

**AMENDED<sup>1</sup>**  
**AGENDA**  
**STATE BOARD OF AGRICULTURE**  
**DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY**

Wednesday, June 16, 2021  
10:00 a.m.

2800 N. Lincoln Blvd.  
Oklahoma City, OK 73105

1. Call to Order
2. Roll Call
3. Declaration of a Quorum
4. Introduction of Guests
5. Consideration and Proposed Action on Minutes of Regular Board Meeting of May 5, 2021.
6. Consideration and Proposed Action on Division Reports
  - A. Administrative Services – Dan Ridings  
Summary of present financial condition of the agency and monthly activities in the following areas: Finance, Human Resources, Fleet Management, Data Processing and Agriculture Law Enforcement Investigators.
  - B. Laboratory Services – Tanna Hartington  
Summary of analytical activities, customer contacts, and other pertinent information related to laboratory operations.
  - C. Forestry Services – Mark Goeller  
Summary of activities and accomplishments in resource protection and rural fire defense, forest management and regeneration, water quality, urban forestry, forestry education and law enforcement. Includes statistics on wildfires and law enforcement activity and narrative of forestry program highlights for the month.
  - D. Consumer Protection Services – Kenny Naylor  
Addresses stop sale orders on insect and disease infested crops, phytosanitary certificates issued, insect survey summaries, pesticide registration updates, pesticide inspections, seed program and seed laboratory updates, weights and measures reports, scanner inspections, grain warehouses and meetings attended by division personnel.
  - E. Animal Industry Services – Rod Hall, DVM  
Addresses information and activities of staff related to control and eradication of animal diseases affecting livestock and livestock market audits. It also addresses

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<sup>1</sup>Amended on June 10, 2021

emergency response preparation and education for response to any outbreak of foreign, emerging and/or eradicated disease.

F. Wildlife Services – Scott Alls

Summary of activities and accomplishments in wildlife damage management to protect state resources such as agriculture, property, natural resources, and public health and safety from wildlife damage and wildlife threats.

G. Agricultural Statistics – Troy Marshall

Addresses the current crop conditions and livestock inventory numbers. Also included is a report on the number of information requests received, reports released during the previous month, reports to be released during the current month, and the meetings attended by Division personnel during the previous month.

H. Market Development Services – Meriruth Cohenour

Summary of the accomplishments, projects and events of Ag in the Classroom, Agritourism, Communications, Domestic Marketing (Made in Oklahoma, Made in Oklahoma Coalition), Diversified Marketing (Farmers Market, Specialty Crop Block Grants, Farm to School), International Marketing, Market News and Rural Economic Development.

I. Agricultural Environmental Management Services – Teena Gunter

Executive summary that addresses Swine Feeding Operations, registered poultry feeding operations and poultry waste applicators, National Pollutant Discharge Elimination System (NPDES), plus agricultural composting facilities, and Commercial Pet Breeders and Shelters. Includes numbers and statistics on complaint investigations, technical assistance contacts, inspections, enforcement/compliance activities and seminars/meetings attended by Division personnel for the month.

J. Office of General Counsel – Teena Gunter

Summarizes activities of the division, including rules, collections, legal research, meetings, support for programs, contracts, employment issues, open records requests, farming and ranching incorporations, and informal and formal enforcement actions before the Board, district court, and federal court.

K. Food Safety Services – Scott Yates

Addresses the inspection of meat, poultry, egg, and milk processing facilities to determine compliance with regulatory standards.

L. Ag Communications and Outreach Update – Morgan Vance

M. Legislative Update – JanLee Rowlett

7. Consideration and Proposed Action on Purchases/Contracts

Oklahoma Agriculture Statistics 2021 annual bulletins and pocket facts - \$12,000

Oklahoma State University Soil Fertility Research - \$65,000

GIS Programming with Oklahoma University - \$43,000

Price verification scanners for weights and measures program - \$7,500

OSU Produce Safety Training Contract Approval - \$120,000

Win Wam computer software up keep for produce safety inspections - \$5,200

FY22 – \$15,000 Purchase PPE – Wildland Firefighter boots for OFS front-line personnel

FY22 - \$21,000 purchase new irrigation system for greenhouse at FTIC  
 FY22 - \$6,500 purchase and install of reglazing materials for greenhouse at FTIC.  
 FY22 - \$7,500 purchases up to 15 tons of sulfur 90% Pastille for Forest Regeneration Center  
 FY22 - \$9,500 purchase soil media to grow containerized seedlings at Forest Regeneration Center  
 Purchase of analytical gas and high quality argon for testing - \$11,566.84  
 Purchase of analytical grade water for laboratory testing \$6,300  
 Purchase of PRV Autotex Kits - \$19,975  
 FY21 – Ag Enhancement and Diversification Ag Event Grant – Symbiotic Aquaponics – Annual Aquaponic Association Conference - \$7,500  
 FY21 – Healthy Food Finance Grant – Castle Investments DBA The Castle Store - \$10,000  
 FY21 – Healthy Food Finance Grant – Flora Fauna Cooperative DBA Paseo Farmers Market - \$10,000  
 FY22 – Farm to School Garden Grants - \$28,000  
 FY22 – Oklahoma Youth Expo Junior Livestock Show - \$85,000  
 FY22 – Tulsa County Public Facilities Authority 2020 Junior Livestock Show - \$50,000  
 FY22 – Made in Oklahoma Coalition – Legislative Directed Spending - \$343,325  
 FY22 – Ag in the Classroom Graphic Design - \$5,500  
 Contract Renewal for OGC Administrative Law Judge FY21 - \$10,000  
 Contract Renewal for OGC Westlaw and Clear online legal research system FY21 - \$20,000  
 Contract for GovQA 2022 - \$30,000  
 \$19,000 – purchase a boat and shallow drive motor  
 \$20,000 – Approval for the City of Norman Cooperative Agreement regarding control of wildlife for the City  
 \$769,000 - Cooperative agreement with USDA APHIS Wildlife Services

8. Consideration and Proposed Action on Cases Resolved by Stipulations

**Consumer Protection Services**

Shane Backus, 388091 E. 1143 Road, Weleetka, Oklahoma

Dollar General, 409 N. 11<sup>th</sup>, Hammon, Oklahoma

**Food Safety**

Dewayne Muret, 5700 W. Adobe Road, Newkirk, Oklahoma

\*\*Possible Executive Session (if approved by the required number of members present):  
 As authorized by the Oklahoma Open Meeting Act in Section 307(B)(8) of Title 25 of the Oklahoma Statutes, an executive session may be held for the purpose of “[e]ngaging in deliberations or rendering a final or intermediate decision in an individual proceeding pursuant to Article II of the Administrative Procedures Act.”

9. Consideration and Proposed Action on Proposed new Board of Agriculture Meeting Dates

10. Old Business

11. New Business – Under the Open Meeting Act, this agenda item is authorized only for matters not known about or which could not have been reasonably foreseen prior to the time of posting the agenda or any revised agenda.

12. Adjournment

*\*Members of the Board may join for lunch in the Executive Office. Board Members may discuss program issues during the luncheon; no votes or action will be taken during the luncheon.*

**OFFICIAL PROCEEDINGS  
OF THE STATE BOARD OF AGRICULTURE  
DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY**

Oklahoma City, Oklahoma  
May 5, 2021

The Oklahoma State Board of Agriculture met in regular session at 10:00 a.m., May 5, 2021, in the Agriculture Building, Oklahoma City, Oklahoma. Written notice of this meeting was filed with the Secretary of State. A notice was posted at the Agriculture Building 24 hours prior to the meeting setting forth thereon the date, time, place and agenda for the meeting and an agenda was posted on the agency website.

Members Present:     Joe Farris  
                               Brent Bolen  
                               Blayne Arthur  
                               Nocona Cook

Member Absent:       Clay Burtrum

Others Present:        Kandi Batts, Executive Secretary  
                               JanLee Rowlett, Deputy Commissioner  
                               Dan Ridings, Director, Administrative Services  
                               Tanna Hartington, Director, Laboratory Services  
                               Mark Goeller, Director, Forestry Services  
                               Kenny Naylor, Director, Consumer Protection Services  
                               Dr. Rod Hall, Director, Animal Industry Services  
                               Scott Alls, Director, Wildlife Services  
                               Troy Marshall, Director Agricultural Statistics  
                               Meriruth Cohenour, Director, Market Development Services  
                               Teena Gunter, Director, Agricultural Environmental  
   Management Services and Office of General Counsel  
                               Scott Yates, Director, Food Safety Services  
                               Morgan Vance, Communications

Mrs. Arthur called the meeting to order and a quorum was declared.

Mrs. Arthur introduced Mr. Nocona Cook, a new Ag Board Member from Cordell, Oklahoma.

Mr. Cook is a fifth generation farmer from Cordell, Oklahoma. Mr. Cook and his wife, Jordan, have two sons and own and operate Cook Farms near Cloud Chief, Oklahoma. Mr. Cook raises wheat, cotton, alfalfa, and stocker cattle. Their family also has a registered angus cattle operation where they raise and sell registered angus bulls for their annual production sale. Mr. Cook is excited for the opportunity and is looking forward to working with everyone.

A motion was made by Mr. Bolen, seconded by Mr. Farris, to approve the minutes of the regular meeting of March 31, 2021, as presented.

The vote was as follows:

Farris	Aye
Bolen	Aye
Arthur	Aye
Cook	Abstain

The motion carried.

A motion was made by Mr. Cook, seconded by Mr. Bolen, to approve the division reports as submitted.

The vote was as follows:

Farris	Aye
Bolen	Aye
Arthur	Aye
Cook	Aye

The motion carried.

A motion was made by Mr. Bolen, seconded by Mr. Farris, to approve the following purchases/contracts as submitted and contained on pages 5 through 12.

The vote was as follows:

Farris	Aye
Bolen	Aye
Arthur	Aye
Cook	Aye

The motion carried.

A motion was made by Mr. Farris, seconded by Mr. Cook, to approve the Proposed Action on Stipulations as submitted and contained on pages 13 and 14.

**Consumer Protection Services**

Cody Cribbs, P.O. Box 347, Altus, Oklahoma  
Langston Exterminating Co., P.O. Box 88, Miami, Oklahoma  
Terminix, 340 Pole Road, Moore, Oklahoma

The vote was as follows:

Farris	Aye
Bolen	Aye
Arthur	Aye
Cook	Aye

The motion carried.

**\*\*Possible Executive Session (if approved by the required number of members present):** As authorized by the Oklahoma Open Meeting Act in Section 307(B)(8) of Title 25 of the Oklahoma Statutes, an executive session may be held for the purpose of “[e]ngaging in deliberations or rendering a final or intermediate decision in an individual proceeding pursuant to Article II of the Administrative Procedures Act.”

A motion was made by Mr. Cook, seconded by Mr. Farris, to approve the Proposed Action on Cases by Consent Order as submitted and contained on pages 13 and 14.

**Consumer Protection Services**

Deterding Aerial, 701W. Cedar Drive, Pond Creek, Oklahoma

The vote was as follows:

Farris	Aye
Bolen	Aye
Arthur	Aye
Cook	Aye

The motion carried.

A motion was made by Mr. Bolen, seconded by Mr. Cook, to approve the Proposed Action on Final Order as submitted and contained on pages 13 and 14.

**Consumer Protection Services**

Triple T Machining Specialties, Inc, 11243 S. Beutel Rd., Oregon City, Oregon

The vote was as follows:

Farris	Aye
Bolen	Aye
Arthur	Aye
Cook	Aye

The motion carried.

There is no Old business presented for the Board to take action upon. Mr. Cook moved, Mr. Farris seconded, that the meeting be adjourned at 11:32 a.m.

By \_\_\_\_\_  
President

ATTEST: \_\_\_\_\_  
Executive Secretary

# MAY 5, 2021 BOARD MEETING

## **PURCHASES/CONTRACTS**

### **Administrative Services**

**FY22 – OMES Central Printing - \$7,000**

**FY22- Presort Mail Services - \$6,000**

**FY22- ImageNet Consulting – \$13,000**

Annual Laserfiche software maintenance (LSAP) renewal for the agency document scanning software.

**FY22 - Compsource - Rural Firefighters Workers Compensation for FY22 - \$171,300**

Premiums for insurance to cover the claims of injured rural firefighters. ODAFF would be in violation of state law. This would increase the state's liability in the event of the injury of uninsured rural firefighter. Legislative directed spending.

**FY22 - Rural Fire Pension Fund for FY22 - \$92,000**

The Oklahoma Firefighters Pension and Retirement System shall determine the number of persons who are eligible members of the Oklahoma Firefighters Pension and Retirement System. Upon adequate documentation of membership in the Oklahoma Firefighters Pension and Retirement System pursuant to the provisions of subsection D of Section 351 of Title 19 of the Oklahoma Statutes, the State Department of Agriculture shall make a transfer payment from the Volunteer Firefighter Employer Contribution Payment Revolving Fund to the Oklahoma Firefighters Pension and Retirement System. The amount transferred shall equal the sum of Sixty Dollars (\$60.00) multiplied by the number of members as certified by the System to the Department. Legislative directed spending.

**FY22 AT&T Wireless - \$120,000.00**

This purchase is for the agency pooled plan cellular service. This purchase allows agency employees to conduct state official abroad which increases efficiency and productivity. This allows for internet connectivity to cell phones, hotspots and iPads. If not approved, the agency will become less efficient and greatly reduce agency response times and agency deliverables. This expense is vital to agency operations.

**FY22 Comdata Inc. - \$1,500,000**

This purchase is for agency fuel and maintenance of the fleet. Each agency vehicle is issued a credit card for fuel and maintenance purposes which are tracked on a monthly basis. If not approve, the agency will become less efficient and greatly reduce agency response times and agency deliverables. This expense is vital to ensure agency operations

**FY22 Agency Workers Comp Insurance premium - \$340,000**

Premiums for insurance to cover the claims of injured workers. ODAFF would be in violation of state law. If not approved, this would increase the State's liability in the event of the injury of uninsured state employees.



**FY22 Onsite Security Guard Services (Superior Security) - \$68,300**

The agency has an on-site security services for building and personnel safety. Without this service agency property and employee safety would be placed at a greater risk daily.

**FY22 Bank of America – Credit Card charges - \$30,000**

The State contracts with Bank of America to process credit card payments. If not approve, ODAFF will not be able to accept credit card payments in person, mail order or for the online store operated by Forestry.

**FY22 Federal Express - \$60,000**

This purchase is a release against the mandatory statewide contract for small package delivery. This allows for the agency to conduct daily mail services. Without this purchase the agency would be unable to send packages, thus resulting in potential work stoppage of agency activities.

**FY22 Petroleum Traders (Bulk Fuel) - \$60,000**

Forestry Services has several remote office locations with heavy firefighting equipment. Providing bulk fuel allows for these locations to fuel it firefighting equipment and remain in a ready status when dispatched. Without this purchase this could greatly reduce agency response times, thus putting the public and property at greater risk.

**FY22 National Association of State Departments of Agriculture (NASDA) - \$16,900**

NASDA grows and enhances agriculture by forging partnerships and creating consensus to achieve sound policy outcomes between state departments of agriculture, the federal government, and stakeholders. Without this membership the agency would no longer be allowed to vote/approve NASDA policy priorities. This would weaken agency partnerships and discontinue agency resources; such as member leadership, regulatory expertise, political connections, white papers and subject matter experts. NASDA's tactics support the strategic initiatives, which carry out the business objectives of our mission statement and strategic intent statement.

**FY22 Oklahoma Capital Improvement Authority – Bond Payments - \$1,698,308**

Payments on the bond that financed the construction of the Agriculture Lab building. These payments are required by state law.

**FY22 Oklahoma Employment Security Commission – Unemployment benefits - \$32,000**

This is an estimate of the claims that ODAFF would have to pay former employees who file for unemployment and are approved. These payments are required by state law.

**FY22 Oklahoma Public Employees Retirement System – Retirees unused sick leave \$100,000**

When an employee retires, they can use the balance of their accrued sick leave to “purchase” time to count for retirement eligibility. These payments are to transfer the value of the leave to the OPERS system. These payments are required by state law.

**FY22 Oklahoma Management Enterprise Services (OMES) – Risk Management- \$77,000**

Purchase of insurance for liability, vehicle, equipment, agency contents, tort and Directors & Officers. The agency would be uninsured and unable to fulfill its statutory mission.

**FY22 Oklahoma Management Enterprises Services (OMES) FICA Savings \$25,000**

When an employee selects 'Premium Conversion' they can see a lowering of their tax base for tax purposes and for the withholding of FICA. Since the State matches FICA withholding, this results in a savings for the state as well. These payments transfer that savings to EBC to administer the program. These payments are required by state law.

**FY22 Oklahoma Management Enterprises Services (OMES) - Facility Services - \$333,477**

Service Management Agreement with OMES, OMES agrees to furnish janitorial services, maintenance services, and all utilities. OMES maintains the building's existing heating, ventilating and air-conditioning (HVAC) system, water system, electrical system, and plumbing system. If not approved, laboratory operations would cease and the agency would be unable to fulfill its statutory mission.

**FY22 Oklahoma Management Enterprises Services (OMES) – Information Technology - \$703,000**

Pursuant to the Information Technology Consolidation and Coordination Act codified at 62 O.S. §35.1 et seq., as amended (the "Act"), OMES -ISD shall provide information technology shared services to each State Agency. The agency will have no computer operations and would be unable to fulfill its statutory mission.

**FY22 Oklahoma Management Enterprises Services (OMES) – OPM - \$26,000**

Payment of ODAFF's portion towards mandated Merit Protection Act. These payments are required by state law

**FY22 Pitney Bowes – Mail Machine Lease - \$20,000**

Statewide mandatory contract for leased mailroom postage equipment. Without this purchase the agency would be unable to fulfill its statutory mission.

**FY22 Oklahoma Turnpike Authority – Pikepass - \$21,000**

Agency payment of toll expenses for agency vehicles which use toll roads. Without this contract, the agency would be unable to use toll roads.

**FY22 United State Postal Services (Postage) - \$90,000**

Purchase of postage for the agency mail machine. Without this purchase the agency would be unable to fulfill its statutory mission.

**FY22 (Walnut Storage Building) - \$16,000**

Storage building for agency supplies. Without this contract, the agency would be required to store supplies in the headquarter building, which currently is very limited with regards to storage capacity.

**FY22 Xerox - \$78,500**

Lease of multifunction devices for agency operations, these devices are used as printers, copiers, scanners, faxes. Also, maintenance and supply services for agency laser printers. Without this purchase the agency would be unable to fulfill its statutory mission.

### **FY22 Galt Temporary Services - \$150,000**

Purchase from the mandatory statewide contract for temporary services. These individuals provide a variety of agency mission critical functions which allow the agency to operate in an efficient as possible manner. Without this purchase the agency would be unable to fulfill its statutory mission.

### **Animal Industry Services**

**Oklahoma Veterinary Medical Association (OVMA) - \$20,000.00** – OVMA is the only entity in the State of Oklahoma that has the ability and contracts statewide to enhance pet sterilization effort is the OVMA. No other entity has access to veterinarians and humane organizations on a statewide basis.

**USAHerds - \$27,318.17** – USAHerds maintenance contract allows us to receive yearly enhancements that make the USAHerds program more efficient, user friendly and to offer maintenance hours that we use to correct errors and problems and to personalize the program for us.

### **Consumer Protection Services**

OSU laboratory testing fees for soil and water samples related to environmental pollution investigations - \$9,800.00

South Dakota Agricultural Laboratories testing fees for pesticide samples related to the new dicamba and 2,4D product - \$9,800.00

### **Oklahoma State University Soil Fertility Research --\$450,000.00**

1. Brief description of the proposed expense, cost, its necessity, and any deadlines for approval.

Pursuant to 2 O.S. § 8-77.7 (A), ODAFF is required to collect an inspection fee of \$1.00 per ton of which \$0.50 per ton shall be forwarded directly to a special Soil Fertility Research Account in the Department of Plant and Soil Sciences of the Division of Agricultural Sciences and Natural Resources at Oklahoma State University (OSU) for the purpose of conducting soil fertility research and extension involving efficient fertilizer use for agronomic crops and forages and groundwater and surface water protection from plant food nutrients. Though tonnage amounts vary each year due to when a crop is planted, commodity prices, fertilizer prices and the weather we use the upper range of inspection fees paid annually to determine the amount of \$450,000.00 that could potentially be paid out to OSU. However, the actual amount paid to OSU will be based on the amount of inspection fees paid to ODAFF.

2. Consequence(s) and cost (if any) if the proposed expense is not approved.

This is a statutory requirement of the Oklahoma Fertilizer Act and needs to be done to further research to prevent the pollution of lands and waters of Oklahoma from fertilizers.

**Unwanted Pesticide Disposal Program --\$350,000.00**

1. Brief description of the proposed expense, cost, its necessity, and any deadlines for approval.

Pursuant to 2 O.S. § 3-82(J) (3), ODAFF is required to collect a registration fee of \$210.00 for each pesticide or device label registered. A portion of these fees, in the amount of \$300,000.00 annually, shall be dedicated for conducting programs for unwanted pesticide disposal. This amount shall be deposited into the State Department of Agriculture Unwanted Pesticide Disposal Fund and shall be dedicated for this use only. Since not all of the \$300,000.00 in the funds is utilized each year they are then carried forward into the next fiscal year and the amount available for unwanted pesticide disposal in fiscal year 2022 exceeds \$350,000.00.

2. Consequence(s) and cost (if any) if the proposed expense is not approved.

This is a statutory requirement of the Combined Pesticide Law and needs to be done to prevent the pollution of lands and waters of Oklahoma from unwanted pesticides.

**Verizon Wireless --\$25,000.00**

1. Brief description of the proposed expense, cost, its necessity, and any deadlines for approval.

Verizon is used as the main form of communication for field staff and office staff. Additionally, with the Agency moving forward with online services having access to a mobile wireless for field staff is essential to their job duties.

2. Consequence(s) and cost (if any) if the proposed expense is not approved.

Without wireless there would be no way to communicate or move forward with our online system for inspections. Additionally, it will slow response times to complaints including those that are time sensitive like human health related and environmental.

**Oklahoma State University Pesticide Program Contract Approval --\$130,000.00**

1. Brief description of the proposed expense, cost, its necessity, and any deadlines for approval.

Pursuant to 2 O.S. § 3-82 (B), applicators are required to be certified in a category or categories in which they make pesticide applications. ODAFF administers these exams under state law and delegated federal authority from EPA. Additionally, the law also requires a practical training exam after the written exams have been passed for certain categories such as fumigation, structural and general pest. To support the certification and training program the EPA grant includes monies for development of study manuals specific for each exam and for a practical exam when necessary. Other uses of the EPA grant monies include assisting applicators, owners and farmers with compliance for the federal worker protection standards. In order to comply with these requirements assistance was requested from Oklahoma State University (OSU) for the purpose of study manuals, WPS compliance support and providing a venue for the practical examination school.

