



# Canola in the Willamette Valley

SB 789 would extend an unfair and unwarranted restriction of  
canola in the Willamette Valley indefinitely

I have personally been involved in this issue since 2012 when Friends of Family farmers sued the department of Agriculture over the agencies Emergency temporary rule allowing canola production in the Willamette Valley. However, this did not sit well with Friends of Family farmers or the Specialty seed industry who have controlled the brassica seed acres in the valley since 2012 when they formed the Willamette Valley Specialty Seed Association.

# History of Canola in the Willamette Valley



- 1990-93 ODA adopts rules for *Brassica* crop pinning maps in Marion and Linn Counties regulated by OSU to keep food grade and oil grade canola separate.
- 2012 ODA adopts temporary rules permitting limited canola in the Willamette Valley periphery.
- 2013 HB 2427 limits canola in the Willamette Valley to 500 acres annually for OSU research on *brassica* cross-pollination, pests, and disease.
- 2015 HB 3382 extends the 500-acre canola limit and changes the purpose from research to commercial.
- 2019 SB 885 extends the 500-acre limit with a sunset in 2023.
- 2023 SB 789, if passed, would extend the 500-acre limit indefinitely.

In 2013, the Legislature was brought into the process and 2 bills were introduced.

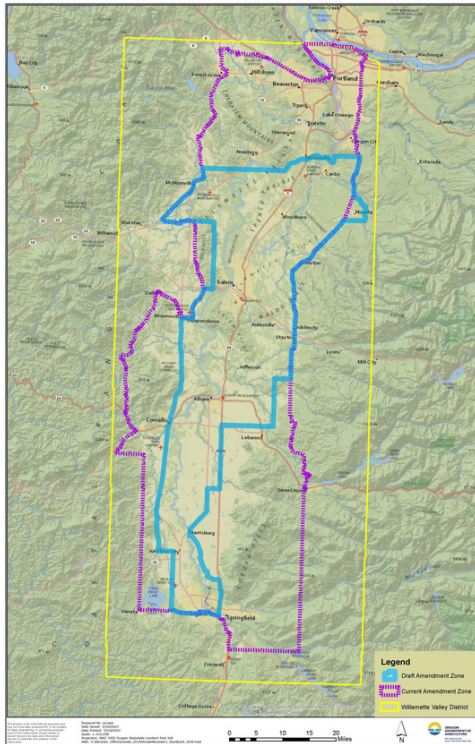
- SB433 proposed a ban on canola statewide.
- HB2427 proposed prohibit growing canola in the Willamette valley.

After multiple public hearings, HB2427, was amended into the 500-acre study bill.

However, the one component that was left out of the bill, which Senator Geiser Blouin asked for, was an economic evaluation of specialty brassica seed production and canola production. In negotiations of the final bill, the supporters of the ban, refused to have an economic study conducted as a part of OSU's work. The proposed -3 and -6 amendments to SB789, which have been offered to the Organic coalition, would have OSU conduct another agronomic study using larger acreage and would include an economic study as well. The study that Senator Gelser Blouin asked for in 2013 would be conducted.

In 2015, the 500 acres of research came to an end. However, HB 3382 was passed to allow for the continuation of the 500 acres permitted under the authority of the Dept. of Ag till the legislature could review the report and recommendations by the department of ag via a Rules Advisor Committee (RAC). HB 3382 has a sunset date of Jan. 2, 2020.

## Willamette Valley Protected District Option rejected by WVSSA in the 2018-19 RAC:



**Blue outlined area 880,805 acres** – Canola would only be allowed under the current WVSSA structure and pinning map system. If a grower wished to plant canola within those boundaries, they would need to join WVSSA, pin on the WVSSA map, and abide by WVSSA by-laws. WVSSA would approve or deny the acres as they currently do with other specialty seed crops under their bylaws.

**Purple outlined area 1,961,392 acres** - All Brassica Seed production would be publicly managed. Growing rules and a pinning map would be developed using the administrative rules making process. The management of the system would be determined by ODA and/or OSU. All brassica seed production, including canola, would be managed/ permitted equitably by a public entity.

**Yellow box 3,690,145 acres** - is the existing Willamette valley Protected District.

So, in the Fall of 2018 ODA convened a Rules Advisory committee to see if a coexistence solution could be reached before the 2020 sunset. Many options were put on the table by canola growers including:

- reducing the acres of the protected district from where it is today-3,690,145 acres to 1,961,392. AND within that 880,805 acres would be completely banned from canola production.
- Development a public pinning map where ALL brassica crops (canola, turnip, specialty seed, etc.) would be pinned and controlled by ODA.
- There was even an offer make to list of canola seed varieties that were non-GMO and exclude GMO varieties from the ability to be grown. This offer was done despite no scientific reasoning and knowing that this would be in conflict with the seed preemption laws.

