

Oregon Department of Agriculture Program Reports
Prepared for: State Board of Agriculture
Meeting dates: December 1-2, 2020

Food and Animal Health & ID Programs

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- **Manufactured Foods and FDA Contract:** In September we started the new FDA contract year. We are charged with conducting 40 Preventive Control inspections and 200 GMP inspections, many with “complete by date” requirements which the FSP team has ambitiously started. We were granted a limited number of seats in FDA classrooms for the FDA Preventive Controls course, and therefore cross training will be reduced over the next year.
- **State Meat Inspection Program:** HB 4206 which was passed in the first special session gave the agency the authority to adopt rules to establish a state meat inspection program. A state meat inspection program must be at least equal to the USDA standards. We have now met twice with the stakeholder group and divided into three main stakeholder focus groups, regulatory, producers, and marketing. The FS program will be starting the rulemaking process to adopt the Federal Meat Inspection Act and to make necessary rule changes to our existing rules. Once that process is complete we will be able to submit a formal request to USDA to enter into a state meat inspection cooperative agreement. That will allow the state to access the necessary USDA training for staff who will be involved in the program.
- **Dairy Program Update:** Frank Barcellos retired on October 30 after serving 8 years as ODA Food Safety’s Dairy and Shellfish Program Manager. Fellow Program Manager, Karel Smit, will take over Frank’s Dairy and Shellfish duties.
- The FDA approved our 3rd 90-day Emergency Consideration waiver, which ends December 31, 2020. The waiver, filed on September gives us 90 days of leniency if we miss our dairy requirements such as sampling, pasteurizers testing, and inspection deadlines. Still, with COVID-19 assessment protocols in place, field staff continues to do the majority of our routine dairy sampling, pasteurizer equipment checks, and inspection duties on a pre-notified basis. Also, all IMS State Rating Inspections for 2020 have been completed by the State’s three Rating Officers: Robert Wilson, Chris Gieber, and Karel Smit. Given that we are going to be in a pandemic for the foreseeable future, we will request the FDA for a 4th 90-day Emergency Consideration waiver.
- We are in the process of adopting the 2019 Pasteurized Milk Ordinance (PMO) and associated documents: 2019 Methods of Making Sanitation Ratings (MMSR) and the 2019 Evaluation of Milk Laboratories (EML). Hard copies of the 2019 PMO have been shipped to field staff for further distribution to their dairy plants and farms. The 2019 PMO will be the last version that will be available as a hard copy. Future PMOs will come in the electronic format (PDF) only.
- **Shellfish Program Update:** Despite the COVID-19 Pandemic, we have been able to meet our bay water sampling, shellfish sampling, crab sampling, beach closure postings, including pre-notified inspection requirements. We are also in the process of adopting the 2019 Revision of the National Shellfish Sanitation Program (NSSP) Guide for the Control of Molluscan Shellfish to keep with the current model guide.
- We updated our shellfish plat leasing information on our website, which now has a new plat lease application form, application instructions, and flow chart to help applicants with the application process. We will continue to work with our partnering agencies, who approve or comment on shellfish lease applications, such as: the Oregon Department of Fish and Wildlife (ODFW), Oregon Department of Land Conservation and Development (DLCD), including others to improve the plat lease application process.

