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## Oregon Department of Agriculture Administrative Overview September 2008

### Introduction

Oregon's rich agricultural opportunities have made Oregon an attractive place for inhabitants for much of its recent history, beginning with the indigenous peoples, transformed by American settlers moving west, and continuing well into the present day. The Oregon Department of Agriculture (ODA) works to ensure the success and competitiveness of Oregon's agricultural industry. The ODA has a three-fold mission: to ensure food safety and consumer protection; to protect the natural resource base for farmers and producers of today and tomorrow; and to promote economic development and expand market opportunities for Oregon's agricultural products. All three goals are viewed as interdependent and vital to Oregon's agricultural preservation and future.

### History

The Oregon Department of Agriculture (ODA) was created by an act of the 1931 State Legislature that merged seventeen boards and commissions that had served Oregon's agriculture industry, into six divisions: Administration, Plant Industry, Animal Industry, Food and Dairy, Market Enforcement, and Grain Inspection. The Governor appointed a Director, who supervised and coordinated all agricultural law enforcement. A seven-member board was established to develop policy and advise the director (O.L. 1931, Ch. 136). During the first decade of operation, the Department revised its jurisdictional district plan, centralized licensing, merged the Market Enforcement division with Plant Industries, and merged the Weights and Measures division with Food and Dairy.

Between 1935 and 1950, the Department found increased responsibility and direction in both the consumer product arena and in the creation of commodity commissions to better market Oregon's products to local and national consumers. While there are numerous commissions today, the initial three were the Oregon Dairy Products Commission (O.L. 1943, Ch. 106), the Wheat Commission (O.L. 1947, Ch. 54), and the Potato Commission (O.L. 1949, Ch. 152). The 1941 Oregon Food Act was responsible for regulating and controlling food products intended for human consumption. Food labeling, sanitation standards and the Department's role in inspection and the issuance of penalties were defined for the first time (O.L. 1941, Ch. 326).

In 1955 the Market Development Division was created. This division was responsible for developing a market for Oregon farm and food products both in and out of state markets (O.L. 1955, Ch. 572).

Early efforts of trying to identify and control animal and plant disease began in 1957 with virus-free nursery stock and brucellosis eradication projects. These tasks were undertaken to preserve the integrity of Oregon commodities and to better enable marketing of the commodities outside of Oregon (O.L. 1957, Ch. 234).

In 1961 the ODA Director assumed direct supervision over the grain inspection and agricultural development divisions and two assistant directors were appointed. One assistant director supervised the management of divisions related to consumer and trade services and the other assistant director had responsibility for livestock related divisions. By 1967, another assistant director was hired to oversee the administrative services division.

In 1969, the County Fair Commission was established and charged with evaluating each of Oregon's thirty-six county fairs under a merit-rating program. Based on that rating, the Commission disburses a portion of the state's share of funds from the County Fair Account towards each fair (O.L. 1969, Ch 298).

The 1970s saw significant growth of commodity commissions, including the first to address a crop not grown on land: the Oregon Dungeness Crab Commission (O.L. 1977, Ch. 526). 1977 brought the creation of the State Fair Advisory Committee (O.L. 1977, Ch. 55). The first Oregon State Fair was held in 1861 near Oregon City but 1977 marked the first year the Department of Agriculture had a formalized role in the State Fair as an oversight entity to the State Fairgrounds in Salem.

In 1981 the Soil and Water Conservation Division was created (O.L. 1981, Ch. 92), and was later renamed the Natural Resources Division (O.L. 1989, Ch. 343). Animal Health and Livestock Identification Divisions merged in the late 1980's as well.

The Oregon Caneberry Commission was established in 1981, to embody berries that grow on canes. After years of struggling of public confusion over the term caneberry, the commission changed its name in 1992 to the Oregon Raspberry and Blackberry Commission.

The Wine Advisory Board was created in 1984 to assist in marketing and research efforts for Oregon's growing wine industry (O.L. 1983, Ch. 651). In the 1950s and 1960s the first Oregon vineyards were established. Since then the reputation of Oregon wines has expanded with 120 bonded wineries and over 7,500 acres of wine grapes.

