

HB 2451 STAFF MEASURE SUMMARY

House Committee On Agriculture and Land Use

Prepared By: Laura Kentnesse, LPRO Analyst

Meeting Dates: 2/19, 2/26

WHAT THE MEASURE DOES:

Eliminates mandatory state onion inspections. Retains provisions requiring Oregon Department of Agriculture to establish onion grades and standards that conform to those prescribed by the United States Department of Agriculture.

REVENUE: No revenue impact

FISCAL: Fiscal impact issued

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Oregon law allows the Oregon Department of Agriculture (ODA) to inspect or classify horticultural and agricultural products when requested. This authority relates to the ascertainment and certification of product grade, classification, quality, condition, or amount. It does not relate to food safety standards and requirements, which are regulated by ODA and the US Food and Drug Administration. The onion inspection statutes (ORS 632.206 - 632.260) were created in 1955 to establish grades and standards for onions, and to require mandatory inspections, grade certification, and labeling requirements for shipping. According to ODA, shipping point inspections were primarily performed by ODA prior to 1999. However, it is now common practice for packing companies to employ their own inspectors, whose work is overseen by ODA.

Malheur County onion growers and shippers are also subject to mandatory federal inspections by the United States Department of Agriculture (USDA). The USDA has regulated eastern Oregon onions via marketing order since 1957 under CFR Title 7, Subtitle B, Chapter IX, Part 958. In general, marketing orders are initiated by industry, tailored to an individual industry's needs, and are binding for the entire industry within a specified geographic area. Their purpose is to help provide a stable market by maintaining high produce quality, standardizing packaging and containers, regulating product flow to market, establishing reserve programs for storable commodities, and authorizing marketing research, development, and advertising. The '958 Idaho and Oregon Onions' Federal Marketing Order authorizes grade, size, maturity, quality, marking, packing, and container regulations for onions grown in certain designated areas of eastern Oregon and western Idaho.

House Bill 2451 would eliminate mandatory state onion inspections.