

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

Rusty Rock, Program Director, [rusty.rock@oda.oregon.gov](mailto:rusty.rock@oda.oregon.gov) 503-508-2262

- **Food Safety General Update**
  - Food Safety program staff continue to reduce the inspection backlog. Overdue inspections are defined as those inspections that are more than 90 days beyond their due date. The backlog numbers have trended down from a peak of 4,943 in July of 2021, to the current 2,521.
  - The Cottage Food Exemption (SB 643) have led to a busy year as the new exemption and crossover with the Farm Direct exemption. We've noticed an uptick in complaints related to unlicensed vendors, sanitary handling, and labeling concerns.
- **Retail and Manufactured Foods**
  - For recently contact year 2023-24, we have completed 160 GMP, 40 full scope PC, 9 acidified food and 5 seafood HACCP inspections.
  - The 2024-25 FDA contract workload will be 110 GMP, 42 full scope PC, 9 acidified food, and 9 seafood HACCP inspections.
  - The trend continues to be downward on contract work per our requests of FDA. For reference, in 2013 ODA conducted over 700 contract inspections.
- **Dairy Program**
  - We continue to work with our State Veterinarian and follow their office's updates on the highly pathogenic avian influenza (HPAI) in dairy cattle. We have seen no cases in Oregon.
  - Our field staff will continue to practice comprehensive biosecurity practices every time they are conducting farm inspections and or collecting samples. Our goal is to minimize the risk of disease transmission among livestock.
- **Shellfish and Crab Program**
  - Domoic acid continues to be present along the Oregon Coast. This has forced the agency to continue to collect and test crab from the southern zones which causes some uncertainty within the fishing industry. At this time the seasons are slowing, and activities are minimized.
  - The early summer saw an outbreak of Paralytic Shellfish Toxin (PSP) that achieved historic levels of toxicity. PSP is a naturally occurring, marine biotoxin. The outbreak sickened over 30 Oregonians and impacted the recreational and commercial shellfish harvest along the entire coastline. ODA worked closely with the Oregon Health Authority, Oregon Department of Fish and Wildlife, as well as local County health departments in response to this unprecedented toxic shellfish outbreak.
- **State Meat Inspection (SMI)**
  - This August, the U.S. Department of Agriculture, Food Safety and Inspection Service (FSIS) conducted the SMI program's second audit. This was the second Audit of the program and was more in-depth than the first audit. The preliminary findings indicate that our program is substantially meeting the requirements associated with our commitment of being "equal to" the federal inspection requirements. The three areas that were discussed during the audit as potential improvements were related to a suggestion of increasing staffing levels to improve oversight of custom processors, concerns related to SB 479 (donation of meat products) and potential conflict with federal requirements, and the SMI statutory authority related to poultry products.
  - ODA has a Program Option Package proposed to add language to the SMI enabling statute to encompass adoption of the federal poultry regulatory requirements.
- **Animal Health**
  - During the recent wildfires the program deployed our livestock and companion animal shelter resources. This included palletized panels, halters, cleaning supplies, feeding infrastructure (not feed), and office supplies to

support animal care in these emergency situations. The AH program maintains several trailers across the state that can be dispatched in response to various emergency events to support local responders in their efforts.

- We have no indications of Highly Pathogenic Avian Influenza (HPAI) positive dairy cattle present in Oregon. HPAI in dairy cattle outbreaks in other states continues to be a situation that we are monitoring carefully. We are in close communication with USDA and other state programs related to updated news and guidelines.
- A recent retirement of a long time Commercial Feed employee gave us some impetus to modernize the program operations. To accomplish this, we assessed the budgetary limitations of the Animal Rescue Entity (ARE) and found that the modernized Commercial Feed program can split duties and share personnel effectively. The ARE program staffing was reduced to half time and works in partnership with the Feeds program. This plan utilizes more virtual tools and record review to minimize program costs while maintaining regulatory oversight. Complaints are still investigated, and a pathway exists to enable in-person work based on virtual inspection and record review findings.

