodity boards, and for hearing complaints from those aggrieved by board decisions, or by farm practices.

The mandate of the Board is set out in two statutes:

1. **Natural Products Marketing Act (NPMA)**
<https://www.assembly.nl.ca/legislation/sr/statutes/n02.htm>

The Board is responsible for general supervision of the operations of commodity boards created under this Act; hearing appeals filed by any person who is aggrieved by or dissatisfied with orders, decisions or determination of the commodity boards; and acting as a signatory to Federal-Provincial agreements for supply-managed commodities.

2. **Farm Practices Protection Act (FPPA)**

<https://www.assembly.nl.ca/legislation/sr/statutes/f04-1.htm>

The Board is responsible for hearing complaints from persons aggrieved by odor, noise, dust or other disturbances arising from agriculture operations, and may also study and report generally on farm practices.

Highlights and Partnerships

The Board worked throughout 2023-23 in partnership with DFNL, CFNL, EFNL, industry, government, and national agencies to build on opportunities, address challenges and manage a system that provides fairness and balance to all stakeholders.

The NLFA represents all commodities in the agriculture industry in the province by coordinating the efforts of producers for the purpose of promoting their common interest through collective action. As a result, one member on the Board is appointed as a representative of the NLFA.

The Board deals directly with the Minister and senior FFA officials on various issues (e.g., commodity board updates, mandate, and legislation). Additionally, the Board advises the Minister on all matters related to the operation of the three commodity boards (CFNL, DFNL and EFNL) established under the NPMA with a view to ensure that all activities are carried out in accordance with existing legislation.

On a regular basis, the Board communicates openly with the CFNL, DFNL and EFNL boards providing direction on policy and procedure detailed in the NPMA legislation under which they are constituted. The Board also provides advice and decisions, as needed, to the development and establishment of internal policy and procedures, including changes to their related legislation.

The Board is a member of the National Association of Agricultural Supervisory Agencies (NAASA). This association was formed in 1997 with membership comprising of the Farm Products Council of Canada, all provincial/territorial supervisory agencies, and the Canadian Dairy Commission. NAASA members have adopted a set of supervisory principles that guide its members in the supervision of commodity boards and other agencies within their national and provincial jurisdictions. It provides provincial and federal governments with a forum to discuss issues pertaining to regional or national matters and to build consensus on moving the industry forward in a regulatory framework that supports the needs of the industry.

Report on Performance

The following objectives and indicators, as outlined in the 2023-26 Activity Plan, have guided the Board in achieving its mandate in 2023-24, which is the first year of the 2023-26 planning period. As the focus of the Board will be the same for the planning period, the Board will undertake work and report on the same objectives and indicators in all three years. For more information, please go to: <https://www.assembly.nl.ca/business/electronicdocuments/FIRBActivityPlan2023-2026.pdf>

Issue 1: Effective and Transparent Self-Governance

Good governance ensures consistency, transparency, and visibility. By creating clear, fair processes and guidelines, decisions will be administratively fair, comply with legislation/regulations and accordingly with sound marketing policy.

Objective: By March 31, 2024, the Board will have enhanced its self-governance practices.

INDICATOR	Results
Developed key governance tools (e.g., code of conduct, appeal policies and procedures, terms of reference, etc.) to support the efficient and transparent operation of the Board.	A revised code of conduct and terms of reference were developed in 2023-24 to support the efficient and transparent operation of the Board. These revised governance tools are expected to be implemented in 2024-25.
Developed, implemented, and reviewed the Board's policies and procedures to clearly articulate to stakeholders how to engage with the Board.	In 2023-24, the Board reviewed policies and procedures related to the FPPA. As a first step, the Board developed and implemented changes to clarify and modernize various aspects of the stakeholder engagement process to articulate to stakeholders how to easily engage with the Board. For example, an alternate method of payment and a revised application process were identified as essential to simplifying stakeholder requests to the Board to hear and review complaints. A revised application has been drafted and expected to be implemented in 2024-25. Additionally, rather than requiring payment of the application fee by cheque, the Board has arranged for applicants to make a direct payment through the Department of Finance.

Issue 2: Effective, Fair and Independent Resolution of Inquiries and Disputes

The Board provides support for both producers and the public of the province in instances where they are aggrieved by commodity board decisions or general farm practices. Another service provided by the Board involves keeping a registration of agricultural producers and associated maintenance of the farm registration system. Ensuring these services continue to serve all interested parties appropriately and effectively will be a key focus for the Board.

Objective: By March 31, 2024, the Board will have ensured that issues and disputes arising within its jurisdiction are resolved in a fair and timely manner, with clearly articulated processes and guidelines to follow.

