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NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 647
DEPARTMENT OF AGRICULTURE
OREGON PROCESSED VEGETABLE COMMISSION

FILED
03/16/2022 6:31 PM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Amendment to processed vegetable assessment rates

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 04/26/2022 7:30 PM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

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PO Box 55401
Portland, OR 97238

Filed By:
Jennifer Fletcher
Rules Coordinator

HEARING(S)

Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

DATE: 04/26/2022

TIME: 6:40 PM - 7:00 PM

OFFICER: Jennifer Fletcher

ADDRESS: Video Conference

Zoom

Portland, OR 97218

SPECIAL INSTRUCTIONS:

Email opvcresearch@gmail.com by 5:00 pm 4/25/2022 for a Zoom conferencing invitation to access the virtual hearing.

NEED FOR THE RULE(S)

The proposed amendment to OAR 647-010-0010 changes the assessment rates paid by producers of six vegetable commodities for processing. The amendment is needed to provide sufficient income so that the commission, on behalf of the producers, can fund research, fund grower education programs vital to the well being of the processed vegetable industry and promote increased consumption of the processed commodities.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

ORS Chapter 576 under which commodity commissions are created and governed; proposed research projects for the fiscal year beginning July 1, 2022; and the proposed 2022-2023 commission budget all of which are available for review at www.OPVC.org.

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

The assessment rates of the six vegetable commodities will not affect Racial Equity, as it is.

FISCAL AND ECONOMIC IMPACT:

Approximately \$127,900 cost to the producers of four processed vegetable crops.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

There will be no impact to state agencies, units of local government or the public. There are approximately 280 farmers who are subjected to the commission assessments.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

Each processor must keep a record of the name and address of the growers that supply product to the processor. The processor already maintains a record of what each grower ships to the processor and there is an added requirement of deducting the amount of the commission assessment from the payment made to the grower. No additional professional services required.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? YES

AMEND: 647-010-0010

RULE SUMMARY: Amendment to processed vegetable assessment rates.

CHANGES TO RULE:

647-010-0010
Assessments ¶

(1) Any first purchaser shall deduct and withhold an assessment of the following amounts from each of the above named vegetable crops:¶

- (a) Beans - ~~\$1.155~~502 per ton based on the net weight of the beans delivered.¶
- (b) Sweet Corn - ~~\$0.585~~100 per ton based on the gross weight of the sweet corn delivered.¶
- (c) Table Beets - \$0.000 per ton based on the net weight of the table beets delivered.¶
- (d) Carrots - \$0.000 per ton based on the net weight of the carrots delivered.¶
- (e) Broccoli - ~~\$3.190~~828 per ton based on the net weight of the broccoli delivered.¶
- (f) Cauliflower - ~~\$2.370~~500 per ton based on the net weight of the cauliflower delivered.¶

(2) From the price paid to the producer thereof, after July 1, 2021 for all of the above named vegetables for processing and grown in Oregon.

Statutory/Other Authority: ORS 576.304, ORS 576.325

Statutes/Other Implemented: ORS 576.304, ORS 576.325