- Full round of pre-season crab testing, which is done in conjunction with ODFW for both biotoxin testing and to see how heavy/filled out the crab are starts November 9, to determine whether the commercial ocean crab season will open on December 1st or will need to be delayed.
- **Animal Health Program:** The Oregon Department of Agriculture (ODA) is excited to announce the new ODA State Veterinarian, Dr. Ryan Scholz. Many of you may already be familiar with Ryan as one of ODA's district veterinarians in the animal health program. Ryan has been with the agency for 8 years starting his career as a District Veterinarian in 2012 serving Western Oregon and also serving as the Emergency Preparedness Coordinator from 2013 to 2015 before returning full time to the district vet position. To date Ryan's contributions to the animal health program have made many of the technological advances in the program possible and have helped move the program into the future. He is a proud graduate of Oregon State University, earning two undergraduate degrees, a Masters of Public Health and a Doctorate of Veterinarian Medicine. He brings to ODA extensive experience in emergency management and animal disease control. Ryan officially started in the new position on Monday, November 2.
- The animal health program through USDA Cooperative Agreement Funds has begun to support Oregon Accredited Veterinarians, our Livestock Markets, and livestock producers in voluntary adoption of RFID technology. We have provided 7 RFID reader demo kits for veterinarians to check out (for up to 30 days) to evaluate the use of RFID technology in their practices, as well as compare features of various readers. We have also purchased RFID readers for the veterinarians at all 8 federally licensed livestock markets in Oregon and are currently in the process of distributing them and providing training to the veterinarians. We are currently in the process of developing an RFID reader loan program for Oregon livestock producers, and hope to have 7 additional readers available for loan this month.
- **Livestock Identification:** The Livestock ID program is now in the busiest time of the year. Producers are selling their calf crops and yearlings getting ready for winter. Inspection numbers are down 9% as compared to the same time last year, and almost 20% from this time period in 2018. This loss of revenue and increased personal service expenditures is taking its toll on the programs cash balance. The agency does have a LC in place to raise fees to support the program going forward. The program worked with the Livestock Advisory Group in creating the increases reflected on the LC. Manager and Brand Recorder have split up duties of vacant OS2 position in an effort to have cost savings. This is not maintainable for the long term.
- **Licensing of Animal Rescue Entity:** The comment period closed for the proposed ARE rules on November 4th. The comment period was extended by 20 days in response to the wildfires, many of the AREs were actively responding to the wildfire situation. The program will begin to accept license applications in November and will inspect facilities leading up to the July 2021 in preparation for the 21-22 license period.

Internal Service & Consumer Protection Programs

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- **Weights and Measures Program: Third Quarter, 2020** (* Denotes 2nd Quarter 2020 for comparison) As of 10/31/20, the program had 63,260 (*62,812) licensed weighing and measuring devices operated by 13,838 (*13,919) businesses in Oregon. Through the 3rd quarter of 2020, inspectors have examined 33,696 (53%) weighing and measuring devices licensed across the state. Of those devices examined, 2,363 were rejected (2.4%) and 719 devices had on-site corrective actions performed (2.1%).
- For the 3rd quarter of 2020: 259 (*158) new licenses were issued. 7 (*2) " Just Checking In" (JCI) Food Safety Audits were conducted by W&M Inspectors.
- As of 11/10/20, the W&M delinquent caseload stands at 558 licenses/1,412 devices worth \$89,774 of potential license fee revenue.

- **Metrology Lab:** During the 3rd quarter of 2020, the ODA Metrology Lab conducted 783 (*963) high precision calibrations for private industry and other state metrology labs generating \$37,009 (*\$25,753) of revenue.
- **Motor Fuel Quality Program:** For the 3rd quarter of 2020, Field Inspectors conducted the following motor fuel quality tests: 117 samples collected for lab analysis with 0 failures; 1,656 (*333) motor fuel quality screenings with 29 (*0) failed screens; 3,557 (*827) fuel storage tanks screened with 18 (*3) screens showing excessive water in the tanks.
- **Lab Services Program:** Lab Stats: July-Sept 2020 (July-Sept 2019 for comparison) CAFO 2 samples/2 tests (1/1); Dairy 820 samples/1839 tests (916/2414); DEQ 0 samples/0 tests (0/0); Export 74 samples/302 tests (74/410); Fertilizer 11 samples/44 tests (72/782); Food 39 samples/130 tests (91/509); Pesticides 450 samples/1226 tests (261/1009); Baywater 180 samples/180 tests (207/207); Shellfish 72 samples/135 tests (71/137); Invoiced 12 samples/12 tests (13/13) Lab successfully past recent ISO Accreditation audit and also added a few methods to its scope.
- **Wolf Grant Program:** After a series of stakeholder meetings, ODA's Wolf Grant Program was successful in getting all parties to agree to a statewide claim application to be used by producers applying for grant funds to the individual county wolf programs. This will bring some level of consistency to the 17 different county wolf programs and make it easier for ODA to review individual county grant applications for yearly awards.