After multiple months of meeting, the Opposition walked away from the RAC and had HB3026, HB3219 and SB885 introduced in the 2019 session. Again, these bills were aimed at an outright ban or a forever 500-acre cap. The best canola growers could get out of that was another sunset provision.



## Cover Crop Mixtures- Fall 2021

Delivered prices on 4 pallets or more \* Prices subject to Change  
Non GMO Seed!



**All Purpose Cover Crop Mix** 100-120 lbs/acre  
40% Winter Peas \$0.56/lb  
30% CCT Triticale  
20% Walken Oats  
10% Crimson Clover

**Gardenway PLUS Incinerator** 80-100 lbs/acre  
35% CCT Triticale \$1.10/lb  
25% Walken Oats  
20% Winter Peas  
5% Common Vetch  
4% Rape  
4% Nemagon White Mustard  
4% Fracking Radish  
2% Annual Ryegrass  
1% Crimson Clover

The use of Brassica seeds in cover crop blends for vineyard management is not regulated.  
In other Oregon *brassica* control districts where canola is prohibited from growing it may be grown for cover crop, but it cannot flower. That is not the case in the Willamette Valley.

Nemagon White Mustard 15-20 lbs/acre \$2.25/lb  
Hays Barley 100-120 lbs/acre \$0.37/lb  
BSG Rape 15-20 lbs/acre \$1.85/lb  
Poco Barley (dies in frost) 80-100 lbs/acre \$0.40/lb  
Majestic Crimson Clover 12-15 lbs/acre \$1.95/lb  
Oats \$0.35/lb  
.50/lb \*\*See Tech Sheet

Bailey Seed & Grain, LLC  
4570 Ridge Dr. NE Salem, OR 97301  
Toll Free: (800)-407-7713 \* Phone: (503)-362-9700 \* Fax: (503)-362-1705  
Email: [craig@baileyseed.com](mailto:craig@baileyseed.com) \* [Whitney@baileyseed.com](mailto:Whitney@baileyseed.com)  
[www.baileyseed.com](http://www.baileyseed.com)

BSG  
**BAILEY**  
SEED & GRAIN LLC

So, here we are today. SB 789 is...

- NOT about agriculture coexistence and protection of the specialty seed industry if it was then vineyards would not cover crop with brassica / rape seed. Vineyards and other farm operations throughout the valley can easily purchase cover crop blends that include brassica rape seed.

# Current Example of how Co-existence works for Canola and other *Brassica*



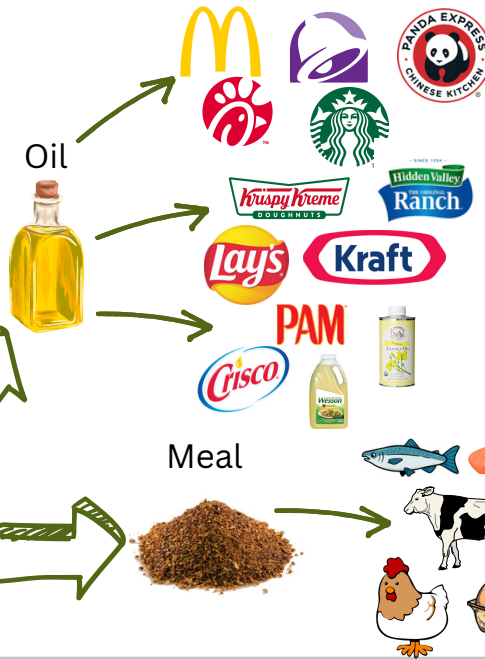
- If it were about seed purity protection, then this specialty seed fields would not currently be planted 60' away from my canola. Planted long after my permitted canola was fall planted – and this is not an isolated incident. In addition, Specialty seeds are not certified for purity by the Oregon State Seed Lab. OSU is the ONLY official lab in the state that can certify seed and provide labels for official purity information for sale domestically or internationally.

# The Real Value of Canola

Canola starts on the farm, creating jobs, improving soil health, and reducing water usage.



Goes to a processor to separate the meal and oil, supporting additional jobs.