OSU as a land grant university has proven expertise in each of the pesticide categories and education that lends itself well into writing study material for the written examinations. They also have a state of the art training facility for practical exams that allows each applicator to experience many different application sites during an exam. This has resulted in two positive

outcomes for ODAFF. The first is a large decrease in the number of complaints which frees up agency time and resources. The second is the ability to do these exams as a group instead of individually for each applicator which requires fewer personnel to complete the task. Finally, since education is one of the universities main purposes they are an excellent source to provide training for the federal worker protection standard.

2. Consequence(s) and cost (if any) if the proposed expense is not approved.

Currently, ODAFF does not have the resources to develop, print and distribute study material for the certification and training program. The agency also does not have enough staff to monitor all practical exams individually so additional staff would be necessary without OSU. The federal WPS program would also be problematic without the assistance of OSU. OSU provides a neutral party to review a facilities compliance with WPS and provide assistance and education to show them how to comply with federal law.

OSU provides critical support in the pesticide program through training material and assistance that would be difficult for the agency to provide without additional personnel. The loss of OSU's assistance would place a great strain on ODAFF's limited resources.

## **Laboratory Services**

### **Purchase of a Sulfur Determinator Add-On Analyzer - \$26,682.60**

Purchase of a LECO S832 Add-on Sulfur Combustion Analyzer is necessary to replace gravimetric testing for about 95% of sulfur samples. The gravimetric analysis requires use of an extremely hazardous solvent that some people are unable to detect, thus creating a bigger safety risk than other solvents used in the laboratory. Because of this, the laboratory has only performed this analysis on a complaint basis so this purchase will broaden our analytical capability and minimize the need to run by the gravimetric method. Sulfur analysis by the combustion method is considerably faster than gravimetric analysis so while we will be taking on more sample analysis, it will take considerably less time than if we did all of the analysis gravimetrically.

## **Market Development**

FY2021 – Agritourism printing – Hunting, Western Experience and Land Bounty brochures and wine and jelly trail maps – \$2,867.71 – printing price on bids was more than \$18,500.00 that went to board in March. The total printing cost is \$21,367.71.

FY2021 – Contract with Freestyle – graphic design - Agritourism and Ag in the Classroom informational tear sheets and Soils, Plants & Animals Oh My! book - \$36,000.00

The graphic design work includes three different projects in collaboration with the Agritourism and Ag in the Classroom programs. Having one firm create all the graphics creates a consistent brand awareness that will have immediate impact in the field with returnable data utilizing QR code for further activities. One of these projects is also partially funded by the Specialty Crop Block Grant. If this is not funded, teachers and Agritourism venues will not have updated resources to distribute and educate students and consumers across the state.

FY2021 – Ag in the Classroom educational resources - printing - \$35,000.00

Without updated Ag in the Classroom resources, students and teachers will not have the most current statistics and information about agriculture in our state and around the world. It is vital Oklahoma educators have appealing, modern resources to place in students' hands to teach them about agriculture because increasingly more students continue to be many generations removed from the farm, and yet, they will shortly become adults who will vote and make decisions involving all aspects of agriculture.

FY2022 – Ag in the Classroom Summer Teacher Conference – facility rental, A/V, food - \$15,500.00

FY2022 – Agreement with Oklahoma Tourism and Recreation Department to promote the Agritourism industry through the development of consumer marketing campaigns. - \$35,000.00

The Agritourism program is entering a partnership with Oklahoma Tourism and Recreation Department (OTRD) as part of our marketing plan for FY2022. As a part of this partnership, Agritourism gets to use their existing marketing channels including free ads in their guides, website presence, travel show co-ops and brochure inventory, warehousing and distribution. If this proposed expense is not approved, we will lose an opportunity to share in a campaign that gains exponentially more reach than we could obtain on our own. OTRD already has the channels set up and by not partnering we would be looking at well over \$100,000 to replace what they can give us in ad placement, website presence and Search Engine Optimization. We have evaluated the warehousing and postage costs, this alone would be over \$50,000 in hard costs and does not include the advertising and marketing part of our agreement.

FY2022 – Agreement with Discover Oklahoma, Oklahoma Tourism and Recreation Department, for the promotion of Agritourism venues through the development and production of an advertising campaign on *Discover Oklahoma* television shows. - \$15,000.00

FY2022 – Renewal of contract with Freestyle, graphic design firm, for Year 2 of 4 to work with the Agritourism program in creating promotional and print items to further promote the program and help establish continuity with advertising and marketing pieces. - \$30,000.00  
This is Year 2 of 4 for the graphic design firm that maintains the Agritourism brand while developing new print materials, refreshing website content, strategically updating social media channels and assisting with social and website analytics. It is the goal of the Agritourism Program to utilize all marketing channels to create a consistent brand awareness campaign and utilize social channels for seasonal promotions within the many categories of Agritourism. If this expense is not approved, there will be a negative impact on the ability of the Agritourism Program to promote and advertise the 350+ Agritourism venues in the state, resulting in an economic loss of those businesses and the local economy in those areas.

FY2022 – Contract for graphic designer to work with Ag in the Classroom creating promotional and print items to further promote the program and establish continuity with advertising and marketing pieces. - \$9,500.00

FY2022 – Agreement with Food Export Association of the Midwest USA (Food Export – Midwest) for membership to provide small and medium size food and agricultural companies' access to international markets through a variety of exporter programs and to increase volume and value of agricultural exports from the region in represents. - \$7,000.00

FY2022 – Addendum with Oklahoma State University for Year 2 of 4 - Viticulture and Enologist Extension Specialist – Project funded entirely by the Viticulture and Enology Revolving Fund Grant - \$70,000.00

### **Wildlife Services**

\$106,500.00 - ODAFF Wildlife Services is requesting approval for fuel, maintenance and hangar rent for the two (2) Federal helicopters for FY22 that is used in the state's aerial control of wildlife. The breakdown is as follows:

- \$55,000 for fuel;
- \$4,800 hangar rent
- \$11,700 hangar rent
- \$35,000 maintenance

\$21,984.75 - ODAFF Wildlife Services is requesting approval to purchase three (3) ATV's. These ATV's will allow the wildlife specialist to move trapping equipment into remote locations unable to be accessed with a traditional vehicle, additionally they will be used to survey land looking for wildlife damage more efficiently.

Not approving of this purchase will mean we continue operating in a less efficient way.

Currently, traps are moved manually into remote locations increasing the risk of injury to the employee and surveying for wildlife damage by foot decreases productivity. This way of operation is less efficient and costs the agency more dollars due to longer and fewer visits daily.


**BEFORE THE STATE BOARD OF AGRICULTURE  
STATE OF OKLAHOMA**

**APPROVAL OF CASES**

ON THIS 5<sup>th</sup> day of May 2021 the Office of General Counsel of the Oklahoma Department of Agriculture, Food, and Forestry brought for consideration before the State Board of Agriculture those certain cases summarized on Exhibit A hereto which cases have been resolved by stipulation or consent order. The attached Exhibit A summarizes each action by case name, case number, case type and amount received as a stipulated administrative penalty or by consent order.

**ACCORDINGLY, IT IS THEREFORE ORDERED** by the State Board of Agriculture that the resolution of each of the cases summarized on Exhibit A hereto is hereby approved in all aspects; that this order shall be deemed the final agency order for each such case; and that the penalty imposed by each such stipulation or consent order is hereby adopted and incorporated herein by reference to Exhibit A hereto.

WITNESS My Hand and Official Seal this 5<sup>th</sup> day of May 2020.

  
\_\_\_\_\_  
Blayne Arthur  
President  
State Board of Agriculture



**Exhibit A**  
**Board of Agriculture**  
**May 5, 2021**

**Cases Resolved by Stipulation**

**Consumer Protection Services**

<b><u>Name</u></b>	<b><u>File No.</u></b>	<b><u>Division</u></b>	<b><u>Amount</u></b>
Cody Cribbs	OGC-21-885	CPS	\$1,150.00
Langston Exterminating Co.	OGC-20-373	CPS	\$1,150.00
Terminix	OGC-20-672	CPS	\$300.00

**Cases Resolved by Consent Order**

**Consumer Protection Services**

<b><u>Name</u></b>	<b><u>File No.</u></b>	<b><u>Division</u></b>	<b><u>Amount</u></b>
Deterding Aerial	OGC-20-638	CPS	\$250.00

**Cases Resolved by Proposed Final Order**

**Consumer Protection Services**

<b><u>Name</u></b>	<b><u>File No.</u></b>	<b><u>Division</u></b>	<b><u>Amount</u></b>
Triple T Machining Specialties, Inc.	OGC-20-012	CPS	\$1,000.00

# **Oklahoma Department of Agriculture, Food & Forestry**

**June 16, 2021, Board Report**

**Administrative Services**

# Administrative Services – Investigative Services



## INVESTIGATIVE SERVICES ACTIVITIES APRIL 2021



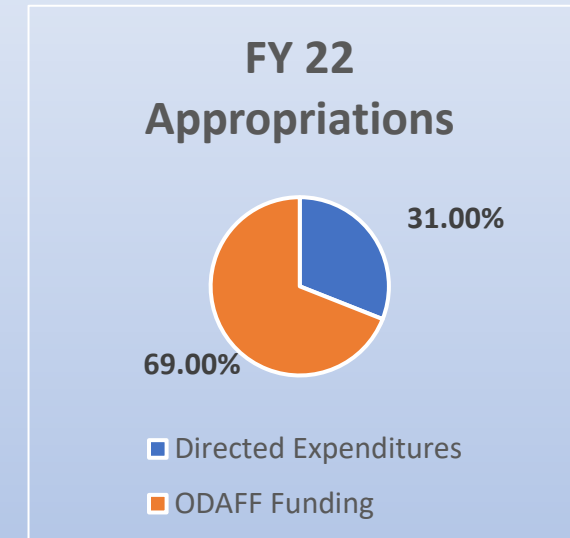
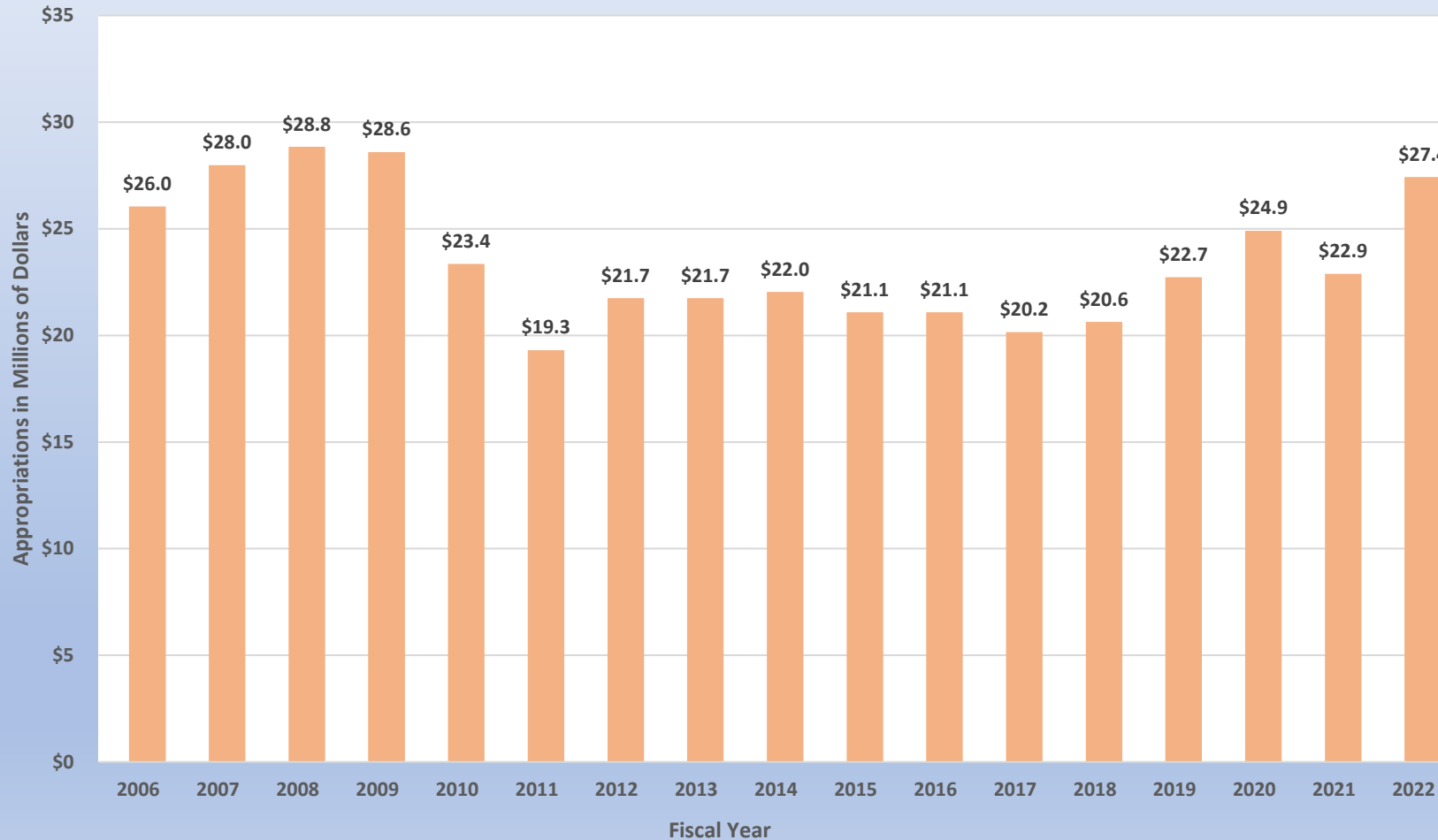
INVESTIGATIONS		APRIL	YTD	FYTD
LIVESTOCK		4	13	35
FIRE		2	7	15
PROPERTY		2	8	14
TIMBER		0	1	2
AGENCY ASSISTS	ODAFF	1	3	3
AGENCY ASSISTS	EXTERNAL	3	3	3
OTHER		2	3	18
TOTAL INVESTIGATIONS OPENED		14	38	90
CLOSED PENDING ADDITIONAL INFORMATION		2	7	29
NO CRIME		3	6	30
NO PROSECUTION		1	1	2
CLOSED - ASSIST CASE		2	4	4
PRESENTED TO DISTRICT ATTORNEY FOR PROSECUTION		2	9	21
REFERRED FOR ADMINISTRATIVE ACTION		0	0	3
TOTAL INVESTIGATIONS COMPLETED		10	27	89
COUNTS FILED		9	23	43
VALUE OF LOSSES - ALL CRIMES		\$52,200	\$206,275	\$566,038
RECOVERED LOSSES - ALL CRIMES		\$6,500	\$37,500	\$458,870
NUMBER OF CATTLE REPORTED STOLEN		45	81	339
NUMBER OF CATTLE RECOVERED		1	2	131

# Administrative Services

- Finance & Purchasing working on the fiscal year 2022 Budget
  - Budget meeting with divisions have began and will continue
  - Fiscal year 2022 appropriations consist of the following:
    - Regular appropriations of \$27,423,346
      - Approximately 31% of this amount are pass thru funds or directed spending's.
      - Included in this 31% are \$6 million in pass thru funds for OSU.
        - \$3 million – OSU College of Veterinary Medicine (new for FY 2022)
        - \$2 million – OSU Agriculture Extension offices
        - \$1 million OSU Agriculture Experiment Stations
      - Also includes funding to hire additional meat inspectors
    - Special cash fund appropriations of \$4,104,550
      - Rural fire operation grants



# Appropriations by Fiscal Year



# Administrative Services

- Human Resources
  - HR Management Specialist I vacant position filled
    - Lisa Smith started 6/7/2021
  - HR office reorganization to be more employee friendly
    - Changed the main entrance/exit door from the west side of the office to the east side
    - Cubicles were reconfigured so that HR staff can easily be seen by employees as soon as they enter the office.
  - Benefit allowances are increasing by 2% starting 1/1/2022



# Administrative Services - Finance

- Cash balance as of 4/30/2021 was \$26.5 million compared to \$20.7 million as of 4/30/2020.
- Revenues (excluding appropriations) for July 2020 thru April 2021 totaled \$21.1 million.
  - This is an increase of \$6.5 million from the same period in the prior year.
    - Primarily attributed to \$4.1 million in pass thru funds received by Forestry from the Oklahoma Department of Emergency Management in November 2020. These funds were to help cover a portion of the expenses incurred fighting the 2018 Oklahoma fires.
    - Federal Reimbursements are up by \$2.2 million compared to the same time period for last fiscal year.

# Administrative Services - Finance

- Expenses for July 2020 thru April 2021 totaled approximately \$47.8 million.
  - This is an increase of \$11.2 million when compared to the the same time period for the last fiscal year.
  - This increase is attributed to the following:
    - \$10.25 million awarded in meat processing grants under the CARES Act
    - \$4.1 million paid to the USDA Forest Service in Albuquerque, NM in April 2021
      - Pass thru funding from the Oklahoma Department of Emergency Management for firefighting resources provided for the 2018 Oklahoma fires



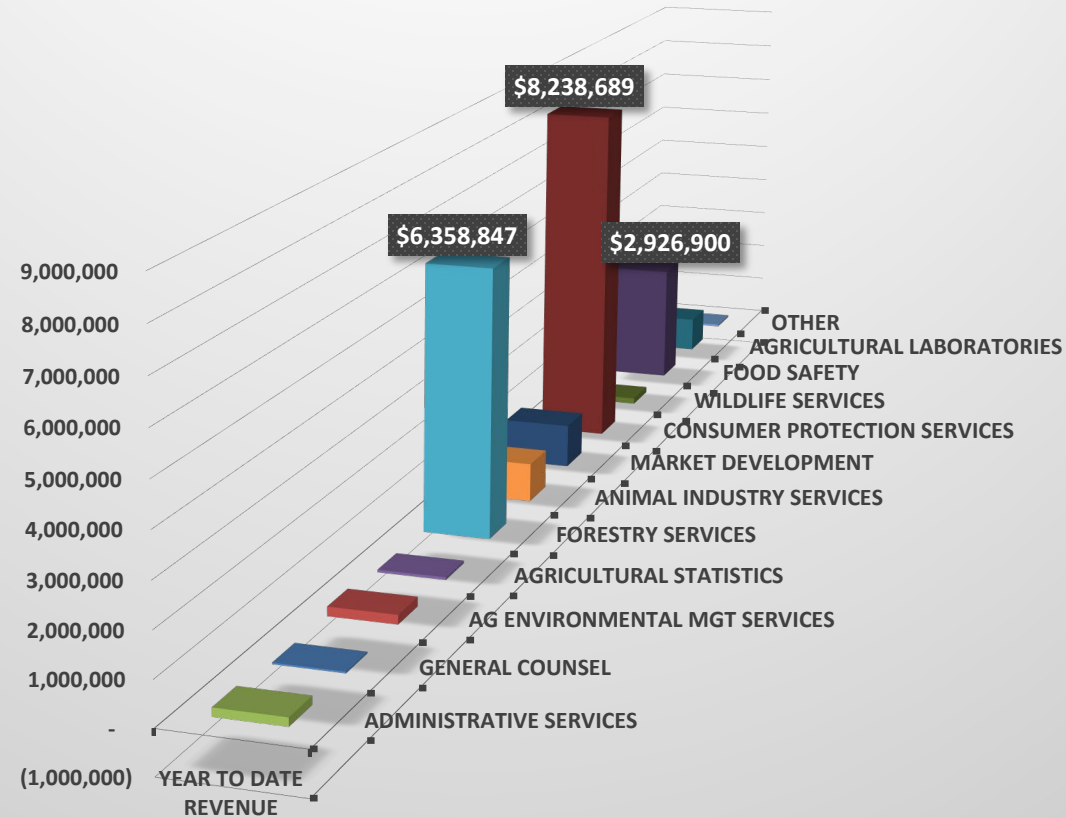
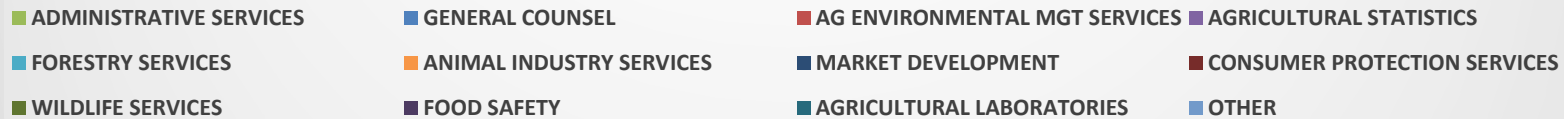
# Administrative Svcs. – April 2021 Revenue



OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD AND FORESTRY		
PROGRAM REVENUE SUMMARY		
April 2021		
DIVISION	PERIOD RECEIPTS	YEAR TO DATE REVENUE
ADMINISTRATIVE SERVICES	38,609	195,569
GENERAL COUNSEL	5,850	36,625
AG ENVIRONMENTAL MGT SERVICES	7,030	217,364
AGRICULTURAL STATISTICS	-	60,422
FORESTRY SERVICES	181,378	6,358,847
ANIMAL INDUSTRY SERVICES	519,174	918,055
MARKET DEVELOPMENT	208,400	1,035,098
CONSUMER PROTECTION SERVICES	640,965	8,238,689
WILDLIFE SERVICES	36,400	141,994
FOOD SAFETY	438,064	2,926,900
AGRICULTURAL LABORATORIES	42,200	866,874
OTHER	(8,358)	(52,162)
<b>DIVISION TOTAL</b> (see division receipts graph below)	2,109,712	20,944,274
COMMODITY STORAGE INDEMNITY	12,703	185,653
APPROPRIATED FUNDS	1,907,088	23,175,430
<b>AGENCY TOTAL</b>	<b>4,029,503</b>	<b>44,305,357</b>

*Note: This slide Does not include CARES Act reimbursements or Meat Processing Grant funding*

