

Oregon Commodity Commission Research

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2021-23 ODA ARB - Commodity Commission Oversight/This activity provides the administrative oversight of Oregon's 28 agricultural commodity commissions

- <https://www.oregon.gov/oda/shared/Documents/Publications/Administration/21-23AgencyRequestBudget.pdf>
- Other funds \$766,128 - Page 211
Other Funds revenue includes license fees, registration fees, fees for service, and reimbursement of expenses from commodity commissions to support the Commodity Commission Oversight Program - Page 458
- This is the request budget, but very similar to last biennium's LAB

Budget Process in Statute

- <https://www.oregonlaws.org/ors/576.416>
- Developed on annual basis, not subject to review by Legislature or modification by E-Board
- Have to have at least one public meeting on budget.
- Have to submit to ODA, they review, retain certified copy of the final budget and make the budget available for public inspection during normal business hours of the State Department of Agriculture.
- The commission shall prepare an annual financial statement of commission revenues and expenses and shall make the statement available for public review. A commission shall provide a copy of the statement to the department no later than 30 days after the end of the state fiscal year. Upon request of the Secretary of State, a commission shall provide a copy of the statement to the secretary.

Highlighted a few interesting pieces below...

https://www.oregonlegislature.gov/bills_laws/ors/ors576.html

576.304 Authority of commodity commissions; rules. A commodity commission may:

- (1) Appoint all subordinate officers and employees of the commission, prescribe their duties and fix their compensation.
- (2) Levy assessments under ORS 576.325.
- (3) Borrow money in amounts that do not exceed estimated revenues from assessments for the year.
- (4) Enter into contracts for carrying out the duties of the commission.
- (5) Subject to ORS 30.260 to 30.300, sue and be sued in the name of the commission.
- (6) Request that the Attorney General prosecute in the name of the State of Oregon suits and actions for the collection of assessments levied by the commission.
- (7) Study state and federal legislation with regard to tariffs, duties, reciprocal trade agreements, import quotas and other matters affecting commodity industries and the state. A commission may represent and protect the interests of a commodity industry regarding any legislation, proposed legislation or executive action affecting the commodity industry.
- (8) Participate in federal and state hearings or other proceedings concerning regulation of the manufacture, distribution, sale or use of pesticides as defined in ORS 634.006 or other chemicals that are of use or potential use to producers of a commodity. This subsection does not authorize a commodity commission to regulate the use of pesticides.
- (9) To the extent consistent with the duties of the commission, participate in and cooperate with local, state, national and international private organizations or governmental agencies that engage in work similar to that of a commodity commission.

(10) Provide mechanisms for maintaining and expanding existing markets and developing new domestic and foreign markets for a commodity, including but not limited to:

- (a) Public relations programs;
- (b) Media relations programs;
- (c) Paid print, electronic and position advertising;
- (d) Point of sale promotion and merchandising;
- (e) Paid sales promotions and coupon programs; and
- (f) Activities that prevent, modify or eliminate trade barriers that obstruct the free flow of a commodity to market.

(11) Conduct and fund research to:

- (a) Enhance the commercial value of a commodity and products derived from the commodity;
- (b) Discover the benefits to public health, the environment or the economy of consuming or otherwise using a commodity;

(c) Develop better and more efficient production, harvesting, irrigation, processing, transportation, handling, marketing and uses of a commodity;

(d) Control or eradicate hazards to a commodity, including but not limited to hazards from animals, pests and plants;

(e) Develop viable alternatives for the rotation of crops;

(f) Determine new or potential demand for a commodity and develop appropriate market development strategies for capturing that demand; and

(g) Measure the effectiveness of marketing, advertising or promotional programs.

(12) Gather, publicize and disseminate information that shows the importance of the consumption or other use of a commodity to public health, the environment, the economy and the proper nutrition of children and adults.

(13) Further the purposes of this section by funding scholarships for or providing financial assistance to persons or entities interested in a commodity.

(14) Adopt rules in accordance with ORS chapter 183 for carrying out the duties, functions and powers of the commission. [2003 c.604 §8 (enacted in lieu of 576.305)]

Specific Commodity Commissions:

Oregon Commodities include: Albacore, Alfalfa, Beef, Blueberries, Clover Seed, Dairy Products, Dungeness Crab, Fine Fescue, Hazelnuts, Hops, Mint, Orchardgrass, Potatoes, Processed Vegetables, Raspberries & Blackberries, Ryegrass, Salmon, Sheep, Strawberries, Sweet Cherries, Tall Fescue, Trawl and Wheat (Oregon Wine Board not officially recognized as an agricultural commodity commission).

Common Traits:

- Commissions are funded by industry assessments.
- Commissions have a minimum of 5 “producers”, 2 “handlers”, and 1 public member.
- Commissions operate under the auspices of the Oregon Department of Agriculture's Commodity Commission Program.