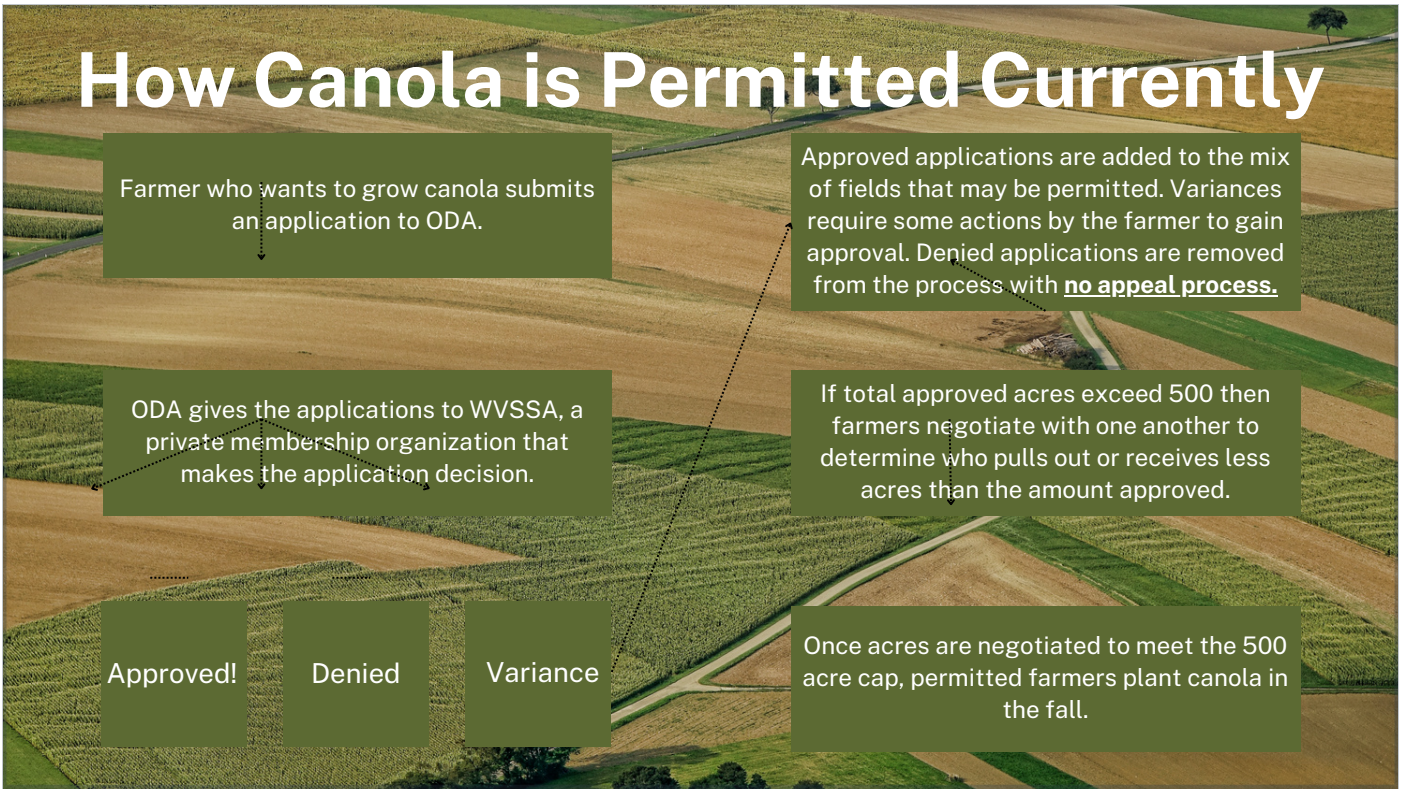


Canola Oil is an important ingredient for restaurants, commercial food products, and home cooking, as well as feed for livestock that provide a variety of meat and dairy products. It's an important crop that supports countless jobs from farm to table.

