

# House Bill 3219

Sponsored by Representative HOLVEY

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Restricts commercial growing of canola within portion of Willamette Valley.

## A BILL FOR AN ACT

1  
2 Relating to canola.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) As used in this section:**

5 (a) **"Canola" means plants of the genus Brassica:**

6 (A) **In which seeds having a high oil content are the primary economically valuable**  
7 **product; and**

8 (B) **That have a high erucic acid content suitable for industrial uses or a low erucic acid**  
9 **content suitable for edible oils.**

10 (b) **"Willamette Valley Protected District" means the area encompassed within a rec-**  
11 **tangle formed by the point in Tillamook County that is the northwest corner of township 1**  
12 **north, range 6 west, the point in Multnomah County that is the most northeastern point of**  
13 **township 1 north, range 2 east within Oregon, the point in Lane County that is the southeast**  
14 **corner of township 19 south, range 2 east and the point in Lane County that is the southwest**  
15 **corner of township 19 south, range 6 west.**

16 (2) **Canola may not be grown commercially within the Willamette Valley Protected Dis-**  
17 **trict except under an authorization issued by the State Department of Agriculture. The de-**  
18 **partment shall establish an authorization system for the commercial growing of canola**  
19 **within the district, including but not limited to an application process, permit requirements,**  
20 **site registration, site publication, crop sampling, post-harvesting site monitoring and the**  
21 **imposition of reasonable application, permit, testing and monitoring fees. The department**  
22 **shall adopt rules to establish a limit on the amount of canola that may be commercially**  
23 **grown within the district, not to exceed 500 acres per year.**

24 (3) **The department shall allow the commercial growing of canola at a site within the**  
25 **district only if the department determines that canola may be grown at the site in a manner**  
26 **that is compatible with growing of other crops, including but not limited to:**

27 (a) **Maintaining isolation distances between the canola and other crops that equals or**  
28 **exceeds the industry-recommended isolation distance between specialty seed crops of the**  
29 **genus Brassica and other crops;**

30 (b) **Requiring that the canola be free of genetically engineered material; and**

31 (c) **Requiring that the canola be of a variety that has low herbicide resistance.**

32 (4) **The department shall require that seed for the commercial growing of canola within**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 the district be tested and certified for the purpose of ensuring compliance with the require-  
2 ments of this section and department rules. The department shall require that commercial  
3 canola crops growing within the district be sampled, tested and certified prior to the crop  
4 achieving its flowering stage. If the department determines that a commercial canola crop  
5 growing within the district includes genetically engineered material, is herbicide resistant  
6 or does not comply with requirements adopted by the department by rule, the department  
7 shall ensure that the crop is destroyed prior to the crop achieving its flowering stage.

8 (5) The department may impose a civil penalty against any person who grows canola in  
9 violation of this section, not to exceed \$25,000.

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