## Division Receipts Fiscal Year 2021 to date thru April 30, 2021

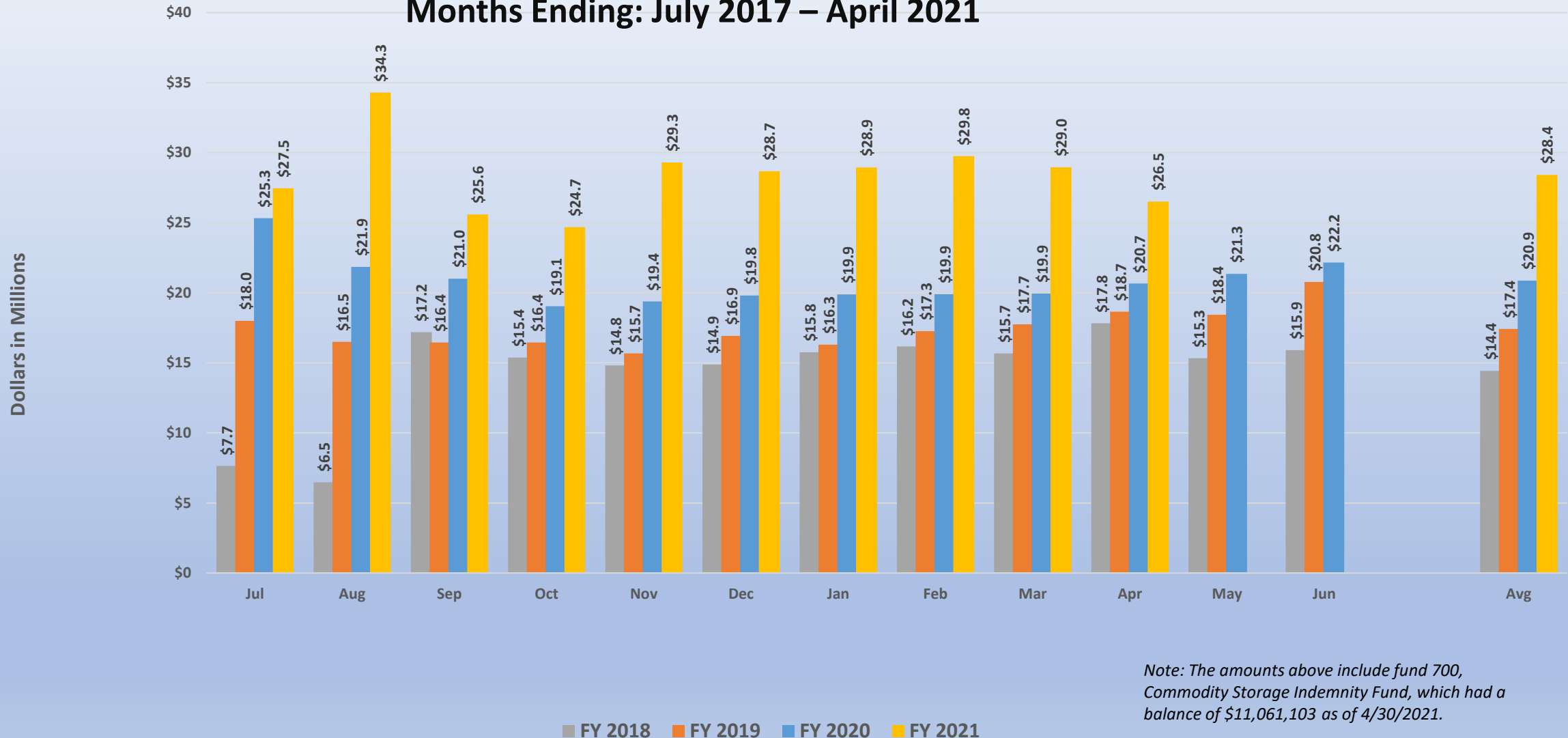


Fiscal Year 2021 Annual Budget to Actuals for 2021 Budget Year thru April 30, 2021					
Object Code	Account Description	Fiscal Year 2021 Budget	Fiscal Year 2021 Expenditures thru 4/30/2021	Encumbrances & Pre Encumbrances	Available Budget
511	Salary Expense	17,130,341	12,683,377	6,207,928	(1,760,964)
512	Insur.Prem-Hlth-Life,etc	5,184,806	3,878,576	22,268	1,283,962
513	FICA-Retirement Contributions	3,771,398	3,067,383	18,832	685,182
515	Professional Services	7,254,219	5,713,119	975,494	565,606
519	Inter/Intra Agy Pmt-Pers Svcs	-	26,032	4,595	(30,627)
521	Travel - Reimbursements	306,519	77,986	-	228,533
522	Travel - Agency Direct Pmts	266,405	98,128	-	168,277
531	Misc. Administrative Expenses	892,493	548,658	119,016	224,819
532	Rent Expense	567,523	374,999	109,496	83,027
533	Maintenance & Repair Expense	973,508	414,966	219,233	339,310
534	Specialized Sup & Mat.Expense	1,186,900	295,623	681,316	209,961
535	Production,Safety,Security Exp	274,482	124,345	20,000	130,137
536	General Operating Expenses	158,845	34,583	-	124,262
537	Shop Expense	469,525	218,268	38,991	212,266
541	Office Furniture & Equipment	2,070,463	195,702	535,480	1,339,281
542	Library Equipment-Resources	765	2,108	-	(1,343)
543	Lease Purchases	1,687,584	1,410,989	284,975	(8,381)
546	Buildings-Purch.,Constr,Renov.	-	1,256	-	(1,256)
552	Scholar.,Tuition,Incentive Pmt	10,000,000	40	-	9,999,960
553	Refunds,Idemnities,Restitution	30,000	-	-	30,000
554	Program Reimb,Litigation Costs	7,958,676	15,207,307	785,809	(8,034,440)
555	Pmts-Local Gov't,Non-Profits	780,726	920,287	663,799	(803,360)
559	Assistance Pymts to Agencies	352,800	19,259	-	333,541
564	Merchandise For Resale	160,000	-	116,400	43,600
601	AFP Encumbrances	-	-	982,155	(982,155)
810	Req Only	-	-	127,479	(127,479)
	<b>Operating totals</b>	<b>61,477,978</b>	<b>45,312,991</b>	<b>11,913,267</b>	<b>4,251,721</b>

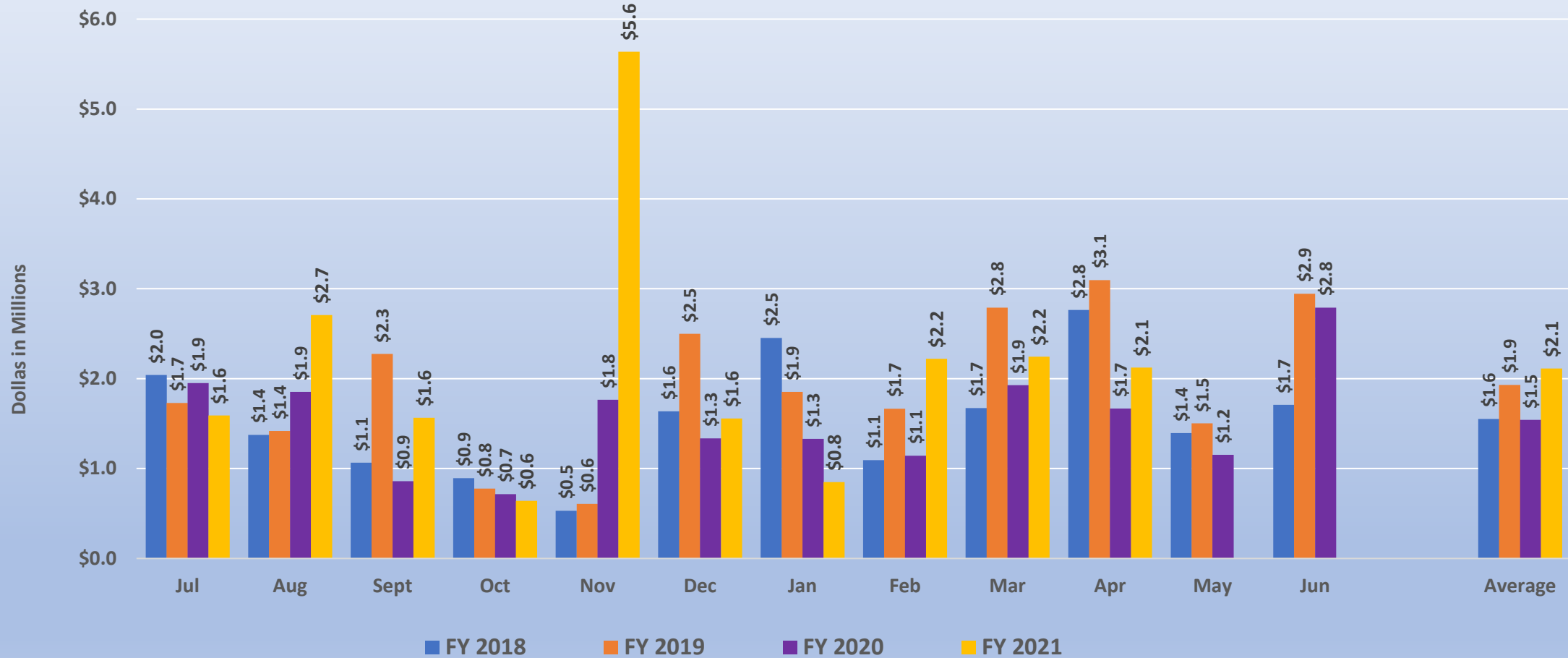
Fiscal Year 2021 Annual Budget to Actuals for 2021 Budget Year thru April 30, 2021					
Class Funding	Class Fund Description	Fiscal Year 2021 Budget	Fiscal Year 2021 Expenditures thru 4/30/2021	Encumbrances & Pre Encumbrances	Available Budget
19101	GRF - Duties	20,005,058	13,949,540	4,538,207	1,517,311
20500	Rural Fire Defense Eqp Rev Fd	190,000	24,529	132,371	33,100
21000	Agriculture Revolving Fund	23,019,373	15,689,723	5,908,532	1,421,118
22500	Enhancement & Diversificatn Fnd	354,000	88,528	33,014	232,457
23000	Okla Pet Overpopulation Fund	12,000	6,500	3,500	2,000
23500	Animal Friendly Revolving Fund	12,000	6,500	3,500	2,000
24000	Unwanted Pesticide Disp Fund	485,000	-	350,000	135,000
24500	Rural Fire Revolving Fund	400,000	-	384,912	15,088
25500	Ag. Evidence Law Enforce Fund	4,012	-	-	4,012
25600	Ok Viticulture Enology Revl Fd	350,000	75,778	119,531	154,690
26200	Poultry Grading Revolving Fund	961,544	752,326	135,099	74,119
28500	Milk & Milk Prod Inspec Rev Fd	260,200	129,279	116,930	13,992
28600	Ag In The Classrm Educ Rvlv Fd	24,000	-	10,000	14,000
28700	Healthy Food Financing Revl Fd	500,000	3,333	16,667	480,000
42000	Specialty Crop Federal Funds	530,000	398,705	161,004	(29,709)
48900	CARES Urgent Response Grant	10,266,242	10,250,000	-	16,242
57603	Duties	4,104,550	3,938,250	-	166,300
	<b>Total</b>	<b>61,477,979</b>	<b>45,312,991</b>	<b>11,913,267</b>	<b>4,251,722</b>

# Available Cash at Month End per Allotment Budget & Available Cash Report

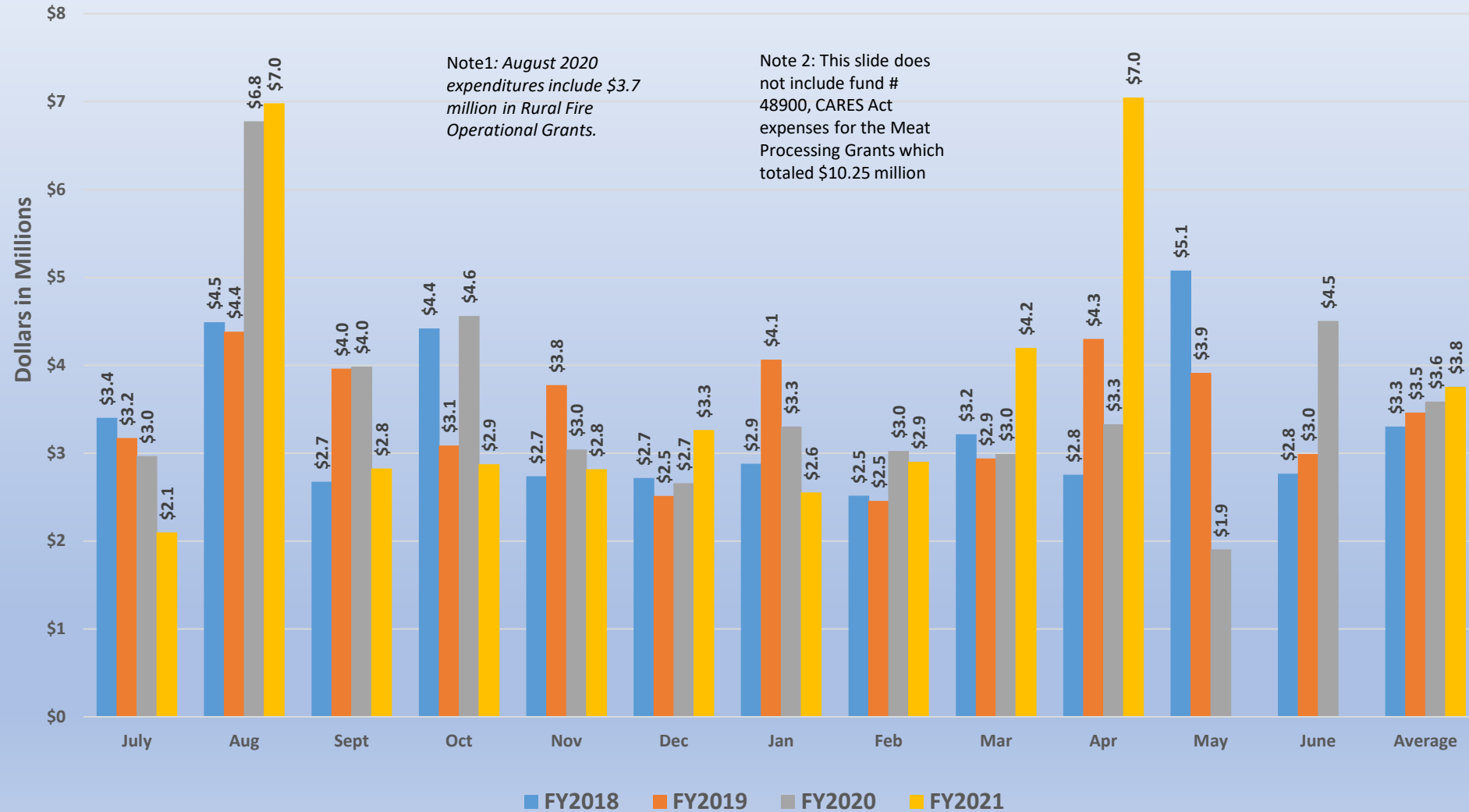
Months Ending: July 2017 – April 2021



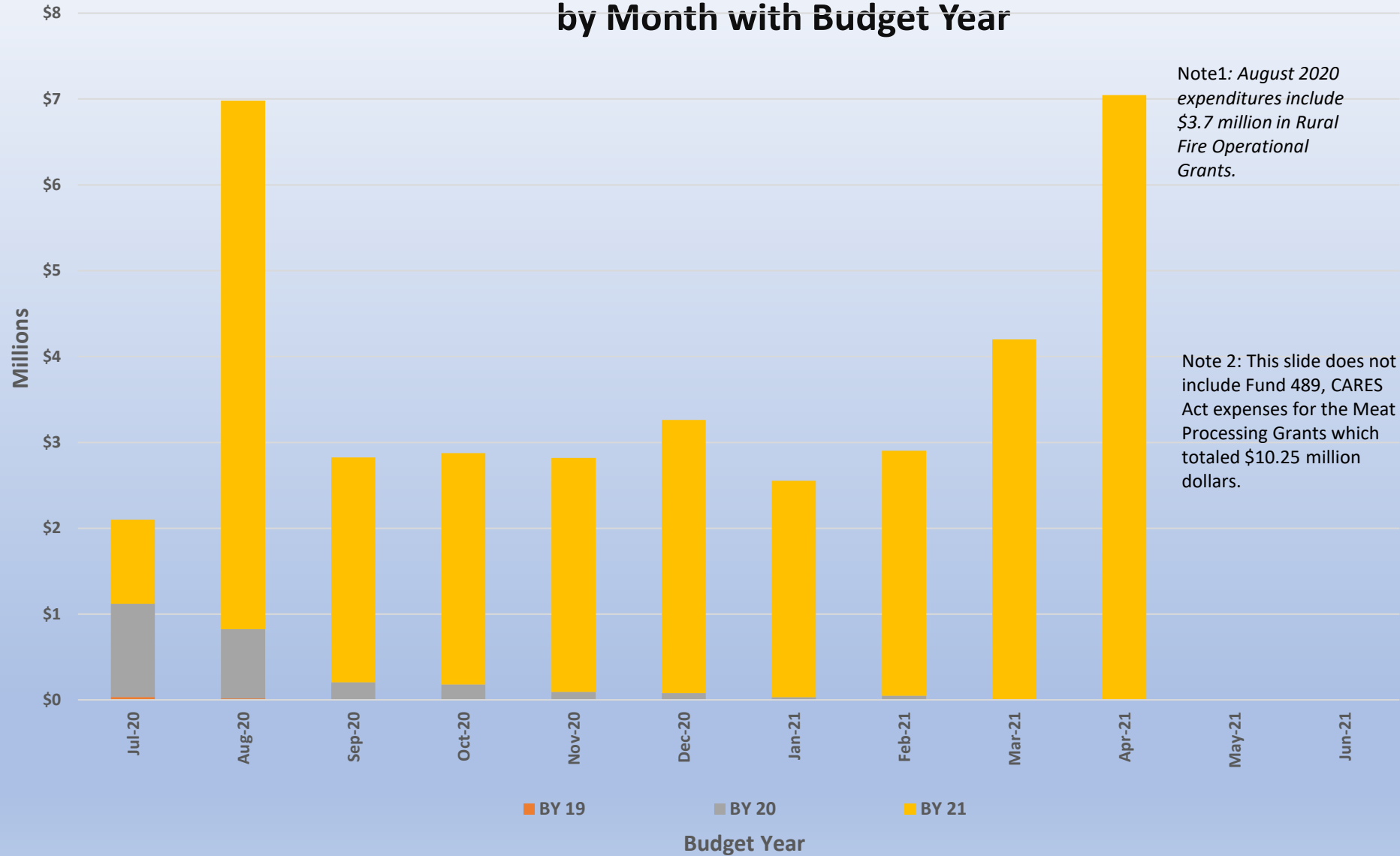
# Total Revenue by Month July 2017 – April 2021