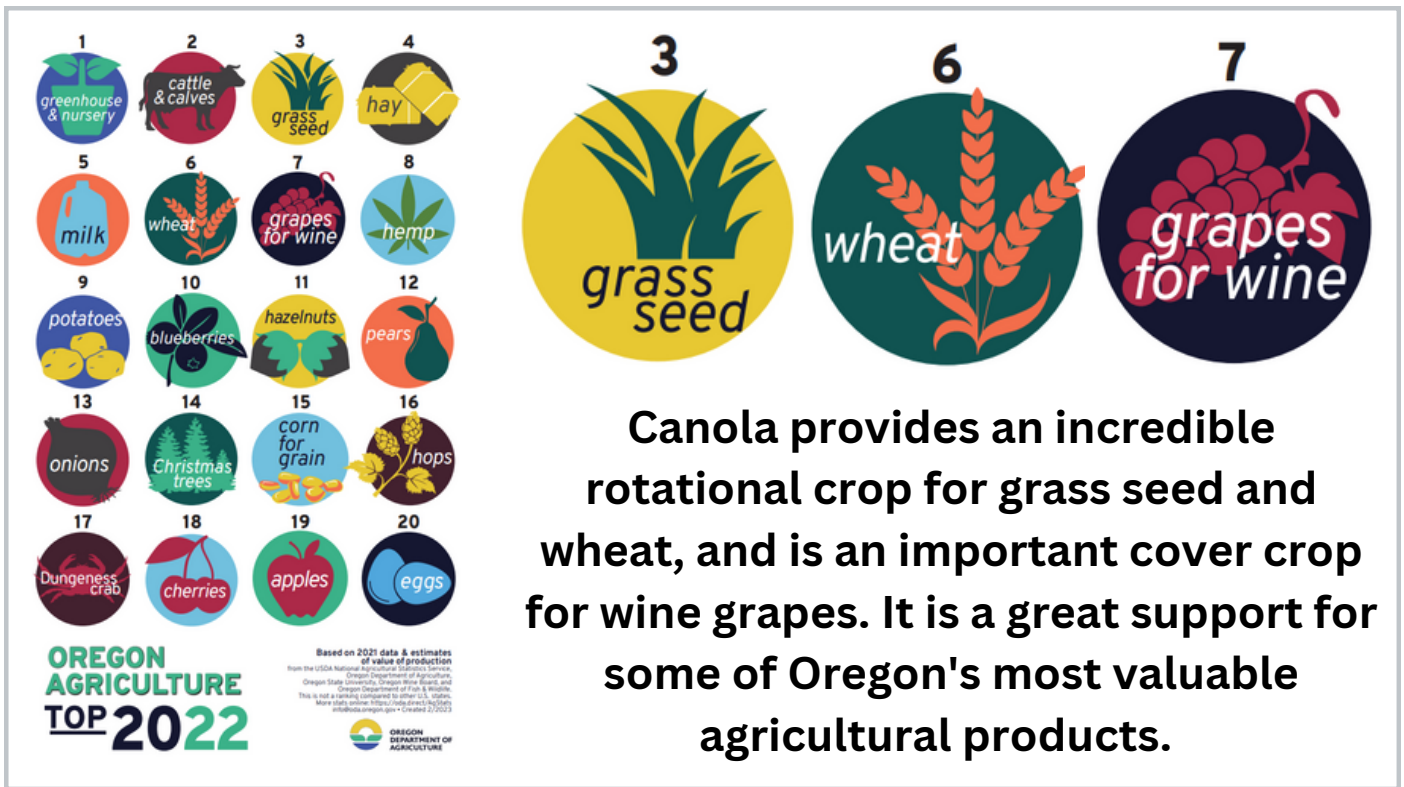
- It is NOT about canola being a low value crop that contributes nothing to the economic value of the Willamette Valley, the state or the region. Canola has a positive economic, agronomic and environmental impact from farm to table. It creates jobs at multiple stops along its life cycle and is used in commercial food products, animal feed, and in your home kitchen. It takes NO irrigation and leaves behind organic matter that is great for soil health. OH, and it is super food for bees.



# How Canola is Permitted Currently



- It is NOT about "keeping this collaborative system going", there has never been anything collaborative about the process. Canola acres in Willamette Valley are not controlled by ODA, they are controlled by a private for profit group of seed companies who tell the agency who can and who cannot have a permit to grow. Full stop.



- 2 of the top commodity crops in the state rely on viable rotational crop options. The only NON seed company-controlled brassica option they have is Canola. The specialty seed market does NOT have a large enough market to provide the needed rotation crop acres to grass seed or wheat growers. However, the 7th top commodity, wine grapes has the luxury of cover cropping their vineyards with seed mixes that can include rape seed and is unregulated.



# TOHOKU SEED CO., LTD.

PRODUCTION DEPARTMENT  
1625 HIMURO, UTSUNOMIYA, TOCHIGI 321-3232, JAPAN  
Phone: +81-28-667-4761, Fax: +81-28-667-8776

## 2013 Testimony

“If something is not done to provide long term protection from Canola then my company and other companies will need to immediately start looking for other places to produce our seed.....” “We do not look forward to this prospect as we have very few good areas worldwide”.

My name is Takashi Ishizaki. I am here today representing my company Tohoku Seed Company Limited.

Tohoku is a vegetable breeding and sales company headquarters in Utsunomiya, Japan. We have an intensive breeding program to develop our own varieties which we sell throughout the world.

