

Oregon Department of Agriculture Program Reports
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Food and Animal Health & ID Programs

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- **Food Safety Program: Dairy Program:** The Dairy Program has extended our "Request for Emergency Consideration" for the dairy program with FDA. This continues the 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 another period of 90 days. The program will continue to address critical elements during this period (such as broken seals and/or contaminated loads of milk), as warranted.
- **Food Safety Retail and Manufactured Foods inspections during Covid-19 pandemic:** Since the previous Board of Agriculture meeting the Food Safety Program has developed guideline documents to provide field staff with information that will enable them to resume conducting field inspections during the COVID-19 crisis with confidence, while protecting themselves and employees of firms they inspect.

We issued guidance to the retail food establishment industry for reopening establishments during the COVID-19 crisis focusing on what firms need to know to maintain a healthy environment for employees and customers.

The COVID-19 Food Processing playbook was developed in coordination with Oregon-OSHA and the Oregon Health Authority to assist the agencies in responding to COVID-19 cases identified in food processing establishments. Guidance was created to assist food processors in developing strategies to mitigate COVID-19 from entering the workplace. As of this writing over 265 firms have received a COVID-19 consultation.

- **FDA Contract work:** March 19, 2020 the FDA issued a Stop-Work Order requiring the ODA Food Safety Program to cease conducting FDA contract inspections. In mid-June they rescinded the Stop-Work Order and the Food Safety team promptly resumed conducting FDA contract work. The team conducted approximately 100 contract inspections and completed the required Preventive Control inspections.

September brings the beginning of a new FDA contract year during which we are charged with conducting 40 Preventive Control inspections. An ambitious training schedule will be initiated to get another 12 staff members certified to conduct Preventive Controls inspections 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. We have begun the process of drafting a plan to establish the program and have been in contact with USDA to assist in that process. A state meat inspection program must be at least equal to the USDA standards. On August 27th we held an initial stakeholder meeting to discuss an overview of the purpose of the program, development of the regulatory framework, and the market considerations. In order for this program to be a success it will require much more than just the regulatory program. It will require support and investments from producer to end consumer and all other aspects in between. The next step will be to organize the interested stakeholders into groups to focus in on the needs of those different aspects.
- **Animal Health Program:** Dr. Brad LeaMaster retired as the State Veterinarian on June 30th of this year. Brad started with ODA in 1999 as a field vet and held that position until 2003 when he accepted the state veterinarian position. He later left to work with USDA as an emergency coordinator until 2012 when he returned to ODA once again as the state veterinarian until his retirement. The Animal Health Program and

indeed the state have benefited from his leadership and guidance over his years of service. He will be missed. We are currently recruiting to fill the position and will be holding interviews at the end of this month. In the meantime, Dr. Ryan Scholz and Dr. Scott Essex are alternating as the state animal health official.

- **Wildfire Response:** The AH program efforts are being focused on working directly with the counties to offer assistance and coordination with the emergency shelters and resources needed. Also, at the same time we are planning for the next phases of the recovery effort as evacuation orders are lifted and people are allowed back into the black zones. We are preparing for longer term sheltering of animals whose owners properties were destroyed and for an influx of lost and injured. We are also preparing for the needs of carcass removal for animals who were unable to be evacuated.

The Livestock ID program is assisting with the development of an online database to assist owners in reconnecting with lost livestock and other animals. They are also preparing to respond directly to the multiple county emergency shelters and private properties who have taken in animals during the evacuations to help document and identify ownership of livestock when necessary.

- **Licensing of Animal Rescue Entities:** The AH program 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. After multiple rule advisory meetings involving the animal rescue community, the Oregon Department of Agriculture (ODA) drafted proposed administrative rules to establish the Animal Rescue Entity (ARE) Program. The proposed rules have been filed with the Oregon Secretary of State's office and the public can now review the rules and provide comment until October 14, 2020 at 5:00 pm.

Internal Service & Consumer Protection Programs

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- **Weights and Measures Program:** 2nd Quarter 2020. (* Denotes 1st Quarter 2020 for comparison)
 - As of 07/01/2020, the program had 62,812 (*62,805) licensed weighing and measuring devices operated by 13,919 (*13,870) businesses in Oregon.
 - Through the 2st quarter of 2020, inspectors have examined 21,566 (34% of total) weighing and measuring devices licensed across the state. Of those devices examined, 1,389 were rejected (6.4%) and 620 devices had on-site corrective actions performed (2.9%).
 - For the 2nd quarter of 2020: 158 (*152) new licenses were issued. 2 (*23) " Just Checking In" (JCI) Food Safety Audits were conducted by W&M Inspectors. 9 (*18) W&M complaints have been received for the 1st quarter of 2020 in the following areas: Motor Fuel Quality, Motor Fuel Quantity and Other.
 - As of 09/11/20, the W&M delinquent caseload stands at 1,114 licenses worth \$176,482 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 2nd quarter of 2020, the ODA Metrology Lab conducted 963 (*1,685) high precision calibrations for private industry and other state metrology labs generating \$25,753 (*\$18,609) of revenue.
- **Motor Fuel Quality Program:** For the 2nd quarter of 2020, Field Inspectors conducted the following motor fuel quality field screening tests: 333 (*538) motor fuel quality screenings with 0 (*34) failed screens; 827 (*1,186) fuel storage tanks screened with 3 (*2) screens showing excessive water in the tanks

