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**NOTICE OF PROPOSED RULEMAKING**  
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 647  
DEPARTMENT OF AGRICULTURE  
OREGON PROCESSED VEGETABLE COMMISSION

**FILED**  
03/25/2021 10:51 PM  
ARCHIVES DIVISION  
SECRETARY OF STATE

FILING CAPTION: Amendment to processed vegetable assessment rates

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 04/29/2021 5:00 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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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: 04/28/2021

TIME: 6:35 PM - 6:55 PM

OFFICER: Jennifer Fletcher

ADDRESS: Video Conference

Zoom

Portland, OR 97218

**SPECIAL INSTRUCTIONS:**

Email opvcresearch@gmail.com by  
5:00 pm 4/27/2021 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 or the fiscal year beginning July 1, 2021; and the proposed 2021-2022 commission budget all of which are available for review at [www.OPVC.org](http://www.OPVC.org).

**FISCAL AND ECONOMIC IMPACT:**

Approximately \$175,700 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 225 farmers who are subjected to the commission assessments.

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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 are required.

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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 - ~~\$1.11855~~ \$1.11855 per ton based on the net weight of the beans delivered.¶

(b) Sweet Corn - ~~\$0.354585~~ \$0.354585 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 - ~~\$2.7653190~~ \$2.7653190 per ton based on the net weight of the broccoli delivered.¶

(f) Cauliflower - ~~\$12.34270~~ \$12.34270 per ton based on the net weight of the cauliflower delivered.¶

(2) From the price paid to the producer thereof, after July 1, 2020~~1~~ 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