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

CHAPTER 668  
**DEPARTMENT OF AGRICULTURE**  
**OREGON STRAWBERRY COMMISSION**

**FILED**  
04/16/2025 2:18 PM  
ARCHIVES DIVISION  
SECRETARY OF STATE

FILING CAPTION: Including organic strawberries for assessment collection

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 05/21/2025 11:00 AM

*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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Filed By:  
Randi Alexander-Rolison  
Rules Coordinator

HEARING(S)

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

DATE: 05/21/2025

TIME: 10:00 AM - 10:30 AM

OFFICER: Jayson Hoffman

REMOTE HEARING DETAILS

MEETING URL: [Click here to join the meeting](#)

PHONE NUMBER: 1-253-215-8782

CONFERENCE ID: 83216371986

NEED FOR THE RULE(S)

To remove organically grown strawberries to be exempt from assessment collections by the commission.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

Assessment tracking and research reports held on file with the commission

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

none

FISCAL AND ECONOMIC IMPACT:

Organic assessments will contribute to the sustainability of research, promotion, education of Oregon strawberries through the commission

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).

Oregon growers of organic strawberries that have been exempt in the past to pay assessments will now be required to also pay assessments, the same as conventional growers. The research, promotion and education of the Oregon Strawberry Commission applies to both conventional and organic strawberries and the growers.

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

Growers and small business owners represented on the Commission were part of the decision

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WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

The full Oregon Strawberry Commission made this decision

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AMEND: 668-010-0010

RULE SUMMARY: This removes the exemption of organic strawberry sales from the rule and defines casual sales as less than 1,000 pounds.

CHANGES TO RULE:

668-010-0010  
Assessments ¶¶

(1) As authorized or required by ORS 576.325 and 576.335, any person who is a first purchaser (or otherwise is required to pay an assessment to the Oregon Strawberry Commission) for all purchases made on or after March 10, 2016, shall deduct and withhold an assessment of 1 percent of the gross value of the raw product before any deductions from the price paid to the producer thereof, after March 10, 2016 for all strawberries grown in Oregon of strawberries grown in Oregon, including conventional and organic. (See definition of "First Purchaser") Grower-purchasers will use an estimated average of the state price, which will be set by the Commission prior to September ~~August~~ 1st each year. ¶¶

(2) All casual sales of ~~Strawberries shall be exempt from the assessment.~~ ¶¶

(3) An organic producer will be exempt from assessment if the producer presents the following information to the commission by September 15th of each year: ¶¶

(a) Either: ¶¶

(A) A current certificate from a certifying agent under the Organic Foods Production Act, 7 U.S.C. § 6501-6522 and its implementing regulations; or ¶¶

(B) A statement of less than 1,000 pounds in a calendar year of Strawberries shall be exemption from certification under the Organic Foods Production Act, 7 U.S.C. § 6501-6522 and its implementing regulations; and ¶¶

(b) A production report signed by the producer containing the producer's name, mailing address, species of berries, and pounds and price for each species the assessment.

Statutory/Other Authority: ORS 576.304

Statutes/Other Implemented: ORS 576.325, 576.335