

**Department of Human Services, Public Health**

**Division 52**

**Farm Direct Nutrition Program**

**333-052-0030**

**Program Overview**

- (1) The purpose of the Farm Direct Nutrition Program (FDNP) is to:
  - (a) Provide locally grown, fresh, nutritious, unprepared fruits and vegetables to women, infants over five months of age, and children, who participate in the special supplemental nutrition program for women, infants, and children (WIC) and to low income seniors; and
  - (b) Expand the awareness and use of farmers' markets and farm stands where consumers can buy directly from the farmer.
- (2) FDNP is administered by the Oregon Department of Human Services in partnership with the Oregon Department of Agriculture.

**Stat. Auth.: ORS 409.600**

**Stats. Implemented: ORS 409.600**

**333-052-0040**

**Definitions**

- (1) "Adequate Participant Access" means there are authorized farmers sufficient for participant need.
- (2) "Agreement," means a written legal document binding the market or farmer and DHS to designated terms and conditions.
- (3) "Authorized" or "authorization," means an eligible farmer or farmers' market has met the selection criteria and signed an agreement with DHS allowing participation in FDNP, and is not currently disqualified.
- (4) "Check," means a negotiable financial instrument by which FDNP benefits are provided to participants.
- (5) "CMP," means a civil money penalty.
- (6) "DHS," means the Oregon Department of Human Services.
- (7) "Disqualification," means the act of terminating the agreement of an authorized farmers' market, or farmer from the FDNP for noncompliance with program requirements.
- (8) "Eligible foods," means fresh, nutritious, unprepared, locally grown fruits and vegetables and culinary herbs for human consumption. Eligible foods may not be processed or prepared beyond their natural state except for usual harvesting and cleaning processes. For example, checks cannot be

used for honey, maple syrup, cider, nuts, seeds, plants, eggs, meat, cheese and seafood.

(9) "Farmer," means a person who owns, leases, rents or sharecrops land to grow, cultivate or harvest crops on that land.

(10) "Farm Direct Nutrition Program" or "FDNP," means the Farmers' Market Nutrition Program administered by the United States Department of Agriculture, Food and Nutrition Services and implemented by the State of Oregon.

(11) "Farmers' Market," means a group of five or more farmers who assemble over the course of a year at a defined location for the purpose of selling their eligible produce directly to consumers.

(12) "Farm Stand," means a location at which a farmer sells produce directly to consumers.

(13) "FDNP Participant" or "participant" means a senior participant or a WIC participant receiving FDNP benefits.

(14) "Fine," means a monetary penalty imposed against the farmer for non-compliance of FDNP rules.

(15) "Locally grown," means grown in the state of Oregon or in the following counties of a contiguous state: California - Del Norte, Modoc, Siskiyou; Idaho - Adams, Canyon, Idaho, Owyhee, Payette, Washington; Nevada - Humboldt, Washoe; Washington - Asotin, Benton, Clark, Columbia, Cowlitz, Garfield, Klickitat, Pacific, Skamania, Wahkiakum, Walla Walla.

(16) "Local WIC agency," means the agency or clinic where a participant receives WIC services and FDNP checks.

(17) "Market," means a farmers' market that has a signed agreement with DHS to participate in the FDNP.

(18) "Market Coordinator," means an individual designated by the farmers' market manager (or market board members) responsible for overseeing the market's participation in the FDNP.

(19) "Market Season" means the time period in which FDNP checks may be transacted as determined by DHS.

(20) "Senior Participant" means an individual who is over 60 years of age, meets all the eligibility components of the program and who receives FDNP checks.

(21) "Trafficking," means the buying or exchanging of FDNP checks for cash, drugs, firearms or alcohol.

(22) "USDA" means the United States Department of Agriculture.

(23) "Validating," means stamping the FDNP check in the designated box with the farmer identification number using the stamp provided by DHS.

(24) "Violation," means an activity that is prohibited by OAR 333-052-0030 through 333-052-0090 and classified in 333-052-0080 through 333-052-0130.

(25) "WIC" or "WIC program" means the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) authorized by Section 17 of the Federal Child Nutrition Act of 1966, as amended, 42 U.S.C. §1786.

(26) "WIC participant" means any pregnant, breastfeeding, or postpartum woman, infant, or child who receives WIC benefits.