Oregon Albacore Commission

- Purpose: OAC was formed at the request of the fishing industry, created by the Oregon Legislature in October 1999 and is a part of the Oregon Department of Agriculture's (ODA) Commodity Commission Program. The OAC serves the commercial albacore troll fishing industry by supporting and engaging in activities and research programs that benefit the production, harvesting, handling, processing, marketing and use of Oregon Albacore.
- Structure: 9 Member Commission

- 5 producers (fishermen)
- 3 handlers
- 1 public member
- All appointed by the ODA director
- All serve three-year terms.
- Funding:
 - The commission is funded by an assessment of the cash value on all Albacore landed in the state. This assessment is split equally between the harvester and the first receiver.
 - (1) Pursuant to the Commission's authority to establish an alternate assessment method, the following assessment method is established.
 - (2) Any person who is a first purchaser as defined in ORS Chapter 576 and OAR 972-010-0000, shall deduct and withhold from the harvester an assessment of .005 of the cash value of the raw product of albacore. This assessment deduction shall be made upon the incoming revenue thereof, for albacore landed in Oregon.
 - (3) Any person who is a first purchaser as defined in ORS Chapter 576 and OAR 972-010-0000, shall remit an assessment of .005 of the cash value of the raw product of albacore. This assessment shall be made upon the incoming revenue thereof, for albacore landed in Oregon.
 - (4) The assessment to be withheld and paid by the first purchaser and the reports, as required by ORS 576 and OAR 972-010-0010 and 972-010-0020, applies to and covers any purchases or deliveries made on or after June 1, 2000, of albacore landed in Oregon.

Oregon Alfalfa Commission

- Structure:
 - Annually, at the first regular meeting of the Commission at the beginning of the new fiscal year, the Commission will elect from its members a Chair and a Vice Chair who will serve until their successors are elected and qualified.
 - Members of the Oregon Alfalfa Seed Commission will have the following qualifications, which will continue during the term of office of the member:
 - There will be no public member of the Oregon Alfalfa Seed Commission as long as partial refund is offered.
 - A majority of the members will be producers
 - At least one member will be a handler
 - All members who are not a handler or the public member will be producers.
 - The Oregon Alfalfa Seed Commission will consist of five (5) commissioners appointed by the Director of the Oregon Department of Agriculture for a term or three years or, if for a term following a prior term for that person, ending three years from the date of expiration of any prior term.
- Funding:
 - Any first purchaser shall deduct and withhold an assessment of 35 cents (\$.35) per cwt or three and one-half hundredths cents (\$.0035) per pound from the price paid to the producer thereof, after July 1, 1990, for all alfalfa seed produced in Oregon.
 - All casual sales of Alfalfa Seed shall be exempt from the assessment.

Oregon Beef Council

- Purpose: The Oregon Beef Council represents beef producers across the state to help promote delicious, nutritious beef. This organization promotes beef on behalf of Oregon's farmers and ranchers through promotion, research and educational activities. Check out this website for information about beef recipes, nutrition information and many other areas the Oregon Beef Council is involved in on behalf of Oregon's producers.
- Structure:
 - The Oregon Beef Council's Board of Directors is comprised of eight members appointed by the Director of the Department of Agriculture at the recommendation of industry groups.
 - The number of representatives from each industry group varies by year, depending on who is appointed at the recommendation of each industry group.
 - Members are appointed for a three-year term that may be renewed for a second term.
 - Meetings are held approximately four times a year at various locations throughout the state. All meetings are public and follow the public meeting laws.
- Funding: The Federal Beef Promotion and Research Act authorizes the collection of a \$1.50 per head checkoff at the time of sale. Of each dollar collected, 75 cents is sent to the Cattlemen's Beef Board located in Denver to fund national programs of promotion, education and research. The remaining 75 cents is sent to the Oregon Beef Council.

Oregon Blueberry Commission

- Structure:
 - The Oregon Blueberry Commission will consist of nine (9) commissioners appointed by the Director of the Oregon Department of Agriculture for a term of three years or, if for a term following a prior term for that person, ending three years from the date of expiration of any prior term. No commissioner will serve for more than two full consecutive terms of office.
 - Members of the Blueberry Commission will have the following qualifications, which will continue during the term of office of the member:
 - One (1) member of the commission will be a member of the public with an active interest in the positive economic development, production and/or marketing of the commodity, but who is not associated with the production or handling of blueberries
 - Six (6) of the members will be blueberry producers
 - Two (2) of the members will be blueberry handlers.
- Funding:
 - Any producer, handler or first purchaser shall deduct and withhold an assessment of four-tenths of a cent (\$.004) per pound or \$8 per ton after June 1, 2001 for all blueberries grown in Oregon.
 - The maximum assessment for a reporting year (670-010-0005(8)) will be one percent of the total annual gross sales of the raw product of the berries delivered to the handler(s) during the reporting year.

Oregon Clover Seed Commission

- Purpose: The Oregon Clover Commission's mission is to engage in and support programs to benefit clover producers and their industry by making grants for scientific research, grower education and public information. The Oregon Clover Commission was formed by Clover growers in 1991 for the purpose of promoting Oregon-Grown Clover, as well as to educate growers and end users of the benefits to utilizing Oregon-Grown Clover. The Oregon Clover Commission also engages in and supports programs to benefit clover producers and their industry by making grants for scientific research.
- Structure:
 - Seven Oregon Clover growers and two seed dealers are appointed to serve as commissioners.
 - A public member also serves on the Commission.
 - Ex-officio on the Commission include a representative from Oregon State University Extension.
- Funding:
 - The Oregon Clover Commission is an industry-funded agency.
 - Any first purchaser shall deduct and withhold an assessment of 1/2 percent total gross sale prior to any deducted value of product paid to the producer thereof, for seed produced in the 2001 crop year and following, for all clover seed produced in Oregon (see definition of "First Purchaser").
 - Seed produced in the crop years 1996, 1997, 1998, 1999 and 2000 will be assessed at the previous 1/4 percent assessment rate.
- Governance: The Oregon Clover Commission operates under the auspices of the Oregon Department of Agriculture's Commodity Commission Program.