Our company was founded 55 years ago and is still family owned. We are in the top 3 vegetable seed companies in Japan. Our annual sales revenue is over 100 million US dollars per year.

We have been producing vegetable seeds in the Willamette Valley for approximately 30 years.

All of our competitors from Japan also produce significant amounts of vegetable seed here as well. The Willamette Valley is a critical production resource for the Japanese and worldwide vegetable seed trade. All major vegetable seed companies worldwide have seed production here.

Oregon's Willamette Valley is not the cheapest place to produce our brassica seeds. However, it is the best place. We get the best seed quality and reliability of production compared to anywhere else in the world. This is due to the ideal growing conditions, very enthusiastic and technical growers, and the sophistication of the seed producing companies.

The Willamette Valley commands high price for their crops but we are willing to pay that price since quality and reliability are more important than price in the vegetable seed business. It is not exaggeration to say that my company has been expanding our business to be one of top 3 companies in Japan and we could build our reputation of selling high quality seeds because of the Willamette Valley seed production.

Approximately 40% of my company's total annual turnover is from the seeds produced in the Willamette Valley. This includes brassica's, radish, spinach, and other different crops. Of our brassica seed crops, 70% of our sales depend on seed from here. As you can imagine we are highly concerned about any threat to the continued safety of seed production here.

We have been monitoring this situation with extreme concern since 2005. In 2007, I testified by telephone for a hearing with the Oregon Department of Agriculture asking that they continue to provide protection from the production of Canola. We were very satisfied and relieved that the Oregon Department of Agriculture provided full protection for the Willamette Valley seed industry with their administrative rule. We are now very distressed that this has been changed.

If something is not done to provide long term protection from Canola then my company and other companies will need to immediately start looking for other places to produce our seed, so that we are already prepared when the seed production here begins to fall. We do not look forward to this prospect as we have very few good areas worldwide.

## 2023 Testimony

“If something is not done to provide long term protection from Canola then my company and other companies will need to immediately start looking for other places to produce seeds. We do not look forward to this prospect as we have very few good areas worldwide”.



PRODUCTION DEPARTMENT  
1625 HIMURO, UTSUNOMIYA, TOCHIGI 321-3232, JAPAN  
Phone: +81-28-667-4761, Fax: +81-28-667-8776

To whom it may concern:

My name is Takashi Ishizaki, and I am a seed production specialist for Tohoku Seed Co., Ltd. in Japan. Tohoku is a vegetable breeding and sales company headquarters in Tochigi, Japan. Tohoku develops new GMO-free pollinator and hybrid vegetables and flowers for the professional farmers and home garden farmers in Japan as well as around the world.

We grow brassica seed crops around the world for risk management and genetic adaptation. Oregon's Willamette Valley is one of the few special seed production areas in the world. The combination of soil, water, good growers and favorable climate enables to create a very desirable area for specialty seed production. The Willamette Valley commands high prices for their crops but we are willing to pay that price since excellent seed quality and consistent good yield under the great climate changes. Places like the Willamette Valley are unique. Our experience in the Willamette Valley has been very positive. It is not exaggeration to say that Tohoku has been expanding our business to be one of top 3 companies in Japan and we still keep this position, and we could build our reputation of selling high quality seeds because of the Willamette Valley seed production.

We are concerned about Canola production in the Willamette Valley for disease, GMO contamination and isolation issues. Canola can and does grow in many places that is not the case for consistent high quality vegetable seeds.

If something is not done to provide long term protection from Canola then my company and other companies will need to immediately start looking for other places to produce seeds. We do not look forward to this prospect as we have very few good areas worldwide.

For the reasons above, I do not have any positive thoughts for Canola production in Willamette Valley. I like to continue producing our seeds in this area.

Respectfully,  
  
Takashi Ishizaki  
Production Manager  
TOHOKU SEED CO., LTD.

- It is not about foreign seed companies pulling business out of Oregon due to fear of canola. If they are worried then why are they not concerned about other unregulated brassica crops such as turnips which grow under seed contract and on the open market outside of WVSSA regulations?

Coexistence is possible, SB 789 is not coexistence



Specialty  
Brassica Field

Happy Bees

Canola  
Field

So, what is this really about? It is about maintaining the ongoing practice of having ODA act as the legal strong arm for a few powerful seed companies' in order to manipulate the value of the specialty seed market through legislation. By their own admission, on their web page "Membership in WVSSA is required in order to participate in mapping. Procedures, priority rights, fees, exceptions, and arbitration rules are voluntarily adhered to by the members"

They have no legal way to control their membership or commodity canola growers. They need the Department of Ag and the Legislature to be their enforcement mechanism.

Thank you for your time.