

House Bill 2675

Sponsored by Representative BUCKLEY (Pre-session filed.)

Good afternoon, Chair Clem and members of the committee.

I'm Representative Peter Buckley, representing south Jackson County in the Oregon legislature. I appreciate your consideration of HB 2675.

HB 2675 proposes to provide the Oregon Department of Agriculture the authority to regulate genetically engineered crops to ensure peaceful co-existence with organic crops grown in our state.

The two main components are things our state often does well: communication and coordination.

The communication begins when a royalty agreement is completed to purchase genetically engineered seeds or plants.

If an Oregon retailer or wholesaler is the one who obtains the signature of the purchaser on the agreement, the retailer or wholesaler provides the ODA with a copy of the royalty agreement. If the purchaser signs a royalty agreement directly with the patent holder or patent holder's agent, the purchaser provides ODA with a copy of the signed agreement.

The ODA is then authorized to use this royalty agreement information to monitor various GE and non-GE crops and other plants as well as to conduct related research. The ODA uses the information to designate crop production areas for the growing of GE crops and other plants to ensure safe co-existence. The ODA may also limit the growing season within those GE crop production areas if necessary to protect other farmers' crops.

An individual may also petition the ODA to establish a specific crop production area, and the ODA may authorize the production area if the

GE crop does not threaten non-GE crops and other plants currently co-located in the production area.

On a broader level, the ODA may designate areas of the state to off-limits for all GE crop production. These “reserve areas” shall be treated as “control areas” under current Oregon law, such as the canola control areas. I know how difficult the control area issues can be, and this bill does not mandate, but allows, the ODA to regulate as needed for co-existence.

The ODA would have the authority to manage crop production, reserve and control areas in such a way as to maintain appropriate distance and temporal isolation so to prevent cross contamination and unintended gene flow between GE and non-GE crops and other plants. This is especially important as contamination with GE crops and other plants places the recipient farmer not only at an economic disadvantage, but in potential legal jeopardy due to patent infringement.

HB 2675 makes the failure to provide required information or violation of department order regarding crop production area, production limitation or reserve area subject to civil penalty, not to exceed \$10,000.

Chair Clem has consistently been willing to engage in discussions of how we can promote the success of every Oregon farmer, and I look forward to participating in the discussions this session on this proposal and other proposals aimed at the same goal.

I should note that the issue of safe co-existence for both hemp and marijuana crops in Oregon has been raised in the Measure 91 committee hearings, and if there an agreement between the two groups on how to ensure safe co-existence as both crops move into legal production, this bill might be used as a vehicle for that agreement to be codified. Meetings between representatives for hemp and marijuana growers are being set for the next week.

Again, I appreciate your time and consideration. I have brought with me my chief of staff, Mary Beth Williams, to help answer questions on the bill, particularly if the committee has questions concerning GM patents and other technical issues in the bill.

Thank you, Mr. Chair.