Market Access & Certification Programs

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- **Agriculture Development and Marketing:**
 - On Monday, ADMP kicked off a month-long promotion of Portland Cider at the Original Pancake House in South Korea.
 - A Japanese craft brewer won an award for a beer made with raspberry puree from Oregon Fruit Products. The line of fruit purees was one of the agriculture products that participated in the Governors mission to South Korea and Japan in the fall of 2019.
 - ODA is partnered with Washington and the National Association of State Departments of Agriculture (NASDA) Foundation to develop training modules to support small and new-to-market women-owned food enterprises. Once developed, the NASDA Foundation will offer the training modules nationally.
 - ADMP is hosting two workgroups to explore how new authority to establish a state meat inspection program could provide new opportunities to Oregon ranchers, meat processors, and retailers.
- **Certification Programs:**
 - The program continues to increase the number of auditors around the state to assist with high demand for audits and to reduce costs to customers. Protocols were developed to conduct audits during the COVID-19 pandemic and service has not been interrupted. Preliminary data shows request for audits in 2020 is similar to 2019.
 - Gilbert Uribe, a Natural Resource Specialist with ODA's pesticides program started a job rotation as the Certification Program Manager. He will serve as the primary point of contact for ODA's organic customers and help coordinate application reviews, communication, and site inspections.
- **Plant Health Program:**
 - The program worked closely with USDA APHIS and seed companies to find a solution for exporters who were experiencing rejections in South Korea due to nematode contamination. The PH laboratory developed a new testing protocol for these nematodes. Successful communications with South Korean officials have resulted in new testing requirements for annual ryegrass exports that will enable Oregon producers to export their product with fewer rejections.

- Seed sampling and testing services are increased compared to last year's numbers. Industry reports high volume of seed movement both to the domestic and export markets.
- The program collaborated with USDA APHIS on testing protocols for a bacterial plant pathogen in oat seed exports to South Korea. This was done to meet the needs of Oregon seed companies who were having seed lots rejected at the port of entry. South Korea accepted the proposal for testing which will enable Oregon exporters to successfully ship their product.
- The Seed Field inspection season is complete. Despite travel restrictions due to COVID-19, all fields were inspected for pests and diseases to assist producers in meeting the requirements for export markets.
- **Produce Safety:**
 - To date, the Produce Safety team has conducted virtual grower training classes, reaching over 1,000 people.
 - 2019 was the first year Produce Safety Rule inspections were conducted across the United States. In Oregon, the Food and Drug Administration (FDA) conducts these inspections. Farms grossing over \$500,000 of produce sales averaged over the last three years were inspected in 2019. Produce Safety Inspections resumed in August 2020, the remaining large farms not done in 2019 are the focus of the FDA.
- **Seed Regulatory Program:**
 - The program, together with their collaborators including the Oregon Seed Association, Oregon Seed Council, and the Willamette Valley Specialty Seed Association, was awarded a Specialty Crop Block Grant. The project, which starts October 1, will develop updated outreach and educational materials and provide workshops for the seed industry.
 - Grass Seed Price Negotiations were successfully held via teleconference due to COVID-19. Additionally, the ODA and industry partners have started the process to update the administrative rules for the negotiations.
- **Shipping Point Inspection:**
 - Crops are in storage; yield was good on most crops.
 - Transportation is available and demand is high for most crops.
 - Continue to struggle with labor on both the agency and industry side.
 - COVID-19 cases and exposures continue to be a challenge; however overall business has not been hindered by either labor or COVID-19 at this time.
 - Inspections for weed free hay and gravel have increased as demand for product has increased due to restoration needs after the wildfires.
 - Hop sampling and inspection is complete for the season.
 - Issuance of Hay and straw phytosanitary certificates and exports are similar to 2019.
- **Smoke Management Program:**
 - Together with their partners, the Oregon Seed Council and the grower participants in the program, the field burning season was ended early due to impacts from the wildfires. This decision was made to protect the health and safety of both program participants and other Oregonians impacted by the wildfires.
 - The program worked closely with growers and balers to find solutions for bales from fields that could not be burned. These bales will be used in restoration efforts in areas that were affected by the wildfires.