- **Lab Services**

- The regulatory lab continues to keep up with the testing workload provided by the various ODA programs. The relocation process has transitioned to settling in and adjusting to the new space by refining processes and looking for efficiencies.
- The ODA regulatory lab and the Oregon Liquor and Cannabis Commission (OLCC) personnel are meeting regularly, chemist positions have been filled, and equipment has been delivered that will allow our lab to act as the OLCC reference lab for cannabis product testing. The scope of work continues to be refined as needs are continually emerging such as new cannabinoids of concern identified and sample submittals processes suggested. Once the equipment is installed and set up, we will begin on the process of method development.

## **Market Access & Certification Programs**

Jonathan Sandau, Assistant Director, [jonathan.sandau@oda.oregon.gov](mailto:jonathan.sandau@oda.oregon.gov) 503-385-5027

- **Agricultural Development & Marketing (ADMP)**

- ODA selected 12 farms and businesses for the 2023 – 2025 F2S Producer Equipment & Infrastructure Grant to help offset costs for new or upgraded farm production and processing equipment and construction of on-site storage for school food products. The Grant's current service level is \$500,000 and ODA received \$1 million in requested funds this biennium.
- The Ag Development & Marketing Program managed projects to bring five buying delegations to Oregon from Japan, China, Malaysia, Singapore & Taiwan as well as managed an outbound trade mission to Vietnam and Thailand.
- Hosted Foodservice buyers from Japan in July and arranged for the most famous Japanese chef in Portland to show how she would use the local ingredients.
- Met with large nut buying delegation from China and supported their tour to better understand Oregon's hazelnut growing and processing.
- The ODA marketing team is organizing an inbound mission with seafood buyers from The Netherlands, a key processing hub in Europe. Over the past 20 years, The Netherlands has emerged as one of Europe's most productive processing centers, handling over 300 million pounds of seafood annually. To sustain this high volume of processing, Dutch processors are seeking a consistent supply of seafood. This mission represents the first step toward establishing a long-term partnership and trading relationship. The delegation will include nine buyers, the Regional Governor of Flevoland, Mr. Jan Klopman, and Caroline Feitel, Senior Agriculture Advisor at the Embassy of the Kingdom of the Netherlands. Additionally, Oregon's coastal elected officials will host a roundtable discussion focused on trade and building stronger relationships.
- As part of a broader regional West Coast strategy, the ODA Marketing team is extending an invitation to key executives from The Georgia Main Group, a leading retail grocery chain in British Columbia. This initiative is the first of many inbound missions focused on fostering strong ties between British Columbia and Oregon's food and beverage producers. The strategy emphasizes the promotion of retail-packaged products, specialty dairy items such as cheese, yogurt, and ice cream, as well as wine. Building relationships with British Columbia's industry leaders will provide

small to mid-sized Oregon companies with opportunities to explore export markets for the first time in an environment similar to their own. This approach is designed to help these companies navigate new markets, increase brand visibility, and establish a solid presence in a market that closely resembles Oregon's

- **Commodity Inspection**

- The Commodity Inspection Program, Oregon Department of Education, Oregon FFA, and Ontario High School have partnered with USDA to launch a program training high school students in two certification audit scopes: United States Department of Agriculture Good Agricultural Practice (GAP) and Good Handling Practices (GHP). This course was created at the request of industry to meet their needs. Thirteen students completed the course in 23-24. It will be offered again in the upcoming school year. The goal is to train students in the basics of produce safety and assist students with working in the auditing field.
- Labor continues to be a challenge for both the industry and the Shipping Point program. The limited labor pool as well as constraints put on hiring practices make it difficult for the program to hire in a competitive market. To assist both the Brand, Shipping Point, and Plant programs at ODA, staff from all three programs are being cross utilized to support agency goals and industry workload.
- Harvest is just getting started for most crops; it is too early to tell about quality and harvest.
- The Certification program continues to offer Organic certification to over 160 customers throughout the state and GAP and GHP programs are at the height of auditing season.
- Shipping Point program is in the process of increasing fees for the first time in over a decade.
- The Produce Safety program is working on updating the farm inventory. The program continues to offer free and voluntary technical assistance to farms across the state. The program is gearing up for fall classes.
- The Plant Health program is working with USDA APHIS PPQ on the response to the find of *Phytophthora austrocedri* in multiple Oregon nurseries. This is a new find in the United States. The program has tested over 500 samples to date.
- High demand for program services and limited resources of funding and staffing levels are impacting the program's ability to provide timely and accurate service.