**Stat. Auth.: ORS 409.600**

**Stats. Implemented: ORS 409.600**

### **333-052-0050**

#### **Eligible Foods**

(1) FDNP checks may be used to purchase only eligible foods.

(2) Ineligible items include, but are not limited to:

(a) Baked goods, cheeses, cider, crafts, dairy products, dried fruits, dried herbs, dried vegetables, eggs, flowers, fruit juices, honey, jams, jellies, meats, nuts, plants of any kind, potted herbs, seafood, seeds, and syrups.

(b) Fresh fruits and vegetables that are not locally grown.

**Stat. Auth.: ORS 409.600**

**Stats. Implemented: ORS 409.600**

### **333-052-0060**

#### **Farmer Participation**

(1) Only authorized farmers may accept FDNP checks from participants in exchange for eligible foods. Authorized farmers may not accept checks from unauthorized farmers.

(2) In order to be eligible for participation in the FDNP, a farmer applicant must:

(a) Grow, cultivate, or harvest fresh fruits, vegetables and cut herbs in Oregon or a bordering county in a contiguous state to sell to FDNP participants;

(b) Sell at an authorized market or an authorized farm stand;

(c) Complete the farmer application and return it to the Oregon Department of Agriculture to verify eligibility; and

(d) Agree to follow the terms and conditions of the farmer agreement.

(3) Applications will be used to determine authorization for FDNP.

(4) DHS and the FDNP are not required to authorize all applicants.

(5) Any person who purchases all the produce they plan to sell is considered a distributor and is not allowed to participate in the FDNP.

**Stat. Auth.: ORS 409.600**

**Stats. Implemented: ORS 409.600**

### **333-052-0065**

#### **Farmer Agreements**

(1) A farmer application/agreement must be signed by a representative who has legal authority to obligate the farmer.

(2) The farmer agreement must include a requirement that the farmer comply with OAR 333-052-0030 to 333-052-0130, as applicable to farmers.

(3) The farmer application/agreement will be valid for one market season.

(4) Neither DHS nor the farmer is obligated to renew the agreement.

**Stat. Auth.: ORS 409.600**

**Stats. Implemented: ORS 409.600**

### **333-052-0070**

#### **Market Participation**

(1) In order to be eligible for participation in the FDNP a farmers' market applicant must:

(a) Designate a person to be the FDNP market coordinator who will be on-site during operating hours;

(b) Have a minimum of five authorized farmers participating in the market each year;

(c) Operate on a consistent basis over the course of the season; and

(d) Agree to comply with all terms and conditions specified in the FDNP agreement.

(2) DHS and the FDNP are not required to authorize all applicants.

**Stat. Auth.: ORS 409.600**

**Stats. Implemented: ORS 409.600**

### **333-052-0075**

#### **Farmers' Market Agreements**

(1) A farmers' market application/agreement must be signed by a representative who has legal authority to obligate the market.

(2) The agreement must include a requirement that the market:

(a) Comply with OAR 333-052-0030 to 333-052-0130, as applicable to markets;

(b) Furnish the necessary personnel and services to conduct market activities; and

(c) Do all things necessary for or incidental to the performance of the work set forth in the application/agreement.

(3) The market application/agreement will be valid for one market season.

(4) Neither DHS nor the market has an obligation to renew an agreement.

**Stat. Auth.: ORS 409.600**

**Stats. Implemented: ORS 409.600**

### **333-052-0080**

#### **Farmer Participation Requirements, Violations and Sanctions**

(1) An authorized farmer must:

(a) Comply with FDNP requirements contained in 7 CFR 248 and 7 CFR 249 and the terms and conditions of the farmer application/agreement;

(b) Accept training on FDNP requirements and ensure that all persons working in the farmer's stall at the farmers' market and/or farm stand are trained;

(c) Accept FDNP checks:

(A) For eligible foods only; and

(B) Within the valid dates of the program.

