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

Relating to canola.

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

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

(a) “Canola” means plants of the genus Brassica:

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

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

(b) “Willamette Valley Protected District” means the area encompassed within a rectangle formed by the point in Tillamook County that is the northwest corner of township 1 north, range 6 west, the point in Multnomah County that is the most northeastern point of township 1 north, range 2 east within Oregon, the point in Lane County that is the southeast corner of township 19 south, range 2 east and the point in Lane County that is the southwest corner of township 19 south, range 6 west.

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

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

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

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

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

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

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