
Fifth Session, Fortieth Parliament
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Legislative Assembly of British Columbia

BILL M 2**

British Columbia Local Food Act, 2016

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Explanatory Note

The *British Columbia Local Food Act* seeks to improve and maximize food security, economic returns, and population health from protected and other farmlands. It reassigns Agricultural Land Reserve areas under Zone 2 into Zone, establishes the Legislative Assembly of British Columbia's Food and Agricultural Committee and assigns the Committee responsibility for recommending the Chair, Vice Chair and members of the Agricultural Land Commission. This bill also creates the British Columbia Local Food Strategy, which requires the Minister of Agriculture, in collaboration with the Legislative Assembly of British Columbia's Food and Agriculture Committee, to determine recommendations and targets on increasing local food production, processing, distribution, marketing plus increased public sector organization procurement of BC grown and produced foods. It further requires the Minister to report annually on the progress made, and expected, under the Strategy. Finally, this bill re-establishes the Ministry of Agriculture's Buy BC marketing program that is universally accessible to all BC farmers.

BILL M 2** – 2016

BRITISH COLUMBIA LOCAL FOOD ACT, 2016

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:

Definitions and Interpretation

1 In this Act,

“ALC” means Agricultural Land Commission

“agriculture ministry” means, unless stipulated otherwise, the agricultural ministry of the Minister;

“Committee” means Legislative Assembly of British Columbia’s Committee on Food and Agriculture established under section 3;

“local food” means

- (a) food produced or harvested in British Columbia, including forest or freshwater food, and
- (b) subject to any limitations in the regulations, food and beverages made in British Columbia if they include ingredients produced or harvested in British Columbia;

“local food assessment” means an assessment of local food systems that provides an inventory of food resources available at both a province wide level and within regions, and an investigation into the scope of, barriers to, and opportunities for, local food production, processing, distribution and marketing with the goal of increasing local food consumption;

“local food systems” means a chain of activities and processes related to the production, processing/ storage, distribution and consumption of local food;

“Minister” means, unless the context stipulates otherwise, the Minister of Agriculture;

“public sector organization” means

- (a) a ministry of the Government of British Columbia,
- (b) an agency of the Government of British Columbia,
- (c) provincial mental health facility within the meaning of the *Mental Health Act*,
- (d) a hospital within the meaning of Section 1 of the *Hospitals Act*,
- (e) residential care within the meaning of community care facility providing residential care under the *Residential Care Regulation*,
- (f) a school or post-secondary institution in B.C. the enrolments of which are counted for purposes of calculating annual operating grants and entitlements, or
- (g) any other organization prescribed by regulation;

“strategy” means British Columbia Local Food and Agriculture Strategy established under Section 4.

PURPOSES

2 The purposes of this Act are as follows:

- (1) to ensure a resilient, sustainable, and strong local food economy and agriculture land base in BC,
- (2) to improve and maximize economic return, and food security, from maintaining agricultural land for the purposes of farming, to supporting the development of local food infrastructure for processing, and distributing food,
- (3) to improve population health outcomes through increasing the production and consumption of locally grown food,
- (4) to provide an increased and stable demand for local food through government and public sector organization purchasing,
- (5) to increase public awareness of local food in BC, including the diversity of local food,
- (6) to promote sustainable farming practices,
- (7) to attract new generations into the farming profession,
- (8) to support indigenous food sources and systems, and
- (9) to promote diversity in scale and marketing in BC's agriculture and food system for adaptability and resilience.

ESTABLISHMENT OF LEGISLATIVE ASSEMBLY FOOD AND AGRICULTURE COMMITTEE

3 An all-party committee on food and agriculture shall be established as a committee of the Legislative Assembly of British Columbia.

AMENDMENTS TO THE AGRICULTURAL LAND COMMISSION ACT

4 *Section 4.2 of the Agricultural Land Commission Act is repealed and substituted with the following:*

- (4.2) All geographic areas covered by panel regions belong to Zone 1

4.1 *Section 4.3 of the Agricultural Land Commission Act is repealed*

4.2 Section 5 is amended

(a) **by repealing subsection 2 and substituting the following:**

(2) On the recommendation of the Legislative Assembly, the Lieutenant Governor must appoint the following members of the commission who have been recommended the Food and Agriculture Committee :

- (b) (1) one chair of the commission;
- (2) 6 vice chairs of the commission, each of whom must be resident in a different panel region.
- (3) other members of the commission