Oregon Dairy Products Commission

- Purpose: Oregon Dairy Council was originally created to serve as an educational resource supporting the nutritional benefits of milk and dairy products.
- Structure:
 - Members of the Oregon Dairy Products Commission will have the following qualifications, which will continue during the term of office of the member:
 - One member of the commission will be a member of the public with an active interest in the positive economic development, production and/or marketing of the commodity, but who is not associated with the production or handling of dairy products
 - A majority of the members will be producers
 - One member will be a handler
 - All members who are not a handler or the public member will be producers.
 - One (1) handler member will be appointed from any district.
 - If a position remains vacant for more than 90 days following reasonable efforts to recruit a member from a particular district, a person may be appointed at large and may reside anywhere within the State of Oregon.
 - Annually, at the first regular meeting of the Commission at the beginning of the new fiscal year, the Commission will elect from its members a Chair, Vice Chair, and a

Secretary/Treasurer who will serve until their successors are elected and qualified. The Chair, Vice Chair, or Secretary/Treasurer may resign as such or may be removed from that position by vote of five Commissioners. If the Chair or Vice Chair ceases to be a Commissioner, the office will be vacant and a successor will be selected at the next regular meeting of the Commission.

- The Chair will preside over all meetings of the Commission. The Vice Chair will act in lieu of the Chair when the Chair is unable to perform the duties of the office of Chair or while the office is vacant.
- **Funding:** Any person who is a First Purchaser or Producer-Distributor as defined in ORS 576 and this rule shall deduct and withhold an assessment at the rate of 10¢ per hundred weight (cwt) for all milk production in Oregon, as of January 1, 2019.

Oregon Dungeness Crab Commission

- **Purpose:** The Oregon Dungeness Crab Commission's stated mission is to enhance the image of the Dungeness crab industry, and to increase opportunities for profitability through promotion, education and research. The Oregon Dungeness Crab Commission's primary functions include: Marketing & Promotion, Information, Education and Research.
- **Structure:**
 - The Commission has eight members, appointed from the industry by the Director of the Department of Agriculture.
 - Five members are from the harvesting sector (crab fisherman)
 - Two members represent crab processors.
 - An eighth seat is for a public at large member.
 - Commissioners are appointed to three-year terms.
 - The Commission holds a minimum of four public business meetings a year, with day-to-day affairs conducted by the Executive Director and 2 staff members.
- **Funding:** The Oregon Dungeness Crab Commission, established by an act of the Oregon Legislature in 1977, is an industry-funded agency and part of the Oregon Department of Agriculture's Commodity Commission Program. This unique program allows "growers" to tax themselves and then use the pooled funds to increase their commodity's recognition, value and use.

Oregon Fine Fescue Commission

- **Purpose:** The Commission's purpose is to generate awareness and create a demand for Origin: Oregon Chewings and creeping red fescue for homeowners, lawn care service operators, golf course superintendents and parks managers.
- **Structure:** Members of the Oregon Fine Fescue Commission will have the following qualifications, which will continue during the term of office of the member:
 - One member of the commission will be a member of the public with an active interest in the positive economic development, production and/or marketing of the commodity, but who is not associated with the production or handling of Chewings Fescue seed, Creeping Red Fescue seed or Highland Bentgrass seed;
 - A majority of the members will be producers;
 - At least one member will be a handler;

- Seven members who are not a handler or the public member will be producers; no less than six members will be producers of Chewings Fescue seed or Creeping Red Fescue seed; one member will be a producer of Highland Bentgrass seed.
- All members of the Oregon Fine Fescue Commission will serve from the state at large, except that two members of the Commission shall be from Union County, and all members must reside within the State of Oregon.
- **Funding:** The Oregon Fine Fescue Commission is an industry-funded agency.
 - (1) Any person who is a first purchaser (or who otherwise is required to pay an assessment to the Oregon Fine Fescue Commission) for all purchases made on or after April 1, 2002, shall deduct and withhold an assessment of one percent (1%) of the price per pound of seed purchased from the price paid to the producer thereof for all Fescue seed grown in Oregon.
 - (2) Any person who is a first purchaser (or who otherwise is required to pay an assessment to the Oregon Fine Fescue Commission) shall deduct and withhold an assessment of \$1.75 for each 100 pounds on a clean seed basis from the price paid to the producer thereof, on and after July 1, 2010, for Highland Bentgrass seed or any commodity or mixture which contains more than 50 percent of Highland Bentgrass seed.

