



25079 Brush Creek Rd., Sweet Home, OR 97386
(541) 367-1105 · www.adaptiveseeds.com · seed@adaptiveseeds.com

February 28, 2024

To: Senate Committee on Natural Resources and Wildfire
From: Sarah Kleeger, Adaptive Seeds
Re: Support for HB 4059-A

Chair Golden, Vice Chair Girod and members of the committee:

Thank you for the opportunity to submit testimony in support of HB4059-A, which maintains current protections for the Willamette Valley's lucrative brassica vegetable seed industry.

My name is Sarah Kleeger, I am a founder and the managing owner of Adaptive Seeds, a small but rapidly growing certified organic seed company based near Sweet Home, in Linn County. I participated in the work group sessions called as a result of SB789.

I am writing today to express my strong support for HB 4059-A, which maintains the current regulations regarding canola through January, 2028. The specialty seed industry needs to be protected, and because a reasonable agreement could not be reached after the work group process, extending the current regulations is the only viable option.

Adaptive Seeds offers over 500 varieties of garden seed, including 54 varieties of *Brassica* seed. We sell retail direct to farmers and gardeners, as well as wholesale to other small seed companies in the US, Canada, and Europe. Many of our varieties are unavailable from other seed companies. We grow the majority of our offerings ourselves, with the exception of *Brassic*as, most of which we contract out to other growers in the Willamette Valley and beyond.

All of the issues that caused us to oppose canola's introduction to the Willamette Valley Protected District in 2013 are still pertinent today. In fact, since canola was introduced to the Willamette Valley, some of our fears have materialized, with increased disease pressure now being a reality. Without this bill, we would see an opening of the floodgates to unlimited canola production, thereby ensuring the destruction of the established specialty seed industry through increased pest and disease pressure, potential cross-pollination and genetic contamination, and loss of reputation.

Several of our Willamette Valley seed growers, including some who had not previously grown brassicas, have had their seed crops test positive for a bacterial disease known as *Xanthomonas* (black rot) in recent years. Black rot's arrival suspiciously corresponds to canola production in the Valley. We started testing our crops for this disease after OSU alerted us to its presence in the Valley in late November, 2018. Several of 2018's crops tested positive, and by 2020 most were infected, even from seed that had tested negative prior to planting. Seed that tests positive for this disease is unsellable. Thankfully, hot water treatment has been effective at treating this disease, but it incurs additional expenses and sometimes negatively affects the seed's viability. Black rot is here: we hope our current treatment approach continues to work. We might not be so lucky with the next disease and/or pest issue.

Of course when we were fighting canola in 2013 and again in 2019, the increased disease pressure was one of our main arguments against. Now that we have seen this happen with multiple diseases, it's not hard to imagine more diseases and/or pests showing up. As Highland Economic's report¹ indicates, the value of canola is low relative to the cost of control, and diseases and pests would probably be left unchecked (if they were even noticed!).

Fears of increased production problems due to increased *Brassica* acreage had already been substantiated by 2014, by epidemics of serious diseases of *Brassic*as, including Black Leg, White Leaf Spot, and Light Leaf Spot, first observed in 2014². In light of the presence of these diseases, the arrival of the cabbage seed pod weevil, and the arrival of *Xanthomonas* in 2018, extending the 500 acre cap on canola through the passage of HB 4059-A is a good compromise for a path forward that allows for continued brassica seed production alongside limited canola production for the next several years.

¹ Potential Economic Impacts of Lifting the Canola Ban in the Willamette Valley on Brassica Seed Producers: https://static1.squarespace.com/static/63d1ffaa99cdf63d13352a42/t/63ed3e31dd1f0426790b54c0/1676492339275/Economic+Impacts+of+Canola+Ban+on+Brassica+Seed+Producers_FINAL.pdf

² <https://pnwhandbooks.org/sites/pnwhandbooks/files/plant/document/seed-crop-crucifers-brassica-raphanus-spp-light-leaf-spot/black-leg-light-leaf-spot-white-leaf-spot-crucifers16.pdf>

Cross-pollination from nearby canola fields and feral stands is another one of the well-documented ways this crop threatens our business, our farm, and our livelihood. The ODA has acknowledged “seed scatter during crop transport”³. For crops grown on the 25 acre or more scale⁴ seed scatter is real, and you can see this for yourself when driving along seed transport roads. Bagging seed lots for transport may help, but anyone who has seen the business end of a combine knows that bagging finished seed is not enough to prevent seed scatter.