(d) Prominently display the official FDNP sign provided by DHS on each day of operation when at authorized farmers' markets and/or authorized farm stands;

(e) Provide FDNP clients with the full amount of product for the value of each FDNP check;

(f) Cooperate with staff from DHS or the Oregon Department of Agriculture in monitoring for compliance with program requirements and provide information that DHS or the Oregon Department of Agriculture may require;

(g) Comply with all state or federal laws regarding non-discrimination, and applicable USDA instructions to ensure that no person will, on the grounds of race, color, national origin, age, sex or handicap, be excluded from participation, be denied benefits, or be otherwise subjected to discrimination, under the FDNP;

(h) Ensure that FDNP shoppers receive equitable treatment, including the availability of produce that is of the same quality and no greater price than sold to other shoppers;

(i) Assure that all FDNP checks are stamped with the farmer's DHS-assigned identification number and properly endorsed before cashing or depositing at the farmer's financial institution;

(j) Deposit or cash FDNP checks at the authorized farmer's financial institution by the date determined by DHS;

(k) Reimburse DHS for FDNP checks that are improperly transacted;

- (l) Respond to requests, implement corrective action, and comply with the terms in final orders as directed by DHS;
  - (m) Not provide credit in exchange for FDNP checks;
  - (n) Not charge sales tax on FDNP check purchases;
  - (o) Not seek restitution from FDNP participants for a check not paid by DHS;
  - (p) Not give cash back for purchases that amount to less than the value of a check (providing change);
  - (q) Not use FDNP checks for any purpose other than deposit or cash at their financial institution; and
  - (r) Not accept FDNP checks from unauthorized farmers.
- (2) A Farmer is in violation of the FDNP if the farmer:
- (a) Fails to:
    - (A) Comply with FDNP rules and the terms and conditions of the farmer application/agreement;
    - (B) Accept training on FDNP requirements and ensure that all persons working in the Farmer's stall at the farmers' market and/or farm stand are trained;
    - (C) Prominently display the official FDNP sign provided by DHS on each day of operation when at authorized farmers' markets or authorized farm stands;
    - (D) Provide FDNP clients with the full amount of product for the value of each FDNP check;
    - (E) Comply with all state or federal laws regarding non-discrimination, and applicable USDA instructions to ensure that no person will, on the grounds of race, color, national origin, age, sex or handicap, be excluded from participation, be denied benefits, or be otherwise subjected to discrimination, under the FDNP;
    - (F) Ensure that FDNP shoppers receive equitable treatment, including the availability of produce that is of the same quality and no greater price than sold to other shoppers;
    - (G) Assure that all FDNP checks are stamped with the farmer's DHS-assigned identification number and properly endorsed before cashing or depositing at the farmer's financial institution;
    - (H) Deposit or cash FDNP checks at the authorized farmer's financial institution by the date determined by DHS;
    - (I) Reimburse DHS for FDNP checks that are improperly transacted;
    - (J) Cooperate with staff from DHS or the Oregon Department of Agriculture in monitoring for compliance with program requirements and provide information that DHS or the Oregon Department of Agriculture may require;

- (K) Respond to requests, implement corrective action, or comply with the terms in final orders as directed by DHS.
- (b) Accepts FDNP checks:
  - (A) For ineligible foods;
  - (B) For invalid dates; or
  - (C) From an unauthorized farmer.
- (c) Provides credit in exchange for FDNP checks;
- (d) Charges sales tax on FDNP check purchases;
- (e) Seeks restitution from FDNP participants for a check not paid by DHS;
- (f) Gives cash back for purchases that amount to less than the value of a check (providing change);
- (g) Uses FDNP checks for any purpose other than deposit or cash at their financial institution.
- (3) Farmer Sanctions:
  - (a) DHS may issue a notification of non-compliance to an authorized farmer for an initial incident of:
    - (A) Accepting FDNP checks for ineligible foods;
    - (B) Failing to prominently display the official sign provided by DHS, each market day when at authorized farmers' markets or authorized farm stands;
    - (C) Failing to provide FDNP clients with the full amount of product for the value of each FDNP check;
    - (D) Failing to ensure that FDNP shoppers receive equitable treatment, including the availability of produce that is of the same quality and no greater price than sold to other shoppers;
    - (E) Failing to reimburse DHS for FDNP checks that are improperly transacted;
    - (F) Charging sales tax on FDNP check purchases;
    - (G) Seeking restitution from FDNP participants for checks not paid by DHS;
    - (H) Giving cash back for purchases less than the value of the checks (providing change);
    - (I) Accepting FDNP checks from an unauthorized farmer;
    - (J) Failing to respond to requests, implement corrective action, or comply with the terms in final orders as directed by DHS;
    - (K) Using FDNP checks for any purpose other than deposit or cash at the authorized farmer's financial institution; and
    - (L) Failing to cooperate with staff from DHS or the Oregon Department of Agriculture in monitoring for compliance with program requirements and failing to provide information that DHS or the Oregon Department of Agriculture may require.