Oregon Hazelnut Commission

- **Structure:** Members of the Hazelnut Commission will have the following qualifications, which will continue during the term of office of the member:
 - One member of the commission will be a member of the public with an active interest in the positive economic development, production and/or marketing of the commodity, but who is not associated with the production or handling of hazelnuts;
 - A majority of the members will be producers;
 - At least one member will be a handler;
 - All members who are not a handler or the public member will be producers.
 - The industry will strive to have broad geographic representation. The Oregon Hazelnut Commission will consist of eight members appointed by the Director of the Oregon Department of Agriculture for a term of three years or; if for a term following a prior term for that person, ending three years from the date of expiration of any prior term.
- **Funding:** For all transactions occurring on or after September 1, 2016, involving hazelnuts grown in Oregon, the first purchaser shall deduct and withhold an assessment of \$.0085 per pound or \$17 per ton on merchantable weight in-shell hazelnuts and \$.02125 per pound or \$42.50 per ton on all shelled hazelnuts from the price paid the producer.
 - All casual sales of hazelnuts shall be exempt from said assessment.
 - When a first purchaser lives or has his office in another state or is a federal or other governmental agency, the producer shall report all sales made to such purchaser on forms provided by and pay the tax assessment directly to the Commission, unless such first purchaser voluntarily makes the proper deduction and remits the proceeds to the Commission.
 - Any producer who performs the handling or processing functions on all or a part of the production of hazelnuts, which normally would be performed by another person as the

first purchaser thereof, shall report the sales on such self-produced hazelnuts on forms provided by and pay the assessment moneys directly to the Commission, unless the purchaser from such producer voluntarily makes the proper deduction and remits the proceeds to the Commission.

Oregon Hop Commission

- **Purpose:** Founded in 1964, the Oregon Hop Commission (OHC) is dedicated to enhancing the Oregon hop industry by expanding opportunities for growth through research, education and promotion. In order to maintain economic stability of hop production in Oregon, the main objective of the OHC is to provide sufficient research through agricultural and financial evaluations.
- **Structure:** Facilitated by seven growers, one dealer/handler, and one public member. Members of the Hop Commission will have the following qualifications, which will continue during the term of office of the member:
 - The Oregon Hop Commission will consist of nine commissioners appointed by the Director of the Oregon Department of Agriculture for a term of three years or, if for a term following a prior term for that person, ending three years from the date of expiration of any prior term.
 - One member of the commission will be a member of the public with an active interest in the positive economic development, production and/or marketing of the commodity, but who is not associated with the production or handling of hop;
 - A majority of the members will be producers;
 - At least one member will be a handler;
 - All members who are not a handler or the public member will be producers.
- **Funding:** The commission is completely grower-funded. Any person who is first purchaser as defined in ORS Chapter 576, shall deduct and withhold one and eight-tenths cents per pound (001.8) from the price to the producer, on and after September 1, 2009, on a dried weight basis, for all his/her purchases from the producer of hops produced in Oregon.

Oregon Mint Commission

- **Structure:** The Oregon Mint Commission will consist of seven (7) commissioners appointed by the Director of the Oregon Department of Agriculture for a term of three years or, if for a term following a prior term for that person, ending three years from the date of expiration of any prior term. No commissioner will serve for more than two full consecutive terms of office. Members of the Mint Commission will have the following qualifications, which will continue during the term of office of the member:
 - One member of the commission will be a member of the public with an active interest in the positive economic development, production and/or marketing of the commodity, but who is not associated with the production or handling of mint oil;
 - Five of the members will be mint oil producers;
 - One member will be a mint oil handler.
- **Funding:** Any first purchaser shall deduct and withhold an assessment of nine cents (\$.09) per pound for all oil purchased after June 30, 2014. All mint oil produced in the State of Oregon is to be included.

Oregon Orchardgrass Commission

- **Structure:** The Oregon Orchardgrass Seed Producers Commission will consist of nine commissioners appointed by the Director of the Oregon Department of Agriculture for a term of four years or, if for a term following a prior term for that person, ending four years from the date of expiration of any prior term. Members of the Commission will have the following qualifications, which will continue during the term of office of the member:
 - No more than one member of the Commission will be a member of the public with an active interest in the positive economic development, production and marketing of the commodity, but who is not associated with the production or handling of orchardgrass seed;
 - A majority of the Commission members, seven (7), will be producers;
 - No more than one Commission member will be a handler;
 - All Commission members who are not the handler or the public member will be producers.
- **Funding:** Any first purchaser shall deduct and withhold an assessment on a clean seed basis, from the price paid to the producer thereof, after July 1, 1989, for Orchardgrass seed grown in Oregon according to the following schedule: Assessment for all varieties:
 - Per lb. — \$.0050;
 - Per cwt. — \$.50.
 - All casual sales of Orchardgrass seed shall be exempt from the tax.
 - The tax shall be assessed only against any commodity or mixture which contains more than 50% of Orchardgrass seed.
 - When a first purchaser lives or has his office in another state or is a federal or other governmental agency, the producer shall report all sales made to such purchaser on forms provided by and pay the tax directly to the commission, unless such first purchaser voluntarily makes the proper deduction and remits the proceeds to the commission.

Oregon Potato Commission

- **Purpose:** “We make Oregon Potatoes vital.” Oregon Potato Commission Vision is to represent and promote the Oregon potato industry in research, legislative affairs, trade, and consumer education.
- **Structure:** The Oregon Potato Commission will consist of ten (10) commissioners appointed by the Director of the Oregon Department of Agriculture for a term of four years or, if for a term following a prior term for that person, ending four years from the date of expiration of any prior term. Members of the Potato Commission will have the following qualifications, which will continue during the term of office of the member:
 - One member of the commission will be a member of the public with an active interest in the positive economic development, production and/or marketing of the commodity, but who is not associated with the production or handling of potatoes;
 - A majority of the members will be producers;
 - At least one member will be a handler;
 - All members who are not a handler or the public member will be producers.