- **Weights & Measures**

- As of June 30, 2024, we have tested 25,000 devices with a compliance rate of 90.4%. On a normal year we test 50,000 devices annually and we are currently on track for hitting that benchmark. As of June 30, some 38,000 more devices remain in our workload.

- **Motor Fuel Quality**

- As of June 30, 2024: 2133 tank inspections were completed in which 51 had measurable water. 23 of these were issued pump out orders for exceeding the allowed limit which is either 1/4" or 1" depending on the quantity of ethanol or biodiesel in the fuel.

2,270 fuel samples were inspected for clarity and 423 tested for octane. Another 12 samples were analyzed in greater detail in response to consumer complaints of which one was found to have excessive water substantiating the complaint.

## **Natural Resource Programs**

Isaak Stapleton, Program Director, [isaak.stapleton@oda.oregon.gov](mailto:isaak.stapleton@oda.oregon.gov) 503-986-4713

The following updates are organized by operating process in our management system and cover all NRPA programs. In addition to the updates below, we continue to have turnover across the programs and are in various stages of recruitment. This will continue to be a major focus for all programs for the remainder of the biennium and we are excited to be able to bring on new staff.

- **Fostering collaboration**

- The Pesticides Program continues to work closely with Oregon State University (OSU) and Oregon Department of Education (ODE) on increasing awareness on the school Integrated Pest Management (IPM) law. So far in 2024, ODA investigative/enforcement staff presented on the school IPM law at ten 2024 OSU School IPM Coordinator Trainings around the state. Nine of these trainings took place between June to August. In addition, the Team continues to work on a special project, as time allows, creating "school IPM law modules" (basically short ~5-10 minutes, narrated PowerPoints focused on the law requirements). These modules are posted on YouTube for school IPM coordinators

August 27, 2024

and other school staff. The goal is to provide short, recorded trainings so they will be able to access them all year round (e.g., refresher or say new staff start/onboarding). The Team is also working to have the videos available in Spanish. To help conduct the work on the creation of the school IPM law modules, EPA recently awarded the Pesticide Enforcement Program a Special Project Grant of \$10,417. The modules may be viewed at: <https://oda.fyi/IPMSchoolsPlaylist>

- The Pesticides Program is working closely with OSU, Washington State Department of Agriculture (WSDA), and Compliance Services International (CSI) continue to work closely to gather and provide feedback to EPA on the Endangered Species Act pesticide strategies. OSU, WSDA, and CSI reviewed a Western IPM Center grant to organize listening sessions in Oregon and Washington under the project titled *Implementation of Endangered Species Act Pesticide Mitigations: Developing Localized Solutions for Diverse Cropping Systems in Washington and Oregon*. The Pesticide Stewardship Partnership Coordinator was involved throughout the project, and several ODA staff attended the final workshop in mid-May to synthesize the feedback from the four previous workshops. WSDA, OSU, CSI applied for additional funding to continue these efforts, and ODA plans to continue being involved.
- The AGWQP has a John Day Basin Water Quality Specialist starting on August 19<sup>th</sup>. The Water Quality Specialist Areas on the east side of the state have been changed and this is a new geographic area. The AGWQP completed interviews for a Compliance Specialist and plans for this position to start on October 1<sup>st</sup>.
- NRPA continues to engage and coordinated with other state agency and federal partners to identify solutions to address nitrate source control in the LUBGWMA. The governor has requested that the agencies involved draft a workplan of actions each agency plans to implement to address the nitrate contamination. This plan is anticipated to shared publicly this fall. The CAFO and AGWQ programs continues to engage with Region10 EPA drinking water and enforcement sections in quarterly meeting
- The AGWQP has started a contract working with ESRI to develop a process of digitizing reporting from Soil and Water Conservation Districts. This new process will be in place for the 2025-2027 biennium.
- The AGWQP working on TMDL implementation plans for the Upper Yaquina and Powder TMDLs. In addition, the temperature replacement TMDLs for the Sandy, Willamette Mainstem, Willamette Tributaries, and Umpqua areas will require TMDL implementation plans by 2026.
- ODA and DEQ continue the efforts to collaborate to develop coordinated review and harmonization of point source NPDES and WPCF Permits jointly issued by agencies and point source NPDES and WPCF Permits issued solely by DEQ.
- The Agriculture Drainage Channel Maintenance program continues to do outreach but has not had any new notices submitted.
- **Permits, Registrations, and Notifications**
  - A major piece of CAFO legislation SB 85 was passed in the 2023 legislative session and took effect upon signing. The rulemaking is underway with the public comment period closing on July 22<sup>nd</sup>. The program is currently reviewing the comments and plans to file the permanent rules later this fall.
  - Due to the broad impacts of the SB85 legislation on the permitting process and the new requirements the program is pausing processing applications that are impacted until rulemaking can be completed to fully implement the legislation.
  - The 2016 General NPDES permit expired in 2021 and has been administratively extended until a new permit is developed and the public comment process is completed. This effort has been impacted by SB85 and related rulemaking efforts. The work to renew this permit is expected to begin this fall.
  - On August 16<sup>th</sup> the CAFO program noticed a modified permit for J-S Ranch, a poultry broiler operation in Scio OR. J-S Ranch had been previously permitted under a general Water Pollution Control Facility (WPCF) permit. J-S Ranch permit registration to the CAFO WPCF general permit, with conditions, occurred in May of 2022. ODA and DEQ withdrew for reconsideration the WPCF permit under ORS 183.484(4). This modified permit is the ODA's and DEQ's decision on reconsideration. The public comment period closes on Sept. 23<sup>rd</sup> and a public hearing is scheduled for Sept 16<sup>th</sup>. For more information visit the CAFO website at <https://www.oregon.gov/oda/programs/naturalresources/pages/cafo.aspx>
- **Providing Compliance and Technical Assistance**
  - The AGWQP continues to implement compliance cases in the SIAs and work with the SWCDs to provide technical assistance to landowners. Four new SIAs will start with evaluations in the fall of 2024 and open houses in the spring of 2025.
  - The 2024 Lower Umatilla Groundwater Management Area SIA focuses on ground water improvements. Much of the crop and irrigation inventory has been completed and an open house is planned for the end of October.

