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Testimony in Support of SB 885 Senate Committee on Environment and Natural Resources

Chair Dembrow, Members of the Committee

Friends of Family Farmers urges your support for SB 885 to maintain current limits on canola production inside the Willamette Valley Protected District. This bill is needed to protect the Willamette Valley's world class specialty seed industry, as well the Valley's clover seed, cover crop seed, fresh market vegetable, and organic industries. All of these industries are put at significant risk by the prospect of extensive or unlimited commodity canola production, which could occur after July 2019 without legislative action.

In 2013, in a bipartisan vote, the Legislature passed HB 2427, which allowed up to 500 acres of canola per year inside the Willamette Valley Protected District, while otherwise maintaining a long-standing moratorium on commercial canola production. This bill funded three years of research on the impacts of canola. Before the research results were in, canola advocates lobbied for the passage of HB 3382, which extended the 500 acre per year cap until July 2019, with the cap set to expire at that time.

As required by HB 3382, after the research was completed, the Oregon Department of Agriculture made recommendations to the Legislature for the future of canola management in the Willamette Valley. One of the recommendations was to 'extend the current system' by continuing to cap canola acres at 500 per year through legislative action.

This is what SB 885 would do. It is a reasonable accommodation allowing limited canola production within one of the world's most important specialty seed producing regions. A cap on acres and other limits on canola in the Willamette Valley are warranted for a number of reasons. Key issues unanswered by the research include:

- 1) What are the appropriate isolation distances to ensure cross-pollination between canola and brassica seed crops does not occur? How will the Oregon Department of Agriculture enforce such isolation distances?
- 2) Canola is unique among all Brassica species in that there are herbicide tolerant and genetically engineered (GE) varieties on the market How likely is GE or herbicide tolerant canola to cross-pollinate with 'feral' brassica/mustard weeds and spread herbicide tolerant traits into the wild or into public rights of way? Who will be responsible if herbicide tolerant varieties of canola become feral or spread these traits into the wild?

- 3) What would be the economic impact of herbicide resistant traits from canola getting established in weed populations or specialty seed and cover crop production fields in the Willamette Valley?
- 4) How long will canola seeds that drop to the ground at harvest or that escape field or property boundaries persist in the seed bank? What is the potential for off-field movement of canola seeds after harvest? What is the likelihood of seeds travelling off-site during rain or flooding events and moving into ditches and waterways where they can germinate far from original field locations?
- 5) What is the current baseline for feral brassica populations along roadsides, and how might seed scatter during canola seed transport worsen this problem and create additional risk of cross-pollination of seed crops and the spreading of herbicide resistant traits into the wild?
- 6) What is the true economic risk associated with introducing commercial canola production into the Willamette Valley? Specifically, what are the financial risks to existing specialty seed, clover seed, organic and fresh market vegetable industries?

The Willamette Valley is unique in the world for its capacity for vegetable and seed crop production. The Legislature should make the Willamette Valley Protected District permanent, preserving its role as one of the world's most important seed producing regions.

While we would support an explicit prohibition on production of GE and herbicide resistant varieties of canola in the Willamette Valley, at a minimum we should cap the acres to reduce the risks to other farmers and industries. In hearings on the canola issue in 2013, the Legislature received testimony from international seed companies located as far away as Japan and Europe that said they would likely stop doing business with Oregon growers and seed companies due to the risk of cross-contamination of seed crops should large-scale canola production be allowed. Agricultural industries valued in excess of \$100 million are at stake.

Because ODA is limited in how they can regulate canola after July 2019, legislative action is needed to maintain the current system. This will allow some canola production on par with what has been allowed since 2013, while being protective of the Willamette Valley's specialty seed industry and other farmers who could be impacted by canola. Without action from the Legislature, ODA will likely not be able to fully address the need to control and limit canola production in the Willamette Valley to protect the unique attributes of the specialty seed industry. This could ultimately lead to the loss of the Willamette Valley's world-class specialty vegetable seed industry and create significant financial impacts to the organic seed, cover crop seed, and the fresh market vegetable industries as well.

We urge you to send SB 885 to the Senate floor with a 'do pass' recommendation today. Thank you for your consideration.

Ivan Maluski, Policy Director