

SB 507 A -A3 STAFF MEASURE SUMMARY

House Committee On Agriculture, Land Use, Natural Resources, and Water

Prepared By: Anna Glueder, LPRO Analyst

Meeting Dates: 4/20, 5/16

WHAT THE MEASURE DOES:

Expands agricultural products allowed for farm direct marketer sales to include freeze-dried fruit, vegetables, and herbs; herbal tea and dried herb blends; certain fruit and vegetable juices; and maple and walnut tree-sap-based solid sugar, cream, and liquid syrup products. Authorizes water-bath and steam canning methods for fruit-based syrups, preserves, jams, fruits, vegetables, and fruit and vegetable juices. Modifies the annual sales limit for these fruit-based products and fruit and vegetable juices from \$20,000 to \$50,000 and removes the option for the Oregon Department of Agriculture (ODA) to establish a higher limit by rule. Expands agricultural products allowed for consignment sales to match those allowed for farm direct marketer sales. Allows internet sales of products provided that sales are to persons within Oregon or comply with federal requirements concerning interstate sales. Allows a farm direct marketer to contract with a third party for delivery, marketing, or other sales facilitation. Requires ODA to adopt rules for implementation. Takes effect on 91st day following adjournment sine die.

FISCAL: Fiscal impact issued

REVENUE: No revenue impact

SENATE VOTE: Ayes 29; Nays 1

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-A3 The amendment has been prepared in response to a conflict identified by Legislative Council between Senate Bill 507A and Senate Bill 882 which both amend ORS 616.683.

BACKGROUND:

Oregon's farm direct marketing law was enacted in 2011 and allows small farmers to produce and sell low-risk, value-added products that they prepare in their home kitchens from the produce that they grow. All bottled, packaged, and canned products are required to display a label indicating that the product was not prepared in an SB inspected food establishment and that it is not for resale, in addition to other product and producer information. Products are sold at farmers markets, roadside stands, community supported agriculture drop sites, buying clubs, church bazaars, and other venues where sales occur directly between the farmer and retail customer. Under the farm direct marketing law, farmers can sell the following products direct to consumers: fruits, vegetables, and edible flowers and herbs that are fresh, cured, or dried; shelled and unshelled nuts; fruit-based syrups, preserves, and jams; shell eggs; pure honey; olive oil; uncooked grains, legumes, and seeds; and popcorn, nuts, peppers, and corn on the cob that are roasted at the place of purchase after purchase and not sold for immediate consumption. Farmers can also sell the agricultural products of other farmers from the same or adjoining county under consignment. Products currently eligible for consignment sales include: fruits, vegetables, and edible flowers and herbs that are fresh, cured, or dried; unshelled nuts; shell eggs if the seller is a licensed egg handler; pure honey; and olive oil.

Senate Bill 507 A would expand agricultural products allowed for farm direct marketer or consignment sales, raise the annual sales limit for certain fruit-based products and fruit and vegetable juices, and allow for internet sales and third-party contracting for sales support.