- Pesticide Program staff continue to answer technical questions from the public on licensing requirements, label interpretations, school IPM law, and other pesticide related questions.
- Pesticide licensing & certification team is continuing to work with OSU and other groups (including Hood River SWCD and WSDA) to expand testing and education opportunities to pesticide users. The team continues to work to update the English version of the Oregon Pesticide Addendum, which is used as study material for several license types. When those updates are completed, the Spanish version of the Oregon Addendum will also be made publicly available for the first time.
- OSU is looking to form industry partnerships to help leverage grant funding to better support pesticide applicators and keeping the ODA team apprised of the conversations. The team is working with the Hood River SWCD to expand their capacity to offer exams in the area. ODA continues to work closely with WSDA to share resources and learn from WSDA's program where possible.
- The Pesticides Program has hired and is onboarding a bilingual (English/Spanish) Worker Protection Standard (WPS) outreach specialist. This position will work to partner with other agencies and organizations to address the compliance assistance and outreach needs of agricultural handlers, workers, and employers who use or work around pesticides and fall under the WPS requirements.
- **Conducting Inspections, Investigations & Enforcement**
  - The Pesticides Enforcement Program continues to follow-up on complaints through the year to investigate possible violations of the state's Pesticide Control Act. The number of complaints typically increase in the spring and continue through to the fall. In addition, as time allows, the program continues to conduct routine compliance monitoring to include marketplace inspections, record inspections of pesticide applicators and pesticide dealers. During the wintertime the team shifts its focus onto the routine compliance monitoring inspection work as the number of complaint-based cases reduces.
  - The Pesticides Enforcement Program also continues to keep a focus on its enforcement case load to help prevent any backlogs into the future after making significant progress in reducing its enforcement case backlog (i.e., cases not in the investigation phase, but are in the review/enforcement phase).
  - Hiring and Onboarding continues in the Pesticides Program. The program welcomed two new Pesticide Investigators in April filling two open positions. Onboarding and training have continued throughout the summer for the newer investigators. The Pesticides Enforcement Program is also looking to fill one open Enforcement Case Reviewer position in the near future.
  - The AGWQP conducts investigations based on complaints, agency notification, and observations of concerns to address potential violations of the Agricultural Water Quality Rules. There are 86 active investigations including 42 that have been initiated in 2024.
- **Providing Customer Support and Resolving Inquiries**
  - The Pesticides Enforcement Program Area continues to receive and fulfill a number of public records requests in a timely manner to interested parties. With a goal of fulfilling the request within fifteen days, the team continues to meet the goal a 100% of the time between January to March 2024.
  - ODA's Citizen Advocate also continued to work closely with citizens concerned about pesticide usage helping answer questions and find other resources to their questions.
  - The Pesticides Program continues to work on increasing the number of outreach materials and application forms available in Spanish and is also undergoing an internal review of existing materials to help prioritize timely reviews and translations into the future.
  - Both the AGWQ and CAFO programs have continued to receive and respond to inquiries from the Environmental Protection Agency and the media regarding work completed in support of the Lower Umatilla Basin Groundwater Management Area (LUB GWMA). The AGWQP is working in collaboration with local the Umatilla and Morrow Soil and Water Conservation Districts to ensure consistent tracking and reporting of actions completed in support of the 2020 LUB GWMA Action Plan.

