
**Agriculture & Natural Resources
Committee**

HB 1888

Brief Description: Regarding Brassica seed production.

Sponsors: Representatives Linville, Newhouse, Grant, Hailey and B. Sullivan.

Brief Summary of Bill

- Authorizes petition, agreement, appeals, and rule-making processes for the establishment and ongoing oversight of Brassica seed production districts by the Department of Agriculture.

Hearing Date: 2/14/07

Staff: Meg Van Schoorl (786-7105).

Background:

Plants from the genus *Brassica* grown as vegetables for human or animal consumption include cabbage, broccoli, rutabaga, and kohlrabi. The genus *Brassica* also includes species known as rapeseed or canola grown for oil, biofuel and associated bio-products. When grown in geographic proximity, *Brassica* species, hybrids, varieties and variations can form genetic crosses, which could result in loss of quality, purity and value of the seed produced.

Summary of Bill:

Any grower or processor of a Brassica seed crop may petition the Department of Agriculture director (director) requesting establishment of a Brassica seed production district. In response to the petition, the director may adopt rules to establish a district. The petition must include:

- Proposed geographic boundaries for the district.
- Proposed types of regulations for designated species within the district.

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- Signatures of 10 or more growers or processors of affected Brassica seed crops grown within the district, or, if fewer than 10 exist, a list of their names and contact information, and signatures of 50 percent of them.

Once a Brassica seed production district is established, a person wishing to conduct an otherwise prohibited activity within the district must enter into an agreement with the director. The agreement will be developed by the applicant and the director in consultation with an advisory committee. The advisory committee must include three or more director-appointees with no financial interest in the request or outcome, and at least one of them must be a grower or processor of Brassica seed crops grown within the district. The director must be satisfied that the agreement terms and conditions are sufficient to mitigate reasonably possible risks from the proposed activity. Appeals to the director's decision from the applicant or district growers or processors are authorized for filing in superior court. The director, a grower or processor of in-district crops may bring legal action to enjoin violation or threatened violations of this chapter.

The director may adopt rules including, but not limited to, production districts and agreements; a centralized notification process for growers intending to plant a crop within a district; isolation distances; exclusion of crops; and control of volunteer and weed plants within a district.

Existing statutory provisions for regulatory authority on the production of rapeseed by variety and location are repealed.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.