

# Oregon Department of Agriculture Program Reports

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## Food and Animal Health & ID Program Area

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- **Food Safety Program: Dairy Program:** The Dairy Program in March took advantage of the "Request for Emergency Consideration" clause provided in the 2017 Procedures Governing the Cooperative State-Public Health Service/Food and Drug Administration Program for the National Conference on Interstate Milk Shipments 2017 Revision. Oregon adopts this document along with the 2017 Pasteurized Milk Ordinance into our rules. Oregon requested flexibility for all facility and dairy inspections, equipment tests, facility and dairy sampling, lab certifications, hauler/sampler certifications, tanker inspections, sample surveillance officer certifications/renewals, and all Bulk Tank Unit and Plant listings for a period of 90 days. The program would continue to address critical elements during the interim period (such as broken seals and/or contaminated loads of milk), as warranted. If needed the program can request another 90 days of Emergency Consideration.
- **Shellfish Program:** The National Shellfish Sanitation Program (NSSP) indicates FDA evaluations are suspended and will resume once the COVID-19 National Emergency has ended. All firms listed on the Interstate Certified Shellfish Shippers List (ICSSL) whose certifications are set to expire on or before June 30, 2020, will be extended until December 31, 2020 unless requested otherwise by state shellfish control authorities. Should it be necessary to extend additional certifications, the FDA will advise the ISSC Executive Board. The state will continue to work with state patrol authorities with harvest area patrol, continue to do biotoxin monitoring and sample analysis as well as bacteriological water sampling using an approved laboratory (our regulatory lab) using NSSP approved methods. The state will still respond to complaints and conduct illness investigations/traceback and emergency issues.
- **Food Safety Retail and Manufactured Foods inspections during Covid-19 pandemic:** The Covid-19 pandemic has caused FSP staff to temporarily amend their works schedules. ODA Food Safety Program field inspectors have been spending time reaching out to our retail food and food manufacturers by phone, email, and in person to evaluate and assist firms in light of the COVID-19 situation. During this assessment we are making sure they are aware and have implemented Gov. Brown's Executive Orders as they pertain to their industry. In doing so we have made ourselves available to assist firms in making adjustments to their operations to maintain the highest level of food safety. At this time all visits to establishments are pre-scheduled.
- **FDA Contract work:** On March 19, 2020 the FDA issued a Stop-Work Order requiring the ODA Food Safety Program to cease conducting FDA contract inspections. The order is in effect for the foreseeable future and it is likely the FSP will not conduct any additional FDA contract inspections for the remainder of this contract year (August 2020).
- **Animal Health Licensing of Animal Rescue Entities:** The AHP is currently working to establish the Animal Rescue Program. This action is in response to Senate Bill 883 which was passed by the 2019 legislature. Basically, the SB 883 amends ORS 609.415 to move enforcement and licensing of animal rescue entities to the office of the State Veterinarian. In general, animal rescue entities are an animal control agency, humane society, animal shelter, animal sanctuary or certain boarding kennels that keeps, houses and maintains in its legal custody 10 or more animals and that solicits or accepts donations in any form. Licensing is scheduled to commence July 1.
- **COVID-19 Impact on Animal Movement:** The COVID-19 stay home movement restrictions for citizens in Oregon and throughout the nation has had a marked impact animal movement as well. The month of April saw the biggest decrease in movement, it was down by 41% compared to 2019.

- **Impact of Reduction in Processing Capacity in Midwest is Affecting Oregon:** The reduction in processing capacity in the Midwest has resulted in a significant number of fat hogs from that area being imported into Oregon. Those market ready animals can be purchased at extremely low prices and people in Oregon are buying them for home usage. There has been a fundamental misunderstanding by importers of slaughter class hogs. There is an exemption for a health certificate and import permit if slaughter hogs are delivered to an approved slaughter facility. The market hogs arriving in Oregon are not destined to approved slaughter facilities, rather, they are going to staging areas prior to slaughter, such as someone's barn to be sold on FaceBook, Craigslist, etc. Staging areas are not an approved facility therefore the animals require a CVI, permit, and identification. We get paperwork on some of the shipments and some just show up. The AHP has been busy contacting importers and requiring importers to have their veterinarian conduct a "post entry" health inspection prior to selling remaining animals so we would have some assurance of health. We are working to educate shippers and receivers about our import requirements.

We anticipate that there will be a spike of home butchered animals and we are working on education and outreach materials for that issue.