## Plant Protection & Conservation Programs

Chris Benemann, Program Director, [chris.benemann@oda.oregon.gov](mailto:chris.benemann@oda.oregon.gov) 503-986-4636

- **Hemp Program**
  - **Rulemaking:** A new vendor license, applicable to retailers, wholesalers, who sell hemp products for resale went into effect July 1. This license ensures compliance with existing state rules which require product tracking throughout the supply chain. This also provides consumers' confidence that they are purchasing products from reputable sources.
  - **Inspections and pre-harvesting testing:** Inspections of licensed grower operations has been ongoing this summer. ODA continues to work with OLCC on enforcement issues as necessary.
- **Insect Pest Prevention and Management Program (IPPM)**
  - **Oregon Department of Forestry provides ODA with \$250k of financial support for EAB management efforts. Oregon Association of Nurseries provides another \$90k.** Slow ash mortality (SLAM) pest management efforts for emerald ash borer (EAB) continue April-December 2024. ODA entomologists are working with local, state, and federal collaborators to girdle ash trees (to attract any nearby EAB), treat ash trees with insecticide, release beneficial biological control agents, and fell infested ash trees in and around the cities of Forest Grove and Cornelius. These efforts slow the spread of EAB in Oregon and allow for data collection on where it may be moving next.
  - **EAB confirmed in Yamhill and Marion counties.** Visual surveys are being conducted by ODA staff to determine the extent of infestation there
  - **Mediterranean oak borer (MOB)** traps are being deployed across western Oregon to better understand MOB distribution within the state. Visual surveys of 871 oak trees have been completed so far, with more surveys planned for the coming months. As of August, traps and visual survey indicate that MOB is in Marion, Clackamas, Multnomah, and Washington counties.
  - **Vine Mealybug (VMB)** delimitation (1500 traps) and detection (900 traps work is underway, with most traps planned to be placed in the field by the end of May. ODA will be providing treatment and mating disruption reimbursements to property owners with positive detections of VMB in previous years. ODA participated in extension events with OSU to spread information to growers at several events in 2024.
  - **IPPM** program placed over 11,000 **Japanese beetle** traps and treated ~1300 acres for continued eradication efforts 2024. Loss of state funding for this program made for fewer foliar treatments in and around positive detection sites from 2023, as well as traps being taken down by September 1 instead of mid-October in previous years.
  - **JB Emergency Funding approved by Oregon Invasive Species Council and Oregon Association of Nurseries to support JB Program efforts through June 2025.** Next biennium funding is still a pressing need for ultimate eradication of this species in Oregon.
  - **New Hire:** The **Administrative Specialist 1** position (vacant for the last several months) has been rehired in the IPPM program. This position is vital for receiving phone calls from the public, invasive species hotline, and conducting core admin tasks for the programs many staff and projects.
  - **New Detection(s):**
    - Japanese Cedar Longhorn Borer (*Callidiellum rufipenne*) was reported for the first time in Oregon 2023 and now confirmed with traps by ODA in 2024 to be established in eastern Portland. This is a pest of Cedars/Cypress.
    - Singular Lablab (*Megacopta cribraria*) specimen was discovered by a member of the public and confirmed by ODA, found in Dayton. This is a pest of many legume species; ODA is concerned for potential future impacts on bean crops and ornamental plants like locust and wisteria.
- **Native Plant Conservation Program**
  - Species list finalized for 2025 Threatened and Endangered List review
  - Awarded contract for over \$200K to begin implementation of Oregon Native Seed Strategy
  - Executed two agreements with Oregon Dept. of Energy to mitigate impacts of B2H transmission line and Wheatridge energy development.
  - Accomplished all planned field work for 2024
- **Noxious Weed Control Program**
  - Finalizing 5-year agreement with US Forest Service to bring on ODA staff to assist with Burned Area Recovery in wildfire affected areas
  - Recruitment process is underway for hiring of Rangeland Health Specialist to engage with partners to implement Invasive Annual Grass projects and promote Climate Smart ag practices.



