



Memo

To:	Interested Parties
From:	Senior Policy Advisor – Sunny Summers
Subject:	Plan for Repealing the Central Oregon Protected District and Establishing a New Protected District

Objective:

Repeal existing Central Oregon Protected District for rapeseed and other Brassica production and create a new control area specific to Jefferson County and possibly Crook County. The goal of this proposal is to better reflect current agricultural practices and market opportunities in the region and respond to the needs and concerns of local growers and the seed industry.

Background:

The current Central Oregon Protected District, established under OAR [603-052-0884](#), regulates the production of rapeseed and other Brassica crops. As agricultural practices and markets have changed over time, there is interest updating the boundaries of this district to better reflect current production needs and opportunities for growers around crop diversification.

Oregon has three other control districts related to Brassica crop production. Of these, the Willamette Valley Protected District (WVPD) has received the most attention due to ongoing challenges with crop coexistence.

Proponents of rapeseed emphasize its value as a rotational crop for grass seed and wheat as well as its potential to be a lower-water-use option—especially important in places like Central Oregon. At the same time, specialty seed producers raise concerns about cross-pollination, risks to genetic purity, and pollinator management issues.

Despite significant efforts—research studies, legislative hearings, and advisory committee discussions—ODA and its partners have struggled to find a workable statewide solution for Brassica coexistence. Much of this work has centered on the WVPD, with the hope that successful strategies there could be adapted elsewhere in the state.

In an effort to better align with current agricultural needs in Central Oregon, ODA is considering repealing the existing protected district and create a new control area specific to Jefferson and possibly Crook Counties¹. This change is intended to:

- Improve clarity and enforceability of crop restrictions and planting requirements.
- Protect the integrity and marketability of important specialty seed crops.
- Reduce regulatory burden in areas where restrictions are possibly no longer needed or desired.

The proposal for a new control area is intended to include updated definitions, boundary descriptions, and requirements tailored to the local needs. ODA is committed to transparency and collaboration throughout this process and welcomes input from growers, industry partners, and the public.

Key Steps:

Regulatory Review Changing Landscape

- The original Central Oregon Protected District (OAR 603-052-0884) was created to address concerns about rapeseed production in Deschutes, Crook, and Jefferson counties.
- Current information indicates that Deschutes and Crook² counties no longer present the same risk factors for rapeseed production as previously assumed.

Protection of Low Erucic Acid Rapeseed

- Jefferson County continues to be an important production area for low erucic acid rapeseed.
- High erucic acid Brassica crops pose a contamination risk to low erucic acid varieties.
- Cross-pollination between high and low erucic acid crops can compromise the safety of rapeseed for human and animal consumption.

Statutory Authority & Justification

- Under ORS 570.450, ODA has authority to establish control areas for rapeseed production. This includes defining boundaries, identifying permitted species and varieties, and enforcing control measures.
- Establishing a new-specific control area aligns with this authority and helps protect the integrity of low erucic acid rapeseed production from genetic contamination.

Industry & Market Considerations

- Rapeseed growers in Jefferson County depend on maintaining low erucic acid levels to meet market and processing standards.

¹ May also include Crook County pending on-going conversations.

² On-going conversations are being held to determine if Crook County should be removed.

- Repealing the broader protected district and creating a targeted control area allows for more precise protections without imposing unnecessary restrictions in low-risk areas.

Engagement

- Discussions have been re-initiated and will continue with affected growers, seed companies, and industry representatives.
- These discussions will continue through the rules advisory committee (RAC) process during rulemaking.

Rulemaking Process

- Draft a proposal to repeal the Central Oregon Protected District.
- Develop new language to establish a revised control area, including defined boundaries and regulatory requirements.
- Lessons learned - based on discussions in Fall 2024 for the WVPD, ODA may consider a focus on certified seed.
 - The approach would create a structured pathway for production of canola seed (low erucic acid rapeseed) that is certified free, through testing, of noxious weeds, *Leptosphaeria maculans* (blackleg), and material regulated under 7CFR Part 340.
 - The certified seed could use a standard three-mile isolation distance between certified rapeseed fields and specialty seed crops of the Brassica genus to help reduce potential conflicts.

Proposed Implementation Strategy

- Establish timelines for phasing out the current Central Oregon Protected District and implementing a revised control area and boundaries.
- Conduct outreach and education to support growers during the transition.

Timeline:

- **September – October 2025:** Regulatory review and interested parties outreach.
- **November 2025 -January 2026:** Drafting proposed rule changes.
- **February – May 2026:** Public hearings, rule finalization, and submission for adoption.