- **Lab Services Program:** Second quarter 2020 - (comparison to 2nd quarter 2019) CAFO 0 samples/0 tests (53 samples/53 tests); Dairy 657 samples/1808 tests (665 samples/1567 tests); Fertilizer 3 samples/13 tests (28 samples/261 tests); Food Safety 144 samples/144 tests (141 samples/389 tests); Pesticides 224 samples/818 tests (173 samples/1165 tests); Shellfish 70 samples/139 tests (66 samples/129 tests); Baywater 203 samples/203 tests (185 samples/185 tests); Export 102 samples/339 tests (62 samples/280 tests); Invoiced 13 samples/13 tests (12 samples/12 tests)
- **Wolf Grant Program:** The following ODA Wolf Grant Awards have been made for 2020:

County	Direct Comp.	Missing	Prevention	Admin	Totals
Malheur				\$225	\$225
Umatilla		\$8,620	\$50,000	\$650	\$59,270
Wheeler			\$4,000	\$100	\$4,100
Grant			\$10,000	\$500	\$10,500
Union	\$1,330		\$16,000		\$17,330
Klamath	\$876		\$11,000		\$11,876
Jackson	\$6,000		\$20,000		\$26,000
Morrow			\$16,000	\$650	\$16,650
Lake			\$1,000		\$1,000
Wallowa		\$11,570	\$43,000	\$650	\$55,220
Douglas			\$16,000	\$650	\$16,650
Baker	\$2,213		\$30,000	\$495	\$32,708
Totals	\$10,419	\$20,190	\$217,000	\$3,920	\$251,529

The table above has been updated to reflect the additional "Prevention" payments that are being awarded to counties now, as a result of ODA receiving its full federal wolf grant prevention funds request of \$130,000. 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 Programs

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- **Agriculture Development and Marketing:** ADMP's promotion of Oregon seafood resulted in 12 stories in traditional media and 378 social media engagements, publishing 28 recipes, and generating 1.4 million views and 32,000 likes. The OSU Oregon Sea Grant will continue marketing Oregon seafood at www.eatoregonseafood.org and has linked to the national promotion #EatSeafoodAmerica.
- ODA's modest investment to assist Oregon Farmer's Market to establish an online portal resulted in \$392,462 in sales at 30 farmers markets serving 138 farmers and 435 vendors, providing options for continued business during early coronavirus closures, and through the summer.
- ODA awarded six local growers a combined \$250,000 in state Farm to School Equipment and Infrastructure Grant funds. The awarded projects will expand opportunities for the awarded producers to supply fresh, culturally relevant foods to schools across the state.

- ADMP is adjusting foreign marketing activities to virtual engagements in light of COVID-19 related constraints. The first example of novel approaches is the production of two “bento” lunch boxes prepared by a long-term partner in Tokyo who will distribute videos of their preparation to 200 prospective institutional buyers across Japan.
- Oregon efforts have resulted in the opening of the Philippine market to fresh blueberries. Access was granted in mid-season, limiting the volume of exports in 2020. However, Oregon growers and exporters welcome an additional market for Oregon’s fresh blueberries.
- **Produce Safety:** Produce Safety Inspections resumed in August 2020, the remaining large farms not done in 2019 are the focus of the FDA.
- **Seed Regulatory Program:** New rules related to record-keeping, civil penalties, and license probation/suspension/revocation were adopted July 15, 2020.

New violations were added to the 2019 notice of civil penalty for Kentucky 31 labeling violations, bringing the total violation count to 207. A notice of license action was also issued. The original civil penalty violations, the additional violations, and the license actions have been consolidated into one case before the administrative law judge. Due to COVID-19, the hearing has been rescheduled for June 2021.

- **Shipping Point Inspection:** 1) Crops are ahead of normal schedules 2) Movement and markets are fair 3) Continue to struggle with labor on both the agency and industry side 4) COVID cases and exposures continue to be a challenge 5) Business has not been hindered by either labor or COVID-19 at this time.
- **Smoke Management Program:** The program moved to MAC in 2020 after the previous program manager retired. State law allows for up to 15,000 acres to be burned each year; for 2020, the allocation is 93% of the 15,000 – 14,865 acres. There are 484 fields registered.

