

4 February 2016

Honorable Shemia Fagan, Chairwoman
House Committee on Consumer Protection and Government Effectiveness
State of Oregon

Subject: HB 4041

Chairwoman Fagan and Members of the Committee,

My name is Kevin Richards. I operate a family farm in the Central Oregon high desert. We grow hybrid carrot seed, Kentucky bluegrass seed, peppermint oil, hay and wheat on 600 irrigated acres. In addition to our specialty seed, grain and oil crops, we added genetically engineered, herbicide-tolerant alfalfa to our crop rotation in 2006; the result has been significantly improved weed control, reduced environmental impact and improved safety on our farm.

Today, I offer my testimony as both a grower of GE crops and an Oregon specialty crop farmer, as well as an Oregon businessman and a consumer. I encourage you to consider the deeper, unintended consequences that removal of the state pre-emption on the regulation of seed would have on the agriculture economy and the uncertainty it would create for farmers and businesses trying to invest, innovate and stay competitive. ***I urge you to oppose HB 4041, and other proposals to eliminate seed pre-emption*** for the following reasons:

- Regulation of agriculture products, including seed, should be based on sound science, not local politics;
- State and federal agriculture agencies have the expertise, resources and objectivity to make sound, predictable regulatory decisions while minimizing unnecessary trade and market disruptions;
- The uncertainty created by unpredictable, fragmented regulation of seed at the local government level will reduce research, investment and innovation in agriculture products that could benefit Oregon farmers, consumers and the environment in the future;
- The coexistence and continued diversity of agriculture in Oregon is not well served by public officials picking favorites or forcing decisions on a segment of farmers via the ballot box.

Regulation of agriculture products, including seed, should be based on sound science, not local politics. It is impossible to profitably operate a business or be a well-informed consumer when there is constant uncertainty about the local regulatory environment and arbitrary differences in regulation from one local jurisdiction to another. The regulatory environment best suited to allow farms and ranches to flourish—to plan, invest, innovate and grow—is one where policy is based on scientific, evidence-based principles. Likewise, consumers are able to educate themselves and make the most informed decisions when they know public officials and regulators are basing policy on sound science and actual risk, rather than politics.

State and federal agriculture agencies have the expertise, resources and objectivity to make sound, predictable regulatory decisions while minimizing unnecessary trade and market disruptions. The US Department of Agriculture is the most reputable federal agriculture regulatory body in the world. The USDA, as well as the Oregon Department of Agriculture, has the expertise, resources, objectivity, and ability to coordinate with other state and federal agencies that is necessary to make regulatory decisions in the best interest of farmers, the agriculture industry, consumers as well as the environment. Taking regulatory power out of the capable hands of federal and state agencies opens a Pandora's box of potentially unpredictable, arbitrary and inconsistent bans on seed at the local level. This would erode the reputation of our regulatory system. It could also create trade disruptions by misaligning local agriculture production with export opportunities and put farmers at an artificial disadvantage in the marketplace domestically and globally.

The uncertainty created by unpredictable, fragmented regulation of seed at the local government level will reduce research, investment and innovation in agriculture products that could benefit Oregon farmers, consumers and the environment in the future. Removal of deference to state and federal agriculture regulators will signal that Oregon is a risky and unpredictable investment climate for agriculture research and innovation. This will divert high-skilled jobs and research dollars away from our state and away from crops and agricultural products that most benefit Oregonians. Diminishing research investment and the growth of agriculture innovation will compound the competitive disadvantage of Oregon farmers in the future. But, more significantly, it will handicap Oregon farmers in the future by reducing access to beneficial crops and technologies that help growers reduce the environmental impact of food production and better cope with disease, pests and environmental pressures, such as drought.

The coexistence and continued diversity of agriculture in Oregon is not well served by public officials picking favorites or forcing decisions on a segment of farmers via the ballot box. There is a long and successful history of coexistence among American farmers and ranchers; particularly in Oregon, where there are efforts underway to strengthen coexistence. Oregon's farmers are some of the most diverse, progressive and innovative agriculture producers in the world. We should work to maintain that reputation by allowing farmers the independence to make decisions on what seed and crops to plant on their own farms, while encouraging coexistence through farmer-to-farmer communication and local voluntary coordination within state and federal regulatory guidelines. Our proud farming history and the continued health of our industry is not well served by placing family farms and businesses at the whim of local politics. Doing so jeopardizes the hard work of generations of Oregon farmers to maintain good relationships with neighbors and consumers, build profitable businesses, and be responsible stewards of Oregon's resources.

Thank you for the opportunity to submit this testimony.

Kevin L. Richards