- In addition to the qualifications set forth in subsection (2) of this rule, the appointments shall be made so that each major potato-producing area of the state is represented as follows:
 - Three from the Blue Mountain area, comprised of the counties of Baker, Union, Wallowa, Grant, Morrow and Umatilla.
 - One from the area comprised of Malheur and Harney Counties.
 - One from central Oregon, comprised of the counties of Crook, Deschutes, Gilliam, Sherman, Wasco, Wheeler and Jefferson.
 - Two from the area comprised of Klamath, Coos, Curry, Douglas, Jackson, Josephine and Lake counties.
 - One from the Willamette Valley area, comprised of the counties of Benton, Clackamas, Clatsop, Columbia, Hood River, Lincoln, Lane, Linn, Marion, Multnomah, Polk, Tillamook, Yamhill and Washington.
 - One at-large member from any of the major potato-producing areas of the state.
 - One as a member of the public.
- **Funding:** Any first purchaser or handler will deduct and withhold an assessment of \$.05 per hundredweight from the price paid to the producer at the time of sale for potatoes grown in Oregon and sold through commercial channels, whether the potatoes are stored in this state or in another state or country:
 - In all cases where a first purchaser lives or has the office of the first purchaser in another state, it is the duty of the producer to report all sales made to such first purchaser on forms approved by, and pay the assessment moneys directly to the Oregon Potato Commission, unless such first purchaser voluntarily makes the proper deduction and remits the proceeds to the commission;
 - Where the first purchaser is a federal or governmental agency, the producer shall likewise report to, and pay the assessment moneys directly to the commission.
 - Potatoes utilized entirely for chipping or processing will be assessed at 90% of the net payable weight.
 - No assessment will be due, deducted or withheld for any producer growing less than 1,000 hundredweight of potatoes in Oregon during the preceding 12-month period.
 - No assessment will be deducted for any sale or sales of potatoes made by the producer direct to the consumer.

Oregon Processed Vegetable Commission

- **Structure:** Consists of 11 commissioners
 - Appointed by the Director of the Oregon Department of Agriculture for a term of three years.
 - Seven are Producer members, three are Handler members and one is a Public member.
- **Funding:** The commission determines assessment rates based on the research to be funded administrative costs and any carryover or deficit from prior years. Oregon statute limits the maximum assessment to ½ of 1 percent (0.5%) of the average paid to growers during the past three years for each commodity.

Oregon Raspberry & Blackberry Commission

- Purpose: The Oregon Raspberry & Blackberry Commission focuses on promoting caneberries to multiple audiences, and supports Oregon berry farmers by fostering plant research and farming education initiatives.
- Structure: Oregon Raspberry & Blackberry Commission (ORBC) consists of nine members.
 - Six growers/producers
 - Two packers/handlers
 - One public member who represent the interests of 300 Oregon caneberry growers.
- Funding:
 - Any first purchaser shall deduct and withhold an assessment of 1 percent of the gross value of the raw product of the berries delivered to a processor before any deductions from the price paid to the producer thereof, after July 6, 1987, for all caneberries grown in Oregon.
 - Any producer who sells directly to a retailer or sells directly at farmers' markets or farmstands is obligated to pay the assessment.
 - All casual sales of caneberries shall be exempt form the assessment.
 - An organic producer will be exempt from assessment if the producer presents the following information to the commission by December 15th of each year: Either:
 - A current certificate from a certifying agent under the Organic Foods Production Act and its implementing regulations; or
 - A statement of exemption from certification under the Organic Foods Production Act and its implementing regulations; or
 - A production report signed by the producer containing the producer's name, mailing address, species of berries, and pounds and price for each species.

Oregon Ryegrass Growers Seed Commission

- Purpose: The Oregon Ryegrass Growers Seed Commission was formed by growers in 1965 for the purpose of promoting Oregon-grown Ryegrass seed use and developing new markets. It also contributes funds for continuing production and market research of Ryegrass. The Commission is a non-profit organization which neither sells seed nor quotes prices.
- Structure: The Oregon Ryegrass Growers Seed Commission will consist of nine commissioners appointed by the Director of the Oregon Department of Agriculture for a term of three years or, if for a term following a prior term for that person, ending three years from the date of expiration of any prior term. No commissioner will serve for more than two full consecutive terms of office. Members of the Ryegrass Growers Seed Commission will have the following qualifications, which will continue during the term of office of the member:
 - One member of the commission will be a member of the public with an active interest in the positive economic development, production and/or marketing of the commodity, but who is not associated with the production or handling of ryegrass seed;
 - Seven of the members will be ryegrass seed producers;
 - One of the members will be a ryegrass seed handler.
 - In addition to the qualifications set forth in subsection (1) of this rule, the seven (7) producer commissioners shall be from each of the following regions:
 - Two shall be from Linn County;

- One shall be from Lane or Benton Counties;
- One shall be from Marion or Polk Counties;
- Three shall be from Oregon At Large.
- Funding:
 - Any first purchaser shall deduct and withhold an assessment of 15 cents (\$.15) per cwt, clean seed basis, from the price paid to the producer thereof, for ryegrass seed grown in Oregon.
 - All casual sales of ryegrass seed shall be exempt from the assessment.
 - The assessment shall be levied only against any commodity or mixture which contains more than 50 percent rye grass seed.

