



March 9, 2023

Dear Chair Golden, Vice Chair Girod and Members of the Committee:

My name is Amy Wong and I am writing on behalf of the Oregon Organic Coalition in support of SB789. This legislation represents a balanced compromise, co-existence, and a permanent extension of current Willamette Valley Protected District (WVPD) rapeseed/canola regulations, which have been in place for 30 years and provide much-needed market stability for the lucrative brassica specialty seed industry. The specialty seed industry:

- Has an average total revenue of \$15.2 million annually;
- Supports roughly 190 jobs, as well as \$9.3 million in labor income;
- Produces 90% of the world's supply of some brassica seed varieties, making this a biodiversity and food security issue.

**The WVPD is one of the last locations in the world for large-scale brassica seed production, since uncontrolled canola production has ruined seed growing areas in Europe, Australia, southern California, and elsewhere.**

The world relies on Oregon brassica seed and seed producers are booming. According to the [Highland Economics assessment](#) of the impact of canola on the brassica seed industry, the average gross revenues of conventional brassica seed are \$3200 hundred per acre, organic is \$40,000 per acre and canola is \$190 per acre.

With the wide range of brassica seed markets supplied by producers from the Willamette Valley, it is reasonable to expect future growth in demand within the Valley. Of note for organic seed production, European Union organic regulations have mandated that, beginning in 2035, all organic products in Europe must be grown with organic seed. This has the potential to greatly expand global demand for organic brassica seed, which the Willamette Valley has the unique ability to supply.

Oregon is also in the top 5 states for organic and conventional fresh vegetable production and ensuring seed—a critical input—is available is important, especially for diversified organic and conventional farmers throughout the state.

Throwing the vibrant and growing seed sector under the bus to please a few vocal canola farmers simply makes no economic or policy sense. Watering down the current well-thought out legislation, that is widely supported by leaders from the Valley and the producers themselves (with a very few exceptions), could destroy an industry and affect world seed supply.

**In addition:**

- **The 2017 report actually recommends having limits on canola production and pinning brassica crops.** The fact that a few politically influential farmers wish that were not the case does not make it so.
- **SB789 is a solution drawn directly from the [2017 OSU report](#)** with several improvements: the legislation is informed by up-to-date data, more comprehensive economic assessment, and 6 years of evolution in seed protections in Oregon, Washington and other seed growing regions worldwide.

- The legislation is a balanced mix of options found in the report, limiting acreage and “pinning” every field to protect the Valley’s vibrant specialty seed industry.
- **The OSU report had no economic analysis**, but the legislature now has robust, current economic data from the non-partisan [Highland Economic assessment](#) that lends extensive evidence to the economic harms likely to ensue if the Protected District is dismantled.
- **All of the other three rapeseed/canola protected districts in Oregon have seed protections.** No rapeseed is even allowed in the Malheur/Idaho Protected District, nor in Washington’s Skagit Valley’s brassica zones. In Washington, pinning and isolation are required wherever rapeseed/canola is allowed.
- Notably, the 2017 report suggested the **possibility of increased acreage only in connection to possible increased demand at the processing plant in Rickreall, which is now closed.** Today, 6 years later, there is no processing capacity for canola in the Willamette Valley. The limits on GE canola that the Willamette Biomass Processors plant encouraged are gone, and all canola must be trucked long distances, increasing the spread of feral canola all over the valley.
- Finally, we note the legislative intent of the 2015 canola deal that should most certainly guide new legislation: then Senator Chris Edwards entered into record the intent was to allow 500 acres of canola production in the WV, **while protecting specialty seed growers.** Allowing the 500 acre cap to sunset in June would not protect the specialty seed industry—it would devastate it—to the long-term harm of Oregon’s farms, farmers, food industry and biodiversity.
- The WVSSA offered an Associate Membership to the canola community in order to pin their crops and they refused. And now the canola industry is pushing to sunset all canola protections in the WVPD, citing Mallory Smith’s report as the basis for doing so.

It’s time to put this contentious issue to rest by keeping the pragmatic measures that Oregon (and most other seed growing regions in the world) have had in place for years and passing SB789. Six years since 2017, the legislature has **comprehensive economic data** and far deeper understanding of, and data related to, the very real threat of **cross contamination from canola to brassica crops**, including GE contamination.

**Dr. Carol Mallory Smith’s 2017 report didn’t sufficiently address either of these critical dimensions and should not be solely relied upon for policy as a result. The absolutist choice would be to allow unrestricted canola, thereby destroying the internationally renowned specialty seed industry. Mallory Smith has never said that unpinned canola would be “safe.”**

In 2013, Takashi Ishizaki of Tohoku Seed Company, flew to Oregon from Japan to ask the legislature to limit canola and keep our pinning program. He said: “If something is not done to provide long term protection from Canola then my company and other companies will need to immediately start looking for other places to produce our seed. We do not look forward to this prospect as we have very few good areas worldwide.”

We urge you to focus on the realities and voices of today and move toward a balanced solution for the seed industry and our state’s important agricultural economy.

Sincerely,



Oregon Organic Coalition

### **Additional Highlights**

- A 2008 study from OSU indicated there would be up to 53,000 acres available for oilseed crops after accounting for buffer areas and crop rotations (Jaeger & Siegel, 2008). This represents the maximum potential of canola production in the Willamette Valley. After evaluating the processing options for this amount of canola, the same study found that this level of canola production was “unrealistic.”
- Highland’s study found that 37,000 acres of canola would have to be grown in the Willamette Valley in order to replace the profits generated by less than 3,500 acres of brassica seed. And over 62,000 acres of canola would be needed to replace the jobs and labor income generated by brassica seed.
- Dr. Carol Mallory Smith has never recommended un-pinned canola—her testimony on SB789 is that a pinning system should be used by brassica and canola growers; and that canola can exist in the valley “as long as it is grown in a manner that is compatible with Brassicaceae seed production.”
- There is no statutory requirement that canola growers use non-GMO or GE canola—just because they are currently using non-GMO or GE varieties doesn’t mean that they will continue to do so.
- The canola industry and Mallory Smith continue to fail to adequately acknowledge the very real threat of GE contamination, or the negative economic impact from canola on the specialty seed industry.
- The specialty seed industry does not agree that isolation from canola is not needed in cabbage, kale, rapini, broccoli raab, and some other broccoli crops.
- Much research has been done on transgenic (GMO) contamination, yet it is not mentioned in Mallory Smith’s testimony on SB789—despite the bill removing all canola regulations—or taken seriously into account in her 2017 report, despite being a widely-recognized threat.
- GMO canola has turned up in areas where it should not have, like in 2019 when [France and Germany](#) had to remove thousands of acres of canola grown from GMO-contaminated seed that was supposed to be non-GMO.
- Of the alternatives to canola listed in the Highland Economics assessment, none are GE, which is why they are desirable compared to canola—they don’t pose the threat of GE contamination.
- There are numerous weed species in the WVPD that could cross with brassicas, including canola, or GE canola, compounding the risk of “backcrossing” from a weed back into a brassica crop.
- Actual field management practices are different for oil crops like canola that can tolerate black leg and pest pressure yet still be harvestable—unlike seed or vegetable crops.
- And unlike specialty seed, canola production doesn’t require eradicating volunteer canola weeds in the field and along roadways, which cause cross pollination.
- Pinning and isolation are required for canola in Oregon, because it is the only member of the brassicaceae family for which there is no incentive to prevent cross-pollination, and because of the different economies of scale between canola and other brassica. This is why it is critical to consider the potential negative economic impact on the brassica seed industry along with any other considerations.