### Internal Service & Consumer Protection Program Area

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- **Weights and Measures Program:** 1st Quarter, 2020 (\* Denotes 4th Quarter 2019 for comparison) As of 05/01/2020, the program had 62,805 (\*62,358) licensed weighing and measuring devices operated by 13,870 (\*13,785) businesses in Oregon.
- As of 03/31/20, the W&M delinquent caseload had been reduced down to 249 (\*326) licenses worth \$42,921 (\*\$60,103) of license fee revenue.
- W&M Program Manager, Steven Harrington continues to finalize policies and procedures and gather data regarding the testing of meters with new highly calibrated mass flow meter, rather than volumetric provers. Currently, Oregon's W&M Program is a leader in this new technology and is sharing this information with the National Weights and Measures Office.
  - **Metrology Lab:** During the 1st quarter of 2020, the ODA Metrology Lab conducted 1,685 high precision calibrations for private industry and other state metrology labs generating \$18,609 of revenue.
  - **Motor Fuel Quality Program:** For the 1st quarter of 2020, Field Inspectors conducted the following motor fuel quality field screening tests: 538 (\*286) motor fuel quality screenings and 1,186 (\*964) fuel storage tanks screened.
  - **Lab Services Program:** No fertilizer samples were received during this time frame due to filling of vacant Fertilizer positions by Nat'l Resources. No Food Safety - Food samples have been received since February. Export program testing had an uptick during this quarter. Pesticide samples have continued to be submitted but lab staff have been able to eliminate case back log in mid-February. This has resulted in a decrease in turnaround from average of 116 days in January to 9 days in March.
  - The Regulatory Lab has operated with several staff working at home, others on split shift (half day at home/half day in lab) and others at lab. This started in mid-March.
  - **Wolf Grant Program:** The 2020 ODA Wolf Grant Awards have been made in 12 Oregon counties that total \$120,529. ODA has been informed by the USFWS that it has been granted its full request in federal wolf grant funds (\$15,000 of direct compensation grant funds to be used in Spring of 2021 and \$130,000 of prevention grant funds to be used it late May or early June of 2020, once received.) This prevention request is twice the normal amount historically asked for as additional matching (in-kind) funds were identified at ODFW by way of using salary and equipment for 3 new wolf biologist positions.

## Market Access & Certification Program Area

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- **Agriculture Development and Marketing:** Due to the novel coronavirus, farmers markets across the state are reconfiguring how customers interact with vendors. ADMP is supporting the Oregon Farmers Market Association (OFMA) configure an application ([WhatsGood](#)) to support farmers markets and their vendors to facilitate direct-to-consumer sales. OFMA and ODA will promote the launch of the app from June 1.
- ADMP is working with seafood commissions and industry members, and has contracted a marketing firm to promote Oregon seafood through social media. The campaign will inform consumers how to prepare and where to purchase Oregon seafood.
- ODA appointed or reappointed 62 commodity commissioners. ODA received 77 applications for 69 open positions. Commissioners begin their term July 1, 2020.
- **Certification Programs:** The Certification Program provides third party audits to assist growers access to certain markets. The program is accredited by the U.S. Department of Agriculture to conduct the following audit types: \*Good Agricultural Practices (GAP) \*Good Handling Practices (GHP) \*Harmonized Good Agricultural Practices (HGAP) \*Harmonized Good Agricultural Practices Plus+ (HGAP Plus+) \*Organic (crops and handlers). The program has developed protocols to conduct audits during the COVID-19 pandemic and service has not been interrupted. Preliminary data shows request for audits in 2020 is similar if not greater than 2019.
- **Plant Health Program:** Seed sampling and testing services have been steady throughout the COVID-19 pandemic with numbers similar to last year at this time.
- **Produce Safety:** Produce Safety Program provides services to the produce industry to facilitate the understanding and implementation of the Food Safety Modernization Act (FSMA) Produce Safety Rule. The program focus is on outreach, education, and technical assistance via its four staff and partners with five Oregon State University faculty. To date, the Produce Safety team has conducted 32 grower training classes, reaching over 900 people.

2019 was the first year Produce Safety Rule inspections were conducted across the United States. In Oregon, the Food and Drug Administration conducts these inspections. Farms grossing over \$500,000 of produce sales averaged over the last three years were inspected in 2019.

During the COVID-19 pandemic, FDA has put a stop work order on routine Produce Safety Rule Inspections in Oregon. At the time of this writing, there is no date set when routine inspections will resume. The Produce Safety Team has provided remote, online grower training classes and postponed providing technical assistance visits while focusing on developing new resources.

- **Seed Regulatory Program:** New rules related to recordkeeping, civil penalties, and license probation/suspension/revocation will be adopted June 1, 2020.
- **Shipping Point Inspection:** \*Crop movement for most commodities is sporadic. \*New crops are about 2 weeks ahead of schedule \*Districts are business as usual.

