

Compromise canola bill foreshadows controversy

Research may be contentious in future

Analysis
By **MATEUSZ PERKOWSKI**
Capital Press



Mateusz Perkowski/Capital Press

Farmer Kathy Hadley harvests canola oilseeds near Salem, Ore. The Oregon Legislature recently passed a bill allowing 500 acres of canola production in Oregon's Willamette Valley through 2019 despite an overall moratorium on the crop in the area.

Limited canola production will likely continue in Oregon's Willamette Valley under recently-passed legislation, but the debate it inspired foreshadows future battles over the crop.

House Bill 3382, approved by Oregon's House and Senate, allows 500 acres of canola to be grown in the region through 2019 despite an overall moratorium on its cultivation.

Canola is restricted in the Willamette Valley due to the concerns of specialty seed growers who worry it will cross-pollinate with related crops and destroy their market.

To reassure canola opponents, lawmakers included provisions in HB 3382 that set new conditions on canola research conducted by Oregon State University.

The research is intended

to yield recommendations for coexistence between canola and other crops, but canola proponents suspect the veracity of OSU's study will become a point of contention in future discussions.

Before the Senate passed the bill 25-5 on June 17, it was amended to require that OSU's research be evaluated by vegetable seed experts and that it include historical data about canola's interaction with brassica crops in

other regions.

During a discussion of HB 3382, Sen Chris Edwards, D-Eugene, said the new research parameters were included in the bill due to fears that OSU and the Oregon Department of Agriculture — which will make recommendations on coexistence — have a "pro-canola bias."

Edwards noted that in 2013 lawmakers were contemplating an outright ban on canola in the Willamette Valley but

instead opted for a six-year moratorium while OSU conducts a three-year study of the crop's potential to cause weed and disease problems.

Farmers were permitted to produce canola on 500 acres during the study and under HB 3382 will grow that amount until the end of the moratorium, subject to certain restrictions.

"It's a reasonable compromise between opposing views on the bill," Edwards said.

Opponents of canola production are already casting doubts on the validity of OSU's research, giving themselves "wiggle room" to eventually refute the study's conclusions, said Matt Crawford, president of the Willamette Valley Oilseed Producers Association.

While the study is focused on weed and disease issues, canola opponents actually have other reasons they're worried about the crop, he said.

Some see it as providing a "biotech foothold" in the region, as genetically engineered varieties of canola are available, Crawford said.

Other critics dislike canola's potential to compete for acreage with other crops, he said. "The more options a farmer has, the harder the seed company will have to try to have a place on those farms."

While the possibility for cross-pollination does exist, other related brassica crops — including turnips and radish — are grown on large acreages in the valley without restriction, he said.

Canola could similarly coexist if it's included in a "pinning" system used for other brassicas, which allows farmers to plant at sufficient distances to avoid cross-pollination, Crawford said.

The legislature's willingness to pass HB 3382 is a positive sign for canola, particularly since it was supported by lawmakers who wanted to prohibit the crop two years ago, he said. "That was actually a pretty big step."

The Willamette Valley Specialty Seed Association does not preclude coexistence between canola and related crops, said Greg Loberg, the group's public relations chair

and manager of the West Coast Beet Seed Co.

"It will be difficult to find that sweet spot, but I don't think it will be impossible," he said.

Even so, canola doesn't neatly fit into the management system for brassica seed crops because it's grown for oil rather than genetics, Loberg said.

There's no incentive for oilseed farmers to keep the genetics of canola pure, which raises questions about their willingness to follow coexistence rules, he said. "Will all canola oilseed producers abide by that same principle?"

Canola restrictions have been in place for more than 25 years in the valley, which has given specialty seed producers the opportunity and confidence to expand their business, Loberg said.

Removing or altering those protections should not be done carelessly, which realistically will require continued involvement from lawmakers, he said. "They picked up a piece of Oregon agriculture and now there's no good way to put it down."

Spotted wing drosophila

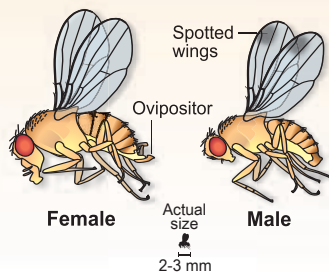
• A type of "vinegar fly", its ability to feed and lay eggs on ripening fruit makes it a significant threat to Pacific Northwest growers.

• Adult spotted wing drosophilas are small with red eyes and pale yellowish-brown bodies.

• Males have a dark spot on the tips of their wings. They also have two dark bands on their front legs.

• Females lack the distinctive dark spot on their wings. Look for a large, serrated ovipositor protruding from the abdomen.

