

Oregon Department of Agriculture

AGRICULTURE SERVICES

- Phytosanitary certification for seed and hay/straw
- Smoke management
- Licensing
- Labeling
- Slow Pay No Pay
- Supervised price negotiations

ODA Seed Industry Services

- Official sampling and testing to assist producers and seed companies in getting the certifications, inspections, and testing necessary to market, sell, and export their seed crops.
 - Seed phytosanitary certifications – 86 million lbs thru 7/25
 - Hay/straw phytosanitary certifications – over 1 billion lbs thru 7/25
- Smoke management – permit field burning in mid-Willamette valley for grass seed growers

ODA Seed Regulatory Program

LICENSING

- Regulates the sale and labeling of agricultural and vegetable seed sold, offered for sale, or transported within Oregon.
 - SALES – Licenses for dealers (retail and wholesale). Wholesale seed dealer's licenses apply to persons who contract production as well as brokerage.
 - LABELING – Ensures that seed sold at the retail level is properly labeled to protect consumer's interest in regard to germination, purity, weed seed content, etc. Implement Federal Seed Act.

ODA Seed Regulatory Program

SLOW PAY/NO PAY

- Grower Protections:
 - Standardized seed purchase contract terms required in Oregon to include delivery dates and payment dates to ensure consistency.
ORS 576.729
 - “Slow pay / no pay” protections provide for the Department to compel seed dealers to pay seed growers under the terms of the contract their contract through a complaint process. Growers submit a complaint, ODA does a record review to verify the complaint, and if valid, issues a notice to pay the grower within 30 days. If grower is not paid, the seed dealer may ultimately lose their license.

ODA Supervised Price Negotiations

- The Director of Agriculture is authorized to actively supervise price negotiations in allowing the producers and dealers to bargain collectively and arrive at a negotiated price for the sale of seed by the producers to the dealers.
- Allows multiple dealers to negotiate with OGSBA at once with protection from federal anti-trust law
- ODA has this unique authority in seafood, blackberries, perennial/annual ryegrass, and tall fescue

Conclusions

- 2025 has been a heavy year for slow pay/no pay complaints due to oversupply and diminished demand (housing starts, etc.)
- This is the first time that ODA has considered serious issues with price order compliance across the board.
- Additionally, this is the first time that the slow pay/no pay process has been used to address compliance with the price order.
- Given this novel intersection of these two authorities, ODA intends to put together a rules advisory committee in the coming months to discuss potential changes to the rules governing how slow pay/no pay complaints are handled.