## Natural Resource Program Area

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- In late January and early February, we filled several open positions in NRPA programs. Gilbert Uribe Valdez was hired to fill our Worker Protection Standard educator position; Matthew Bucy was hired to fill our Pesticide Registration Specialist position; Brittney Owen was hired as our Fertilizer Registration Specialist; and Tyler Manitsas was hired as the Ag Channel Maintenance Coordinator.

- Following the arrival of the COVID-19 pandemic, we coordinated closely with agency leadership to keep several other positions open in anticipation of impacts to our programs' financial outlook. We are holding two positions open in our Ag Water Quality/Soil and Water Conservation District programs, a case reviewer position in our Fertilizer Program, and a licensing and certification specialist position in our Pesticides Program.
- In late 2019, Natural Resources and Pesticide Programs issued a Request for Proposals for process improvement and change management services, and hired Mass Ingenuity as our contractor. Our main goal in working with Mass Ingenuity is to improve tracking and management of our backlogs and other key metrics, and to improve the customer experience, particularly for concerned citizens who contact our programs about natural resource concerns. Our management team, together with several staff from our programs, have been working to map our core process and establish key metrics that we will track over time. We will conduct quarterly reviews of data to identify trends and where needed, discuss strategies to address and improve trends we are seeing.
- The Chlorpyrifos Work Group will have its third meeting on May 27, and will review and discuss several possible mitigation measures that ODA identified for the group's consideration.
- ODA had the opportunity for an advance briefing of a new American Farmland Trust report, Farms Under Threat, The State of the States. The report looks at conversion of agricultural land nationwide to high-density development as well as low-density development that contributes to farmland loss. The report also evaluates all 50 states for policies in several key areas, including regulatory protection of farmland, farmland transfer facilitation programs, and purchase of agricultural conservation easement programs.
- All programs have rapidly adapted core work processes to ensure employee and customer safety including socially distanced inspections, PPE (as requested), and conducting work remotely
- In response to the COVID-19 pandemic, the Pesticides Program has taken several actions to support growers and other licensed pesticide applicators. These include establishing new standards for continuing education trainings that make remote attendance possible, streamlining our process for issuing licenses based upon out-of-state certifications, and coordinating with contracted service providers to increase the availability of our certification examinations. We continue to engage with the U.S. Environmental Protection Agency, regulators and educators from other states, and our licensed applicator community to identify burdens resulting from the pandemic and evaluate possible solutions, include those related to supply shortages of personal protective equipment.

## Plant Protection & Conservation Program Area

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- Key issue is securing continuous funding for our invasive species programs, including 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):** We successfully concluded the 2020 treatment of the Japanese beetle infestation in NW Portland, treating over 10,000 residences. Treatments continue at other positive sites, including PDX and Swan Island. Thousands of traps are being placed to monitor the success of our 2019 JB treatment.
- Due to budget constraints, seasonal survey technicians were not rehired this season. Placing of the more than 25,000+ traps will be conducted by staff from across the Agency and other agencies, including volunteers from our stakeholders.
- **Noxious Weed Control Program:** The financial fall-out of the COVID-19 pandemic is also severely impacting our Weed Program. Almost all of the staff will be working for our Hemp Program in various capacities and time commitments. A long list of weed projects planned for this season will not get completed or will be out-sourced to stakeholders and partners.

- The Oregon State Weed Board (OSWB) grant program awarded \$1.84M to 14 County weed control grants and to 49 weed control grants out of 75 submitted proposals. OWEB confirmed that the awarded grants can move forward but the second year of the grant cycle has not been confirmed due to budget restrictions.
- **Nursery, Christmas Tree, and HEMP Program:** The coronavirus pandemic also has an impact on our nursery industry. In the first few months of this year, the number of phytosanitary certificates issued for export of nursery stock material was about half of a normal year. After the new licensing period, starting in June, the Program will see how much the industry has been impacted by the pandemic.
- The 2020 Hemp season has started strong and continues strong despite the pandemic. Numbers of registered growers and acreage are at about 50% of last year's record numbers.
- **Native Plant Conservation Program:** The legislature was not able to approve additional state funding for the Program's mandatory consultations and permit issuance activities.
- **Oregon Invasive Species Council:** Due to the budgetary constraints, the Outreach and Education grants selected by the OISC members for funding were put on hold.

### **Administration/Special Projects**

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- ODA filed permanent rules for spring planting of Brassicaceae in the Willamette Valley Protected District (WVPD). ODA also started accepting applications for 59 acres that were not permitted in the fall of the 500 acres allowed in the WVPD for the 2020 crop year.
- ODA submitted comments USDA's Interim Final Rule establishing a domestic hemp production program.