Oregon Salmon Commission

- Purpose: The Oregon Salmon Commission was established by an act of the Oregon Legislature in 1983. It is an industry-funded agency that operates under the umbrella of the Oregon Department of Agriculture's Commodity Commission Program. The OSC represents the fishermen and processors in marketing efforts, as well as being a strong advocate of concerns regarding rules, legislation, or any governmental action which may affect the troll fishing industry.
- Structure: The Oregon Salmon Commission will consist of nine commissioners appointed by the Director of the Oregon Department of Agriculture for a term or four years or, if for a term following a prior term for that person, ending four years from the date of expiration of any prior term. Members of the Salmon Commission will have the following qualifications, which will continue during the term of office of the member:
 - One member of the commission will be a member of the public with an active interest in the positive economic development, production and/or marketing of the commodity, but who is not associated with the production or handling of salmon;
 - Six of the members will be producers;
 - Two members will be handlers;
- Funding: First purchasers and handlers must submit completed and signed assessment reports on commission approved forms. Assessment reports shall include all purchases by or deliveries to a first purchaser of troll caught ocean salmon in the previous month. Assessment reports are due in the commission office postmarked on or before the 20th day of each month.
 - EXAMPLE: Assessment reports for April 1–April 31 would be due in the commission office postmarked on or before May 20th.
 - When a first purchaser or handler has completed, signed and forwarded a report covering his final purchase of troll caught ocean salmon for the year, he shall mark such report in large letters "FINAL REPORT FOR THIS YEAR." No further reports are necessary by such first purchaser unless or until additional purchases are made.
 - If a first purchaser lives or has his office in another state or is a federal or other governmental agency, the fisherman shall report all sales made to such purchaser on forms provided by and pay the assessment moneys directly to the Commission, unless such first purchaser voluntarily makes the proper deduction and remits the proceeds to the Commission.

- At the time that reports are due the Commission from the first purchaser, the first purchaser shall attach and forward payment to the Commission for the assessment due as set forth in each report. Reports shall be on forms prescribed by the Commission. The forms shall be signed by the first purchaser and filled in with the required data as shown on such forms, including, but not limited to, the month in which the salmon was taken and delivered in Oregon, the gross poundage received from all fishermen, and the total assessment deducted and withheld.
- Any fisherman who performs the handling or processing functions on all or part of his production of the commodity, which normally would be performed by another person as the first purchaser thereof, shall report his sales of such commodity of his own production on forms provided by, and pay the assessment moneys directly to the Commission, unless the first purchaser from such producer voluntarily makes proper deduction and remits the proceeds to the commission.
- Assessment EXEMPTION BASED ON DONATION TO NON-PROFIT. Any first purchaser will deduct and withhold an assessment of the following amount for all of the salmon produced or procured in Oregon, except that no assessment will be deducted for salmon donated to a bona-fide non-profit organization providing dated proof of donation including quantity donated.

Oregon Sheep Commission

- Purpose: The purpose of the Oregon Sheep Commission is to support and enhance Oregon's sheep industry, which in turn contributes to the state's economic interests. The funds collected from the assessment on the sale of sheep/lambs are specifically dedicated to efforts that enhance the image of Oregon lamb/wool products, increase the demand for and consumption of Oregon lamb/wool products, educate consumers about the value of Oregon lamb/wool products and facilitate research into areas that will assist with production, processing, marketing or use of Oregon lamb/wool products. In each case, benefits that accrue to the sheep industry will contribute to the state's economy as a whole.
- Structure: Eight individuals who serve on the Oregon Sheep Commission
 - Six producers
 - One handler
 - One public member,
- Funding: Funded through an assessment placed on the per head sale of sheep/lambs. Funds are limited to non-branded promotion, research and education.
 - Each handler making payment to a producer shall deduct an assessment of \$0.50 per head from the sale of each live sheep sold by the producer and remit the assessment of \$0.50 per head to the Oregon Sheep Commission at quarterly intervals. If the handler is receiving sheep for resale, the assessment shall be forwarded to subsequent purchaser. The assessment will be remitted by the final handler at time of final harvest.
 - Each person processing or causing to be processed sheep of that person's own production shall pay an assessment at the rate of \$0.50 per head to the Oregon Sheep Commission for each live sheep sold for slaughter or custom processing. The assessment shall be remitted to the Commission at quarterly intervals.

- A producer who markets sheep to an out-of-state handler is responsible to remit the assessment of \$0.50 per head to the Commission, unless the subsequent purchaser voluntarily agrees to deduct the assessment of \$0.50 per head from the proceeds owed to the producer and to remit to the Oregon Sheep Commissioners.
- The assessment will be collected on any sheep that has been fed or grazed in Oregon for at least 30 consecutive days during the preceding 12 months prior to the date of sale.