The mid 1980s marked the beginnings of a hallmark time for Oregon producers who wanted to ship agricultural products to the Japanese, Korean and Taiwanese markets. The Department's Export Service Center (ESC) Laboratory began receiving certification by the nations to operate as a customs laboratory. Such certification was very rare and due to the stringent standards that had to be met, Oregon products with ESC certification are now able to pass through international customs with greater ease.

1993's Senate Bill 1010 designated the ODA to be the lead state agency to address non-point source water pollution. SB 1010 was a response to the federal Clean Water Act, the Coastal Zone

Management Act, and other natural resource conservation responsibilities such as the protection of plants and animals under the federal Endangered Species Act (O.L. 1993, Ch. 567). 1993 also brought the Shellfish Inspection program to the Department of Agriculture Food Safety Division from the Department of Human Resources' Health Division.

Motor fuel octane testing was introduced in 1996 by the Measurements and Standards Division to ensure that consumers are getting the correct octane levels at the gas pump as part of an effort to establish standards for motor fuel quality (O.L. 1996, Ch. 310).

The winter of 1996 brought severe flooding to areas of Western Oregon. That February, Salem's Mill Creek flooded the Department of Agriculture building. Eight feet of floodwater destroyed the offices and many records that were in the basement of the building. The Department of Agriculture moved into a renovated building at the same location in October of 1998.

In 1997 the Pesticides Division was created. The pesticide area had formerly been a program area within the Plant Division.

In 2003, twenty-six commodity commissions were established as state commissions. These commissions were implemented for several reasons, such as to execute public agricultural policy and to reflect the state's interest in the commodities economic potential, their preservation and growth. In addition, the commissions serve to promote Oregon's agricultural products outside of the state, educate Oregonians on the quality, care and methods used in the production of Oregon commodities, increase public knowledge of the health benefits of Oregon's commodities, and to promote research programs and activities that will benefit the commodity industry (O.L. 2003, Ch. 604).

The 2005 Legislative Assembly directed the department to establish the Anhydrous Ammonia Additive Review Committee (O.L. 2005, Ch 705). The committee is responsible for reviewing, reporting on and making recommendations regarding nontoxic dyes and other additives submitted for certification by ODA. The committee reviews the impact of additives on crop yields, analyses residuals and issues recommendation on whether to certify additives.

In 2007 the Department of Agriculture entered into a Memorandum of Understanding with the Department of Environmental Quality to review and regulate air quality laws which apply to agricultural operations and equipment (O.L. 2007, Ch. 711). In addition the statute established the Task Force on Dairy Air Quality with members from the Oregon Senate and House of Representatives, Governors appointed members, DEQ, DOA and DHS. The department is directed to review and approve or disapprove plans and projects submitted by commodity commissions for the promotion, advertising, research and dissemination of information by each commission (O.L. 2007, CH. 55). The Legislative Assembly approved ODA to receive grant funds from any source and to issue grants to any department or agency of the State of Oregon or United States, other states, local government entities, Indian tribes and public or private corporations or persons for any purpose related to the laws administered by the Oregon Department of Agriculture (O.L. 2007, Ch. 422).

## **Current Organization**

### **Administration and Information**

Administration and Information is responsible for implementing the policies of the State Board of Agriculture; administering the internal and external planning and initiatives of the Department; tracking, monitoring, and developing legislation; liaising with the governor and Legislative Assembly; participating in various groups and committees relating to agriculture issues; and making public appearances and presentations.

### **Agricultural Development and Marketing**

The Agricultural Development and Marketing Division (ADMD) is responsible for sustaining profitable agricultural economy in Oregon through business and market development.

### **Animal Health and Identification Division**

The Animal Health and Identification Division's is responsible for controlling and eradicating animal diseases, to prevent livestock theft by recording brands and inspection of animals thereby denying a market for stolen animals, and to ensure livestock feed meets nutritional and labeling standards.

### **Commodity Inspection Division**

The Commodity Inspection Division provides services to the agriculture industry assisting in the movement or agriculture products produced in Oregon to national and international markets.

### **Food Safety Division**

The Food Safety Division is charged with preventing the spread of food born illness.

### **Laboratory Services Division**

The Laboratory Services Division provides technical expertise and analytical services to department staff and clients to ensure a quality, safe agricultural environment producing quality products meeting state and federal standards.

