

Secretary of State  
Certificate and Order for Filing  
**PERMANENT ADMINISTRATIVE RULES**

I certify that the attached copies\* are true, full and correct copies of the PERMANENT Rule(s) adopted upon filing.

Date prior to or same as filing date

Department of Agriculture, Plant Program

603

Agency and Division

Administrative Rules Chapter Number

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to become effective upon filing. Rulemaking Notice was published in the January 2013 Oregon Bulletin.\*\*  
Date upon filing or later Month and Year

**RULE CAPTION**

Designates and explains general production and restricted districts for *Brassica spp.* (includes rapeseed/canola) production.

**Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.**

**RULEMAKING ACTION**

List each rule number separately (000-000-0000)

Secure approval of new rule numbers (Adopted or Renumbered rules) with the Administrative Rules Unit prior to filing.

**ADOPT:** OAR 603-052-0861, 603-052-0862, 603-052-0882, 603-052-0884, 603-052-0886, 603-052-0888, 603-052-0901 and 603-052-0921

**AMEND:** OAR 603-052-0860, 603-052-0870, 603-052-0880

**REPEAL:** OAR 603-052-0850 and 603-052-0852

**RENUMBER:**

**AMEND & RENUMBER:**

Stat. Auth.: ORS 561.190, 561.510-561.600, 570.305, 570.405, 570.410-570.415 and 570.450

Other Auth.: 561.280

Stats. Implemented: ORS 570.405-570.415 and 570.450

**RULE SUMMARY**

These rules define control areas for *Brassica spp.* including rapeseed and provide regulations that will be applicable to the seeding and growing of rapeseed for any purpose in a general production area and protected districts. The rules are designed to recognize a farmers' right to grow their choice of product while balancing potential conflicts that may emerge with other producers because of cross-pollination, disease, pests, and volunteer plants. The rules designate areas of Oregon that will be classified as protected districts and *Brassica spp.* production will be restricted by rules that are specific to each protected district. All land not in a protected district will be regulated as general production area. Oregon has designated four protected districts.

Within the Willamette Valley Protected District best management practices apply to all *Brassica spp.* except for vegetable brassicas grown as a vegetable crop. Within the Willamette Valley Protected District, the Department has described a Rapeseed Exclusion Zone in which growing rapeseed is prohibited. Rapeseed production is allowed within the Willamette Valley Protected District only outside of the Rapeseed Exclusion Zone and then only up to a combined cumulative total acreage cap of 2,500 acres per production year. In addition, rapeseed may only be grown pursuant to a rapeseed production contract with the Oregon Department of Agriculture (ODA).

The Central Oregon Protected District consists of Crook, Deschutes, and Jefferson counties. Rapeseed production will require a research permit. Rapeseed fields must be isolated by at least three miles, and the location must be recorded at the appropriate Oregon State University County Extension office. Farming practices must manage plant disease, pests, and volunteer plants.

The Northeast Oregon Protected District consists of Baker, Union, and Wallowa counties, except for the following part of Wallowa County, which is designated as a general production area: Township 4N, Range 43E; Township 4N Range 44E; Township 4N, Range 45E; Township 5N, Range 43E; Township 5N, Range 44E; and Township 5N, Range 45E; and the portions of Township 6N, Range 43E; Township 6N, Range 44E; and Township 6N, Range 45E that are located within Oregon's borders. Rapeseed production is allowed, but is subject to certain requirements. The required isolation distance will be at least two miles, and all fields must be recorded at the appropriate Oregon State University County Extension Office. Farming practices must manage plant disease, pests, and volunteer plants.

The Malheur/Idaho Protected District consists of a three-mile wide strip of land along the Idaho border from the point where Payette County, Idaho's northern border intersects Malheur County's eastern border, south to the point where Highway 95 crosses the Oregon border. Rapeseed is prohibited in the Malheur/Idaho Protected District.

Production contracts for rapeseed production in the Willamette Valley Protected District may be entered into with ODA. Variances in the Willamette Valley Protected District may be obtained from ODA. Research permits may be issued by ODA if an accredited university is involved. ODA will maintain specified records of rapeseed fields. ODA has the authority to seek injunctive relief and seek summary destruction of any *Brassica spp.* that violates any rules or the terms of a production contract, variance, or research permit.

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Authorized Signer

Printed name

Date

\*With this original, file one photocopy of certificate, one paper copy of rules listed in Rulemaking Actions, and electronic copy of rules. \*\*The Oregon Bulletin is published the 1st of each month and updates rules found in the OAR Compilation. For publication in Bulletin, rule and notice filings must be submitted by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a weekend or legal holiday, when filings are accepted until 5:00 pm on the preceding workday.

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