# Total Expenses by Month July 2017 – April 2021

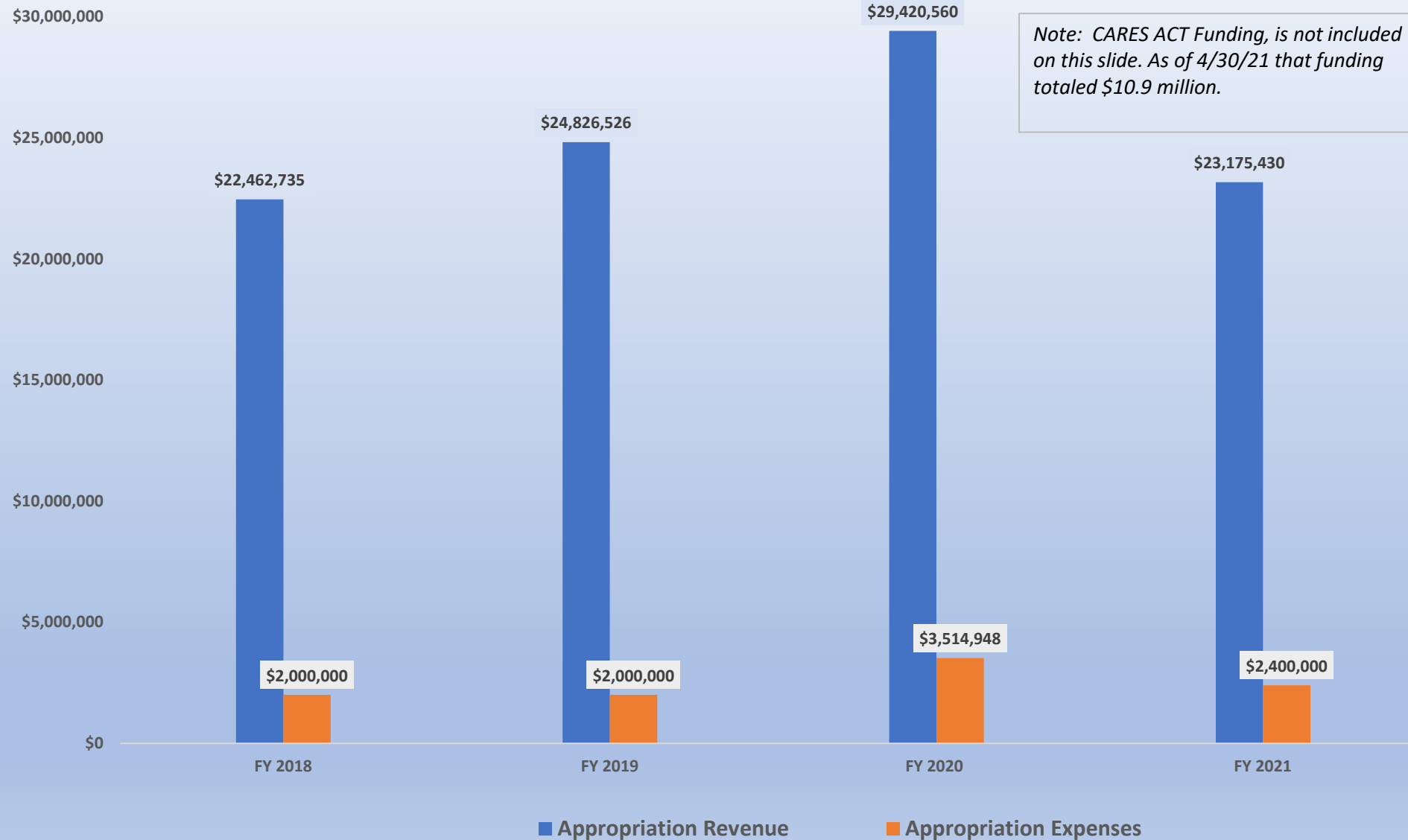


## FY 2021 Total Expenses by Month with Budget Year

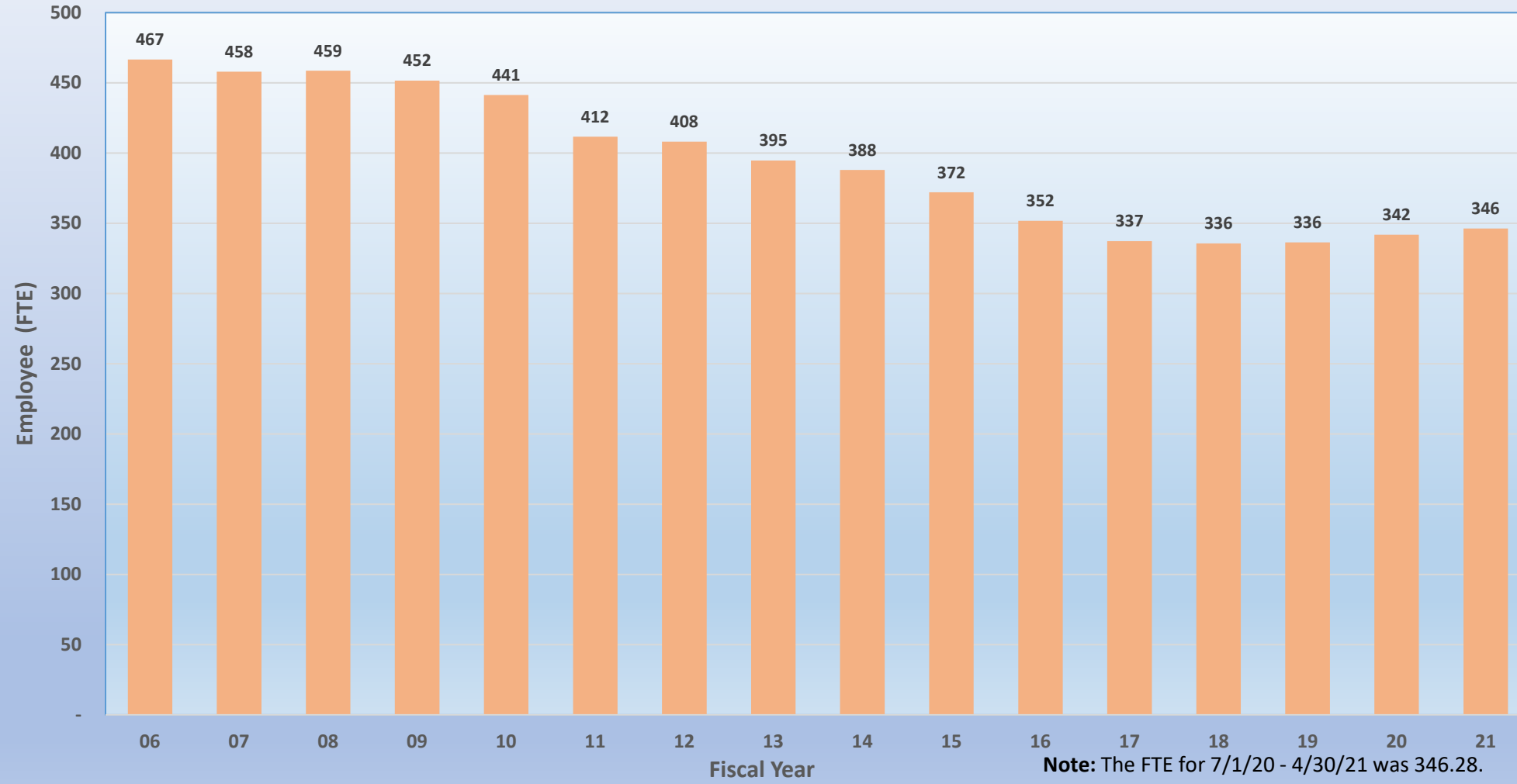




## Appropriations Transfers FY 2018 - thru April 2021



## Employee FTE Totals Fiscal Year FY 2006 – April 2021



## Administrative Services – Commodity Storage Indemnity

### MAY BOARD REPORT

#### COMMODITY STORAGE INDEMNITY INVESTMENT REPORT AS OF APRIL 30, 2021

Investments with Office of State Treasurer:

Cash Management Account: 11,061,102.56

#### FY-2021 RECEIPTS

	CURRENT MONTH	YTD
	-----	-----
NEW	-	-
INTEREST	12,702.54	185,653.01
REINSURANCE	-	-
RECOVERED COSTS	-	-
ELEVATOR SALVAGE	-	-
MATURED LONG TERM INVEST	-	-
	-----	-----
TOTALS	\$12,702.54	\$185,653.01
	=====	=====

# JUNE 2021 BOARD REPORT

## AGRICULTURE LABORATORY SERVICES

### (April 2021 Activities)

#### QUALITY MANAGEMENT SECTION: (Taryn Hurley, Quality Assurance Manager)

The routine distribution of quality control samples to respective sections of the Laboratory continued. Collection and submission of data to the respective study groups for statistical analysis was conducted.

#### Performance Test Logs for April 2021:

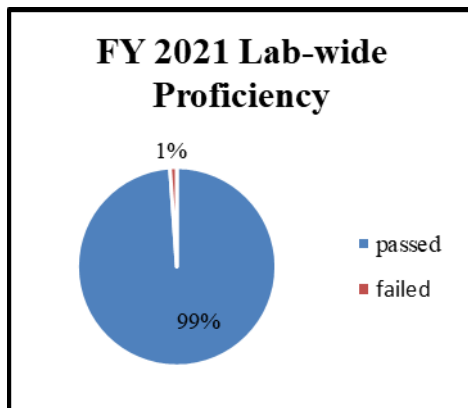
General Chemistry	
PT Samples Received	2
Number of Analytes	12
PT Samples Reported	2
Number of Analytes Reported	13
Completed PT Reports	0
Number of Analytes Passed	0
Number of Analytes Failed	0

Pesticides	
PT Samples Received	3
Number of Analytes	8
PT Samples Reported	0
Number of Analytes Reported	0
Completed PT Reports	2
Number of Analytes Passed	6
Number of Analytes Failed	0

Food and Dairy	
PT Samples Received	0
Number of Analytes	0
PT Samples Reported	16
Number of Analytes Reported	24
Completed PT Reports	0
Number of Analytes Passed	0
Number of Analytes Failed	0

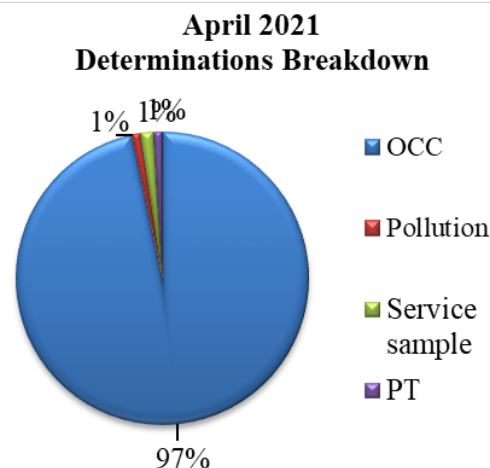
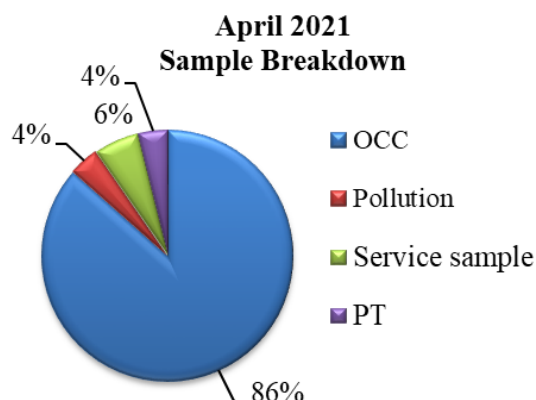
Inorganic	
PT Samples Received	0
Number of Analytes	0
PT Samples Reported	6
Number of Analytes Reported	12
Completed PT Reports	0
Number of Analytes Passed	0
Number of Analytes Failed	0

#### Laboratory-wide PT Performance to Date:



- ❖ The QA Manager began participation in the 2021 Oklahoma Certified Public Manager Program.
- ❖ The annual internal audit of the Inorganic Section was completed.

**INORGANIC SECTION:** (Elena Lyon, Environmental/Chemical Laboratory Scientist IV)



**Inorganic Sample Breakdown**

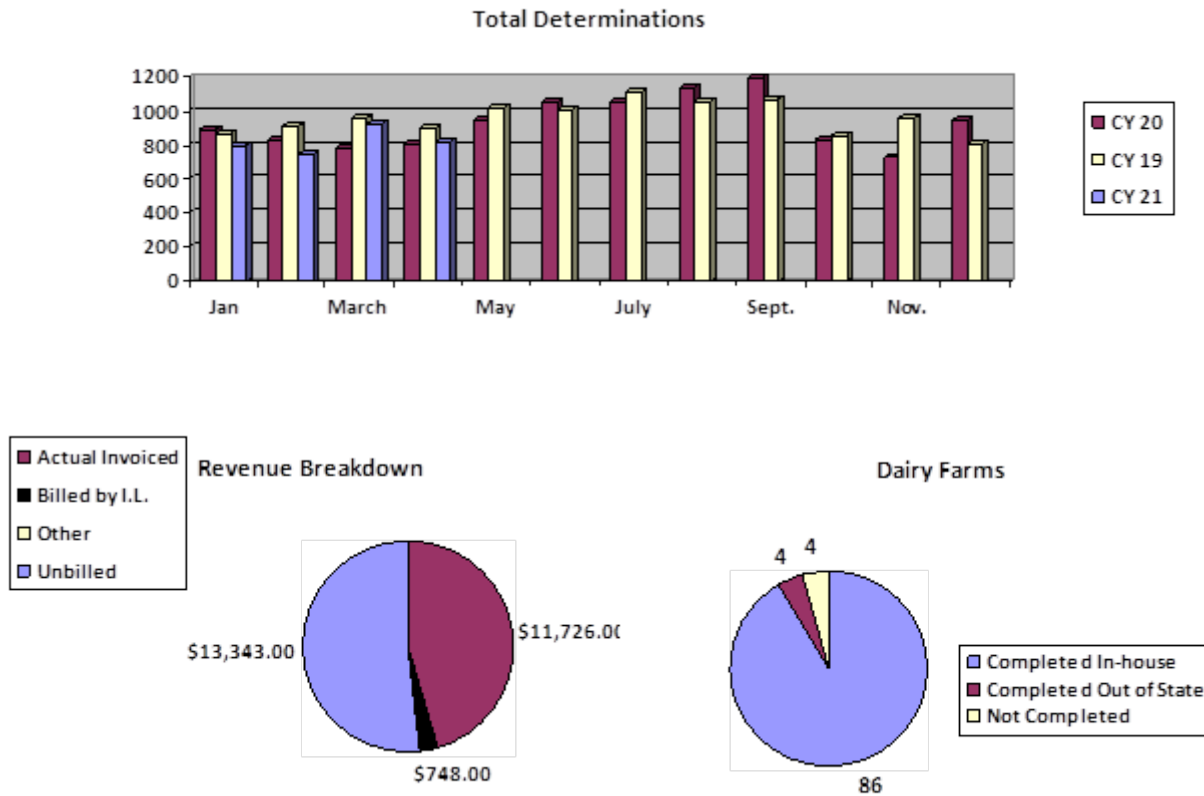
Customer	Samples	Determinations
OCC	135	1,215
Pollution	6	12
Proficiency Testing	6	12
Service Samples	9	18
<b>Total</b>	<b>156</b>	<b>1,257</b>

**DAIRY/FOOD SAFETY SECTION:** (Sharon Swyear, Environmental/Chemical Laboratory Scientist IV)

The Section completed routine dairy analysis to satisfy the four antibiotic tests required within a six-month period by the FDA for in-state dairies. There was one dairy that tested positive for Aflatoxin.

The Section isolated and confirmed three positive, pathogenic non-O157:H7 *E. coli* samples from two different meat processing plants from routine sampling. Isolated colonies were taken to the Oklahoma State Public Health Laboratory for serotyping.

The Section received part of a grant from the Association of Food and Drug Officials for the purpose of purchasing a few pieces of equipment used for the milk program. The anticipated purchases include a dishwasher, a milk fat analyzer, and a Petrifilm reader.

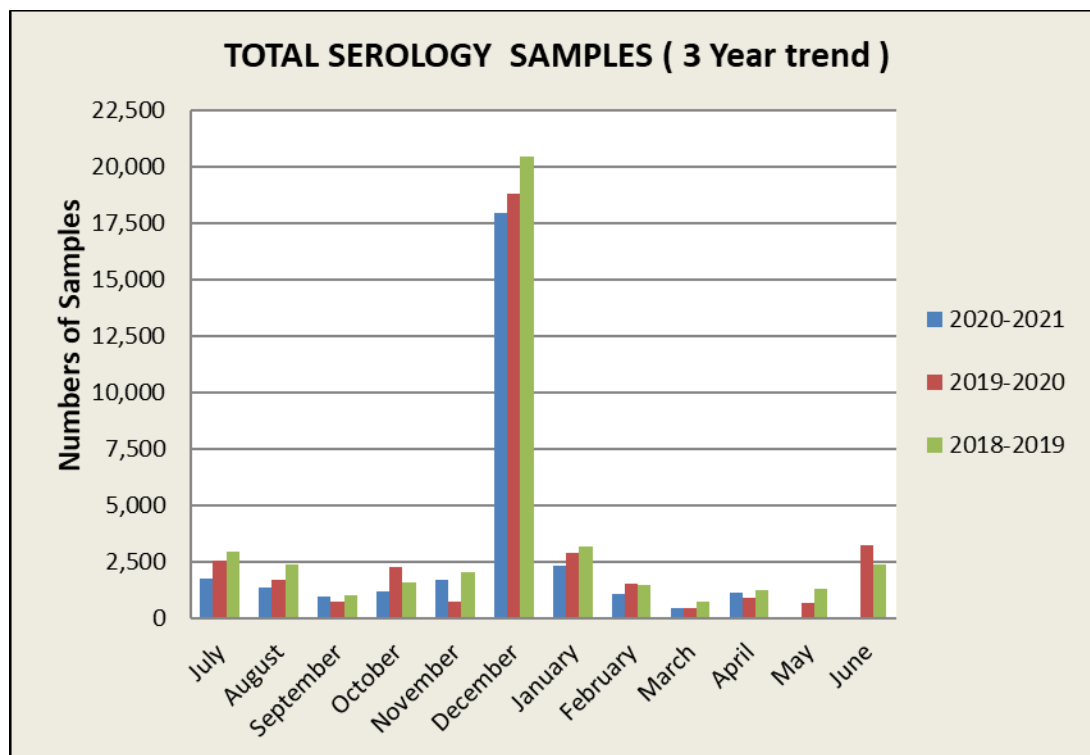


**SEED SECTION:** (Wade Krivanek, State Seed Program Administrator)

The Section received a total of 184 seed samples for the month. The most common crops tested were primarily hybrid sorghum, soybeans, corn, and spring grasses. Approximately 81% of all samples were sent in by CPS inspectors. A total of 800 pounds of different turf type seed was placed under stop sale due to expired test dates.

The Oklahoma Crop Improvement Association held their quarterly Board of Directors Meeting via Zoom on April 22<sup>nd</sup>. Reports from growers indicate that the state's certified wheat crop is in good condition overall with most of the crop in the boot stage. There is concern for many areas of the state that reached freezing temperatures, some for up to ten hours. Crop specialists are suggesting it could be up to two weeks before any damage can be assessed.

**SEROLOGY SECTION:** (Pete Bourns, Laboratory Scientist IV)



3-year Summary of Samples Analyzed			
Year	Brucellosis	Pseudorabies	E.I.A.
2021	828	292	4
2020	651	234	14
2019	989	250	3

**GENERAL CHEMISTRY SECTION:** (Jennifer Busey, Environmental/Chemical Laboratory Scientist IV)

	Feed	Fertilizer	Lime	Total
Samples Received	191	100	2	293
Samples Completed	216	110	6	332
Determinations	940	298	42	1280
Violations	103	57	0	160
Violation %	11.0%	19.1%	0%	12.5%

**PESTICIDE SECTION:** (Usha Pandey-Kadel, Environmental/Chemical Laboratory Scientist IV)

A Chemist in the Section was promoted to the Technical Manager position, so an announcement to fill the vacancy is anticipated soon.

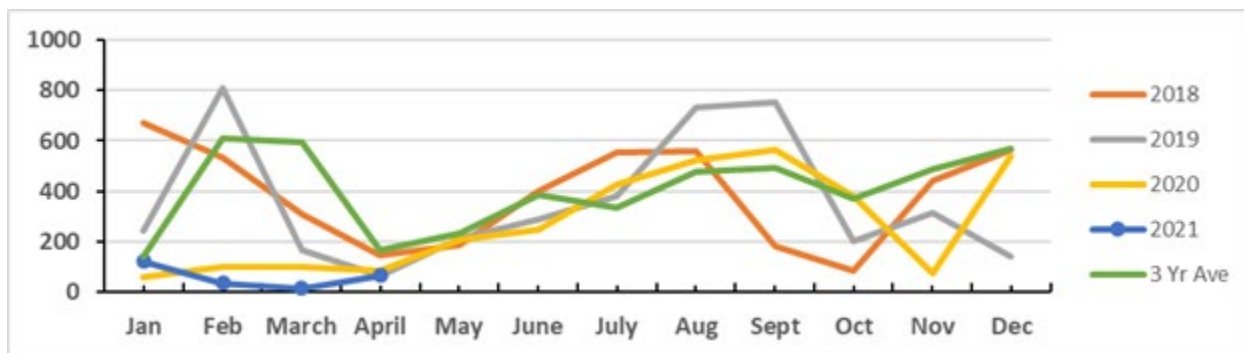
Pesticide Section by the numbers:

	Number	Test	Det	Average TAT (days)
Hemp	6	6	6	3
Residue Soil	16	16	16	21
Residue Vegetation	1	1	2	18
Concentrate	32	32	34	76
Tank Mix	4	4	7	41

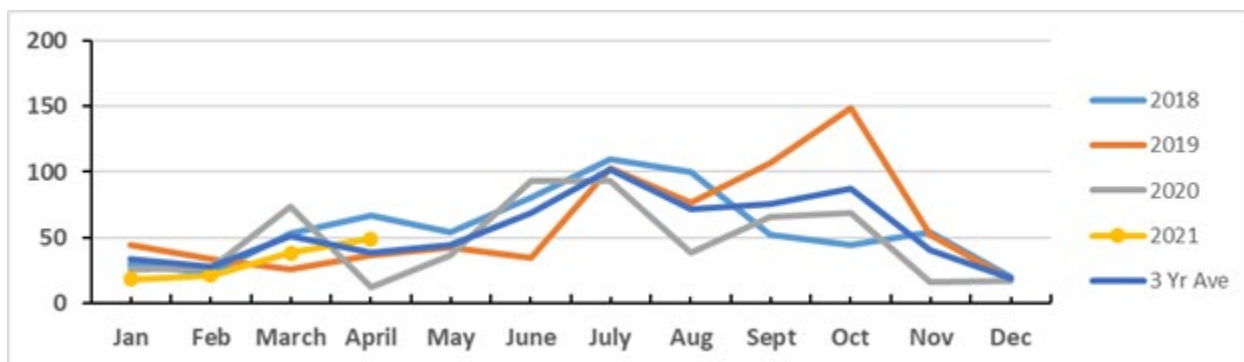
**Average Residue TAT: 20**  
**Average Hemp TAT: 3**  
**Average Form TAT: 74**  
**days**

# of Samples	# of Tests	# of Determinations
59	59	65

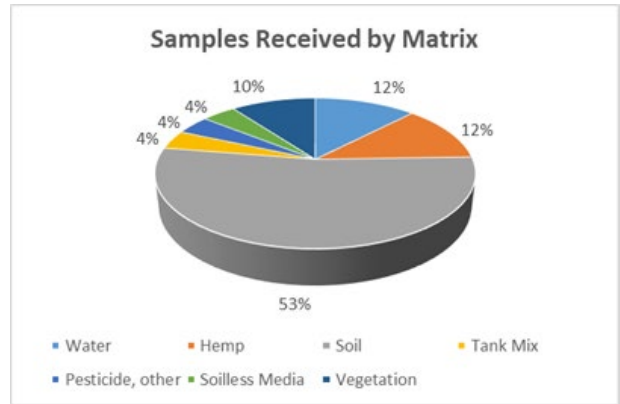
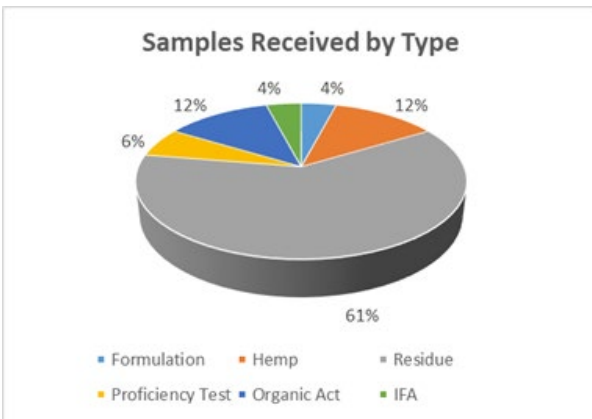
Determinations the Section completed by month:



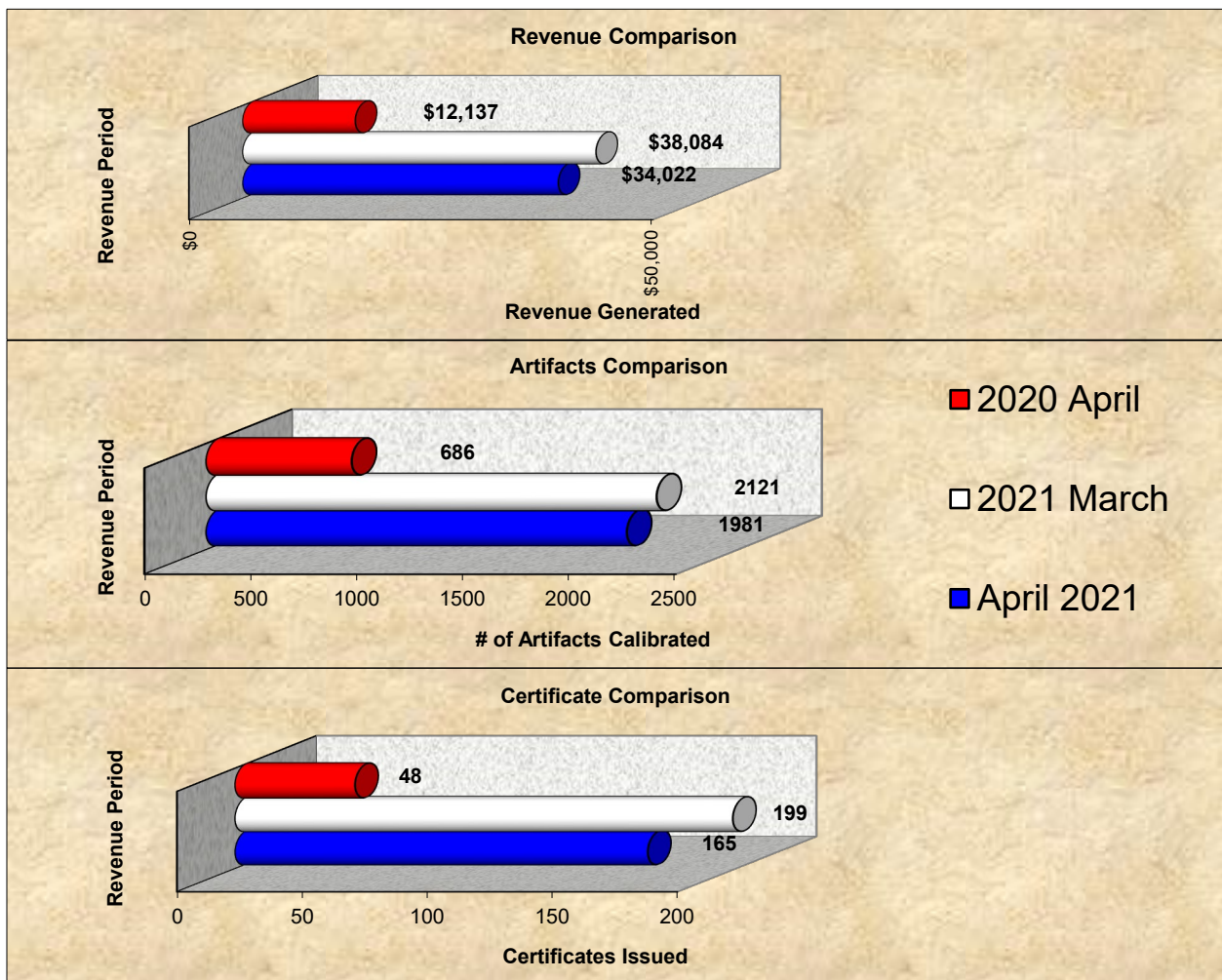
Samples the Section received by month:







**OKLAHOMA BUREAU OF STANDARDS: (Jeremy Nading, State Metrologist)**



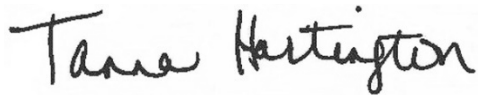
Summary of work completed:

	#	Fees	% of Fees	# Standards	% of Standards
Out-of-State Customers	3	\$1,514	4%	16	1%
In-State Customers	21	\$32,508	96%	1,965	99%
Totals	24	\$34,022		1,981	

The Bureau has completed the process validations of the new one-kilogram summation standards as a backup to the original one-kilogram pucks.

