

**SB 507 A STAFF MEASURE SUMMARY**

Carrier: Sen. Golden

**Senate Committee On Natural Resources****Action Date:** 02/27/23**Action:** Do pass with amendments. (Printed A-Eng.)**Vote:** 5-0-0-0**Yeas:** 5 - Girod, Golden, Prozanski, Smith DB, Taylor**Fiscal:** Fiscal impact issued**Revenue:** No revenue impact**Prepared By:** Laura Kentnesse, LPRO Analyst**Meeting Dates:** 1/25, 2/27**WHAT THE MEASURE DOES:**

Expands agricultural products allowed for farm direct marketer sales to include freeze-dried fruit, vegetables, and herbs; herbal tea and dried herb blends; certain fruit and vegetable juices; and maple and walnut tree-sap-based solid sugar, cream, and liquid syrup products. Authorizes water-bath and steam canning methods for fruit-based syrups, preserves, jams, fruits, vegetables, and fruit and vegetable juices. Modifies the annual sales limit for these fruit-based products and fruit and vegetable juices from \$20,000 to \$50,000 and removes the option for the Oregon Department of Agriculture (ODA) to establish a higher limit by rule. Expands agricultural products allowed for consignment sales to match those allowed for farm direct marketer sales. Allows internet sales of products provided that sales are to persons within Oregon or comply with federal requirements concerning interstate sales. Allows a farm direct marketer to contract with a third party for delivery, marketing, or other sales facilitation. Requires ODA to adopt rules for implementation. Takes effect on 91st day following adjournment sine die.

**ISSUES DISCUSSED:**

- Oregon's farm direct marketing law
- Current venues where farm direct products can be sold, including farmers markets and roadside stands
- Additional marketing opportunities through consignment and internet sales
- Restriction to sell products within the state
- Alignment of correct processing methods and products to maintain food safety standards
- Addition of maple and walnut syrup products
- Confirmation that pure honey sales are currently allowed under Oregon's farm direct marketing law

**EFFECT OF AMENDMENT:**

Expands agricultural products allowed for consignment sales to match those allowed for farm direct marketer sales. Authorizes freeze-drying of fruits, vegetables, and herbs for which drying is not part of routine post-harvest handling, rather than freeze-drying of all fruits, vegetables, and herbs. Authorizes water-bath or steam canning of certain fruit-based syrups, preserves, jams, fruits, vegetables, and juices rather than steam canning of all fruit, vegetables, and herbs. Authorizes fruit and vegetable juices if they are producer-processed products, acidic foods, labeled in specified ways, and bottled by a producer that complies with the annual maximum sales limit, rather than only being required to be producer-processed and pasteurized. Modifies the annual sales limit for fruit-based syrups, preserves, jams, fruits, vegetables, and fruit and vegetable juices from \$20,000 to \$50,000, and removes the option for the Oregon Department of Agriculture to establish a higher limit by rule. Authorizes maple and walnut tree-sap-based solid sugar, cream, and liquid syrup products.

**BACKGROUND:**

Oregon's farm direct marketing law was enacted in 2011 and allows small farmers to produce and sell low-risk, value-added products that they prepare in their home kitchens from the produce that they grow. All bottled, packaged, and canned products are required to display a label indicating that the product was not prepared in an

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inspected food establishment and that it is not for resale, in addition to other product and producer information. Products are sold at farmers markets, roadside stands, community supported agriculture drop sites, buying clubs, church bazaars, and other venues where sales occur directly between the farmer and retail customer.

Under the farm direct marketing law, farmers can sell the following products direct to consumers: fruits, vegetables, and edible flowers and herbs that are fresh, cured, or dried; shelled and unshelled nuts; fruit-based syrups, preserves, and jams; shell eggs; pure honey; olive oil; uncooked grains, legumes, and seeds; and popcorn, nuts, peppers, and corn on the cob that are roasted at the place of purchase after purchase and not sold for immediate consumption.

Farmers can also sell the agricultural products of other farmers from the same or adjoining county under consignment. Products currently eligible for consignment sales include: fruits, vegetables, and edible flowers and herbs that are fresh, cured, or dried; unshelled nuts; shell eggs if the seller is a licensed egg handler; pure honey; and olive oil.

Senate Bill 507 A would expand agricultural products allowed for farm direct marketer or consignment sales, raise the annual sales limit for certain fruit-based products and fruit and vegetable juices, and allow for internet sales and third-party contracting for sales support.