### **Measurement Standards Division**

The Measurement Standards Division prevents consumer fraud by ensuring that weighing and measuring devices used in commerce are accurate and correctly used, by checking packaged products for correct net contents and labeling and by screening motor fuels for quality standards.

### **Natural Resources Division**

The Natural Resources Division preserves, protects and develops natural resources on public and private lands necessary to/impacted by agriculture operations.

### **Pesticides Division**

The Pesticides Division protects the environment and inhabitants of Oregon from adverse effects resulting from exposure to pesticides. Division staff promote the safe, effective use of pesticides in a beneficial role by agricultural industries and assures that effective, quality fertilizer products are available for agricultural and consumer use.

## **Plant Division**

The Plant Division is charged with protecting Oregon's agricultural industry and environment from harmful plant pests/species, identification and control of noxious weeds and diseases and enhancing the value and marketability of agricultural products.

## **Boards and Commissions**

The **Soil and Water Conservation Commission** provides coordination between Oregon's Soil and Water Conservation Districts and the department of Agriculture through policy development, advice and assistance.

The **State Board of Agriculture** establishes statewide agricultural policy and oversees the Department of Agriculture. The Commission also advises the Governor and Legislative Assembly on broad agricultural development opportunities and policies.

## **Chronology**

- 1854 A County Fair is held in the town of Lafayette, Yamhill County.
- 1861 First State Fair is held near Oregon City.
- 1894 Law is passed requiring all livestock brands to be registered with county clerks.
- 1915 Registering of livestock brands moves to the State Veterinarian's authority.
- 1917 Brands Adjusting Board is formed to settle brand disputes. The first state brand book is published.
- 1931 Oregon Department of Agriculture created.
- 1933 A chief bee inspector and deputies are appointed. The Milk Control Board is created (independent of the Department).
- 1935 The Nursery Inspector at Large is abolished and the Bureau of Nursery Service is established. The Flax and Linen Board is created (independent of the Department). The Oregon Agricultural Marketing Act is passed by the Legislature.
- 1937 The Seed Production Law is extensively revised and the Soil Conservation Act is enacted.
- 1938 A Revised District Plan is set up forming 17 agricultural districts. A centralized license bureau is formed within the Administrative Division.
- 1939 The Market Enforcement Division merges with the Plant Industry Division and the Weights and Measures Division merges with Food and Dairy. The Soil and Conservation Committee is formed (an independent body).
- 1941 A Horticultural Supervisor office is established. The Oregon Food Act is enacted.

- 1943 The Milk Control Board's authority is transferred to the Director. The first commodity commission is created (Oregon Dairy Products Commission).
- 1945 The Pest and Disease Survey and Control Act became law.
- 1947 The Department is authorized to collect taxes from nursery dealers for experimental station in Corvallis. Refrigerator locker plant, insecticide and fungicide, and livestock brand inspection laws are enacted. The Board of Livestock Auction Markets is created, and the Oregon Wheat Commission is formed.
- 1949 The Livestock Advisory Committee is formed. The Milk Marketing Administration is placed under authority of the Board of Agriculture. Oregon Potato Commission is formed.
- 1951 The Chemical Control Act and significant amendments to the Apiary Act are legislated. The Oregon State Fair Commission is formed. The Oregon Filbert Commission is established.
- 1953 The Weather Modification Law and Commodity Commission Act become law. Ragweed removal authority is given to the Department.
- 1955 The Market Development Division is created. A pilot meat inspection study is undertaken. The Agriculture Building is remodeled and a clerical pool is established. The Oregon Fescue and Creeping Red Fescue Commission are formed.
- 1956 The Oregon Food Act is significantly amended.
- 1957 A license and bond requirement is established for hay dealers. Grade A milk usage audit, virus-free nursery stock, and brucellosis eradication projects begin. A third grain inspection branch office opens. The Oregon Fryer Commission is created.
- 1958 Livestock district boundaries are revamped and clarified.
- 1959 Inspection of custom and mobile slaughter plants becomes compulsory. The Oregon Beef Council and the Highland Bentgrass Commission are established.
- 1961 The Director assumed direct supervision over the Grain Inspection and Agricultural Development Divisions and two assistant directors were appointed. One was to supervise the management of Divisions related to consumer and trade services and the other had responsibility for livestock-related Divisions.
- 1962 The Oregon Orchardgrass Seed Producers Commission is established.
- 1963 The Otter Trawl Commission of Oregon is established.
- 1964 The Oregon Hop Commission is created.