Calibrations were completed for the State of Pennsylvania Metrology Laboratory and the Connecticut Department of Environmental Quality.

Respectfully Submitted,



Tanna Hartington  
Director, Laboratory Services Division

**BOARD REPORT  
LABORATORY SERVICES DIVISION  
APRIL 2021 ACTIVITIES**

FEED SAMPLES	216
FEED DETERMINATIONS	940
POSSIBLE VIOLATIONS	103
 FERTILIZER SAMPLES	 110
FERTILIZER DETERMINATIONS	298
POSSIBLE VIOLATIONS	57
 LIME SAMPLES	 6
LIME DETERMINATIONS	42
POSSIBLE VIOLATIONS	0
 PESTICIDE SAMPLES	 59
PESTICIDE DETERMINATIONS	65
 INORGANIC LAB SAMPLES	 156
DETERMINATIONS	1257
 STATE-FEDERAL VET. LAB. SAMPLES	 1124
STATE-FEDERAL VET. LAB. DETERMINATIONS	1359
NUMBER POSITIVES	0
 SEED SAMPLES	 157
SEED DETERMINATIONS	171
POSSIBLE VIOLATIONS	2
 BUREAU OF STANDARDS CERTIFICATES	 165
NUMBER OF STANDARDS CALIBRATED	1981
FEE CHARGES	\$34,022.00
 DAIRY AND FOOD SAFETY SAMPLES	 355
DAIRY AND FOOD SAFETY DETERMINATIONS	819
POSSIBLE VIOLATIONS	12
 <b>TOTAL SAMPLES</b>	 <b>2348</b>
<b>TOTAL DETERMINATIONS</b>	<b>6932</b>
<b>TOTAL POSSIBLE VIOLATIONS</b>	<b>174</b>



## OKLAHOMA FORESTRY SERVICES BOARD REPORT – JUNE 2021

Division Activities from April 15<sup>th</sup> through May 31<sup>st</sup>.

*Serving people by conserving, enhancing and protecting our lands and forest resources*

*Our board report is formatted to reflect the priorities of the National Cohesive Wildland Fire Management Strategy, which includes Resilient Landscapes, Fire Adapted Communities and Wildfire Response.*

### APRIL/MAY HIGHLIGHTS

#### Wildland firefighters train as if their lives depend on it ... because they do.

Wildland firefighters undergo extensive and continuous training in order to perform their dangerous jobs as effectively and safely as possible. More than 20 Oklahoma Forestry Services personnel, ranging from new hires to seasoned personnel, attended the annual Arkansas River Valley Wildland Fire Academy on May 10<sup>th</sup>-21<sup>st</sup>. Presented virtually this year, the academy was a true interagency collaboration with U.S. Forest Service taking the lead and Arkansas Forestry Division, Oklahoma Forestry Services and Bureau of Indian Affairs providing assistance for over 19 courses on Incident Command System, fire suppression, prescribed fire and incident support/management. A sample of classes included:

- Advanced Firefighter Training (S-131)
- Initial Attack Incident Commander (S-200)
- Introduction to Wildland Fire Behavior Calculations (S-390)
- Smoke Management Techniques (RX-410)
- Heavy Equipment Boss (S-236) – Don Cook (OFS Forest Ranger III) served as Lead Instructor

Attendance of this academy increases OFS wildfire response capabilities, promotes employee professional development and in some cases, is the final step needed for career advancement. In addition to this academy, OFS wildfire personnel participate in other training opportunities and regularly provide training for fire departments, including Oklahoma City Fire Department and Tulsa Fire Department, as well as numerous rural fire departments. Wildland fire personnel take training very seriously, knowing that it can mean the difference between life and death in a critical wildfire situation.



Drew Daily instructs OKC Fire Dept. cadets on using hand tools used for wildland firefighting.



OFS firefighting personnel receive Incident Qualification System training.



OFS personnel practice making a "stretcher" to remove an injured firefighter.

## RESILIENT LANDSCAPES

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### URBAN & COMMUNITY FORESTRY



#### Oklahoma Gardening Television Show

On the weekend of May 22<sup>nd</sup>-23<sup>rd</sup> Community Forester Mark Bays was featured on a segment of Oklahoma Gardening on OETA, highlighting the preservation of a large winged elm (*Ulmus alata*) tree, on the SE lawn area of the state capitol building. Great care was taken to protect the tree during the two year process of constructing the new visitor's center and gift store. The tree is one of the largest specimens of a unique variety of "wingless" winged elms in Oklahoma. View the show here:

<https://youtu.be/cTgVD3GyafQ?list=PLm9ZYFB0tDiTggT1uD6aH-tj1YRwFkgsK>

**Harn Homestead** - Education Coordinator Mo Rice and Community Forester Mark Bays met with Education Director David Sapper at Harn Homestead in Oklahoma City on April 28<sup>th</sup> to assess the health of several trees on the property. Exposed roots on a number of elm trees were creating tripping hazards along some of the established pathways and Mark recommended cleanly cutting the root and grinding the remaining portion to the path level.

**Oklahoma City National Memorial** - Mark Bays met with Memorial Staff and Zack Mitchell of Professional Tree Care on May 4<sup>th</sup> to treat the Survivor Tree and redbuds for an outbreak of scale insects on the grounds. While it is unknown how the outbreak occurred, the trees were treated with a systemic insecticide and all should recover. On May 5<sup>th</sup> Service Forester Riley Coy and Mark Bays met with residents of South Point Estates in Yukon to assess a Survivor Tree offspring whose crown had suffered up to 50% damage from a recent ice storm. Mark and Riley recommended corrective pruning and monitoring the tree for the next few years before making the decision to remove the tree.

**Chickasaw Cultural Center** - Mark Bays met with environmental facility managers of the Chickasaw Cultural Center in Sulfur on May 6<sup>th</sup> to assess a number of trees on the property that sustained damage from the record cold the state experienced in February. Mark recommended the removal of several pine trees, Vitex and crepe myrtles that had experienced the most damage. Others like the Shumard oak *Quercus shumardii* in the photo could be pruned and monitored.

**Choctaw Arbor Day celebration** – Community Forester Riley Coy participated in the City of Choctaw's first Arbor Day celebration on April 24<sup>th</sup>, which included an official proclamation by the mayor and the planting of 54 trees throughout the city park.

#### Tinker AFB Proper Pruning Training

On April 26<sup>th</sup> Community Forester Riley Coy met with Tinker AFB Natural Resources staff to train the grounds crews on proper pruning. Tinker experienced a large volume of tree damage from the October ice storm and proper pruning is vitally important for the future health of their tree canopy across the base.



**Urban Wood Utilization Committee Meeting** - On May 6<sup>th</sup>, Community Forester Riley Coy convened a committee consisting of Certified Arborists, Sawmill Operators and Utility Company Representatives from Oklahoma City and Tulsa. The first meeting was held to discuss a future workshop/conference to connect people from all sectors that have an interest in urban wood utilization.



## FOREST INVENTORY AND ANALYSIS UPDATE

Forest Inventory and Analysis (FIA) has just about wrapped up its most recent sub-cycle of data collection. Sub-cycles are collected on a nearly-annual basis, meaning that in the last year the FIA crew has traveled from Idabel to Guymon and remeasured forest health metrics on long-term research plots. Remeasurement allows OFS to analyze trends which are used to project the future forest health and extent.



The foresters who collect this data are highly trained and must pass through a 6-month training period with the US Forest Service before being certified to collect data unsupervised. FIA is proud to announce that Miles Valchar (2nd from right) has passed his certification test and is Oklahoma's newest FIA Cruiser! Miles will now take on the responsibility for the southeast portion of Oklahoma which includes some of our states most impressive and valuable forests.

## FROM THE AREA OFFICES

### East Central Area

- EC Area foresters completed two new forest stewardship plans in Latimer and Pittsburg counties have been completed on a total of 486 acres.
- Summer Interns are on the job. Kelli Fontenot, Oklahoma State University forestry student, and Jacob Nicholson, Ohio State University forestry student, began their internship reconning timber thinning sites, cruising timber, reviewing prescribed burn research results at Pushmataha WMA, reconning a property on which they will write a prescribed burn plan, and taking defensive driving and first aid training. The next few weeks they will be busy sowing seeds in containers for the OFS forest regeneration program, reconning progeny tests in the field, meeting with visitors at the Forest Heritage Center, and working with our Water Quality Forester.

### Northeast Area

- NE Area foresters completed three Forest Management Plans and have three in progress. They also made contact with multiple landowners to provide land management advice.
- Work Capacity Tests were administered on April 21<sup>st</sup> at Sequoyah High School and May 25<sup>th</sup> at the Camp Gruber Fire Department. Wildland firefighters must complete this annual job-related test, which consists of completing a 3-mile walk over level terrain in 45 minutes or less while carrying a 45-pound pack to determine an individual's ability to perform the minimum standards of arduous duty.
- NE Area Forester Craig Longshore assisted the Indian Capital Technology Center with their Careers USA Horticulture Judging Competition.



NE Area Service Forester Evan Long uses an angle gauge to determine basal area of a forest inventory sample plot at Turkey Mountain Urban Wilderness Area in Tulsa.

### Southeast Area

- SE Area foresters completed 2 Forest Management Plans and made contact with 36 landowners to provide land management advice.

- The Work Capacity Test was administered on April 20<sup>th</sup> at Broken Bow.
- Jason Whaley, OFS Water Quality Forester, provided Fireline Best Management Practices for Water Quality training for all SE Area Forest Rangers.
- Broken Bow Communication Tower Update - The communication tower construction project is complete with the radio communications equipment installed and working.
- OMES IT upgrade SE Area Office - The upgrade/hardware installation to the switches and firewall was completed on April 29<sup>th</sup>. While the new equipment is functional, as of this date the new Wi-Fi router and the other equipment is still needing installation by OMES personnel.
- Upgrade to SE Area office Internet plan - The internet plan has been upgraded from a 5/1 plan to a 100/100 plan.

## WILDFIRE RESPONSE – Fire Staff Board Report as of 04/16/21

### Fire Operations

April proved to be a busier than normal month across the Protection Area with actionable response on 120 wildfires burning 5,841 acres. Since January 1<sup>st</sup>, OFS has responded to with 539 wildfire incidents burning 50,193 acres for an average of 93 acres/incident. The latter half of March and first half of April, as expected, was the busiest time period where a handful of days found all available OFS resources committed to ongoing wildfire activity. Additionally, during the reporting period 52 prescribed fires were completed which treated 11,521 acres.

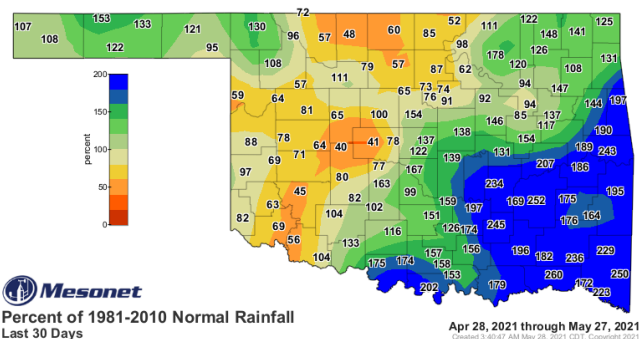
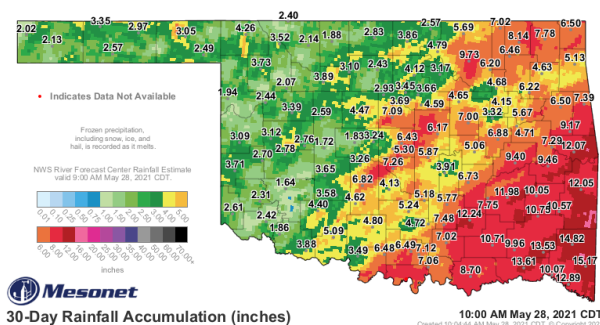
### Wildfire Outlook Executive Summary

Recent rainfall has prompted a vigorous herbaceous growth across most of Oklahoma. The cool temperatures have suppressed some of the warm-season species from responding fully. The rains have been welcomed with regard to lessening the spatial coverage and severity of drought indicators across the state. Notably, extreme drought indices have been removed and the next iteration of the Oklahoma Drought Monitor is expected to express further improvement. Average rainfall for the month continues to lag in portions of western and north-central Oklahoma which will require close monitoring through the summer months with regard to wildfire potential when warm temperatures and dry conditions develop.

Operational Indicators/Implications and Associated Response Actions with Oklahoma Forestry Services Wildfire Preparedness Levels are expected to remain at Preparedness Level 1 (PL1) through June with reduced fire activity and minimal resistance to control on new wildfire incidents.

With the transition to growing season and reduced fire activity, OFS Firefighters will be engaged in several activities related to preparedness in advance of more fire favorable conditions. Maintenance and repair on firefighting equipment and vehicles, development of fire management plans including several prescribed fire plans, and resuming fire department and interagency training are a few of the focal points moving forward.

April 2021 Fire Response	Fires	Acres
<b>2021 Wildfires Year-to-Date</b>	<b>539</b>	<b>50,194.7</b>
OFS Protection Area - Month	120	5,841
5-Year Average	68	2,945.8
10-Year Average	58	2,565
Protection Area YTD	487	30,454
OFS Response Outside Protection Area	7	4,838
OFS Response Outside Protection Area YTD	20	17,232
Fire Department Reports	2	413
Fire Department Reports YTD	32	2,508.7
Prescribed Burns - SE	16	6,453
Prescribed Burns - EC	34	4,905
Prescribed Burns - NE	2	163
Prescribed Burns - OKOKS	0	0
Prescribed Burns - YTD	52	11,521



The aging, heavily utilized firefighting equipment that OFS engages began showing the signs of cumulative wear with numerous dozer, dozer transport and fire engine breakdowns and failures. Repair and maintenance requirements are being diagnosed with priorities driven by an inadequate maintenance repair budget and lack of a replacement budget. Revenue generation from prescribed fire activities has allowed the replacement some of the aging firefighting tools, including firefighting handtools, hose, chainsaws and blowers.

OFS resources are working on increasing the prescribed fire program within our current capability. Recently, an Annual Work Plan has been established with the U.S. Bureau of Reclamation to increase the number of acres treated and expand the number of sites to be treated generating \$150,000 in revenue. Currently, progress is being made to establish an agreement with the The Nature Conservancy to execute prescribed fire plans on the Ponotoc Ridge property with an estimated revenue generation of \$50,000, an progress is being made in preparing plans tied to a grant that will emphasize demonstration of practice at Turkey Mountain in Tulsa. Further, the Stevens program through the USFS continues to grow and OFS resources continue to leverage this opportunity for active management through prescribed fire.

Pandemic related restrictions severely limited training opportunities for both OFS resources, as well as OFS delivery of training to fire departments across the state. Lead instructors are engaged in planning to overcome the backlog while also taking advantage of current training opportunities both in person and virtual. Numerous wildland fire practical trainings, command and support offerings are resuming.

## COMMUNITY OUTREACH & COMMUNICATIONS

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**FOREST HERITAGE CENTER** - Museum visitation was 8,272 for the month of April 2021 and four tours were provided for 68 students and 18 adults.

### EXHIBITS AND EVENTS

**Courtyard Update** - Signage was installed in the courtyard on May 26<sup>th</sup> which finalized the courtyard update. The update included installation of a concrete walking path; expansion of the Wildland Firefighter Memorial interpretation; addition of the Dierks-era cedar shake mill; addition of the fire tower cab replica; the new courtyard viewing deck and the interpretive signage.

### PROGRAMS & PROJECTS

**FHC Gift Shop Update** - A remodel and expansion is underway at the Forest Heritage Center gift shop. The Forest Heritage Center Board of Directors and the Oklahoma Tourism and Recreation Department are partnering in the project which will add 520 square feet and a complete remodel to the space.

**Camp Discover Plans** - The Forest Heritage Center is accepting applications for Camp Discover, scheduled for July 6<sup>th</sup>-8<sup>th</sup>. The day camp is for children ages 9-11 and this year's theme is "wood, water, and worms." The focus will be on how different parts of a healthy ecosystem work together.







**Tours** - Students from Lukfata School and Hugo Middle School toured the Forest Heritage Center during the month of May, with both schools taking the traditional tour of the Forest Heritage Center. Hugo Middle School's visit also included a guided tour of the Tree Trail. Logan Robertson from Oklahoma Forestry Services and Alex Schwartz from US Forest Services assisted with the Hugo Middle School tour.

## OFS EDUCATION OUTREACH

**Outdoor classroom event at Boiling Springs State Park** – OFS Foresters Riley Coy and Dieter Rudolph taught approximately 300 kids about tree identification and the importance of the urban environment at Boiling Springs State Park near Woodward on May 6<sup>th</sup>.

**Healthy Kids Day at Earlywine Park YMCA in OKC** - OFS Foresters Riley Coy and Dieter Rudolph and Education Coordinator Mo Rice manned a booth at Earlywine YMCA for the Healthy Kids Day on May 8<sup>th</sup> to discuss how trees in the urban environment improve healthy minds and bodies.

**Kingfisher Natural Resource Day** – OFS participated in this event on May 5<sup>th</sup> and 6<sup>th</sup>, teaching over 200 4<sup>th</sup> and 5<sup>th</sup> graders about why trees are important and how trees compete with each other for resources. Students from Dover, Okarche, and Kingfisher school districts enjoyed their first field trip of the year.

**Martin Nature Park Arbor Day Event** - On May 1<sup>st</sup> Community Forester Riley Coy and Education Coordinator Mo Rice set up a booth at the Martin Nature Park Arbor Day Event. They spoke to children and parents about tree identification and importance in the urban landscape.

**Project Learning Tree Coordinators E-Summit** – Education Coordinator Mo Rice participated in this conference on May 18<sup>th</sup> and 19<sup>th</sup>. Concurrent sessions were interactive and geared towards forest literacy, reaching new audiences and tips for virtually presenting.

**Ag on Lincoln** – Multiple OFS staff helped staff Forestry's booth at the Ag on Lincoln event on May 13<sup>th</sup>, talking about trees and natural resources management.

**Smokey Bear** – Our friend Smokey Bear made his first appearance in a long time at Will Rogers School in McAlester on May 18<sup>th</sup>.

**Moon Tree planting** – Forest & Inventory Analysis Forester Elizabeth Corbishley provided tree education at the Claremore History Museum's planting of a Moon Tree on May 23<sup>rd</sup>. The daughter of Claremore astronaut Col. Stuart A. Roosa was on hand to help plant the Moon Tree descendant. As one of only 24 Americans to have ever traveled to the moon, Col. Roosa served as the pilot of Apollo 14 and this year marks the 50th anniversary of that space mission. Roosa's tree seeds, representing several varieties, were part of a NASA partnership with the U.S. Forest Service to learn the effects of space on the seeds. Claremore received a sycamore tree.

