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Proposed Rulemaking -

To: Jonathan Sandau, Deputy Director, Oregon Department of Agriculture
Subject: Hearing Officer's Report
From: Sunny Summers
Date: November 3, 2025

Rule Summary - The purpose of this rulemaking was to allow public comment on proposed rules to increase pesticide registration fees.

Public Hearing – ODA held a public comment hearing on October 21, 2025, and received one verbal comment from Oregonians for Food and Shelter (OFS)

SUMMARY OF COMMENTS - ODA accepted written testimony from the public through 5:00 p.m. on October 24, 2025. One written comment was received. This comment was also from OFS and mirrored the verbal comment received during the public hearing.

Dated this 3rd day of November 2025.

A handwritten signature in black ink, appearing to read 'Sunny Summers', is written over a horizontal line.

Sunny Summers, Hearings Officer
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Comments

Commenter

Oregonians for Food
and Shelter

Comment

Thank you for the opportunity to provide comments on ODA's proposed rulemaking to increase pesticide registration fees for 2026. Oregonians for Food & Shelter (OFS) is a diverse coalition with members across Oregon's natural resource sector, including many of Oregon's agricultural commodity groups and the forest products industry. Our members come together around the importance of pesticides, fertilizers, and biotechnology in producing food and fiber and protecting natural resources. OFS represents both pesticide users and pesticide manufacturers, including many members who pay pesticide registration fees to ODA. Thus, OFS members are critical to the department's ability to fund its fee-based programming.

We want to recognize the collaborative working relationship that OFS and our members have with the Department, and the importance of a smooth and efficient registration process so that Oregon's producers have access to the newest and most effective technologies. We also want to acknowledge the real and imminent budgetary pressures within ODA's certification, licensing, and registration division. However, we must again point out that the reasons for these pressures and the inability to keep pace with budget needs are not because Oregon's registration fees are too low, and thus the solution should not be to continue to raise fees.

OFS members contribute significantly to the \$5.4 million that ODA brings in annually in pesticide registration fees, which provides the majority of the funding for ODA's Pesticides Program. Oregon is currently among the top 6 states for pesticide registration fee levels, and that includes California, which has a much larger market for registrations and funds an entire agency to conduct risk assessments in conjunction with registrations. Unlike California, many of Oregon's specialty crops represent very small markets for certain pesticides. The proposed increase will bring Oregon to the third highest state fee level of all states. If fees continue to increase in Oregon, some products may simply not be registered for use here, which will pose greater challenges to the Pesticide Program budget and will also prevent Oregon producers from accessing newer, more efficacious and safer materials.

For the last decade or more, non-core programs have consumed close to 50% of every pesticide registration fee paid to ODA. These programs include the Pesticide Stewardship Partnership (PSP) Program, the Pesticide Analytical and Response Center (PARC), and the Pesticide Safety Education Program (PSEP) at Oregon State University, among others. Significant dollars being redirected away from core agency services has led to capacity issues in processing registrations, and has burdened existing staff and the Pesticides Program budget.

Some of these non-core programs, such as PARC, were initiated with split fee and general fund support, only to be moved off the general fund in a later session without regard to cost projections and whether the program costs would be able to keep pace with reasonable fees paid by registrants over time. Multiple of these programs involve ODA funding positions for other state agencies whose budgets are many times that of ODA's and could more easily absorb these costs should these positions be considered necessary for the long-term. Other programs have alternate sources of funding and the additional funds from the Pesticides Program are not critical to programmatic sustainability. As budgets tighten across the state due to federal cuts, declining state revenue, and increased cost of living, all agency budgets



and programs - both fee and general fund dollars - should be scrutinized and refocused on priorities, impacts, and efficiencies – and ODA’s Pesticides Program is no exception.

We want to continue to stress that the department should first analyze core service operations to identify ways to achieve greater efficiencies and reduce fee burdens. Over many years, we have offered suggestions including a shift to a 2-year application cycle (like our neighbor Washington), and exploring a fee-for-service model such as increased fees for applications that take extra time.

It is also time to review the myriad of programs funded with registration fee dollars and make adjustments to those that are not delivering clear and measurable impacts and results. We have raised significant concerns about the PSP program for several years now, flagging scientific inaccuracies and continued misanalysis and misrepresentation of data that is leading to expensive on-the-ground work targeted at the wrong issues. Issues like this one should be top priorities for ODA as budgets are trimmed to focus on impacts and efficiency.

OFS cannot support yet another fee increase at this time. Instead, to support the core services these fees were designed to fund, and to remain aligned with other similar states, programs outside of core services should be capped at 25% of pesticide registration fee dollars. General fund investments and other agency budgets can provide long-term sustainability for programs with continued significant deliverables that serve Oregonians broadly, and changes are needed for other programs that are no longer providing clear and measurable deliverables.

Thank you for ensuring that fee funds are utilized as efficiently and effectively as possible before fees are increased, and that core agency services are prioritized to avoid wasteful spending and burdensome staff and budget pressures.

Response to OFS Comment

ODA appreciates the comments and recommendations provided by Oregonians for Food and Shelter regarding the proposed pesticide registration fee increase, including concerns about current fee levels, funding distribution across programs, and opportunities for operational efficiencies. The agency recognizes the important partnership with pesticide registrants and users and values the continued engagement. After review and consideration of the input received, ODA has determined that the proposed fee adjustments remain necessary to sustain core pesticide program services and will move forward with the rule as noticed, without changes to the proposed fee amount.