Several of our contract farms have wild turnip in their fields, despite their having never produced turnip seed. But they are located along seed transport routes. The weedy turnip limits what types of seed these farms can grow. If canola were to become weedy in the same way, it would be much more problematic. Since it will be grown in larger fields, when it goes feral it will travel far and fast, easily ending up right in the middle of a turnip, kale, or rutabaga seed crop. It may flower at the same time, contaminating the variety with both cross-pollination and physical contamination since the canola seed would be indistinguishable from the vegetable *Brassica* seed crop. Furthermore, as a certified organic company, our certification and our customers have zero tolerance for GE contamination. Proliferation of canola in the WV would almost certainly include proliferation of GE traits into wild populations in the Valley because so much of the world’s canola supply is genetically engineered and crosses so easily. It is just a matter of time.

Our customers come to us not only for our unique seeds but also for our commitment to preserving agricultural biodiversity. For us and our customers, this means high quality seed that is free of contamination, GMO or otherwise. With the lack of regulation of herbicide tolerant or otherwise genetically altered varieties, threat of cross-pollination and/or physical contamination from canola under a complete lack of regulation is even more real. And for us, because of the rare varieties that we steward, the cross-pollination would not only destroy a particular seed lot, but also has the potential to destroy an entire vegetable variety. Forever.

The Willamette Valley is a valuable, special place – seed grown here supplies the whole world! The Valley is also a modern center of diversity for several vegetable species, as seed companies not only produce seed here but breed new varieties as well. It would be tragic to sacrifice these high economic and ecologic values for a low value commodity oilseed crop that has destroyed seed growing regions in

³ See ODA’s 11/5/2012 request to the State Emergency Board for funding to research co-existence between canola and specialty seed crops. This request was later withdrawn.

⁴ The minimum canola field size as per ODA’s Administrative rule 603-052-0882, approved 2/7/13.

France, Germany, and California due to cross pollination and increased disease and pest pressure. The Willamette Valley has absorbed some of the seed production that was displaced due to the introduction of rapeseed and canola in these other areas. How unfortunate it would be if we were to squander the high value specialty seed industry for farmers in the Willamette Valley by making the same mistake! The mistake of believing that commodity canola production can co-exist without acreage limits with vegetable *Brassica* seed production. Studies and experience show that it does not work.

The industry that we refer to as “specialty seed” is called that because of its high dollar value. But it's important to keep in mind that the majority of these specialty seeds are the foundation of our food. They are the source of vegetables that feed us and keep us healthy. **By destroying the Willamette Valley as a *Brassica* seed production region, we are putting our own, and the world's, food supply at risk.**

The loss of the Willamette Valley’s ability to produce brassica seed would be felt far more widely than simply loss of the farm gate value of these crops (which is in itself significant enough to warrant protection). It would also presage a decrease in the availability of important vegetable seed varieties that farmers near and far have come to depend upon. **Canola can be grown pretty much anywhere. Specialty brassica seed cannot.**

The fact that this issue keeps coming up is frustrating to say the least. We have had to plead our case over and over again to various committees both in the legislature and to ODA. Other protected districts don’t have this burden of repeatedly defending a well-established and well-respected industry. We, our contract growers, and our customers should have security of knowing that our farms and business models won’t be disrupted by a change in regulation based on the outsized influence of a few well-connected growers.

I urge you to continue to restrict canola production in the Willamette Valley Protected District to the current cap of 500 acres by passing HB 4059-A.

Thank you for the opportunity to submit testimony,

A handwritten signature in black ink, appearing to read "Sarah Kleeger". The signature is fluid and cursive, written in a professional style.

Sarah Kleeger, Managing Owner, Adaptive Seeds