(c) **by repealing subsection (3)**

(d) **in subsection (3.01) by striking out “or (3)”**

(e) **in subsection (3.1) striking out “the minister” and substituting with “the Lieutenant Governor”**

4.3 Section 44 of the Agricultural Land Commission Act is amended by repealing subsection (3.1)

4.4 Section 58 of the Agricultural Land Commission Act is amended by repealing subsection (2)(c.1)

4.5 Section 33.1 of the Agricultural Land Commission Act is amended by repealing subsection (1)(a) (ii)

DEVELOPMENT OF BRITISH COLUMBIA LOCAL FOOD AND AGRICULTURE STRATEGY

5 (1) The Minister, in collaboration with the Committee, within 12 months of this act coming into force, shall prepare a BC Local Food and Agriculture Strategy to advance the purposes of this Act.

LOCAL FOOD ASSESSMENT

5 (2) In preparing the strategy, the Minister, in collaboration with the committee will undertake local food assessment consisting of:

- (a) the examination of BC’s baseline agriculture production that includes data on
 - (i) the amount of food grown annually in BC, aggregate and by region,
 - (ii) the amount of food processed annually in BC, aggregate and by region,
 - (iii) the amount of local food purchased annually in BC, and
 - (iv) the amount of local food purchased by public sector organizations annually in BC;
- (b) the identification of barriers that limit local food production, processing, distribution, and access to consumer markets within British Columbia, including but not limited to

(i) examination of policies, practices, programs, or lack thereof, impeding the ability of farmers, and other entrepreneurs to engage in food production, distribution, processing and marketing,

(ii) data on the distribution and processing infrastructure of scale for small and medium sized food and farm operations

(iii) examination of valuation of agricultural land;

(c) the assessment of the potential for regional food systems throughout the province to contribute to the purposes of the Act.

RECOMMENDATIONS AND TARGETS

5 (3) The Minister, in collaboration with the Committee shall prepare

(a) recommendations aimed at overcoming barriers and optimizing opportunities identified in the local food assessment;

(b) long term, mid-term, and annualized targets on increasing including but not limited

to:

(i) local food production

(ii) local organic food production

(iii) local food processing

(iv) local food distribution

(v) local food marketing

(vi) local food procurement; and

(c) a public website including all targets, recommendations, and related data and information assessments.

INPUT INTO STRATEGY

5(4) In determining recommendations and targets, the Minister and Committee will seek input from individuals, organizations with experience and interest applicable to the Strategy's purpose, including:

(a) farming, food systems, and agricultural associations,

(b) organic farming associations,

(c) public health associations,

(d) the provincial health officer

(e) municipalities,

(f) food processing associations

(g) environmental organizations

(h) First Nations, and indigenous organizations

(i) post-secondary institutions

REVIEW

5(5) The strategy shall be reviewed at least every five years, and as appropriate, updated and revised to reflect developments in food security, economic viability of farming, population health.

5.1 The Provincial Health Officer shall provide input in the review regarding population health.

ANNUAL REPORTING

5(6) Notwithstanding subsection (4), the Minister, in collaboration with the Committee, shall publish no later than every June 30th an annual report summarizing:

- (a) targets and recommendations that have been established under the Strategy;
- (b) steps taken and progress made in respect of recommendations and targets during the preceding fiscal year; and
- (c) progress expected to be made in respect of recommendations and targets in the current fiscal year.

PUBLIC SECTOR PROCUREMENT OF LOCAL FOOD

6 (1) The Minister, in collaboration with the Committee, shall establish long term and annualized targets increasing the percentage of local food public sector organizations purchase.

(2) Annualized and overall targets shall first be set for hospitals and residential care facilities.

(3) Public sector procurement targets, strategies to achieve progress on targets, shall be published and reported on annually.

(4) Procurements are not to be contrary to national and international trade agreements that British Columbia is bound to by agreement.

RE-ESTABLISH BUY BC MARKETING PROGRAM

7 (1) The Buy BC marketing program housed and operated by the Ministry of Agriculture shall be re-established.

(2) Products eligible for BUY BC marketing supporting include:

- (a) British Columbia grown fruit, fish, poultry, meat, vegetables, and grains, and
- (b) processed food, fish, beverages or agricultural products that are:
 - (i) made with a majority of raw materials grown, caught or raised in BC, and
 - (ii) are processed and packaged in the province with 51% or more of the direct cost of producing the product in its final form (direct labour, raw materials, processing and packaging) originating in British Columbia.

(3) The marketing program will operate on a universal model, not a user-pay model.

COMMENCEMENT

8 This Act comes into force the day it receives royal assent.