

Oregon Department of Agriculture

AGRICULTURE SERVICES

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



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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



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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.



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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



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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.



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