

WVSSA Specialty Seed Production Pinning Rules

To facilitate communication and protect the specialty seed industry in the Willamette Valley of Oregon, isolation mapping procedures have been drafted and agreed upon by the Willamette Valley Specialty Seed Association (WVSSA). The procedures and isolation distances as established by the “Isolation Guidelines” have been set up to ensure quality seed production of all vegetable and other specialty seed in the designated areas from potential cross pollination. The isolation control area of interest referred to as the Willamette Valley includes the counties of; Multnomah, Washington, Clackamas, Yamhill, Polk, Marion, Benton, Linn, and Lane.

Maps

The association has two separate maps for the purpose of pinning and maintaining appropriate isolation distances. The maps are divided by the North and South valley isolation areas. They are established at two different locations as follows:

Two Locations

Map1 - North Valley Pinning

OSU Extension Service Marion County Phone: 503-588-5301
At: 3180 Center NE, Salem, Oregon 97301 Room 1361

Map 2 - South Valley Pinning

OSU Extension Service Linn County Phone: 541-967-3871
At: 104 4th Ave SW, Albany, Oregon 97321 Room 102

The non-Beta types are to be pinned in respect to their valley area.

The North map is for pinning isolations: Including and North of Township 9 South.

The South map is for pinning isolations: Including and South of Township 9 South.

Fields located within Township 9 S. must be pinned on both North and South maps.

The Beta types are to be pinned in respect to their valley area.

The North map is for pinning isolations: Including and North of Township 11 South.

The South map is for pinning isolations: Including and South of Township 12 South.

Pinning Procedures

Only WVSSA members are allowed to use the maps. Members using the maps must follow the WVSSA rules. Fields must be currently identified for the designated crop year by use of the two maps at each location.

The map cannot be pinned until an established agreement has been made with the grower for planting the crop. The map cannot be pinned on a speculative basis in order to reserve isolation. Upon cancellation of an intended production prior to planting the pin must be removed within 5 days. Upon abandonment of an established production, the pin must be marked failed. Record the failure by use of pinning cards. Failure to mark and/or pull pins may result in a penalty under the WVSSA of \$50.00 if in violation and payment is required to remain a member in good standing.

To identify production fields for crop isolation on the map, pins and flags are used to mark the location. On the maps, different color flags are used to separate the major crop types.

1. Must have approved pinning rights and abide by the Isolation Guidelines of the WVSSA.
2. Observe the dates covered under the priority pinning.
3. Check for acceptable isolation distance on the maps.
4. Contact any companies involved if isolation guidelines are in question.
5. Use the proper colored flag to pin the field.

Write on each flag: Party name, Crop type, Hybrid or O.P., Legal location.

6. Fill out pinning card at time of pinning.
7. Hand the card to an Extension personal for posting. At Marion Co., they date stamp card and place in a lock box. At Linn Co, they post in log book and secure card in order received.

Pins are to be placed as close to the center of the field to be planted as possible. This will be done to facilitate proper isolation distances to other fields. The crop isolation is only valid after posting it with the extension office. The isolation is not valid if that isolation is pinned incorrectly.

Pinning Priority

The WVSSA allows the grower to hold the right to the isolation in his perspective farming area for the following year, to produce the same crop within a one-mile radius to the prior year's isolation. The grower maintains the right to elect the contracting company. The isolation right, known as a prior year's priority can only be held for the specific grower until the dates specified below.

A prior year's priority is only valid until the following dates:

For non-Beta species: Annuals - March 1st Biennials - August 1st

For Beta species: Transplants - February 1st Direct seeded - August 1st

After these dates, all isolations are available on a first come basis.

Pinning Rights

The contracting company or responsible seed representative, who is a member of the WVSSA, may do the pinning. The intent is for the contracting company or responsible seed representative to do the pinning. The representative appointed by a company may also do the pinning if the company is a member of the WVSSA. Oregon State University is considered here as a non-due paying member that has pinning privileges.

