

Hemp fans claim Oregon rules need update

Restrictions on hemp seeds hinder profits, proponents say

By MATEUSZ PERKOWSKI
Capital Press

SALEM — Farm regulators in Oregon are on the verge of enacting regulations for growing hemp that some proponents of the crop claim are already outdated.

The Oregon Department of Agriculture has been developing rules for industrial hemp since state lawmakers legalized its production in 2009 and the regulations are set to become effective in early February.

Supporters of hemp production testified in favor of implementing the rules during a Jan. 6 hearing in Salem but they said new legislation will be necessary to amend the indus-

trial hemp law in light of recent changes, such as Oregon's legalization of recreational marijuana.

Hemp is the same species as marijuana but contains much less of the psychoactive compound tetrahydrocannabinol, or THC. However, both remain illegal under federal law.

The main problem identified by hemp proponents is that Oregon law does not allow its seed to be used for anything but planting new crops, whereas seed oil for cosmetic and health food products is a highly lucrative component of hemp.

"You can't leave the seed out of the mix," said Jerry Norton of Salem, who plans to grow hemp and recruit other farmers to cultivate it.



Norton

Using hemp purely for its fiber — a raw material for textiles and other products — would generate much less profit, said Tim Pate, a hemp supporter from Portland.

"We are shooting ourselves in the foot," he said. "We need to solve the seed problem."

Limiting the use of hemp seeds for planting also doesn't make sense due to advances in asexual reproduction methods, such as tissue culture propagation, said David Seber, who owns the Hemp Shield wood sealant company.

"There's no reason to even deal with seed if one doesn't want to anymore," he said.

Provisions in the hemp rules that require the crop to contain less than 0.3 percent THC also lack purpose now that marijuana containing higher levels of the chemical will become legal in 2015,

said Doug Fine, a hemp researcher from Mimbres, N.M.

"We're in a different era now than when the regs were conceived," he said. "There's no reason for the belligerent, fearful tone."

Farmers in Canada and Kentucky are eager to bolster their agricultural economies with hemp, so Oregon should not fall behind with inflexible rules, Fine said.

"Every state is going to take its own path," he said. "We can't wait one second to let Oregon farmers grow seed."

Apart from geographic competition, biotech companies may take beneficial genetic traits from hemp and insert them into plants that aren't as strictly regulated, said David Seber of Hemp Shield.

The Oregon Department of Agriculture initially approached the hemp rules with a "fat, dumb and happy" ap-

proach, planning to allow seeds to be used for multiple purposes other than planting, said Ron Pence, operations manager of the agency's commodity inspection program.

However, attorneys with the Oregon Department of Justice interpreted the state law as prohibiting seed for any other uses, he said. "That's the way the statute is written."

Similarly, the 0.3 percent THC limit and other provisions were enacted by the state legislature and cannot be overruled by ODA, Pence said.

Even so, it's likely that hemp supporter state Sen. Floyd Prozanski, D-Eugene, will push to revise the law in the upcoming legislative session, Pence said. "I would expect changes to be made to the statute."

ODA does not have an official agreement with the federal government to develop rules

for hemp, but its goal has been to create rules that will be tolerated by federal officials, Pence said.

The agency is discussing the possibility of obtaining a permit from the U.S. Drug Enforcement Administration to import hemp seeds from abroad, he said.

While it's likely aspiring hemp growers already have available seed supplies, ODA's regulations require them to disclose their source, Pence said.

Jerry Norton said he's working with Oregon State University to get permission from DEA to bring in a low-THC variety of hemp seeds from Canada in time to plant this spring.

He also hopes the Oregon Legislature will clarify the law to allow the sale of hemp seeds for multiple uses.

"We've got to know what we can do with it after we grow it," Norton said.



Sean Ellis/Capital Press

Members of Idaho's House of Representatives debate legislation during the 2014 legislative session. Water, wolves, GMO and transportation funding are likely to be some of the big issues discussed during the 2015 session.

Idaho Legislature to take up GMOs, wolves

By SEAN ELLIS
Capital Press

BOISE — It's possible that legislation designed to protect farmers' right to use genetically modified crops and prevent a mandatory GMO labeling law could surface during the 2015 Idaho Legislature, which convenes Jan. 12.

Idaho legislators and agricultural industry leaders are aware of the efforts in other states to require mandatory labeling of GMO products at the retail level or ban the planting of genetically modified crops, said Sen. Bert Brackett, a Republican rancher from Rogerson.