(b) DHS may disqualify a farmer for four season months, which may cross from the year during which the violation occurred into the following year for an initial incident of providing credit in exchange for FDNP checks.

(c) DHS may disqualify a farmer for four season months, which may cross from the year during which the violation occurred into the following year, for second or subsequent incidents of:

- (A) Accepting FDNP checks for ineligible foods;
- (B) Failing to prominently display the official sign provided by DHS, each market day when at authorized farmers' markets and/or authorized farm stands;
- (C) Failing to provide FDNP clients with the full amount of product for the value of each FDNP check;
- (D) Failing to ensure that FDNP shoppers receive equitable treatment, including the availability of produce that is of the same quality and no greater price than sold to other shoppers;
- (E) Charging sales tax on FDNP check purchases;
- (F) Seeking restitution from FDNP participants for checks not paid by DHS;
- (G) Using FDNP checks for any purpose other than deposit or cash at the authorized farmer's financial institution;
- (H) Charging FDNP participants higher prices than other customers;
- (I) Giving cash back for purchases less than the value of the checks (providing change);
- (J) Accepting FDNP checks from an unauthorized farmer; and
- (K) Failing to respond to requests, implement corrective action, or comply with the terms in final orders as directed by DHS.

(d) DHS may not authorize farmers to accept FDNP checks the season following second or subsequent incidents of:

- (A) Failing to reimburse DHS for FDNP checks that are improperly transacted; or
- (B) Failing to cooperate with staff from DHS or the Oregon Department of Agriculture in monitoring for compliance with program requirements and failing to provide information required to be submitted by DHS or the Oregon Department of Agriculture.

(e) DHS may immediately disqualify a farmer from the FDNP program for the remainder of the current season and the entire following season for an initial incident of:

- (A) Trafficking in FDNP checks (exchanging checks for cash, controlled substances, tobacco products, firearms or alcohol) in any amount; or
- (B) A USDA substantiated violation of laws regarding non-discrimination, and applicable USDA instructions.

- (f) Checks accepted outside the valid dates of the program will be rejected for payment;
  - (g) FDNP checks that are not stamped with the farmer's DHS-assigned identification number will be returned to the farmer without payment;
  - (h) FDNP checks cashed outside the dates determined by DHS will not be reimbursed; and
  - (i) FDNP checks redeemed by a farmer who has not been authorized will not be reimbursed.
- (4) Farmers who do not comply with FDNP requirements are subject to sanctions, including fines, in addition to, or in lieu of, disqualification.
- (a) Prior to disqualifying a farmer, DHS may determine if disqualification of the farmer would result in inadequate participant access. If DHS determines that disqualification of the farmer would result in inadequate participant access, DHS may impose a CMP in lieu of disqualification in the amount of 5% of the farmer's previous season FDNP sales or \$250.00, whichever is greater.
  - (b) DHS must give written notice to a farmer of an action proposed to be taken against a farmer, not less than fifteen days before the effective date of the action. The notice must state what action is being taken, the effective date of the action, and the procedure for requesting a hearing.
  - (c) A farmer that has been disqualified from the FDNP may reapply at the end of the disqualification period.
  - (d) DHS may accept a farmer's voluntary withdrawal from the program as an alternative to disqualification. If a farmer chooses to withdraw in lieu of disqualification, the farmer may not apply for participation until the following year.
  - (e) DHS will not reimburse farmers who have been disqualified or have withdrawn in lieu of disqualification.
  - (f) Fines must be paid to DHS within the time period specified in the Notice.
- (5) A farmer who commits fraud or abuse of the FDNP is subject to prosecution under applicable federal, state or local laws.

