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Portland, OR 97231

July 7, 2023

Multnomah County Land Use Planning
1600 SE 190th Avenue
Portland, OR. 97231

Submitted by e-mail:
lup-hearings@multco.us

Re: LUBA No 2022-097 (Remand Proceeding)
Case File T2-2021-14981
12424 NW Springville Road

>> Please enter this letter into the record for the remand hearing June 23, 2023.

Dear Hearings Officer,

As of this morning, there is no new information on the county web site from the applicant to prove gross farm income – it appears that applicant has still not provided Schedule F (or equivalent) support for his claim of commercial farm income. These proofs are commonly provided by dwelling permit applicants and should not be a burden.

I checked today, and still can't find a state Egg Handler's license in the name of Reed in Multnomah or Washington counties. Their farm and eggs are not shown on the Multnomah County Farm Bureau web site, or one the TriCountyFarms or Local Harvest sites for finding fresh eggs/produce, or the Multnomah County Farm Bureau map of farm sales.

Oregon requires egg handling licenses for commercial egg sales. I searched for egg handling licenses for the Reed property on April 20, 2022. No Oregon Department of Agriculture egg handling license shows up under Springville Road or Springwood Acres, or under the name of Reed (screenshots are included below). I am confused about how the Reeds can be legally selling their eggs to commercial buyers without this license.

For a large scale egg operation, this appears odd and seems to undermine the argument that Scott Reed is "principally engaged in the farm use of the land" – if he was, we suspect that there would be an egg handler's license associated with him or with his farm, and that I could figure out how to purchase some of those pasture raised eggs.

The applicant has not provided the required proof of commercial farm income, despite being given many opportunities over the years to do so. This permit should be denied.

Thank you for your consideration.

Carol Chesarek

No egg handler's license under Reed in Multnomah or Washington county.

The screenshot shows a web browser window displaying the search results page for the Oregon Department of Agriculture's licensing system. The browser's address bar shows the URL: `mylicense.oda.state.or.us/plsapev/f?p=250:20::NO:RP:20:P20_COMING_FROM,P20_LIC_NO,P20_NAME,P20_ADDRESS,P20_CITY,P20_COUNTY,P20_LICENSE_TYPE,P20_PROGRAM:2,reed...Multnomah,4013,40`. The page header features the Oregon Department of Agriculture logo and navigation links for various services. The main content area includes a search criteria summary and a results section.

Back

Searched For:
Name: REED
County: Multnomah
Program: Food Safety
License Type(s): Egg Handler Permit

Find Licenses Results

No Licenses Found

Licensing Office
Administrative Services
635 Capitol St NE
Salem, OR 97301
Questions?

3:49 PM 7/7/2023

OREGON DEPARTMENT OF AGRICULTURE

Back

Searched For:
Name: REED
County: Washington
Program: Food Safety
License Type(s): Egg Handler Permit

Find Licenses Results

No Licenses Found

Licensing Office
Administrative Services
635 Capitol St NE
Salem, OR 97301
Questions?

Eggs Licensing

- About Food Safety
- Concerns or Complaints
- Find my Local Food Inspector
- Food Safety Advisory Committee
- Food Safety Modernization Act and Human Food
- Frequently Asked Questions
- Keeping my Food Safe
- Licensing Information
 - About Food Safety Licenses
 - Retail Licensing
 - Bakery Licensing
 - Food Processing and Warehousing Licensing
 - Home (Domestic) Kitchen Licensing
 - Meat Licensing
 - Eggs Licensing**
 - Commercial Shellfish Licensing
 - Dairy Licensing
 - Non-Alcoholic Beverage Licensing
 - Animal (Pet) Food Licensing
 - Refrigerated Locker Licensing
 - Get a License Application
 - License Renewals or Changes
 - What Can I Do Without a License?
- Shellfish and Crab
 - Search Active Food Safety Licenses
 - State Meat Inspection Program
 - Resources

Egg handler license

Producer is required to have an egg handler license for the following:

- Selling or distributing eggs to consumers, retailers, cafes, bakeries, hospitals, schools, boarding houses or institutions.

Producer is not required to have an egg handler license when the following applies:

- Producer is selling and delivering their own eggs direct to an individual consumer (including farmers' markets), but labeling is required.
- Producer sells only ungraded eggs to a dealer.

Retailer is required to have an egg handler license in the following situations:

- Retailer grades eggs.
- Retailer packages graded eggs in his own cartons.

Retailer is not required to have an egg handler license in the following situation:

- Retailer sells to the consumer, eggs that have been previously candled and graded by an egg handler in compliance with ORS 632.705 to 632.815.

Egg breakers license

Required for any person engaging in the commercial breaking of eggs for the purpose of recovering whites, yolks, or whole eggs for human food.

Resources

- Eggs: Laws and Regulations**
State egg laws and regulations [\[J\]](#)
- Shell Egg Producer Information**
Brief summary that will assist egg producers in understanding the rules and regulations for shell eggs.
Shell egg producer information [\[J\]](#)
- Shell Egg Retail Information**
Brief summary that will assist egg retailers in understanding the rules and regulations for shell eggs.
Shell egg retail information [\[J\]](#)

Next step

[Get a license application](#)

Contact

Main Office
Food Safety
635 Capitol St NE
Salem, OR 97301
Phone: 503-986-4720

More info from ODA

[Requirements for confined egg-laying hen enclosures](#)