

HB 2451 STAFF MEASURE SUMMARY

Carrier: Sen. Bentz

Senate Committee On Environment and Natural Resources

Action Date: 04/23/19

Action: Do pass.

Vote: 5-0-0-0

Yeas: 5 - Bentz, Dembrow, Olsen, Prozanski, Roblan

Fiscal: Fiscal impact issued

Revenue: No revenue impact

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Meeting Dates: 4/16, 4/23

WHAT THE MEASURE DOES:

Eliminates mandatory state onion inspections. Retains provisions requiring Oregon Department of Agriculture to establish onion grades and standards that conform to those prescribed by the United States Department of Agriculture.

ISSUES DISCUSSED:

- Measure does not affect food safety requirements
- State onion inspection is duplicative
- Expense of state inspections

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

The Oregon Department of Agriculture (ODA) inspects horticultural and agricultural products when requested under ORS 632.940, to ascertain and certify product grade, classification, quality, condition, or quantity. This inspection authority is separate from inspections related to food safety standards and requirements, which are regulated by ODA and the U.S. Food and Drug Administration. The onion inspection statutes (ORS 632.206 - 632.260) were created in 1955 to establish grades and standards for onions, and to require mandatory inspections, grade certification, and labeling requirements for shipping. According to ODA, shipping point inspections were performed primarily by ODA prior to 1999. However, it is now common practice for packing companies to employ their own inspectors, whose work is overseen by ODA.

Malheur County onion growers and shippers are also subject to mandatory federal inspections by the United States Department of Agriculture (USDA). The USDA has regulated eastern Oregon onions via a marketing order since 1957 under 7 C.F.R. §958. In general, marketing orders are initiated by industry, tailored to an individual industry's needs, and are binding for the entire industry within a specified geographic area. Their purpose is to help provide a stable market by maintaining high produce quality, standardizing packaging and containers, regulating product flow to market, establishing reserve programs for storable commodities, and authorizing marketing research, development, and advertising. The "958 Idaho and Oregon Onions" Federal Marketing Order authorizes grade, size, maturity, quality, marking, packing, and container regulations for onions grown in certain designated areas of eastern Oregon and western Idaho.

House Bill 2451 would eliminate mandatory state onion inspections.