

Submitter: Kevin Bates

On Behalf Of:

Committee: House Committee On Agriculture, Land Use, Natural Resources, and Water

Measure, Appointment or Topic: HB4153

My name is Kevin Bates, and I am a lavender farmer in Corbett. I am writing to express my opposition to HB 4153.

Farm stands are a vital part of connecting the public with our food system and helping people understand what it takes to go from field to fork. HB 4153 would restrict who is allowed to operate a farm stand, replace existing definitions with new “farm store” classifications, and grant greater privileges to large landowners at the expense of small farms. This fundamentally changes who is allowed to sell directly from their land, and we need a better solution.

This issue is important to me for several reasons:

- I operate and regularly visit farm stands that would not meet the acreage requirements outlined in Section 2(2) of the bill, even though our farm meets the gross sales requirements, many smaller niche stands do not. It seems this is a way of enforcing a “minimum tax” on smaller farms.
- Small farms in Oregon deserve the same opportunities to sell their products as larger farms. This is an issue of fairness. Using acreage and scale to determine legitimacy puts small farms at a clear disadvantage.
- Many small farms and even rural residences, retirees, supplement their income by selling flowers or home-grown produce. These operations are worth protecting, not eliminating.
- Large acreage farms should not gain additional privileges at the expense of smaller-acre farmers. Farmers should always have the right to sell their own products directly from their farm property as an outright allowed use.
- This bill effectively replaces long-standing farm stand allowances with a new “farm store” framework, risking the loss of the simplest form of farm commerce. Honor-system stands selling surplus produce at the end of a driveway should not require permits and should not be prohibited.
- A small farm is no less legitimate than a large farm when defining farm use.
- When a farm sells only its own products, operates seasonally, or offers u-pick opportunities, no permit should be required. This was widely agreed upon during last summer’s rule-making process. However, this bill replaces those protections with an entirely new structure that could unintentionally outlaw these practices.

We urge you not to place a higher burden on Oregon’s smallest farms. HB 4153 removes opportunities from small landholders in order to allow larger operations to

expand events and activities. This is not a good trade-off for Oregon, and a better, more balanced solution must be found.

Respectfully,
?Kevin Bates