

Submitter: K Robb

On Behalf Of:

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

Measure, Appointment or Topic: HB4153

Co-Chairs Helm and Owens, Vice-Chair Finger McDonald, and members of the House Committee on Agriculture, Land Use, Natural Resources, and Water:

As a community member and farm supporter, I am writing to you today to express my opposition to HB 4153 as it is written and the -2 amendment. Farm stands are a vital part of connecting the public with our food system and building an understanding of what it takes to go from field to fork. But HB 4153 as it is written would restrict who is allowed to have a farm stand, replace current definitions with Farm Stores, and give large land owners privileges at the expense of small farm stands in Oregon. We need to find a better solution.

While this bill takes a closer look at farming, farm stands, and financial accountability, I cannot support it as it is currently written. The inclusion of educational events (like farm tours, workshops, and speakers) in farm related fee based activity is a terrific update. Also the clarification that products made under the farm direct producer processed exemption are farm products, not incidental, is a welcome distinction. While I do support the inclusion of farm to table dinners in fee based events, one caveat is that the bill does not currently require any of the food at the dinner be produced by the host farmer, only in the local agricultural area (defined as the state of Oregon and adjacent counties). This seems to miss the whole point of farm-to-table and should stipulate that at least one ingredient has to come from the farm hosting the dinner.

The new bill would create new eligibility requirements based on acreage in production or sales numbers for farms to even apply for a farm store permit. These requirements would put some farm stands out of business. The farm stands most at risk are affiliated with small and beginning operations. Not only are these acreage requirements arbitrary and place a higher burden on smaller properties, it leaves the door open for someone who happens to own a lot of land to do nominal farm production and unlimited agri-tourism activity, which is not in the spirit of this law.

Farm stands allow new, beginning and small farmers to carve a niche for themselves without having to compete with larger farms in forums like wholesale markets, institutional sales, or even farmers markets. This bill tells all those farms that what they are doing is invalid and not as important as farms who are able to scale production to a certain arbitrary level. We are taking opportunities away from small farms with this bill. Not to mention that larger land owners (who are not subject to an

income requirement) are also allowed to apply right away, whereas a smaller land owner would need to wait until their 3rd year of production to even attempt to get a permit. Farmers should always have the right to sell their own product from their farm property as an outright allowed use. When a farm only sells their own product, or has a u-pick, and operates their stand seasonally no permit should be necessary.

I believe that accountability for farm stands (and farm stores) should be in what commercial activities are conducted, not the size of production or amount of sales. By focusing on the size and scale of businesses to legitimize their farm stores we are fundamentally changing who is allowed to have on farm sales and putting small farms at a disadvantage. Bottom line, small farms need to have the same opportunities to sell their produce as larger farms.

I oppose this bill until amendments can be made and language adjusted to encompass the full range of farm varieties here in Oregon.