**Stat. Auth.: ORS 409.600**

**Stats. Implemented: ORS 409.600**

**333-052-0090**

### **Market Participation Requirements, Violations and Sanctions**

- (1) An authorized market must:
  - (a) Comply with FDNP requirements contained in 7 CFR 248 and 7 CFR 249, FDNP rules, and the terms and conditions of the market application/agreement;

- (b) Ensure that an authorized farmer is present at the market during all market hours of operation;
  - (c) Accept training on FDNP procedures and provide such training to market staff including volunteers and eligible farmers on behalf of DHS;
  - (d) Cooperate in DHS investigations of authorized farmers who:
    - (A) Redeem checks for ineligible foods;
    - (B) Charge FDNP customers higher prices than other customers;
    - (C) Accept checks outside the DHS determined market season;
    - (D) Give change for food purchased with FDNP checks (providing change);
    - (E) May not meet the definitions of “eligible farmer;” and
    - (F) Abuse any other Program procedures.
  - (e) Comply with all state or federal laws regarding non-discrimination, and applicable USDA instructions to ensure that no person will, on the grounds of race, color, national origin, age, sex or handicap, be excluded from participation, be denied benefits, or be otherwise subjected to discrimination, under the FDNP;
  - (f) Cooperate with staff from DHS or the Oregon Department of Agriculture in monitoring for compliance with program requirements and provide information required to be submitted by DHS or the Oregon Department of Agriculture may require; and
  - (g) Respond to requests, implement corrective action, and comply with the terms in final orders as directed by DHS.
- (2) A market is in violation of the FDNP rules if the market fails to:
- (a) Ensure that an authorized farmer is present at the market during all market hours of operation;
  - (b) Accept training on FDNP procedures and provide such training to market staff including volunteers and eligible farmers on behalf of DHS;
  - (c) Cooperate in DHS investigations of authorized farmers;
  - (d) Comply with all state or federal laws regarding non-discrimination, and applicable USDA instructions to ensure that no person will, on the grounds of race, color, national origin, age, sex or handicap, be excluded from participation, be denied benefits, or be otherwise subjected to discrimination, under the FDNP;
  - (e) Cooperate with staff from DHS or the Oregon Department of Agriculture in monitoring for compliance with program requirements and provide information that DHS or the Oregon Department of Agriculture may require; and
  - (f) Respond to requests, implement corrective action, and comply with the terms in final orders as directed by DHS.
- (3) Market sanctions:

- (a) DHS may issue a notice of non-compliance to an authorized market for an initial incident of failing to:
- (A) Ensure that an authorized farmer is present at the market during all market hours of operations;
  - (B) Accept training on FDNP procedures and provide such training to market staff including volunteers and eligible farmers on behalf of DHS;
  - (C) Cooperate in DHS investigations of authorized farmers;
  - (D) Cooperate with staff from DHS or the Oregon Department of Agriculture in monitoring for compliance with program requirements and provide information that DHS or the Oregon Department of Agriculture may require; and
  - (E) Respond to requests, implement corrective action, and comply with the terms in final orders as directed by DHS.
- (b) A market may not be authorized the following year if, within the current season, there is a second or subsequent occurrence of failing to:
- (A) Ensure that an authorized farmer is present at the market during all market hours of operations;
  - (B) Accept training on FDNP procedures and provide such training to market staff including volunteers and eligible farmers on behalf of DHS;
  - (C) Cooperate in DHS investigations of authorized farmers;
  - (D) Cooperate with staff from DHS or the Oregon Department of Agriculture in monitoring for compliance with program requirements and failing to provide information required to be submitted by DHS or the Oregon Department of Agriculture; and
  - (E) Respond to requests, implement corrective action, and comply with the terms in final orders as directed by DHS.
- (c) DHS may immediately disqualify a market from the FDNP program for the remainder of the current season and the entire following season for an initial incident of a USDA substantiated violation of laws regarding non-discrimination, and applicable USDA instructions.
- (4) Markets who do not comply with FDNP requirements are subject to sanctions.
- (a) Prior to disqualifying a market, DHS must consider whether the disqualification would result in inadequate FDNP participant access;
  - (b) DHS must give written notice to a market of an action proposed to be taken against a market, not less than fifteen days before the effective date of the action. The notice must state what action is being taken, the effective date of the action, and the procedure for requesting a hearing;
  - (c) A market that has been disqualified from the FDNP may reapply at the end of the disqualification period; and

(d) DHS may accept a market's voluntary withdrawal from the program as an alternative to disqualification. If a market chooses to withdraw in lieu of disqualification, the market may not apply for participation until the following year.