The contracting company or responsible seed representative with a grower agreement acts as the grower's appointed representative in establishing the isolation. Individual growers are to allow their contracting company or responsible seed representative who is a member of the WVSSA, to establish the isolation. Growers are allowed to be members of the WVSSA and would be considered as a responsible seed representative and as a member would be allowed to pin isolations for their farms under their own agreements. The contracting company or responsible seed representative agrees to abide by the pinning and isolation guidelines of the WVSSA.

New pinning parties need to contact an officer of the WVSSA for eligibility approval a membership is required prior to pinning. The responsible party may be required to have membership approval by the association. The association may elect to appoint a representative to meet with the new parties at the appropriate isolation map to clarify pinning practices.

Membership and Pinning Fees

The member or responsible party for the seed is subject to fees as established by the WVSSA. Fees are inclusive of the WVSSA annual membership dues of \$150.00 per year, or a Homestead membership fee of \$5.00 per year. The pinning fees are; \$10.00 per OP crop, \$25.00 per Hybrid crop, and \$25.00 Multi-crop fee. Annual dues are assessed at the beginning of each year in January, and the pinning fees for the prior year's pinning are assessed after clearing of the maps in June of each year. If dues and pinning fees are not received, pinning rights may be revoked.

A multi-crop fee may apply when producing multiple crop species of an OP in one location, and one acre or less. Only one per member is allowed and is intended for research farms, and small commercial farms used for seed production. The multi-crop fee is a "fee", not a "pin". Crop pins must be used to pin different species, and "multi-crop" must be designated on each card turned in.

A Homestead membership fee and no pinning fees may apply for a Homestead non-voting member when producing in one location non commercial Open Pollinated seed crops. Intended for the seed saver this member is not eligible for the pinning priority and is required to follow WVSSA rules and to be accompanied by a designated appointee when pinning the map. Crop pins must be used to pin different species, and Homestead must be designated on each card turned in.

Exceptions Agreements

There are two exception agreements, the Isolation Distance Encroachment, and the One Year Isolation Deferral. The Encroachment exception applies to an established crop isolation where one company agrees to allow another company to produce a like crop under less than the set isolation distance. The deferral applies to an established crop isolation where one grower and company agrees to allow another grower and company to produce a like crop for one year, and the established grower retains the isolation priority. The parties involved prior to planting a specific crop must agree upon any exception to the established isolation for the specific crop year. The exception agreement needs to be in writing annually and to include the right to the isolation the following year. There are exception agreement forms available for this use. All parties must agree and all other WVSSA isolation rules must be followed.

Securing Isolations

At both maps a system of cards will be used to secure the posting of the isolation. A representative from two different company members of the WVSSA, in addition to an Extension Agent, is required to be present to review the cards. The non current crop year cards will be separated by two members of the WVSSA annually when the prior crop year's map is cleared in June of each year. The non current crop year pinning cards for will be archived up to three years at the Extension office.

The purpose of securing the cards is: 1. To use as the archive and formal record of posting of pins. 2. To review established pinning priority rights. 3. To be used for pinning dispute resolutions. Any discrepancies over pinning locations will be solved through the cards. The cards will be used for accuracy of pinning and in case of arbitration.

Arbitration

Should all precautions fail in preventing potential cross-pollination problems between seed companies or responsible seed representative, and or growers, the WVSSA suggests the following system or arbitration: Fields not pinned will be considered at fault in event of arbitration. If the parties agree to arbitration by the three-person committee, they agree to abide by the committee's recommendation. The two contesting seed companies or responsible seed representative, in consultation with their growers, each chooses an outside field representative from the WVSSA. The arbitrators, A and B, are suggested to a neutral facilitator who notifies them of their role. They do not know whom they represent and together choose a third committeeman. Arbitrators A, B and C agree to hear the facts of each seed company. Maximum would be two representatives on each side of the issue. After both parties present the facts, only the arbitration committee, A, B and C, remain in the room to discuss the facts fully. They agree to a solution before leaving the room and the chairman will deliver the recommendation immediately to both parties.