Natural Resource Programs

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- Natural Resources and Pesticide Programs completed our work with a contractor to establish a process management system. As a part of this work, we identified core outcomes and processes that are common across all NRPA programs, and identified metrics to better track how we are doing in accomplishing our work. We will be working over the next year to add additional metrics, complete build-out of the system, and will be conducting quarterly reviews to check in on our metrics.
- Together with Oregon Department of Environmental Quality (DEQ) staff, ODA's Confined Animal Feeding Operation Program (CAFO) manager presented at the July Environmental Quality Commission (EQC) meeting regarding an updated Memorandum of Understanding between DEQ and ODA for the CAFO program. The MOU will be presented to the EQC for approval at its November meeting.
- The CAFO program continues to collaborate with other agencies to finalize a draft individual permit for Easterday Farms Dairy, LLC and conduct outreach to key communities and stakeholders prior to the public comment period.
- In August and September, ODA is holding a public comment period on proposed rules to limit uses and eventually phase-out most uses of the insecticide chlorpyrifos. Two of the hearings were conducted in English and Spanish and all three hearings were held virtually. We anticipate filing final rules later this fall.
- ODA held a public comment period in July and August on proposed rules for maintenance of traditionally maintained agricultural channels. We expect to file the final rules and launch the program in portions of the Willamette Valley in early September. Input on draft rules was sought from Oregon’s tribes and stakeholders and continues into the implementation phase of the program.

- ODA released a report summarizing accomplishments of the Strategic Implementation Area (SIA) Initiative over the 2014-19 period. Evaluations over 34 SIAs found a high percentage (96%) of tax lots with low concern levels, indicating that these lands are in compliance with agricultural water quality regulations. For the full report see:

<https://www.oregon.gov/oda/shared/Documents/Publications/NaturalResources/SIAProgressReport.pdf>

- Over the summer, ODA's pesticide investigation and enforcement team collaborated with several other programs and agencies to investigate compost contaminated with the persistent herbicides clopyralid and aminopyralid.
- American Farmland Trust released a report documenting farmland loss and fragmentation nationwide and evaluating state policies and programs to protect agricultural lands. Oregon received relatively high marks for our agricultural land protection policies, but the report also highlighted additional opportunities such as state-funded programs to increase affordable access to land and to increase working lands easements. The report is available at <https://farmlandinfo.org/publications/farms-under-threat-the-state-of-the-states/>
- Natural Resources Program Area staff have been participating in several climate change-related initiatives outlined in the Governor's Executive Order 20-04. One of these efforts involves developing a proposal for sequestration goals for natural and working lands. The Oregon Global Warming Commission will be working to develop a proposal related to these goals in coordination with the Oregon Department of Forestry, Oregon Watershed Enhancement Board, and Oregon Department of Agriculture. Cathy MacDonald, Chair of the Oregon Global Warming Commission, will present more information about this effort at the September Board meeting. Additional information about the effort is available in the following memo: <https://static1.squarespace.com/static/59c554e0f09ca40655ea6eb0/t/5f0f6686e635c77687294483/1594844808747/EO+20-04+Implementation+Natural++Working+Lands.pdf>
- The focus for the Land Conservation and Development Commission (LCDC) for the next 1-2 years will involve the following key priority areas: affordable housing, equity issues, response to the Governor's Wildfire Task Force, Climate Change Adaptation Framework and an update to statewide transportation policy and the Transportation System Plan (TSP). Of particular importance to agriculture will be the Commission's work on the TSP and climate change. Budget constraints will limit work in other areas of interest to agriculture for the near future.

Plant Protection & Conservation Programs

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- Key issue is securing continuous 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):** So far, good news on the Japanese beetle eradication front. As of today, we have caught 4,007 JB in our traps in the treatment area. That is about half of what we caught in 2019. The eradication is working, but we are not there yet. The critical issue will be funding for the 2021 eradication efforts.
- 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 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:** 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 has been canceled due to budget restrictions.
- **Nursery, Christmas Tree, and HEMP Program:** Despite the COVID-219 pandemic and the economic downturn following the pandemic, our nursery industry fared relatively well. Preliminary data of issued phytosanitary certificates show that nursery export was relatively strong.
- The 2020 Hemp season has continued strong. Numbers of registered growers are at 86% of last year's numbers. The acreage is at about 41% of 2019's numbers.
- We stood up a Hemp enforcement and inspection team that inspects production and grow sites, follows up with complaints and enforces 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.
- **Oregon Invasive Species Council:** The Outreach and Education grants selected by the OISC members for funding have been canceled due to budget restrictions.

Administration/Special Projects

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- ODA permitted 297 of the 500 acres of Brassicaceae allowed in the Willamette Valley Protected District (WVPD) for the 2021 crop year.
- ODA submitted proposed rules to the Sec. of State on August 1st to bring ODA's hemp rules in line with the requirements of the USDA Interim Final Rules. A state hemp plan was submitted to the USDA on August 14th for review.
- ODA also held two hemp-related webinars - one on the evolving inspection/enforcement program and one on how to properly do pre-harvest testing.
- This Food Security and Farmworker Safety (FSFS) Program was launched in June to help farmers and ranchers mitigate COVID-19 exposure and illness at the workplace and in employer-provided housing and transportation.

To date, the FSFS Program has helped more than 129 Oregon farmers in 16 counties across the state. As predicted, the most requests received thus far are for field sanitation equipment reimbursement. The state asked for transportation requests to be submitted once all expenses are known and additional housing applications are expected post-harvest. Officially, about \$49,882 in assistance has gone out to farmers. That number may seem low, but Oregon is still in peak harvest season and many farmers and ranchers have indicated they are waiting until harvest is finished to submit their requests for reimbursement. Applications will be accepted through October 25 and final receipts must be submitted by November 16.