Natural Resource Programs

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- Natural Resources and Pesticide Programs began tracking additional measures this quarter as part of our process management system and held our second quarterly business review. Much of our accomplishments this quarter related to refining our incoming concern/incident intake process and conducting training on customer service. Over the next year, we will continue building out the system and will keep conducting our quarterly business reviews.
- The public comment periods on proposed rules limiting chlorpyrifos and describing ODA's process for designating Restricted Use Pesticides closed on October 22, 2020. We received 2,507 comment emails to the address we established for accepting comments. ODA gave presentations during September legislative days on the proposed chlorpyrifos rule.
- The Pesticides Program developed mechanisms to facilitate a more streamlined process for the approval on online recertification courses.
- ODA, DEQ, OWRD and other partner agencies are continuing to complete permit drafting and review processes for the draft Easterday CAFO permit.
- ODA and DEQ are discussing additional edits to the CAFO program MOU that will better reflect how the CAFO program currently operates. We are concurrently discussing edits to the NPDES general permit which expires at the end of February 2021 and are ensuring consistency between the two documents.
- The US EPA has responded to an issue that ODA raised through a state-federal pesticide issues technical work group. The issue relates to pesticide products that are contaminated with other pesticides. One of the issues raised by ODA is that EPA's current standards and guidance related to contamination are inconsistent with grower and consumer expectations of pesticides used in organic production. EPA responded that organic pesticides found to include National Organic Program-prohibited pesticides would be considered misbranded, regardless of the amount of contamination. EPA also offered laboratory capacity to test pesticide samples in cases where product contamination is suspected.
- Oregon Department of Forestry (ODF) has reached out to a couple ODA Pesticides staff to participate in an ODF video about Senate Bill 1602. SB 1602 was passed in a 2020 special legislative session and represents a compromise between timber and environmental interests regarding changes to Oregon's Forest Practices Act. The ODA Pesticides staff were asked to talk about ODA's pesticide authorities and responsibilities at a high level in the video. Initially, the video will be used primarily for training ODF foresters; longer term it may be used more broadly for training purposes and outreach.
- The Agricultural Water Quality program continues to conduct Strategic Implementation Area work in modified ways during the COVID-19 public health emergency. The program continues to work through the five-year SIA schedule established last year. Program staff and ODA leadership are meeting with Grant County SWCD boards and staff, legislators, and other stakeholders to discuss Grant and Monument SWCDs' concerns about the SIA process.
- We continue to hold positions open to maintain flexibility in the current financial climate. As of late October and early November, we have two additional vacancies, with Mike Powers (lead ag water quality policy specialist) taking a 2-year assignment as president of one of the public employee unions, and with Margaret Matter (water quantity specialist) taking a job with the Northern Colorado Water Conservancy District. We wish both of them well and will be working with other staff to evaluate coverage of their responsibilities.

Plant Protection & Conservation Programs

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- Key issue is securing continuous and stable funding for our invasive species programs, in particular for the largest Japanese beetle eradication project in Oregon's history and important noxious weed projects considering the financial constraints due to the COVID-19 pandemic.
- **Insect Pest Prevention and Management Program (IPPM):** The good news on the Japanese beetle eradication front continues. We have caught less than 4,500 JB in our traps in the treatment area. The eradication is working, but we are not there yet. The critical issue will be funding for the 2021 eradication efforts and beyond.
- We caught one Asian Gypsy Moth (AGM) in a trap at Sauvie Island along the Colombia River. We are working on a response with Washington and our federal counterpart for 2021. It highlights the pathway of continuous introductions of AGM egg-masses on cargo vessels arriving from Asia.
- Our invasive pest trapping program has been severely impacted by the economic impact of the COVID-19 related pandemic and, of lately, the devastating fires. It is very likely that we will not reach the trapping number we planned for for this season. That may impact our capability to early detect potential invasive pests, such as the Gypsy moth or Japanese beetle. The limited funding situation for next year will likely exacerbate the trapping efforts.
- **Noxious Weed Control Program:** This season, our staff were only able to conduct federally funded weed projects this summer. Coordination with County Weed programs across the State did take place but the counties also were impacted by budget reductions.
- The Oregon State Weed Board (OSWB) grant program cycle for 2021 may be resumed depending on OWEB's budget situation. The OSWB grants are essential to maintain noxious weed personnel in many counties.
- **Nursery and Christmas Tree Program:** Christina (Chris) Benemann is our new Nursery and Christmas Tree Program Manager. Chris will start her new position on November 9. Chris started her career with ODA as the lead for the Phytophthora ramorum program and then became the lead horticultural inspector for the Nursery Program.
- **Hemp Program:** The 2020 Hemp season has continued strong. Numbers of registered growers are at 91% of last year's numbers. The acreage is at about 43% of 2019's numbers.
- Our Hemp enforcement and inspection team inspected about 8% of all production and grow sites, followed up with complaints and enforced our Hemp regulations.
- **Native Plant Conservation Program:** Jordan Brown focused on field work funded by federal grants as state funding was cut for state consultation efforts.

Administration/Special Projects

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- ODA finalized housekeeping rules in the Hemp Program.
- ODA held two hemp-related webinars - one on proposed rules and one on hemp seed regulations.
- ODA formally pulled back the state hemp plan submission to USDA given the extension to continue to operate under the 2014 Farm Bill until September 30, 2021.