(5) A market that commits fraud or abuse of the FDNP is subject to prosecution under applicable federal, state or local laws.

**Stat. Auth.: ORS 409.600**

**Stats. Implemented: ORS 409.600**

### **333-052-0100**

#### **DHS Responsibilities**

DHS must:

(1) Administer the Farmers' Market Nutrition Program in accordance with 7 CFR 248, and the Senior Farmers' Market Nutrition Program in accordance with 7 CFR 249 (under the collective name of Oregon FDNP).

(2) Distribute or facilitate distribution of FDNP checks to participants.

(3) Assure payment to farmers for properly redeemed FDNP checks.

(4) Assure that annual training is provided to all authorized farmers.

(5) Assure that training is provided to new market managers and farmers who are new to the FDNP.

(6) Assure that "Oregon Farm Direct Nutrition Checks Welcome Here" signs are provided to authorized farmers.

(7) Monitor farmers and markets for compliance with FDNP rules and agreements, and if necessary, impose sanctions.

**Stat. Auth.: ORS 409.600**

**Stats. Implemented: ORS 409.600**

### **333-052-0110**

#### **Monitoring**

(1) DHS must monitor farmers and markets for compliance with applicable laws and rules, including on-site investigation of randomly selected farmers and markets.

(2) DHS may conduct covert compliance buys of FDNP authorized farmers for compliance with DHS rules and regulations.

**Stat. Auth.: ORS 409.600**

**Stats. Implemented: ORS 409.600**

### **333-052-0120**

## **Complaints**

(1) Any farmer or market manager wishing to file a complaint against a FDNP participant, an authorized farmer, an authorized market, or the FDNP Program may do so in the following manner:

(a) Write to or use the comment form, given to participating markets and local WIC agencies, and send the form to WIC Compliance Coordinator at 800 NE Oregon St., Suite 865, Portland, Oregon, 97232; or

(b) Call the state WIC office.

(2) A local WIC clinic or market manager may file a complaint on behalf of an individual who does not want to file a complaint independently.

(3) When DHS receives a complaint alleging discrimination on the basis of race, color, national origin, age, sex or disability DHS must automatically forward the complaint to USDA for investigation.

(4) Persons alleging discrimination on the basis of race, color, national origin, age, sex or disability may also write directly to USDA, Director, Office of Civil Rights, 1400 Independence Avenue SW, Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD).

(5) DHS may refer complaints regarding farmers or markets to the Oregon Department of Agriculture for investigation.

(6) The identity of any person filing a complaint will be kept confidential except to the extent necessary to conduct any investigation, hearing or judicial proceeding regarding the complaint.

**Stat. Auth.: ORS 409.600**

**Stats. Implemented: ORS 409.600**

## **333-052-0130**

### **Appeals**

(1) Markets and farmers are entitled to a hearing as provided by the Administrative Procedures Act (ORS Chapter 183) for a denial of participation, imposition of a sanction, or disqualification.

(2) Markets and farmers may not be entitled to a hearing under the Administrative Procedures Act to challenge:

(a) The validity or appropriateness of DHS' selection criteria for farmer or market participation;

(b) The validity or appropriateness of DHS' participant access determinations;

(c) The duration or expiration of a farmer or market agreement; or

(d) A DHS decision regarding a check payment or claims.

(3) DHS may, at its discretion, permit the market or farmer to continue participating in the program pending the outcome of an administrative

hearing. The farmer may be required to repay funds for FDNP checks redeemed during the pendency of the hearing, depending on the hearing outcome.

(4) A request for a hearing must be in writing and must be received within thirty (30) days from the date of the notice describing the proposed action.

(5) The request for hearing must include:

(a) The name and address of the farmer or market requesting the hearing;  
(b) The name and address of the attorney representing the farmer or market, if any;

(c) The decision made or action taken by DHS against the farmer or market;

(d) The reason the farmer or market disagrees with the decision or action;

(e) Any special needs or requirements, such as, an interpreter or other special accommodations; and

(f) An attached copy of the notice from DHS.

(6) If a hearing is requested under subsection (1) of this rule, a final written decision must be made within sixty (60) days from the date the request for a hearing was received by the WIC Operations Manager. The time for issuing a decision may be extended upon agreement by the parties.

**Stat. Auth.: ORS 409.600**

**Stats. Implemented: ORS 409.600**