Oregon Strawberry Commission

- Purpose: The Oregon Strawberry Commission (OSC) was established in 1967 and was the first Oregon berry commission to be created by the state. The OSC's mission is to benefit the growers through promotion, research and education.
- Structure: The Oregon Strawberry Commission will consist of seven commissioners appointed by the Director of the Oregon Department of Agriculture for a term of three years or, if for a term following a prior term for that person, ending three years from the date of expiration of any prior term. Members of the Oregon Strawberry Commission will have the following qualifications, which will continue during the term of office of the member:
 - One member of the commission will be a member of the public with an active interest in the positive economic development, production and/or marketing of the commodity, but who is not associated with the production or handling of strawberries;
 - A majority of the members will be producers;
 - One member will be a handler;
 - All members who are not a handler or the public member will be producers.
 - Members should be representative of all growing areas.
- Funding: Any person who is a first purchaser (or otherwise is required to pay an assessment to the Oregon Strawberry Commission) for all purchases made on or after March 10, 2016, shall deduct and withhold an assessment of 1 percent of the gross value of the raw product before any deductions from the price paid to the producer thereof, after March 10, 2016 for all strawberries grown in Oregon. Grower-purchasers will use an estimated average of the state price, which will be set by the Commission prior to September 1st each year.
 - All casual sales of Strawberries shall be exempt from the assessment.
 - An organic producer will be exempt from assessment if producer presents specific following information.

Oregon Sweet Cherry Commission

- Structure: The Oregon Sweet Cherry Commission will consist of 12 commissioners appointed by the Director of the Oregon Department of Agriculture for a term three years or, if for a term following a prior term for that person, ending three years from the date of expiration of any prior term. No commissioner will serve more than two full consecutive terms of office. That person may serve again following a minimum of one year off the Commission. Members of the Sweet Cherry Commission will have the following qualifications, which will continue during the term of office of the member:
 - One member of the commission will be a member of the public with an active interest in the positive economic development, production and/or marketing of the commodity, but who is not associated with the production or handling of sweet cherries;

- A majority of the members will be producers;
- At least one member will be a handler;
- All members who are not a handler or the public member will be producers.
- The number of commissioners from each of the following regions will be:
 - Two producers from Western Oregon (all areas west of the Cascade Mountains); (Producer Positions P1 & P2);
 - Four producers from the Columbia River area (Wasco and Hood River Counties); (Producer Positions P3 through P6);
 - Two producers from Oregon at-large; (Producer Positions P7 & P8);
 - Two handlers (one brine processor and one fresh handler); (Handler Positions H1 & H2);
- If following reasonable efforts to recruit a member from a particular region, a position remains vacant for more than one meeting, or two months, a person may be appointed at-large and may reside anywhere within the State of Oregon. Once that person's term expires and he or she is not reappointed, the position will again be subject to the geographic qualification requirements of subsection (3) of this section.
- **Funding:** The first purchaser or producer acting in the capacity of his or her own first purchaser will deduct and withhold for assessments the following amounts for all sweet cherries grown in Oregon and sold for the following purposes on any crop harvested after this date:
 - Fresh market — \$27 per ton;
 - Canned — \$9.00 per ton;
 - Frozen — \$9.00 per ton;
 - Brined — \$9.00 per ton.
 - All casual sales of sweet cherries will be exempt from the assessment

Oregon Tall Fescue Commission

- **Structure:** The Oregon Tall Fescue Commission will consist of eight members appointed by the Director of the Oregon Department of Agriculture for a term or three (3) years or, if for a term following a prior term for that person, ending three (3) years from the date of expiration of any prior term. No commissioner will serve for more than 2 consecutive, full terms of office.
- **Funding:** Any first purchaser shall deduct and withhold an assessment of three and one-half tenths of one percent (0.35%) of the purchase price per pound, clean seed basis, from the price paid to the producer thereof, on and after July 1, 2010, for Tall Fescue Seed grown in Oregon. The varieties Alta and Goar are to be excluded from these assessment collections.
 - All casual sales of Tall Fescue Seed shall be exempt from the assessment.
 - The assessment shall be levied only against any commodity or mixture which contains more than 50 percent TallFescue Seed.

Oregon Trawl Commission

- **Purpose:** A majority vote of the 67 trawl producers in 1963 resulted in the formation of the Otter Trawl Commission. The first meeting was held October 23, 1963 in Astoria. Gov. Mark Hatfield appointed 7 commissioners. They were; Arthur Paquet, James Parker, Clifford Hall, William Hunter, Jr., Melvin Carlson and Harold Gramson. A budget of \$3,600.00 was established for FY 1963-'64. The budget for FY 1964-'65 (the first full year of operation) was \$8,115.00. The

assessment rate was established at \$.0005 per dollar value of the catch. OTC continues to be funded entirely by fishermen from a percentage of their catch.

- **Structure:** The Oregon Trawl Commission will consist of eight (8) commissioners appointed by the Director of the Oregon Department of Agriculture for a term of four years or, if for a term following a prior term for that person, ending four years from the date of expiration of any prior term. Commissioners are chosen from among the owners and captains of trawl vessels, processors, and distributors.
- Members of the Oregon Trawl Commission will have the following qualifications, which will continue during the term of office of the member:
 - One member of the commission will be a member of the public with an active interest in the positive economic development, production and/or marketing of the commodity, but who is not associated with the production or handling of trawl caught products;
 - A majority of the members will be producers;
 - Two members will be handlers representing different companies;
 - All members who are not a handler or the public member will be producers.
 - If a position remains vacant for more than 90 days following reasonable efforts to recruit a member from a particular region, a person may be appointed at large and may reside anywhere within the State of Oregon.
- **Funding:** Any person who is a first purchaser as defined in ORS Chapter 576 shall deduct and withhold an assessment at the rate of 1/2% (0.5 percent) on the full amount of the delivered product of fish and shellfish taken (produced) by ocean trawling. This assessment deduction shall be made upon the boat portion of incoming revenue thereof, for fish and shellfish taken (produced) by ocean trawling and delivered to an Oregon Port.