## STATE FORESTER ACTIVITIES – From April 21<sup>st</sup> thru June 2<sup>nd</sup>

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- Attended weekly ODAFF Director's Meetings
- Participated in numerous Oklahoma State Department of Health COVID-19 Vaccine Distribution coordination calls
- Attended three virtual meetings with the Southern Group of State Foresters' Executive Board
- Participated in two Northern Rockies Coordinating Group Incident Commander coordination calls
- Met with State Representative David Hardin regarding OFS' Work Capacity Test policy and retirement issues
- Attended a meeting to discuss proposed changes to OFS wildfire dispatching and reporting protocols
- Participated in three virtual meetings of the NWCG Medical and Public Health Advisory Team
- Attended a virtual meeting with FEMA, OEM&HS, and OptumServe (the current FEMA contractor supporting OSDH vaccination efforts) to iron out resource deployment issues
- Attended two Land Mobile Radio Public Safety Interoperable Coordination Cooperative meeting
- Reviewed, commented and edited the revision of Oklahoma's Smoke Management Plan
- Participated in a Long-term Compensation Reform meeting with ODAFF Directors
- Attended two S-520 Advanced Incident Management course Steering Committee meetings
- Attended the May Board of Agriculture meeting
- Attended one virtual meeting of national Operations Section Chief's Incident Remote Response
- Attended the May NWCG Risk Management Committee Conference Call via MS-Teams
- Virtually attended Northern Rockies Incident Management Team #1 coordination meeting
- Attended the meeting of the Land Mobile Radio Public Safety Interoperability Cooperative Subcommittee on Technology
- Virtually attended the meeting of the NASF Wildland Fire Committee
- Met with AT&T Customer Service to discuss connectivity options for the Antlers District Office when AT&T ceases support of DSL Internet.
- Attended virtually the Cyber and Technology Webinar presented by the Statewide Communications Interoperability Plan (SCIP) Committee
- Participated in the FFA Leadership Conference hosted by ODAFF
- Participated in a conference call with the Lolo National Forest and Northern Rockies IMT #1 regarding a discovery request related to the 2017 Lolo Peak wildfire in Montana
- Provided assistance to the Oklahoma State Department of Health as a Subject Matter Expert for the COVID-19 Vaccine Distribution planning effort. This assistance began on 12/16/2020 and continues thru the date of this report. Participated in daily COVID-19 Vaccine Distribution Planning Calls with Regional Area Directors, Project Manager, and OSDH Leadership. In addition, Goeller has been serving as the Liaison between the FEMA Contractors and OSDH to coordinate the deployment of medical professionals to serve as vaccinators at points of dispensing.
- Annual Leave from May 14<sup>th</sup> thru May 23<sup>rd</sup>

Respectfully Submitted,

Mark E. Goeller  
Director/State Forester

## JUNE 16, 2021 BOARD MEETING

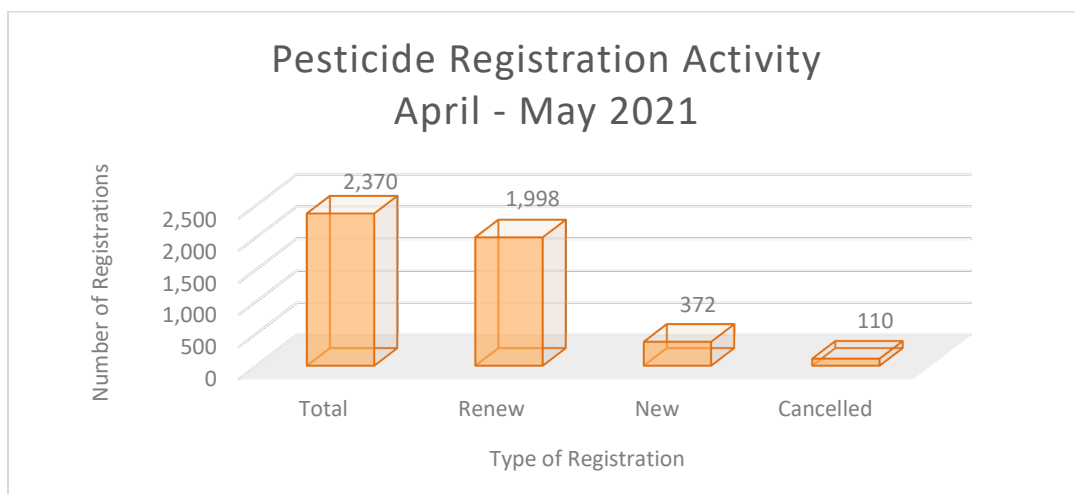
### CONSUMER PROTECTION SERVICES DIVISION

#### REPORT FOR APRIL/MAY 2021

##### PESTICIDE SECTION

###### *Pesticide Registration Activity*

Pesticide registrations for April 1<sup>st</sup> to May 27<sup>th</sup> in 2021 are presented in the following chart. A total of 2370 products were registered, of the products registered 1998 were renewals and 372 were new. There were 110 products cancelled.



###### Pesticide Samples

Pesticide samples taken March-April 2021 are presented in the following chart. A total of 38 Residue, 8 Concentrate, 7 Tank Mix, 6 Pollution, 8 Plant Food, and 52 Documentary samples were taken.

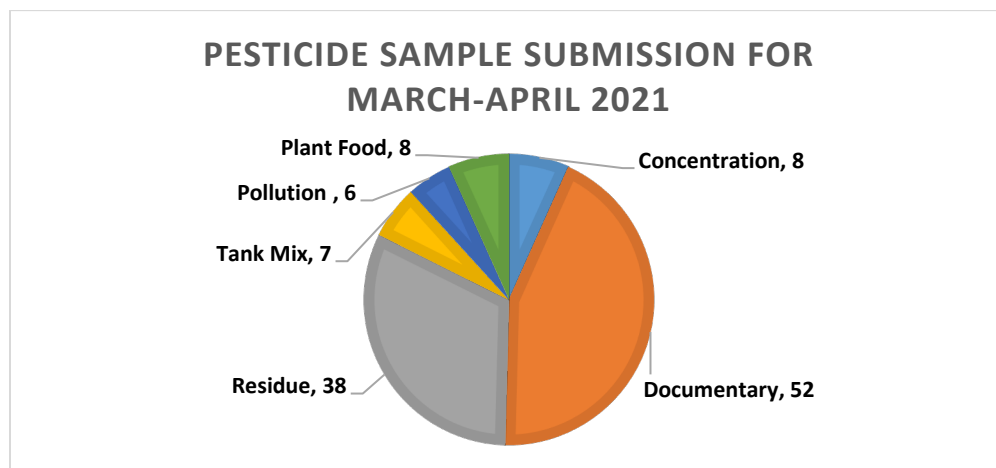


Table 1. Inspection Count for March-April 2021\*

Inspection Type	Number of Inspections		
	March	April	Two Month Total
Experimental Use Permit	0	0	0
Marketplace	29	19	48
Pesticide Applicator Facility	44	30	74
Pesticide Service Inspection	0	0	0
Restricted Use Pesticide Dealer	11	8	19
Container Containment Inspection	0	0	0
Producer Establishment	2	0	2
Use	130	115	245
Termite	0	1	1
Wood	1	1	2
Pre-treat	2	4	6
Drift Investigation	0	0	0
Pesticide Label	2076	1102	3178
Worker Protection	0	0	0
<b>Total</b>	<b>2295</b>	<b>1280</b>	<b>3575</b>

\* Inspections not yet submitted at the time of this report will be reflected in the next board report

Along with the above inspections CPS inspectors also took 37 non agriculture use samples, 23 agriculture use samples, 56 producer establishment samples and 3 market samples for a total of 119 samples.

#### Unwanted Pesticide Disposal

ODAFF held an unwanted pesticide disposal on April 27<sup>th</sup>, 2021 at the Rogers County Fairgrounds. The collection was scheduled from 8:00am until 1:00pm, during that time ODAFF collected 21,565 pounds of unwanted pesticides. ODAFF works with our hazardous waste contractor, CleanEarth to dispose of these pesticides. ODAFF held two unwanted pesticide collections this spring collecting over 75,000 pounds of pesticides.

### Pesticide Inspector Regulatory Training (PIRT)

CPS Field Inspector Richard Folsom attended the Virtual EPA PIRT course hosted by the North Carolina Department of Agriculture on April 19<sup>th</sup>-22<sup>nd</sup>. The EPA PIRT program typically funds two national pesticide classroom courses a year for state, tribal, and territorial inspectors. This training covered many topics including FIFRA issues, pesticide labels, sampling report writing, PPE and pollinators.

### *Pesticide Testing & Updates*

#### PSI Testing:

All testing locations are now working at full capacity. The average number of exams taken per day is 15. PSI complaints have been up recently due to scheduling issues and testing centers not providing the conversion table.

#### Private Applicators:

Updates for private applicators have been released to the public. Open-book exams will no longer be accepted starting June 1, 2021. Many private applicator exams are coming in before the deadline.

#### Licensing:

Pesticide producing establishment licenses will expire on June 30, 2021. Renewal emails were sent out on May 21, 2021.

#### Pesticide Complaints

PESTICIDE COMPLAINTS	April 15, 2021 – May 25, 2021			
	RECEIVED	CLOSED	WARNINGS ISSUED	NO ACTION
CONSUMER GENERATED	15	2	5	2
MUSK THISTLE	9	0	0	
CASES REFERRED TO OGC:	5			

## **ENVIRONMENTAL RESOURCE AND HORTICULTURE SECTION**

### **Plant Protection Program**

#### Phytosanitary Certificates:

Federal Phytosanitary Certificates Issued from April 1, 2021 – April 30, 2021

Commercial value of shipment \$1,250 or more:

39 Federal Phytosanitary certificates issued @ \$106.00 each

Commercial value of shipment less than \$1,250:

0 Federal Phytosanitary Certificates issued @ \$61.00 each

<b>Federal Phytosanitary Certificates (April 1, 2021 - April 30, 2021)</b>			
<b>Country</b>	<b>Product</b>	<b>Quantity</b>	<b>Phytos Issued</b>
Canada	Nursery Plants	12,673 plants	17
Japan	Sesame Seed	2,209,680 lbs	5
Mexico	Sesame Seed	519,780 lbs	12
Republic of Korea	Walnut Logs	12 logs	2
Thailand	Miscanthus Seed	1 gram	1
Vietnam	Miscanthus Seed	1 gram	1

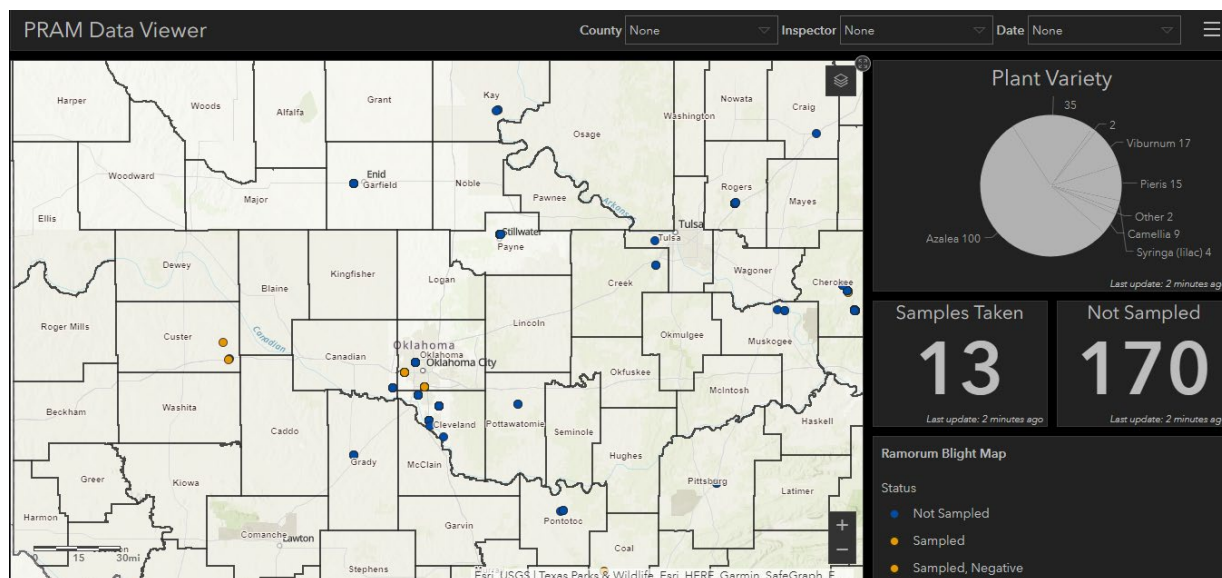
State Phytosanitary Certificates Issued from April 1, 2021 – April 30, 2021

344 Phytosanitary Certificates issued @ \$20 each

<b>State Phytosanitary Certificates (April 1, 2021 - April 30, 2021)</b>		
<b>State</b>	<b>Product</b>	<b>Certificates Issued</b>
Arizona	Nursery Plants/Parts	14
California	Nursery Plants/Parts	68
Colorado	Nursery Plants/Parts	81
Idaho	Nursery Plants/Parts	20
Montana	Nursery Plants/Parts	7
New Mexico	Nursery Plants/Parts	29
Nevada	Nursery Plants/Parts	15
Oregon	Nursery Plants/Parts	18
Tennessee	Nursery Plants/Parts	23
Washington	Nursery Plants/Parts	42
Utah	Nursery Plants/Parts	27

### OU GIS Data Collection Software

In collaboration with OU, GIS software is being developed for data collection in the field. This software is meant for use with some of the nursery and CAPS surveys including Forest Pest, Imported Fire Ant, Japanese Beetle, Karnal Bunt, Sudden Oak Death (*P. ramorum*), and Sweet Potato Weevil. Many maps within these surveys have already been created and tested, and some are currently in use. Below is an example taken from the *P. ramorum* map within the app, which already has data recorded from this year's survey samples.



## P. ramorum (SOD) Survey

State inspectors are watching for symptomatic HAP (host-associated plants) species when on general nursery inspections. If they see any plants showing symptoms for *P. ramorum*, they are taking samples and sending to the OSU Diagnostic lab for identification. There have been a few samples so far this year that have tested positive for *Phytophthora* but none that have tested positive for *Phytophthora ramorum*, although we have found a few closely related species. As of today, there have been 328 *P. ramorum* inspections done across with state, with 37 samples collected.

Means Nursery in Oregon had a *P. ramorum* positive sample this spring. Plant material from the affected area in the nursery was shipped to Lowe's stores in Oklahoma over the Spring season. Recently, ODAFF has been inspecting the shipments especially from the positive plant varieties at the Lowe's stores across the state. We are also watching plant material coming in from Flowerwood Nursery in AL closely as well.

Using the Collector app and Data Viewer/Editor within the GIS system makes it very easy to look at survey results. Here are the data records of a few *P. ramorum* inspections done in the last few weeks:

Ramorum Blight Map												
Options												
Filter by map extent												
Zoom to												
Clear selection												
Refresh												
created_user	created_date	last_edited_user	last_edited_date	County	Facility Name	Facility Town	Host	Cultivar	Number of plants	sample_status	Sample Number	Plant Source
R.London	3/10/2021, 12:08 PM	R.London	3/10/2021, 12:18 PM	Delaware (041)	Lowe's #1752	Grove	Pieris	Valley Rose	21	Not Sampled	PRAM	Means Nurseries Scappoose, OR
R.London	3/10/2021, 12:12 PM	R.London	3/10/2021, 12:16 PM	Delaware (041)	Lowe's #1752	Grove	Rhododendron	P.J.M.	35	Not Sampled	PRAM	Means Nurseries Scappoose, OR
J.Nunnery	3/10/2021, 12:29 PM	J.Nunnery	3/10/2021, 12:29 PM	Cherokee (021)	Park Hill Nursery	Park Hill	Azalea	Midnight Flare	33	Not Sampled	PRAM	Park Hill Nursery
J.Nunnery	3/10/2021, 12:47 PM	J.Nunnery	3/10/2021, 12:47 PM	Cherokee (021)	Park Hill Nursery	Park Hill	Azalea	Macrantha Orange	33	Not Sampled	PRAM	Park Hill Nursery
J.Nunnery	3/10/2021, 12:49 PM	J.Nunnery	3/10/2021, 12:49 PM	Cherokee (021)	Park Hill Nursery	Park Hill	Azalea	Autumn Twist	22	Not Sampled	PRAM	Park Hill Nursery
J.Nunnery	3/10/2021, 12:51 PM	J.Nunnery	3/10/2021, 12:51 PM	Cherokee (021)	Park Hill Nursery	Park Hill	Azalea	Elsie Lee	30	Not Sampled	PRAM	Park Hill Nursery
Joe.Rackley	3/11/2021, 1:09 PM	Joe.Rackley	3/26/2021, 6:33 PM	Cherokee (021)	PHN	TAHLEQUAH	Camellia	C. japonica and C. hybrid Mountain Snow	0	Sampled	PRAMpond2a	n/a
Joe.Rackley	3/11/2021, 1:14 PM	Joe.Rackley	3/26/2021, 6:34 PM	Cherokee (021)	Park Hill Nursery	Tahlequah	Camellia	C. japonica x C. hybrid mountain snow	0	Sampled	PRAMpond2b	n/a
Joe.Rackley	3/11/2021, 1:27 PM	Joe.Rackley	3/26/2021, 6:35 PM	Cherokee (021)	PHN	Tahlequah	Camellia	C. japonica and C. hybrid	0	Sampled	PRAMpond1b	n/a



## Japanese Beetle Trapping and Survey

We began setting our traps out for the Japanese Beetle survey in mid-May. There are still a few traps left to place, but the goal is to have all traps out by June 1. There are 5 inspectors included in this survey and we plan to set out 48 traps across 9 counties and 11 nursery operations.

The traps will be checked every 2 weeks in June and July, and then every month in August, September, and October. The survey will conclude in October.

## Weed Free Forage

Wheat harvest for Oklahoma wheat producers will kick off in the next few weeks, depending on the weather. We are partnering with the North American Invasive Species Management Association (NAISMA) to offer weed-free certification to those that need it for shipping within the state and to other states. So far, we have 1 applicant with a total of 460 acres to inspect.

## **Industrial Hemp Program**

### Hemp

<b>Hemp Growers</b>	<b>Hemp Acres</b>	<b>Hemp Sq. Ft</b>
41	2060	30,762

We have 14 licensed hemp processors/handlers.

Caroline Nelson attended CannaCon 2021 to provide information to attendees about the Oklahoma Industrial Hemp Program.

## **Environmental Resource Section**



Figure 1: Street view of dye runoff on the street

April 16 2021, an ODAFF inspector initiated an on-site investigation in Oklahoma City immediately after a caller reported a pesticide spill by the Elite Lawn Care, a licensed lawn care company. During the investigation, the Elite Lawn Care was interviewed and stated that the rinsate from their tank mix was disposed of on their own gravel lot on April 15<sup>th</sup> before an overnight rain storm washed away rinsate down to the street. On the Gateway Terrace between SE 84<sup>th</sup> Street and SE 88<sup>th</sup> Street, an approximately 300 yard dyed pesticide discharge was observed along the east side of Gateway Terrace and running to a storm drain close to SE 88<sup>th</sup> Street. A water

sample was collected by the storm drain and analyzed for any possible herbicide residue.



Figure 2: Street view of dye runoff at the storm drain



The herbicide MCPA was detected with a trace amount in the sample. ODAFF issued a letter of warning to the Elite Lawn Care on May 27, 2020, indicating the violations of the improper discharge of a pesticide and using a pesticide in a manner inconsistent with its label.

## AGRICULTURE RESOURCE SECTION

### Feed Program

#### Program Performance

During this reporting period there were a total of 211 official feed samples analyzed, with 921 feed determinations made from these samples. These determinations resulted in the issuance of 38 violations for feeds or feed ingredients that did not meet established tolerances based on their guaranteed analysis. The majority of these violations were issued for products deficient in Crude Protein. Other violations include Crude Fat, Calcium, Salt, Phosphorus, Copper, Crude Fiber, Potassium, and Zinc. Eleven stop sale orders were issued for feed products with severe deviations from their guaranteed analysis. Five stops sales were issued for products deficient in Crude Fat. Three stop sales were issued for products deficient in Copper. One stops sales were issued for products deficient in Calcium. One stops sales were issued for products deficient in Salt. One stops sales were issued for products deficient in Zinc.

The following tables show a two month comparison of label violations and stop sale orders issued by the Department for feed products that did not meet their guaranteed analysis.

**Table 1. Feed Notice of Label Violation Summary March 2021 – April 2021**

Nutritional Guarantee	Number of Label Violations		
	March <sup>1</sup>	April <sup>2</sup>	Two Month Total
Crude Protein	7	23	30
Non-protein Nitrogen	0	0	0
Crude Fat	1	1	2
Crude Fiber	0	1	1
Calcium	0	4	4
Phosphorus	0	1	1
Salt	0	2	2
Manganese	0	0	0
Potassium	1	1	2
Copper	0	3	3
Iron	0	0	0
Zinc	0	2	2
Vitamin A	0	0	0
Medicated Feed	0	0	0
<b>Total</b>	<b>9</b>	<b>38</b>	<b>47</b>

<sup>1</sup> 293 feed samples analyzed with 1291 determinations; <sup>2</sup> 211 feed samples analyzed with 921 determinations

**Table 2. Feed Stop Sale Summary March 2021 – April 2021**

Nutritional Guarantee	Number of Stop Sales		
	March <sup>1</sup>	April <sup>2</sup>	Two Month Total
Crude Protein	0	0	0
Non-protein Nitrogen	0	0	0
Crude Fat	0	5	5
Crude Fiber	0	0	0
Calcium	0	1	1
Phosphorus	0	0	0
Salt	0	1	1
Manganese	0	0	0
Potassium	0	0	0
Copper	0	3	3
Zinc	0	1	1
Vitamin A	0	0	0
Medicated Feed	0	0	0
<b>Total</b>	<b>0</b>	<b>11</b>	<b>11</b>

<sup>1</sup> 293 feed samples analyzed with 1291 determinations; <sup>2</sup> 211 feed samples analyzed with 921 determinations

### Weights & Measures Program

During this period the large capacity scale technicians inspected 9 vehicle scales and 31 ranch scales, 3 vehicle scales and 2 ranch scales were rejected for repairs. The ranch scale testing program is almost completed and we have moved on to checking vehicle scales at Coops and grain elevators prior to the start of wheat harvest.

Weights & Measures inspectors checked a total of 1055 small scales and 18 platform scales during this period, 14 scales were rejected. There were 9 random pack inspections and 55 standard pack inspections conducted that resulted in 4 companies receiving letters of warning. Additionally, 87 price verification inspections were conducted at various retailers that resulted in 2 companies receiving letters of warning.

### Grain Warehouse Program

The 2021 Grain Grading Schools were a success this year. The schools were conducted May 11, 12, & 13. On May 6<sup>th</sup> a “zoom” meeting was held to accommodate workers with Covid-19 concerns. A total of 96 people received grain grading training.

The schools consist of lecture, power point presentations, exhibits, testimonials, and online testing. A mix of employees from Federal, State, and unlicensed elevators attend the training classes. New grain grading permits will be issued and existing permits renewed.

The Grain Warehouse Program monitors state chartered warehouses in Oklahoma to insure approved grain graders are performing their duties correctly.

Grain grading permits are required by Oklahoma statutes and currently there is no charge.

## Fertilizer Program

### Program Performance

Below you will find the Performance Numbers for the Fertilizer and Agricultural Lime Programs for the listed time period.

Type of Sample	Number
Fertilizer	84
Lime	5

Letters of Warning	Sample Deficiency Penalties	Notice of Deficiency: Stop Sales
1	26	6

Type of Investigation	Number
Dry Fertilizer Facility	5
Liquid Fertilizer Facility	0
Pre-Site Facility	5
Anhydrous Ammonia Storage Tanks	3 (5 Total Tanks)
Anhydrous Ammonia Nurse Tanks	7 (341 Total Tanks)

I will be glad to answer any questions from the Board members.



