



Docket: CART - 2130

ERMIYAS ZERIHUN

APPLICANT

- AND -

MINISTER OF PUBLIC SAFETY AND EMERGENCY PREPAREDNESS

RESPONDENT

BEFORE: Patricia L. Farnese, Member

**WITH: Mr. Ermiyas Zerihun, the Applicant; and
Ms. Valerie Laroque, representing the Respondent**

ORDER DATE: December 15, 2020

In the matter of the Applicant's request for review of Minister's decision # 19-00805 which reviewed a Notice of Violation # 4971-19-0373 with a penalty of \$800 issued on February 22, 2019 for breaching s. 40 of the [Health of Animals Regulation](#).

**ORDER ARISING FROM THE CASE MANAGEMENT CONFERENCE CALL HELD ON
DECEMBER 9, 2020**

1. BACKGROUND TO THE CURRENT ORDER

[1] The Applicant was issued a Notice of Violation (NOV) and assessed a penalty of \$800 arising from the alleged import of chicken without the requisite import permit. The Minister of Public Safety and Emergency Preparedness confirmed the NOV and penalty after conducting a review. The Tribunal received a request for a review of the Minister's decision from the Applicant on June 7, 2019.

[2] The Canada Agricultural Review Tribunal (Tribunal) determined that Mr. Zerihun's application was admissible on August 8, 2019 and the decision was made to proceed by oral hearing.

[3] In the spring of 2020, The Tribunal elected to suspend all hearings in response to the global COVID-19 pandemic. The oral hearings resumed in November 2020.

[4] Given the current public health guidelines to avoid unnecessary travel and in-person gatherings, the Tribunal is exercising its authority granted to it under s. 20 of the [*Rules of the Review Tribunal \(Canada Agricultural Review Tribunal\)*](#) to conduct the hearing by videoconference. The Tribunal will be using the Zoom platform.

[5] On December 9, 2020, the Tribunal held a Case Management Conference Call (CMCC) to establish the parameters and date for an expeditious and fair hearing.

[6] During the CMCC, the parties have agreed that:

- a. The hearing will last half of a day and will be held on January 21, 2021.
- b. Neither party intends to call any witnesses.
- c. The representative for the Respondent, Ms. Valerie Laroque, will prepare a proposed Agreed Statement of Fact and provide it to the Applicant by January 11, 2021 for his consideration.
- d. Neither party intends to submit evidence beyond the Agency Report.
- e. The Respondent will provide a submission brief in PDF form to the Tribunal no later than January 14, 2021.

2. ORDERS

[7] I **ORDER** that the oral hearing be held via videoconference on January 21, 2021 commencing at 13:00 pm (EST).

[8] I **ORDER** that Parties confirm whether the parties intend to submit an Agreed Statement of Facts by January 14, 2021.

[9] I **ORDER** that the Respondent file their submission brief no later than January 14, 2021

Dated at Saskatoon, Saskatchewan, on this 15th day of December, 2020.

(Original signed)

Patricia L. Farnese
Member
Canada Agricultural Review Tribunal