Oregon Wheat Commission

- **Purpose:** The Oregon Wheat Commission is a producer funded and governed check-off program. Our mission is to improve the profitability of Oregon Wheat Growers through Marketing, Research and Grower Education programs. The OWC is composed of five producer commissioners, one public member and two handlers from the various growing regions of the state. Our responsibility is to allocate assessment funds to specific programs designed to find solutions to immediate and long-term issues faced by the wheat producers of Oregon. The Commission was originally formed to deal with the abundance of wheat grown. With around 90% of Oregon wheat now being exported the majority of our marketing efforts are focused on overseas markets. The OWC currently cooperates with U.S. Wheat Associates and Wheat Marketing Center to provide technical assistance to customers and develop markets. The majority of the Commission's research funding goes to researchers at Oregon State University and USDA-ARS Western Wheat Quality Laboratory focusing on variety development, genomics, quality, fertility and weed management. The Commission also funds, in part, the efforts of the Oregon Wheat Growers League as the industry's grass roots representative conducting grower education and advocacy efforts. The Oregon Wheat Commission and the Oregon Wheat Growers League collaborate to serve the ever changing needs of the industry.
- **Structure:** The Oregon Wheat Commission will include eight voting commissioners appointed by the Director of the Oregon Department of Agriculture. Voting commissioners will have the following qualifications throughout their terms of office:

- All voting commissioners must be United States citizens.
- Five voting commissioners must be grower members.
- Not fewer than three of the five grower members must be engaged in growing wheat in the area comprised of Umatilla, Morrow, Gilliam, Sherman, Wasco and Jefferson Counties.
- Not fewer than one of the five grower members must be engaged in growing wheat in the area of the state of Oregon that lies east of the summit of the Cascade Mountains and that is not within Umatilla, Morrow, Gilliam, Sherman, Wasco or Jefferson Counties.
- Not fewer than one of the five grower members must be engaged in growing wheat in the area of the state of Oregon lying west of the summit of the Cascade Mountains.
- One voting commissioner must be a public member.
- Two of the eight voting commissioners must be handler members.
- One of the handler members will be appointed to a first term that will begin July 1, 2010. Future full-term appointments to this position will occur in even-numbered years.
- The second handler member will be appointed to a first term that will begin July 1, 2011. Future full-term appointments to this position will occur in odd-numbered years.
- Each grower member and public member of the commission shall be appointed to a four-year term. Should a vacancy occur, the Director of the ODA would appoint a replacement for the remainder of the term.
- Funding: Any first purchaser shall deduct and withhold from the grower an assessment of the following amounts for all wheat grown in Oregon as follows:
 - July 1, 2008 and thereafter — 5 cents per bushel.
 - 1991 through June 30, 2008 — 3 cents per bushel.
 - 1981 through 1990 crops — 2 cents per bushel.
 - 1975 through 1980 crops — 1 cent per bushel.
 - 1974 and prior years — 1/2 cent per bushel.
 - Any first purchaser shall deduct and withhold from the grower an assessment of the following amounts for all barley grown in Oregon as follows:
 - July 1, 2011 and thereafter — 1 dollar per ton.
 - Any change in the above assessment rates requires approval by the Commission. In determining whether to impose a change in the above assessment rate, the Commission may:
 - Work jointly with the Oregon Wheat Growers League to educate growers on a county-by-county basis, of the need for a change in the assessment rate;
 - Work with an independent third party experienced in survey work to poll the growers of the state to determine whether the growers support a proposed change in the assessment rate;
 - Consider the results of the poll when determining whether to raise the assessment rate.

Oregon Wine Board

- **Purpose:** The Oregon Wine Board is a semi-independent Oregon state agency managing marketing, research and education initiatives that support and advance the Oregon wine and wine grape industry. The Board is primarily funded by Oregon wineries and independent growers throughout the state’s diverse winegrowing regions.
- **Structure:** Each fiscal year, the Oregon Wine Board will prepare draft annual plans for promotion and research during the next fiscal year. The draft annual plan for promotion will include, but are not limited to, the following elements:
 - A description of how the Board will support the promotion of Oregon’s wine grape growing and winemaking industries; and
 - Any other elements the Board considers appropriate to include in the draft plan for promotion.
 - The draft annual plan for research will include, but are not limited to, the following elements:
 - A description of how the Board will support enological and viticultural research;
 - A description of how the Board will support economic research to develop sustainable business practices for winegrape growing and winemaking in Oregon;
 - Any other elements the Board considers appropriate to include in the draft plan for research.
- **Funding:** Each fiscal year, the Oregon Wine Board will prepare a draft annual budget for the next fiscal year. The draft annual budget will itemize the anticipated expenditures for each element of the corresponding draft annual plans and will use classifications of expenditures and revenues required by ORS 291.206(1).