INDICATOR	Results
Developed, implemented and reviewed the Board’s appeal procedures and guidelines to facilitate stakeholder engagement and use of the Board’s appeals process.	An initial review of the Board’s appeal procedures and guidelines was completed in 2023-24. A jurisdictional review of appeal procedures used by farm industry review boards in other provinces was undertaken to identify best practices. In a meeting with the Farm Products Council of Canada and the other Atlantic provinces, the Board shared its intention to develop a better governance tool for the appeals process. Other provincial supervisory boards were keen to support the development of best practices and eagerly shared their current best practices. The Board plans to develop a clear and transparent procedure with reasonable timelines. The development of the final appeal policies and process is expected to be finalized in 2024-25. Implementation is expected in 2025-26.
Developed, implemented, and reviewed criteria and guidelines for the registration process for agriculture producers.	In 2023-24, the Board conducted a thorough review of the registration process, including a scan of similar processes in other comparable jurisdictions. The development of the final policies and registration process is expected to be finalized in 2024-25. Implementation is expected in 2025-26.

Issue 3: Monitoring and Support of the Provincial Supply Management System

Under the NPMA, the schemes for the supply-managed commodity boards form the basis for how the commodity groups will market their respective commodities. The Board continues to provide support and direction to the commodity groups implementing their respective schemes; this monitoring provides support and structure for supply management in this Newfoundland and Labrador.

Objective: By March 31, 2024, the Board will have monitored and provided supports for the supply managed commodities system where appropriate.

INDICATOR	Results
<p>Attended meetings of the National Association of Agricultural Supervisory Agencies and exchanged information with Federal and provincial supervisory boards regarding their respective marketing boards.</p>	<p>In 2023-24, the Board Manager monitored national and provincial supply management activities through NAASA meetings and through regular correspondence with national and provincial bodies, which are part of the supply management system. This included annual reports from other jurisdictions and industry-related information and updates. Relevant information about industry happenings was disseminated to the Provincial Government and Board members. The Board attended a meeting with the provincial supervisory boards of Nova Scotia, Prince Edward Island and New Brunswick and its national supervisory board, Farm Products Council Canada (FPCC), to discuss regional concerns of the provinces and update provinces on the activities of the national commodity groups under FPCC.</p>
<p>Actively monitored issues and trends on provincial, national and international levels that affect the Province’s supply management environment; and facilitated information transfer among commodity boards, the Provincial Government, national supply management partners and other stakeholders, as appropriate.</p>	<p>Throughout 2023-24, the Board Manager monitored issues and trends on provincial, national, and international supply management activities. This was accomplished by attending federal commodity board meetings, through participation in NAASA meetings and through regular correspondence from national and provincial bodies, which are part of the supply management system. Through these activities, the Board helped facilitate information transfer among commodity boards, the Provincial Government, national supply management partners and other stakeholders.</p>
<p>Provided supports to commodity boards in addressing the ever-evolving environment of the supply management system and its requirements.</p>	<p>The Board provided supports to commodity boards in 2023-24 to help address the ever-evolving environment of the supply management system. These supports included: assistance in arranging legislative changes as needed; clarification of NPMA and related commodity board legislation; and reviewing commodity board policies in relation to applicable legislation and policies that guide supply management.</p>

Opportunities and Challenges

The Board recognizes the challenges and opportunities within the industry and acknowledges the roles and responsibilities of all interested parties. The Board’s commitment is to continue to work within its mandate and with interested parties to build a sustainable farming environment that is cognizant of the interests of the public and the industry.

Opportunities:

The Board recognizes the continued necessity of an opportunity to improve its communication and

collaboration with commodity boards through regular correspondence, participation in board and industry meetings, open exchange of valued information and ongoing consultation in efforts to properly carry out its mandate.

The Board further recognizes the opportunity to establish clear guidelines for stakeholders on how to engage the board when seeking to have the board exercise its authority under its enabling legislation. This will ensure fair application of the process, clarity on thresholds to be met and advanced understanding of possible outcomes.

The Board is increasingly involved in supporting the development of secondary processing activities in the province with the understanding that secondary processing will provide stability to the supply managed commodities and the entire agricultural industry.

Challenges:

The Board, like its counterparts across Canada, continues to experience a heightened level of challenges from industry on policy matters and from the public regarding farm practices. Balancing the needs of existing producers with potential new entrants requires diplomacy and financial acumen. Most importantly, it relies on a collaborative relationship and open dialogue with the different commodity boards. Operating remotely compounds the challenges as we work through best ways to ensure transparency.

The emergence of highly pathogenic avian influenza (HPAI) which is generally spread through wild birds in North America is a continuous threat to the agriculture industry. This peril has increased in 2023-24 as cattle in the United States are now testing positive. The disease, which was initially a threat to the poultry industry, is now threatening the entire agriculture industry causing farms to take significant measures to improve their on-farm biosecurity measures to protect their flocks and the commercial flocks of the province. The development of educational material and procedures to deal with an outbreak on an island with limited options continues to provide a challenge for the industry and the boards that support it.