- Finalized rule changes to reflect streamlining of Oregon Noxious Weed list. Included delisting of 12 species and listing of Palmer amaranth.
- Completed redesign of outreach materials to include newest information, science and to reflect new ODA branding. State publishing is finalizing documents with anticipated publishing in Spring of 2025.
- **Nursery & Christmas Tree Program**
  - **New hire:** New Admin Specialist to support for the Nursery and Noxious Weed Programs.
  - ***Phytophthora ramorum* Program:** Mitigation activities continue at a nursery in Marion Co. that has had a heavy infestation. Plant removal work in Lincoln City is slated for early September at a local garden and several residences. A nursery in Clackamas nursery was recently confirmed positive and has been placed under a federal compliance agreement.
  - ***Phytophthora austrocedri*,** a new to the U.S. plant pathogen, was detected at a second nursery in Clackamas County. The USDA and ODA are still working through the process of monitoring and destruction at the first finding. The second location will follow a similar investigative process as completed at the first location.
  - **In preparation for Christmas Tree shipping, the Christmas Tree Advisory Group met in July.** The ODA and industry met with a Panamanian delegation for shipment of Christmas trees into Panama.
- **Oregon Invasive Species Council**
  - **\$150k to be awarded through an Outreach and Education Grant opportunity.** The goal is to fund as many high-priority projects as possible with the available funding. Meaningful outreach and education are crucial to engaging and activating a wide network of people to protect Oregon from invasive species.
  - **Hosted the 2024 Summer Pest Summit:** The [OISC 2024 Summer Insect Pest Summit](#) was a multi-day event that brought together members of the invasive insect pest management community to engage with, educate, and inform regional, state, and local government decision-makers and resource managers about efforts to protect Oregon's commercial resources, urban tree canopies, culturally significant species, and natural areas from invasive insect pests. ODA staff highlighted their work on pests like JB and EAB, as well as statewide pest response efforts.

## Administration/Special Projects

Sunny Summers, [sunny.summers@oda.oregon.gov](mailto:sunny.summers@oda.oregon.gov) 503-986-4565

- **Canola**
  - ODA issued permits to canola growers in the Willamette Valley Protected District totaling 493 of the 500 acres.
- **Ag Workforce Housing Grant**
  - ODA is in ongoing discussions with Oregon OSHA and the Governor's Office regarding HB 2001, Section 67, which mandates ODA to administer \$5,000,000 in grants to improve health and safety in existing agricultural workforce housing. These efforts align with potential regulatory changes being considered by an OR-OSHA rulemaking advisory committee. While the advisory committee has yet to finalize these regulations, ODA expects OSHA to propose rules this fall and is working on developing grant requirements and applications.
- **2024 Wildfire Season Response**
  - ODA is responsible for emergency support function 11 (agriculture and natural resources) during an Oregon emergency such as wildfires. During the current wildfire season, ODA has attended all Oregon Emergency Management (OEM) meetings, provided a small/companion animal trailer to Harney and Malheur Counties, provided assistance to fire crews coming out of areas with known invasive species problems, and helped the Gov Office with request letters to USDA/Forest Service and US Dept of Interior (BLM) for emergency agricultural declarations. Additionally, ODA is working with recovery, public/private partnerships, and volunteer coordination through OEM along with the OR Cattlemen's Association, OSU Ag Extension, and other partners to find opportunities to assist agricultural producers who are being impacted by the fires. This includes both immediate and long-term needs along with environmental restoration concerns.