



**Senate Government Oversight Committee  
House Bill 238 Testimony  
Todd Thatcher, Director of Legislative Affairs  
Ohio Department of Agriculture  
June 26, 2024**

Chair Roegner, Vice-Chair Chavez, Ranking Member Hicks-Hudson, and Members of the Senate Government Oversight Committee, thank you for the opportunity to offer some brief additional remarks to the Ohio Department of Agriculture's testimony from April as you continue to review House Bill 238. I am Todd Thatcher and I serve as Director of Legislative Affairs for ODA.

Testimony from the public two weeks ago centered on the Grain Commodity Tester Certificate and my remarks will focus on that today. This agency values its strong, established partnerships with our stakeholders. We are constantly communicating with our partners across the agricultural industry as they have expressed their preference that this certification remain the same.

As stated in previous testimony, the Grain Commodity Tester Certificate requires all individuals who perform a quality test for the purpose of applying a premium or discount on commodities to be certified. The commodity certification program was established to provide assurance to grain producers and handlers that their agricultural commodities in Ohio are sampled and tested in a uniform and consistent manner in accordance with USDA standards. Without certification, any employee at any facility, no matter what their experience, background, or training could sample and test grain. This could result in inaccurate final testing results dramatically impacting the price farmers receive for their grain. Additionally, a bad test could result in a failure to identify contaminants, which could put the grain elevator at risk of loss in the future.

New commodity testers must pass a written exam. Those currently certified must either fulfill continuing education requirements or pass a written exam once every three years to renew their Commodity Tester Certificate. There are currently over 1,500 certificate holders in Ohio with approximately 300 new applicants per year. The cost of the certificate is \$25 with a \$25 renewal cost every three years.

It is important to note that ODA has greatly expanded continuing education opportunities in consultation with our stakeholders in recent years. Five approved training courses are currently available throughout the State. ODA is represented at these training courses to offer the exam onsite for those that need it. ODA also provides the exam on location when handlers put together a group of 20 or more individuals. This allows grain elevators to continue operation during their busy workday rather than sending a significant portion of their staff to half day training courses or other testing locations throughout Ohio and therefore losing a day of operation. The exam is also offered at our campus Monday through Friday for all individuals who want to get certified when training is not available. Most recently, ODA has been working with Ohio Agribusiness

Association to establish online training modules to accommodate individuals that can't attend one of the scheduled training sessions.

ODA recommends keeping the grain commodity tester program as is under current law to ensure that grain farmers and elevators are not burdened with the elimination of this certificate. Out of state purchasers of grain often require official third-party grain grading as a requisite of acceptance. The removal of the certificate will eliminate the opportunity for certificate holders to act as official third-party commodity testers. Farmers and elevators looking to ship grain out of state would be forced to utilize a USDA Federal Grain Inspection Service Official Service Provider. Currently, North Dakota Grain Inspection Services, Inc. (NDGI) has been contracted by USDA to provide inspection services in over 80% of the state. NDGI has less than 35 official grain graders servicing the state of Ohio. Ending Ohio's grain commodity tester program would eliminate over 95% of the official commodity testers in Ohio. This would cause significant delays, longer wait times, and increase costs for Ohio's grain farmers and elevators, who would be served by less than 35 official grain graders contracted by the federal government. Concerns regarding this issue were raised in the testimonies of Chad Rosebrook, Vice President of Grain with the Legacy Farmers' Cooperative and Rusty Goebel from the Ohio Soybean Association in this committee two weeks ago.

Tester certificates are aiding high school seniors in meeting graduation requirements. FFA students and college graduates are adding tester certification to their resumes through programs set up by Rhodes State College and Vanguard Sentinel Career and Technology Center. This year alone, ODA tested over 150 students in these programs.

Madame Chair and members of the committee, thank you for the opportunity to come before you today as HB 238 continues through the legislative process. As always, our team at ODA stands ready to work with you to produce the best results for our partners in the agricultural industry. I am happy to answer any questions you may have at this time.