- 1965 The Commodity Commission Act is amended to permit optional method of recruiting members. The Milk Audit and Stabilization Unit becomes a Division. The Oregon Bartlett Pear and Oregon Ryegrass Growers Seed Commissions are established.
- 1966 The new Agriculture Building is built. The Oregon Processed Prune and Plum Growers Commission are formed.
- 1967 Three assistant directors positions are established and divide duties between livestock, administrative services, and consumer trade services Divisions. The Oregon Strawberry Commission is formed.
- 1969 The County Fair Commission is established and a Field Sanitation Committee is created. The Oregon Tall Fescue Commission is established.
- 1971 The Divisions are reorganized between two assistant directors into programs and administrative services Divisions.
- 1974 The Oregon Regional Sweet Cherry Commission is created.
- 1975 A Deputy Director and two assistant directors divide managerial duties between plant and livestock Divisions, agricultural development, and product quality control.
- 1976 The Oregon Onion Commission is created.
- 1977 The State Fair Advisory commission is established. The Oregon Dungeness Crab and Sheep Commissions are created.
- 1978 The Oregon Weed Advisory Committee is established.
- 1980 The Oregon Rangeland Advisory Commission is formed.
- 1981 The Soil and Water Conservation Division is established (and later becomes the Natural Resources Division in 1989). The Oregon Caneberry Commission is created. The Animal Health and Livestock Identification Divisions merge.
- 1982 The Pesticide Analytical and Response Center Advisory Committee begins.
- 1984 The Wine Advisory Board, Oregon Salmon Commission, and the Oregon Mint Commission are formed.
- 1985 The Oregon Processed Vegetable Commission is established.
- 1986 The Department is organized into 10 Divisions. An amendment is passed allowing seven commodity commissions to elect members.
- 1993 Agriculture Water Quality Act (SS 1010) passed.
- 1996 Department of Agriculture Building in Salem floods.

1997 Creation of the Pesticides Division.

2003 Twenty-six commodity commissions were established as state commissions.

### **Primary Statutes and Administrative Rule Chapters**

#### **Oregon Administrative Rule Chapter 603 – Department of Agriculture**

##### **Oregon Revised Statutes Chapters:**

- 164 - Offenses Against Property
- 273 - State Lands Generally
- 561 - State Department of Agriculture
- 564 - Wildflowers; Threatened or Endangered Plants
- 565 - Fairs and Exhibits
- 566 - Extension and Field Work; Rural Rehabilitation
- 567 - Experiment Stations
- 568 - Soil and Water Conservation; Water Quality Management
- 570 - Plants; Inspection, Quarantine, Pest and Weed Control
- 571 - Nurseries; Growers; Dealers; Christmas Tree Growers
- 576 - Agricultural Marketing Generally
- 577 - Oregon Beef Council
- 578 - Oregon Wheat Commission
- 583 - Milk Marketing, Production and Distribution
- 585 - Produce Dealers
- 586 - Warehouses; Grain and Commodity Inspection
- 587 - Storage of Grain as Basis of Farm Credit
- 596 - Disease Control Generally
- 599 - Livestock Auction Markets; Stockyards; Auction Sales
- 600 - Swine Feeding
- 601 - Dead Animals
- 602 - Bees
- 603 - Meat Dealers and Slaughterers
- 604 - Brands and Marks; Feedlots
- 607 - Livestock Districts; Stock Running at Large
- 609 - Animal Control; Exotic Animals; Dealers
- 616 - General and Miscellaneous Provisions
- 618 - Weights and Measures
- 619 - Labeling and Inspection of Meat and Meat Food Products
- 621 - Milk; Dairy Products; Substitutes
- 622 - Shellfish
- 632 - Grades, Standards and Labels for Agricultural and Horticultural Products
- 633 - Grades, Standards and Labels for Feeds, Fertilizers and Seeds
- 634 - Pesticide Control
- 635 - Nonalcoholic Beverages

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