Kenny M. Naylor

Oklahoma Department of Agriculture, Food and Forestry  
Animal Industry Services Board Report  
June 16, 2021  
Activities April 17, 2021 – May 28, 2021

**Animal Disease Traceability:**

On May 3, we participated in a VET CVI demonstration. This is the eCVI product that USAHerds user states helped fund in order to provide this eCVI to accredited veterinarians at no cost to them. It will have the ability to interact with EID readers via Bluetooth as well as having a future development of creating TB and Brucellosis test charts. It is anticipated that VET CVI will be available this fall with the regulatory testing functionality available next year.

During this time frame, we received notice that the supplemental cooperative agreement submitted was approved. We will receive an additional \$25,206 to purchase RFID equipment and tag applicators to distribute to accredited veterinarians, veterinary technician programs, and OSU Extension.

During this time frame, we assisted the Texas Animal Health Commission with a livestock market trace involving animals purchased in Oklahoma and moving to Texas without a Certificate of Veterinary Inspection.

**Aquaculture:**

There was no activity of note during this period.

**Biologics:**

During this period we issued 3 separate Stop Sale Orders to farm supply stores in the metro area due to the discovery of expired biological products being offered for sale. The vaccines were removed from inventory and the manager of the store was instructed to either destroy the product or return it to the distributor. The livestock inspector that discovered the expired vaccines will return to the same stores to make an unannounced visit to ensure vaccines offered for sale are in date.

**Cattle Programs:**

**Brucellosis:**

We have no active bovine Brucellosis cases currently.

The only remaining reservoir of *B abortus* in the U.S. is in elk and bison in the Greater Yellowstone Park area. Those states have Designated Surveillance Areas, where the disease in wildlife occasionally spills over into domestic cattle and bison.

While there is very little need to test for *B abortus* any longer, this means we have very little or no surveillance for *Brucella suis* or Swine Brucellosis which currently infects approximately 20% of the feral swine that our Wildlife Services personnel test. *B suis* can, and does, infect cattle. I fear this could lead to an increase in the number of human cases of *B suis*.

### **Tuberculosis:**

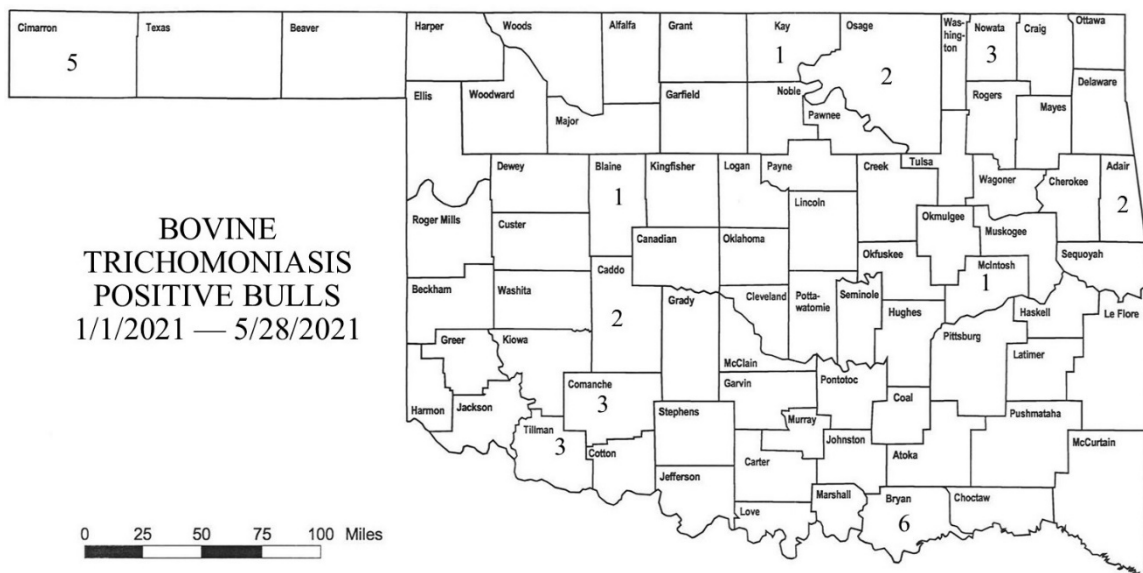
On May 19 we were notified of a bull from Oklahoma that tested positive for TB at a slaughter plant in Nebraska. Tracing back through the Livestock Market the bull sold at took us to the premises of origin in Osage County. Drs. Stone and Proctor have visited the premises and begun the epidemiological investigation. This producer has a very complex operation with many moving parts. Many cattle that had exposure to the bull are no longer on the premises. We will be testing exposed cattle in Oklahoma in early to mid-June.

Assurance tests are planned for the fall for the three TB affected herds we tested last year.

Our State and Federal Field Veterinarians follow up on suspect screening tests by private veterinarians by conducting confirmatory tests.

### **Trichomoniasis:**

During this period 2,092 Oklahoma bulls were tested, and 16 positive bulls were discovered. Dr. Proctor contacts the owners of positive bulls and their veterinarians to follow up and offer advice about control and eradication of the disease, and to answer questions about the disease and our regulations.



9,150 bulls tested / 29 positive = 0.32% positive

Our current statistics compare to 2.1% positive bulls in 2011, 14% in 2012, 1.3% in 2013, 1.4% in 2014, 1.1% in 2015, 1.1% in 2016, 0.5% in 2017, 0.32% in 2018, 0.42% in 2019, and 0.35% in 2020.

### **Johne's Disease:**

During this reporting period of 2020 we received 13 positive reports on 10 new premises and in 2021 we have 11 positive reports on 9 new premises. 2020 year to date we received 47 positive reports on 33 new premises and in 2021 we received 54 positive

reports on 40 new premises. Johne's disease continues to be a disease of low priority and awareness for most producers. Goals of producers vary as much as the type of production. Testing strategies need to be tailored to the goal of the producer. That variability presents challenges for all producers and veterinarians. Education is still needed for prevention, management, and elimination.

Dr. Stone visits with veterinarians and producers to help with testing strategy, husbandry practices, risk, and education.

**Emergency Management:**

On May 3, Dr. Gorczyca worked with Dr. Leslie Cole to provide updates to ODAFF's FMD response plan in preparation for the IIAD FMD Vaccine TTX.

On May 14, Dr. Gorczyca and I met virtually with Kylee Deniz, Executive Director for OK Pork to discuss our roles with US SHIP as well as to discuss the upcoming AgView permitting drill between OK, KS, CO, and TX.

May 10-12, Drs. Stone, Ruby, Gorczyca, and I participated in a FADD refresher training. Dr. Gorczyca assisted with facilitation of the course for participants. FADDs are required to have continuing education every year in order to maintain FADD status. This course met that requirement.

Dr. Gorczyca participated in a FAD SAFE (FMD Functional Exercise) planning call on May 17.

Dr. Gorczyca participated on the Secure Beef Supply permitting drill planning call on May 11.

On May 21, we participated in an AgView permitting drill with KS, CO, and TX. The goal of this drill was to examine the functionality of using AgView during an ASF outbreak. The drill will conclude on June 4<sup>th</sup>.

On May 25-May 27, we participated in the Institute of Infectious Animal Diseases (IIAD) FMD Vaccine TTX. The goal of this exercise was to determine each state's level of FMD Vaccine Plan preparedness and to identify gaps in planning that IIAD could potentially assist with. An AAR will be held on July 20 to discuss the gaps and improvement plan for state planning efforts.

We continue to participate in weekly ASF Slaughter Plant Working Group discussions to help prepare the packing industry to respond during an ASF outbreak.

**Equine Programs:**

There are no new cases of EIA in Oklahoma.

There are no reported cases or quarantines for CEM in Oklahoma.

We received a Piroplasmosis traceback investigation on a horse that tested positive in Texas. The horse had been stabled with two trainers in Oklahoma prior to the positive test. Horses in both of those trainer's barns were tested for Equine Piroplasmosis and no additional cases were found. Equine Piroplasmosis is a foreign animal disease that is endemic in areas of Mexico, and South and Central America. The majority of cases discovered in the United States since 2009 have occurred in Quarter Horse race horses, or horses associated with Quarter Horse race horses, that have participated in unsanctioned racing or have been illegally moved to and from Mexico. While the disease can be spread by ticks, cases in the United States occur due to iatrogenic spread through reuse of needles or blood administration equipment. If the disease were to become established in the United States, it would have a significant negative impact on international movement for our equine industry.

On May 5<sup>th</sup>, Dr Ruby and Livestock Inspector Clay Jack assisted the Oklahoma Race Horse Commission at Remington Park with checking EIA test records and Certificates of Veterinary Inspection for horses entering the track. The majority of horses were found to be accompanied with the correct paperwork.

Dr Ruby gave a presentation over Equine Herpesvirus at the OSU Extension monthly meeting on May 19<sup>th</sup>.

On April 29 I received a complaint that a livestock dealer was advertising that he would purchase horses without a negative Equine Infectious Anemia test. According to our Administrative Code all equine animals that change ownership in Oklahoma must have a negative test. I contacted the dealer and informed him of the complaint and the rule and sent a Letter of Warning.

On May 17 we were notified by the South Dakota Assistant State Veterinarian of possible movement of horses into Oklahoma without EIA testing and without a CVI. These horses were purchased by an Oklahoma horse trader from 2 South Dakota horse markets. Dr. Stone contacted the Oklahoma horse trader's buying agent and investigated the information. We were able to determine that some of the horses were sold in South Dakota and that our Oklahoma buyer did not follow the South Dakota requirement. The rest of the horses went to Minnesota and are currently under investigation for not following their rule.

#### **Farmed Cervidae Programs:**

36 warning letters were mailed to program participants who did not submit their renewal applications by the April 1<sup>st</sup> deadline. Follow up phone calls were made 6/1/2021 and only 10 are still outstanding and 7 of those should be submitting their renewal applications.

#### **Feral Swine:**

26 warning letters were mailed to program participants who did not submit their renewal applications by the April 1<sup>st</sup> deadline. Follow up phone calls were made on 6/1/2021 and

only three facilities are still outstanding. No contact was made with the three owners but messages were left.

On April 21 we received a complaint that feral swine were escaping from one of our licensed Feral Swine Sporting Facilities. Livestock Inspector Brice Callahan and Dr. Gary Stone conducted separate inspections on April 29 and May 13 and verified that the fence was in excellent condition and that there was no evidence of feral swine escaping the facility.

**Foreign Animal Disease:**

ODAFF and APHIS personnel performed one FAD investigations during this time frame. It involved a fluffle of rabbits with high death loss that potentially could have been Rabbit Hemorrhagic Disease. Thankfully RHD was not diagnosed.

We continue to be part of three separate working groups that are planning to respond to African Swine Fever in case the disease makes it to the USA.

Rabbit Hemorrhagic Disease cases have now been detected in wild and/or domestic rabbits in 13 states. We are continuing to monitor and assess the risk for Oklahoma rabbit populations. The public is encouraged to report any dead wild rabbits and rabbit owners and accredited veterinarians should report any suspicious cases to our division.

On April 30 I met virtually with a person who is gathering information about education and outreach in different states concerning RHD. Her group's goal is to compile the information into education materials that will help rabbit producers protect their rabbits.

May 10-11 all AIS veterinarians participated in a Foreign Animal Disease Diagnostician refresher course taught virtually by USDA veterinarians.

On May 25-27 we participated in a Foot and Mouth Disease vaccine Table Top Exercise hosted by Institute for Infectious Animal Diseases. We discussed and explored different scenarios to request and distribute FMD vaccine during an outbreak.

**Livestock Market Audits:**

During this period, staff has approved the application for multiple livestock market changes. Cale and Nicole James have bought the market in Fairview, Oklahoma and been granted a livestock market license. Fairview Livestock Auction & Commission Company began operating in late May.

In addition to the Fairview market, Billy Ketchum of McAlester has been issued a license for a new sheep and goat sale. Ketchum Kountry Auction began operating in May as a weekly Monday evening sale.

In addition to these two new licensees, this department has been working with two other markets on the verge of ownership change. Also, during this period, a number of livestock market custodial account audits were performed with no violations discovered.



#### Livestock Auction Market Activities

Auction market licenses issued	2
Auction market licenses pending	1
Market custodial audits completed	5
Auction market complaints investigated	0
Fines collected	0
Livestock Markets with Legal Action	0
Special Audits (Market Development)	0

#### **Outreach:**

On April 26 I attended the virtual OADDL Board of Advisors meeting.

On May 3 I submitted my report for the OVMA's Communique newsletter.

On May 19 we hosted a virtual VMO Meeting where we discussed Equine Infectious Anemia lab licenses and inspections, the TB positive bull, and other cases.

#### **Poultry Programs:**

There were 32 birds submitted under the sick/dead bird program and none were found to have reportable diseases. To date, there have been 52 total cases submitted for 2021.

We hosted 8 Poultry Tester Training Classes across the state educating individuals on poultry diseases and training a total of 85 individuals how to test poultry for Pullorum Typhoid Salmonella and to submit Swabs for Avian Influenza Testing in poultry.

Drs. Ruby, and I, as well as Poultry APO Sherrie Davis attended the virtual meeting of the Poultry Health Advisory Committee on May 14th. PHAC is comprised of State and Federal Regulatory Officials and Industry representatives from Oklahoma, Arkansas, and Missouri

#### **Rabies in Livestock:**

There were no reports of livestock rabies during this time period.

#### **Sheep and Goat Programs:**

There were no significant events in this program during this period.

#### **Swine Programs:**

On May 21 we saw a demonstration of a product called AgView that was developed in a partnership with National Pork Council and Texas A&M University. It is a tool that swine producers can load premises information, shipping information, etc. into. It should give us information to more quickly trace swine movements in case of a disease outbreak.

On May 26 Dr. Gorczyca-Southerland and I met with Secretary Arthur, JanLee Rowlett, Teena Gunter, and Kylee Deniz of the Oklahoma Pork Council. Ms. Deniz is the new Executive Director of OKPork and this was an opportunity to introduce ourselves and get to know one another better.

**Miscellaneous:**

On April 29 Dr. Gorczyca-Southerland and I, along with Secretary Arthur, met with the Oklahoma Horse Racing Commission to learn more about and discuss their drug testing program.

Respectfully,

A handwritten signature in cursive script that reads "Rod Hall DVM". The signature is written in dark ink and is positioned above the printed name.

Rod Hall, DVM

**Oklahoma Department of Agriculture, Food, and Forestry**  
**Wildlife Services Division**  
**Board Report for April 2021 Activities**

## Introduction

Wildlife Services (WS) responds to damage complaints caused by wildlife to resources or property throughout Oklahoma. WS specialists conduct operational damage management programs for many of the complaints they receive to resolve these wildlife damage problems. During this period, these projects were conducted on 507 properties with an estimated 1,794,546 acres of land under agreement. Additionally, WS helped 180 persons and entities with technical assistance which involved providing information to cooperators so they can resolve problems themselves. Cooperators reported and WS specialists verified wildlife damage of \$563,242 during this period. Beaver damages accounted for losses totaling \$356,435. Coyotes were responsible for a number of damage requests, primarily to livestock, with losses totaling \$25,688. Feral swine damages accounted for losses totaling \$162,435, while other species of wildlife were responsible for \$18,701 in damages to property, agriculture, and livestock.

## Providing Wildlife Services

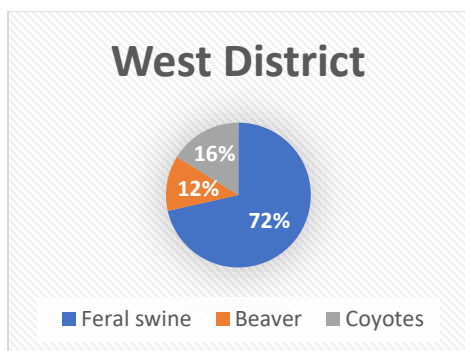


Figure 1: Percent of Species Removed in West District, April 2021

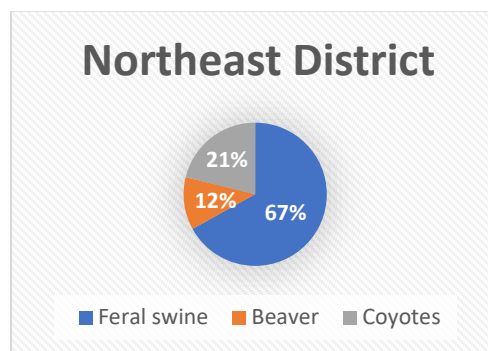


Figure 2: Percent of Species Removed in the Northeast District, April 2021

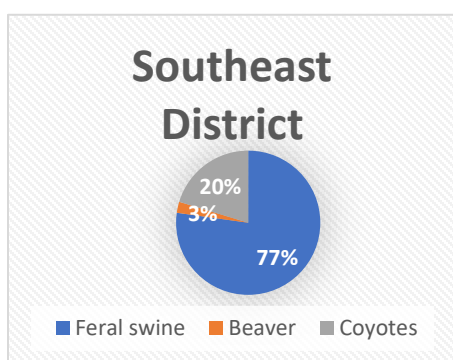


Figure 3: Percent of Species Removed in the Southeast District, April 2021

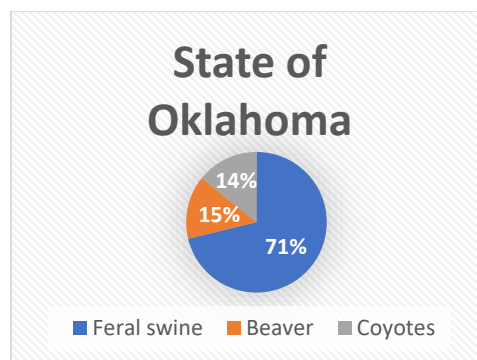
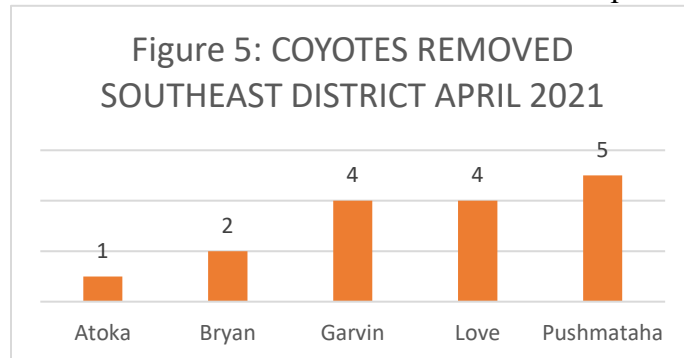


Figure 4: Percent of Species Removed in the State, April 2021

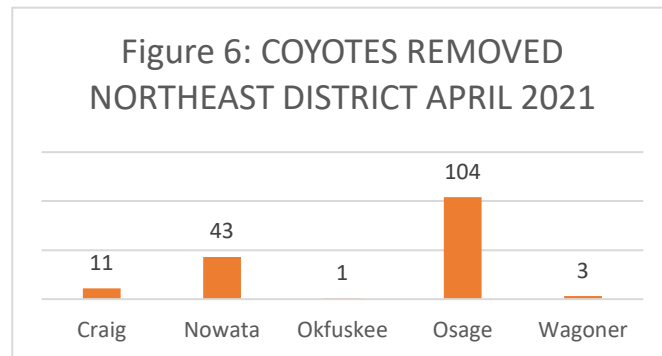
### **Coyote Damage Management**

On April 19<sup>th</sup>, a Cimarron County rancher contacted WS for assistance with coyotes. The rancher reported coyotes were responsible for killing three calves valued at \$2,644.77. The Wildlife specialist for Cimarron County responded to the request and verified coyotes were responsible for the predation. Management efforts were successful in quickly removing five coyotes from the immediate area. No further losses have been reported to date.

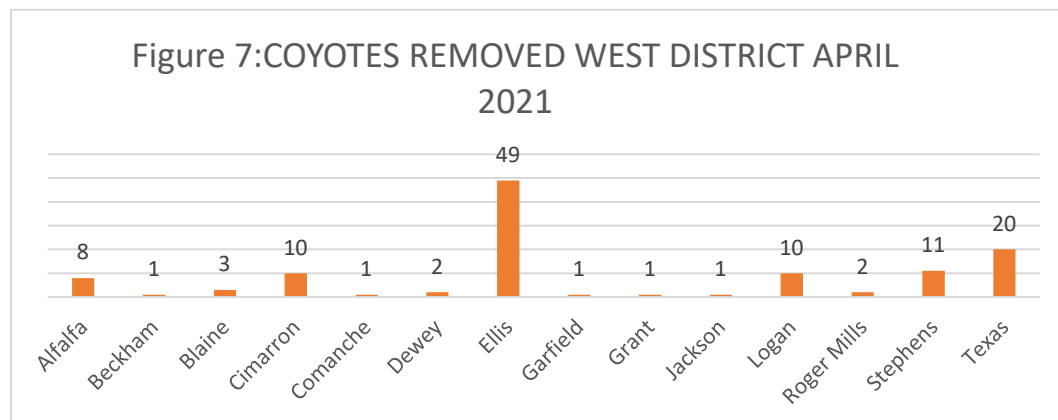


On April 23<sup>rd</sup>, a Beaver County livestock producer requested assistance with coyotes depredating on calves. The rancher reported coyotes were responsible for the loss of one calf valued at \$2,500. The specialist for Beaver County responded and verified coyotes were responsible for the loss. Control efforts have been successful in removing five coyotes. Work is ongoing currently.

On April 25<sup>th</sup>, a Logan County livestock producer requested assistance with coyotes depredating on his goats. The rancher reported coyotes were responsible for the loss of three kid goats valued at \$3,300. The specialist for Logan County responded and verified coyotes were responsible for the loss of one kid goat valued at \$1,100. Control efforts have been successful in removing three coyotes. Work is ongoing currently.