• For more information on monitoring, preventative, cultural and chemical controls, go to: spottedwing.org



Sources: Oregon State University Extension Service Alan Kenaal/Capital Press

Spotted wing drosophila detected in SW Idaho

By **SEAN ELLIS**
Capital Press

CALDWELL, Idaho — University of Idaho researchers have alerted fruit growers in Southwestern Idaho that they are finding small numbers of spotted wing drosophila, an exotic fruit fly that attacks a wide range of fruit.

Low numbers of the pest have been found in traps in Payette, Canyon and Owyhee county orchards, said Jim Barbour, an entomologist at UI's Parma research station.

But the flies reproduce quickly, so growers should monitor susceptible crops frequently, he said.

"We are finding them, but not in significant numbers," Barbour said. However he added, "they can really reproduce quickly and their numbers can get quite high pretty quickly."

Unlike the common cherry fruit fly, which attacks ripe or already damaged fruit, the spotted wing drosophila can lay eggs in much firmer and thicker-skinned fruit still attached to the plant.

It also has a broader range of hosts than other fruit flies, from berries, cherries and grapes to plums and peaches.

Large commercial orchardists said they are concerned about the pest because of its potential to cause widespread damage, but they haven't yet seen any damage from the flies.

"So far, it hasn't been an issue, but it's definitely some-

thing we're keeping an eye on," said Chad Henggeler, field manager for Henggeler Packing Co., one of Idaho's largest orchards.

The fly was first detected in small numbers in Idaho in 2012 and hundreds of them were detected in traps in 2013. Few of the insects were detected in 2014.

Researchers initially hoped that they were brought here accidentally and wouldn't survive Idaho's harsh winters, Barbour said.

Southwestern Idaho, where the majority of the state's fruit is grown, is marginal habitat for the drosophila, which doesn't like the cold and dry conditions prevalent in this region.

Researchers now believe the insects are over-wintering in the area but their winter survival rate is low, Barbour said.

"They're here and they're probably not going to go away," he said. "But at the numbers they are occurring at now, they're probably not hurting anyone."

UI researchers received a grant that will enable them to do some systematic testing to determine how widespread the flies are and how much of a problem they are causing, Barbour said.

Between Southwestern Idaho's harsh winters and desert conditions, "they shouldn't do that well here most years," he said. "But it will take a few years of monitoring for us to sort that out."



Gary Kazanjian/Associated Press

In this April 10, 2006, file photo raisin farmer Marvin Horne stands in a field of grapevines planted in 1918 next to his home in Kerman, Calif. The Supreme Court said, June 22, 2015, that a program that lets the government take raisins away from farmers to help reduce supply and boost market prices is unconstitutional.

High court: Raisin program is unconstitutional

By **SAM HANANEL**
Associated Press

WASHINGTON — The Supreme Court ruled Monday that a 66-year-old program that lets the government take raisins away from farmers to help reduce supply and boost market prices is unconstitutional.

In an 8-1 ruling, the justices said forcing raisin growers to give up part of their annual crop without full payment is an illegal confiscation of private property.

The ruling is a victory for California farmers Marvin and Laura Horne, who claimed they were losing money under a 1940s-era program they call outdated and ineffective. They were fined \$695,000 for trying to get around the program.

A federal appeals court said the program was acceptable because the farmers

benefited from higher market prices and didn't lose the entire value of their crop.

The government argued that the Hornes benefited from increased raisin prices, but their cause had won wide support from conservative groups opposed to government action that infringes on private property rights.

Writing for the court, Chief Justice John Roberts said the government must pay "just compensation" when it takes personal goods just as when it takes land away. He rejected the government's argument that the Hornes voluntarily chose to participate in the raisin market and have the option of selling different crops if they don't like it.

"Let them sell wine" is probably not much more comforting to the raisin growers than similar retorts have been to others through-

out history," Roberts said. "Property rights cannot be so easily manipulated."

The program was authorized under a 1937 law that allows the U.S. Department of Agriculture to keep prices for raisins and other crops steady by helping to manage supply. A 1949 marketing order allowed farmers to form a Raisin Administrative Committee that would decide how much of the raisin crop handlers must turn over to the government each year.

These raisins would be placed into a reserve pool to be sold outside the open market, used for the school lunch program, or given away to charities and foreign governments. Any profits from these reserve sales would go toward funding the committee and anything left over went back to the farmers.

The Hornes refused to participate in the program in 2003 and 2004, when raisin production far exceeded the expected demand. They tried to get around the regulations by packaging crops on their own instead of going through a middleman. But the department fined them for violating the rules.

Raisin handlers were required to give up 47 percent of their crop in 2003 season, but received far less than their costs of production. Farmers gave up 30 percent of the crop in 2004 and were paid nothing.

Raisin prices have been relatively stable recently and the committee has not ordered farmers to put crops in reserve since 2010.

Only a small number of other crops are regulated in the same way, though federal officials say most of those programs are not active.

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