

**SB 789 STAFF MEASURE SUMMARY**

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

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**Action Date:** 05/18/23  
**Action:** Without recommendation as to passage and be referred to Rules.  
**Vote:** 5-4-0-0  
**Yeas:** 5 - Gamba, Hartman, Helm, Marsh, McLain  
**Nays:** 4 - Boice, Levy B, Owens, Scharf  
**Fiscal:** Has minimal fiscal impact  
**Revenue:** No revenue impact  
**Prepared By:** Anna Glueder, LPRO Analyst  
**Meeting Dates:** 5/11, 5/16, 5/18

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**WHAT THE MEASURE DOES:**

Defines "canola" and the "Willamette Valley Protected District" (District). Requires a person growing canola in the District to receive prior approval by license from the Oregon Department of Agriculture (ODA). Permits ODA to authorize a person to grow canola in the District only in a manner determined to be compatible with the growing of other crops, including the observation of industry-recommended isolation distances between certain specialty seed crops, and to authorize a maximum of 500 acres of canola production in the District per year. Authorizes ODA to assess a civil penalty, not to exceed \$25,000, against a person who grows canola in the District without a license or in violation of the terms of their license. Applies retroactively to July 1, 2023. Declares emergency, effective July 1, 2023.

**ISSUES DISCUSSED:**

- Extent of the Willamette Valley Protected District and acreage of specialty seed growth in Oregon
- Pinning process and public availability of pinning maps for specialty crops
- Existence and management of canola limited areas in Oregon
- Cases and variability of brassica seed cross contamination in Oregon
- Regulation of other brassica varieties in Oregon
- Content and methods associated with the Final Report on House Bill 2427 (2013)

**EFFECT OF AMENDMENT:**

No amendment.

**BACKGROUND:**

All provisions of this measure are currently law in Oregon, and are set to expire on June 30, 2023.

In 2013, the Legislative Assembly passed House Bill 2427 directing the College of Agricultural Sciences at Oregon State University to study canola and report the results to an interim committee of the Legislative Assembly by November 1, 2017. The measure also prohibited the growing of canola in the Willamette Valley with an exception for the 500 acres necessary to conduct the study. In 2015, House Bill 3382 amended that law allowing the Oregon Department of Agriculture (ODA) to authorize up to 500 acres for the commercial production of canola in the Willamette Valley Protected District (District) with certain restrictions, and required ODA to develop coexistence recommendations for a 2018 legislative report. The measure also extended the sunset prohibiting the growing of canola in the District to January 2, 2020. In 2019, Senate Bill 885 extended the 500-acre authorization to June 30, 2023.

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Senate Bill 789 would continue restrictions on growing canola within the Willamette Valley Protected District, including the 500-acre limit on canola production, by removing the sunset.