"It's safe to say there is concern over these initiatives and there will be an effort to get ahead of them," he said. "There is some interest in addressing the GMO issue but it remains to be seen how it will play out."

Sen. Jim Patrick, a Republican farmer from Twin Falls, said the GMO issue is an attack on modern, large farming.

"I believe strongly we need to stay on top of (the issue)," he said. "The GMO thing will be an issue (during the 2015 Idaho Legislature). I'm just not sure how far we're going to go with it."

Increasing transportation funding to ensure Idaho's roads and bridges are maintained will be another big issue, said

Brackett, who has discussed the topic with several farm groups.

A governor's transportation task force determined that an additional \$260 million is needed to maintain the state's transportation infrastructure.

Brackett and Rep. Clark Kauffman, a Republican farmer from Filer, introduced four bills near the end of the 2013 legislative session that offered numerous proposals to increase transportation funding.

They included increasing the state gas tax, raising registration fees for passenger and commercial vehicles and temporarily increasing the state sales tax by a penny.

Brackett has encouraged Idaho's ag industry to lead the discussion on this issue.

"Most of our inputs come in through our highways and when our commodities are marketed, a lot of (them go) out over the highway system," he said. "It's very important that agriculture has a good transportation system."

Idaho Water Users Association Executive Director Norm Semanko said it's possible the session could see a few major bills dealing with water.

That could include legislation meant to ensure water released from Boise area reservoirs to prevent flooding isn't counted against reservoir storage water rights. A bill that would have addressed that issue was put on hold in 2014.

Push for national chicken cage standards stalls

California's Prop 2 requirements go into effect

By DAN WHEAT
Capital Press

California begins implementing Proposition 2, requiring more space for egg-laying hens, in 2015, but the move for a national standard appears dead.

Prop 2, passed by voters in 2008, requires egg-laying hens have enough room to spread their wings without touching the side of an enclosure or another hen.

Some producers have met that standard but say the cost of eggs is expected to rise. The president and CEO of United Egg Producers, Chad Gregory, has previously speculated it could cause an egg shortage.

UEP represents about 90 percent of the egg producers in the United States. It entered into an agreement with the Humane Society of the United States in 2011 seeking federal standards for greater space for egg-laying hens. The agreement ended years of battle between the two groups and stopped HSUS initiative efforts in Washington and Oregon for cage-free facilities. Subsequent state laws moved toward enriched colony cages, affording more room per hen.

Rep. Kurt Schrader, D-Ore., and Sen. Dianne Feinstein, D-Calif., introduced federal bills in 2012 and 2013 giving hens more space. The bills were successfully opposed by the American Farm Bureau Federation, National Cattlemen's Beef Association, National Pork Producers Council and other meat, dairy and poultry groups, which feared a precedent leading to national production and welfare standards for other livestock.

The agreement between UEP and HSUS expired at the end of 2013. Both sides acted in good faith as if the agreement were continuing while seeking to get their legislation into the farm bill in 2014. When that didn't work neither side wanted



Eric Mortenson/Capital Press file

Greg Satrum, co-owner of Willamette Egg Farms, is shown in a free range hen facility in Canby, Ore. A California law now requires that all whole eggs sold in that state meet the specifications of Proposition 2, which says that hens must be able to flap their wings without interfering with one another.

to continue the agreement with legislation, Gregory said.

UEP and HSUS still talk to each other but are no longer pursuing joint legislation, he said.

Six states unsuccessfully sued California over its law, AB 1437, passed in 2010 requiring all shell (whole) eggs sold in California to comply with Prop 2 by 2015.

The lack of federal legislation leaves uneven competition between states and UEP is still evaluating how to address that, Gregory said.

HSUS unsuccessfully tried to get a cage-free bill passed in Massachusetts in 2014 and is now focused on getting retailers to require cage-free eggs, said Paul Shapiro, HSUS vice president of farm animal protection.

"That's how we're trying to move the industry to cage-free conditions," he said.

Burger King, Whole Foods, Starbucks and food service companies Compass Group and Aramark have made cage-free commitments, according to the HSUS website.

"We are not surprised they

have gone back to their original agenda of cage-free. But in my opinion their stance isn't all that strong when for two to three years they publicly endorsed enriched colony cages," Gregory said.

Greg Satrum, co-owner of

Willamette Egg Farms, said probably only a limited number of retailers will commit to cage-free eggs because "the market is very price-conscious and it will always be that way." An egg shortage is possible, he said.

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