On April 6<sup>th</sup>, an Osage County landowner contacted WS requesting assistance with coyote predation on goats. The landowner reported that coyotes had killed a large number of kid goats and two adults. A WS specialist responded to the request and verified that coyotes were responsible for the goat losses. The Specialist utilized foothold traps, snares, calling and shooting



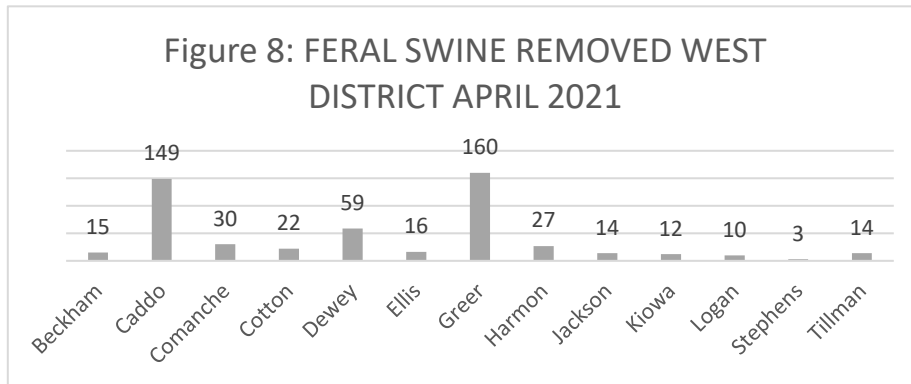
techniques, as well as aerial hunting to effectively remove coyotes from the property and surrounding area.

Technical

assistance was also provided to the landowner. The specialist recommended upgraded fencing, penning of goats, as well as guarding dogs. The landowner has penned the goats and purchased two guarding dogs since the project began. Work continues at this time.

### **Feral Swine Damage Management**

On April 2<sup>nd</sup>, a Grady County landowner requested assistance with feral swine rooting his bermuda pastures. The landowner reported 10 acres were damaged valued at \$2,000. The Wildlife Specialist assigned to Grady County responded to the request and verified the damage. The specialist used a live trap to remove 36 feral swine. Activity is being monitored to determine if further management is needed.

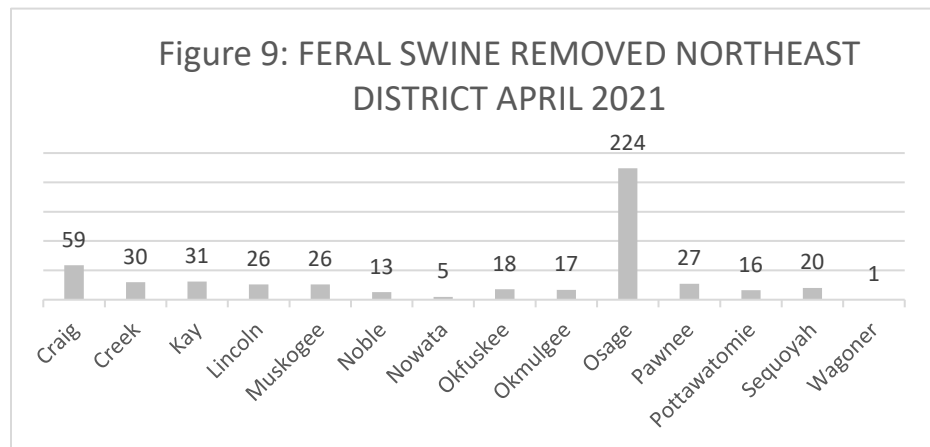


On April 2<sup>nd</sup>, a Harmon County landowner requested assistance with feral swine rooting in his wheat fields. The Wildlife Specialist assigned to Harmon County responded to the request and verified the damage valued at \$3,000. The specialist

utilized a live trap to remove 27 feral swine. Activity is being monitored to determine if further management is needed.

On April 5<sup>th</sup>, a Greer County landowner requested assistance with feral swine damaging his pastures. The Wildlife specialist for Greer County responded to the request and verified the damage valued at \$1,000. The Wildlife Specialist utilized a live trap to remove 54 feral swine from the property. Activity in this area is closely being monitored to determine if further management is needed.

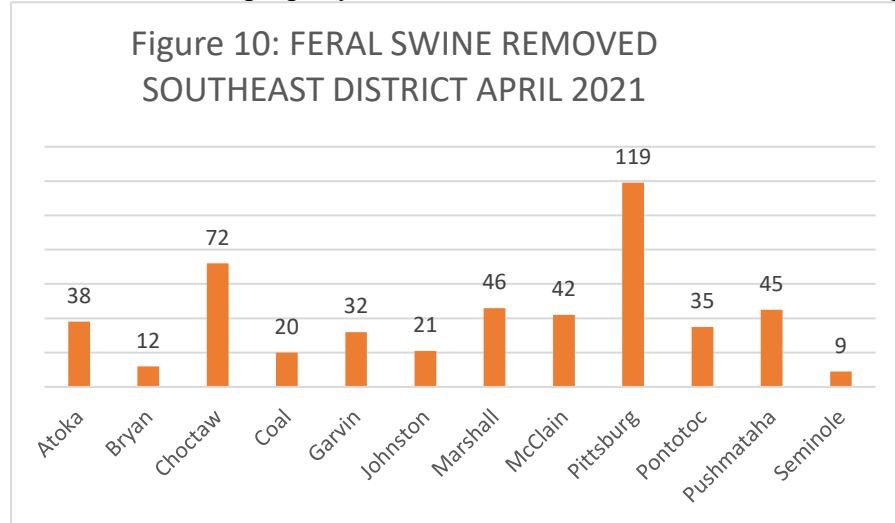
Management efforts to control feral swine continued on a Murray County farm. The landowner had suffered losses to his alfalfa fields from feral swine rooting damage back in March. The Wildlife specialist for Murray County responded to the request and verified the damage estimated at \$3,500. Remote camera traps were successful in removing an additional 25 feral swine this month. A total of 103 feral swine were removed from the



area. Management efforts are complete at this time.

On April 19<sup>th</sup>, WS was contacted by a Creek County farmer asking for assistance with feral swine. WS answered the request and verified that feral swine were responsible for rooting a freshly planted corn field. Damages were estimated at \$1,500. WS utilized thermal shooting and trapping to remove 16 hogs from the area. No further damages reported, work is ongoing at this time.

On April 15<sup>th</sup>, an Osage County landowner contacted WS with concerns about the presence of feral swine on his property. The landowner stated that he had seen signs of damage in an



agricultural field. A WS specialist responded to the call and scouted the property. The Specialist confirmed the damage reported was from feral swine. A live trap was utilized to remove 11 feral swine. Work is continuing at this time and the property owner was advised of environmental changes that could help prevent future problems

In April, WS was contacted by a Pawnee County landowner. The landowner reported feral swine sightings and damages to his pasture. A WS specialist responded to the call and verified the damage to the property. A live trap was placed on the property and 14 feral swine have been removed from the property and work is ongoing. The landowner was advised of environmental changes that could help prevent future problems.

### **Aerial Gunning Operations**

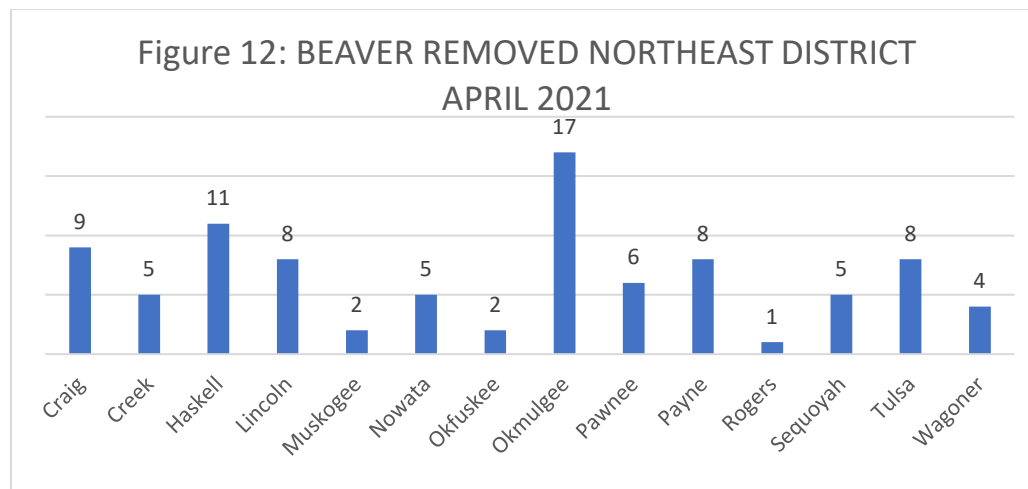
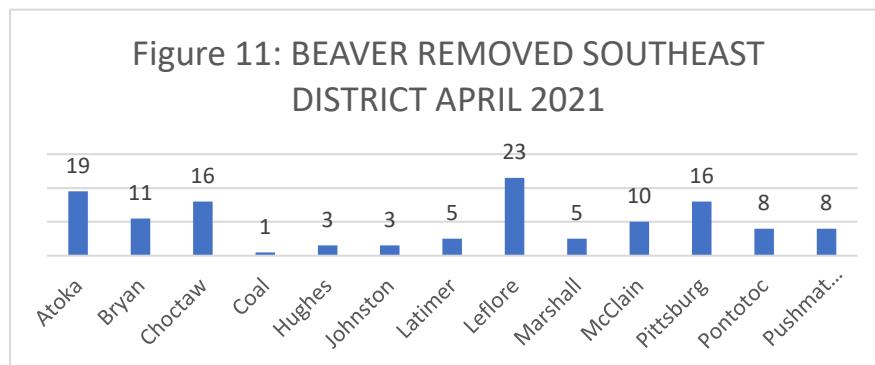
On April 30<sup>th</sup>, aerial operations were conducted in western Custer and Dewey Counties to reduce feral swine populations in these areas. Feral swine were responsible for \$15,000 in damages to pastures and wheat fields. Aerial operations were successful in removing 176 feral swine from the area. Operations are planned in the future to further reduce populations.

### **Beaver Damage Management**

On April 2<sup>nd</sup>, a Roger Mills County landowner contacted WS for assistance with beaver that were responsible for burrowing into his dam structure. The specialist for Roger Mills County responded and verified beaver were responsible for \$5,000 in damage to the structure. The specialist successfully utilized conibear traps to remove five beaver from the pond. Control efforts are completed at this time and no further losses have occurred.

On April 16<sup>th</sup>, an Alfalfa County landowner contacted WS for assistance with beaver that were responsible for damage to dam structure his pond. The specialist for Alfalfa County responded and verified beaver were responsible for \$1,200 in damage to the structure. The specialist successfully utilized conibear traps to remove five beaver from the pond. Control efforts are completed at this time.

On April 19<sup>th</sup>, a Beckham County landowner requested assistance with beaver flooding his pasture next to a creek. The landowner reported that the beaver was responsible for \$2,000 in damages to his pasture. The specialist for Beckham County responded to the request and verified beaver were responsible for the damage. Management efforts were successful in quickly removing the beaver.

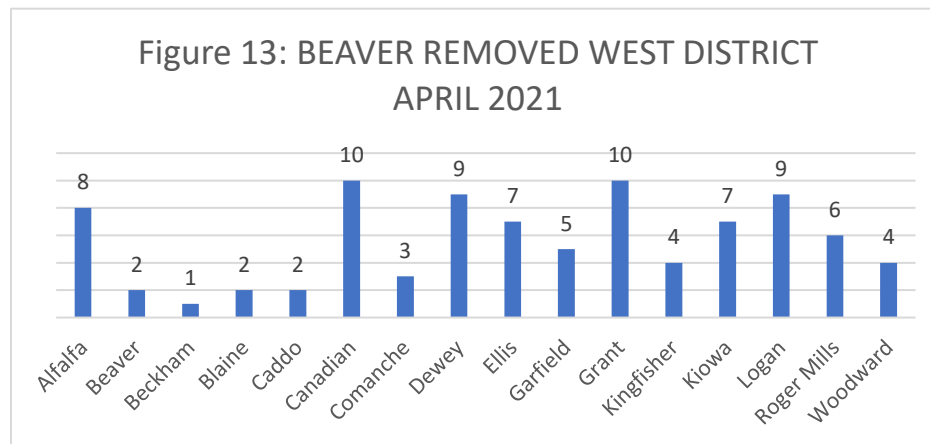


On March 24<sup>th</sup>, a Love County landowner contacted WS for assistance with beaver damage. The landowner reported production loss of four hayfields last year due to flooding from beaver burrowing and dam building activities. The landowner reported a loss of \$32,000 from lost hay sales and an additional \$20,000 in dozer repair costs to the areas affected. The Wildlife specialist for Love County responded to the request and verified the losses were due to beaver activity. Management efforts were successful in removing seven beaver from the immediate area. Repairs have been made and drainage canals are flowing.

On April 14<sup>th</sup>, a Choctaw County Commissioner contacted WS for assistance with beaver damage management. The Commissioner reported beavers were responsible for damming a culvert along a county roadway. The Wildlife specialist for Choctaw County responded to the request and verified beaver were responsible for approximately \$2,000 in damages to the area. Conibear traps were successful in quickly removing five beaver from the immediate area. No further losses have been reported to date.

On April 5<sup>th</sup>, a McCurtain County landowner contacted WS for assistance with beaver control. The landowner reported beaver were responsible for damming a drainage canal and flooding approximately one acre of land and an adjoining county roadway. The Wildlife specialist for McCurtain County responded to the request and confirmed an estimated \$1,800 in flood damages to the area. Control efforts were successful in removing the beaver from the area. No further losses have been reported to date.

On April 2<sup>nd</sup>, a Payne County landowner reported that beavers were making a mess of his pond. A WS specialist responded to the request and verified that beavers were present and gnawing trees which had caused an estimated damage of \$900. Night shooting methods were utilized and four beavers were removed.



On April 1<sup>st</sup>, WS specialist received a call from a Tulsa County landowner with a complaint that beavers had dammed up his pond overflow pipe, causing water to backup into his pasture. After investigating the property, abundant beaver damage was

verified. Utilizing shooting and conibear traps, WS removed three beavers and work is complete at this time.

On April 7<sup>th</sup>, WS was contacted by a property owner in western Pottawatomie County. The landowner was having issues with beavers flooding his pecan grove. The specialist responded to the location and confirmed that beavers were causing flooding issues. Pecan Grove damages were verified at \$3500.00. Hand tools were implemented to remove a portion of the beaver dam to reduce the water level. Conibear traps were set and one beaver has been removed to date. Work is still ongoing at this time due to seasonal rains.

### **Canada Goose Damage Management**

On April 28<sup>th</sup> 2021, the specialist for Oklahoma County was contacted about an aggressive nesting Canada goose. The specialist verified that a Canada goose was causing a human health & safety issue for the employees at the office building. The specialist was able to remove the goose and eggs and work at the location is complete.



Table 1: Beaver, Coyote, and Feral Swine removal in the State, April 2021

County	Beaver	Coyote	Feral swine	District
Adair				NE
Alfalfa	8	8		W
Atoka	19	1	38	SE
Beaver	2			W
Beckham	1	1	15	W
Blaine	2	3		W
Bryan	11	2	12	SE
Caddo	2		149	W
Canadian	10			W
Carter				SE
Cherokee				NE
Choctaw	16		72	SE
Cimarron		10		W
Cleveland	1	2		M
Coal	1		20	SE
Comanche	3	1	30	W
Cotton			22	W
Craig	9	11	59	NE
Creek	5		30	NE
Custer				W
Delaware				NE
Dewey	9	2	59	W
Ellis	7	49	16	W
Garfield	5	1		W
Garvin		4	32	SE
Grady				W
Grant	10	1		W
Greer			160	W
Harmon			27	W
Harper				W
Haskell	11			NE
Hughes	3			SE
Jackson		1	14	W
Jefferson				SE
Johnston	3		21	SE
Kay			31	NE
Kingfisher	4			W
Kiowa	7		12	W
Latimer	5			SE

Leflore	23		7	SE
Lincoln	8		26	NE
Logan	9	10	10	W
Love	3	4		SE
Major	4			W
Marshall	5		46	SE
Mayes				SE
McClain	10		42	SE
McCurtain				SE
McIntosh				NE
Murray				SE
Muskogee	2		26	NE
Noble			13	NE
Nowata	5	43	5	NE
Okfuskee	2	1	18	NE
Oklahoma		5	2	M
Okmulgee	17		17	NE
Osage		104	224	NE
Ottawa				NE
Pawnee	6		27	NE
Payne	8			NE
Pittsburg	16		119	SE
Pontotoc	8		35	SE
Pottawatomie			16	NE
Pushmataha	8	5	45	SE
Roger Mills	6	2		W
Rogers	1			NE
Seminole			9	SE
Sequoyah	5		20	NE
Stephens		11	3	W
Texas		20		W
Tillman			14	W
Tulsa	8			NE
Wagoner	4	3	1	NE
Washita				W
Woods		2		W
Woodward	4			W
<b>TOTAL</b>	<b>316</b>	<b>307</b>	<b>1544</b>	

\*NE –Northeast, SE –Southeast, W – West, M – Metro Districts

### **Wildlife Disease Sampling**

During the month of April, the Wildlife Services Disease Biologist collected samples from 40 feral swine in 6 Counties; Choctaw County, Creek County, Logan County, Marshall County, Pontotoc County, and Seminole County. The samples collected will be tested for classical swine fever, pseudorabies, swine brucellosis, and for genetics. All samples were opportunistically collected during feral swine direct control operations on properties that have requested Wildlife Services assistance with feral swine damage.

Feral swine samples collected are opportunistically taken during Direct Control projects where feral swine are being removed to alleviate property damage. Each feral swine is sampled for Classical Swine Fever, Pseudo-rabies, Swine Brucellosis and a Genetic sample is collected. If available, extra serum vials are archived for future testing.

Table 2: April 2021 Feral Swine Sampling

<b>County</b>	<b># of samples</b>	<b># of locations</b>
Choctaw	6	1
Creek	10	1
Logan	7	1
Marshall	10	1
Pontotoc	5	1
Seminole	2	1
6 Counties sampled	40 Feral Swine sampled	6 sample locations

\*To date, feral swine sample total for FY21 is 348 of the 368 quota

High Priority Counties are established by the National Feral Swine program. These counties have been placed as a “High Priority” due to a culmination of factors such as Commercial Pork production, Dairy Farms, Cattle production, Landfills, etc. At least 50% of Fiscal Year (FY)21 samples must come from the following High Priority Counties. (Adair, Atoka, Bryan, Choctaw, Coal, Comanche, Haskell, Johnston, Le Flore, Logan, Love, Major, McCurtain, Muskogee, Payne, Pittsburg, Pontotoc, Pushmataha, and Sequoyah).

Table 3: High Priory Counties sampled

<b>County (# samples) (* = # incomplete)</b>	<b>Classical Swine Fever (CSF)+</b>	<b>Pseudorabies (PRV)+</b>	<b>Swine Brucellosis (SB)+</b>
Atoka (42)	0	16+	28+
Beckham (15)	0	4+	0
Bryan (40)	0	22+	25+
Carter (10)	0	2+	0
Coal (7)	0	2+	5+
Choctaw (6)(6*)	0	0	0
Creek (29)	0	0	0
Greer (4)	0	1+	0
Johnston (23)	0	9+	8+
Logan (7)(7*)	0	0	0
Le Flore (3)	0	0	1+

Marshall (23)	0	2+	2+
McCurtain (5)	0	2+	1+
Murray (28)	0	7+	0
Muskogee (20)	0	5+	5+
Pittsburg (5)	0	1+	1+
Pontotoc (18)(5*)	0	1+	5+
Pushmataha (24)	0	9+	14+
Seminole (2)(2*)	0	0	0
Sequoyah (37)	0	2+	7+
Total = 348	0%	24.4%	29.3%

\*some counties may have incomplete results

### Aviation Safety

#### Altus Air Force Base (AAFB)

April brought on the full effect of spring migration to Altus AFB, and along with it the increases in strike hazards the season presents. Migratory bird activity substantially increased, as many species both move through the area to the North and settle back into the local area. This activity, coupled with the fledging of early breeding species made for a much higher bird presence in the local vicinity. Blackbirds, spring waterfowl, and Columbids were among the most prevalent species causing hazards. The new technician for the city of Altus underwent a number of trainings. With the position filled, pigeon work both in the city and in the hangars on the base substantially increased as removal efforts seek to alleviate both the BASH hazard they present as well as negative impacts on city businesses, base hangars, and the general public. The quarterly Bird Hazard Working Group (BHWG) meeting was held, in which a number of upcoming habitat management projects were presented on that will take place over the next year at the base. The success of the wintering waterfowl mitigation program at the city reservoir was also a highlight, with the comparison of 35 waterfowl/waterbird strikes with a cost of \$1.5 million in the five Fiscal Years prior to the efforts versus the four waterfowl/waterbird strikes for under \$10,000 in the 3.5 years since it began. USDA personnel also assisted the base in developing the plans and logistics for a dove hunt to occur on the installation in the fall. A presentation was also made to city and base leadership regarding the success of the programs conducted by the city technician, with a plan to present to the city council also in the works. USDA personnel also assisted the city with fish kill issues causing a wildlife attractant at the city reservoir as construction on the site is conducted.

#### Will Rogers World Airport (WRWA)

The spring migration is fully underway and WS begun to see several new species of birds at WRWA. Large numbers of Franklin's gulls were hazed off airport property in April. Some were traveling through the property with no intention of stopping, but many required prompting (through lethal and non-lethal methods) to continue moving out of the airfield. This increase in gull activity is likely to continue, with the addition of ring-billed and herring gulls as summer approaches. Increases in gull activity are generally associated with inclement weather, but they are occasionally hazed during periods of bright, clear skies as well. The overall number of waterfowl on site has declined, although there are still several Canada geese and blue-winged teal in the area. We have been hazing and/or removing them on a regular basis to reduce the likelihood of them nesting. There has also been a recent uptick in doves at the airport, although they generally are seen on or near the perimeter fencing. Additionally, European starlings

continue to be present at WRWA and are hazed on a regular basis. Several striped skunks were removed from the property during nighttime spotlighting surveys. These small mammals can attract larger predators and raptors and are therefore removed whenever possible. Several coyotes were removed from the property this month, and coyote activity could increase over the next few months as coyotes are rearing their pups. With more mouths to feed, coyotes can expand their hunting territories and may venture onto airport property in search of prey.

#### Tinker Air Force Base (TAFB)

During the month of April, bird activity has increased with the spring migration in full effect. Oklahoma is in the center of the Central Flyway with as many as 400 bird species and estimated over 9 million waterfowl flying back to their breeding grounds each year. At TAFB, an increase in waterfowl and gull activity was observed with the dispersal of over 5000 individuals across the airfield and 17 water structures on base. WS has been surveying surrounding lakes and areas where Canada geese have historically congregated in large number, this is to prepare for round-up activities this summer. Summer is when adult birds molt their flight feathers and before juveniles are fully developed to fly, which make capturing easier. Removing the geese will minimize risk to aircraft. WS responded to numerous calls for birds in buildings. European starlings and European house sparrows were the most common species encountered. Adult birds were utilizing gaps in the sides of buildings where utilities entered or siding was damaged from storm activities. Nesting material was removed after the birds were no longer present and holes were sealed up through coordination with Civil Engineering to prevent further issues. WS attended the second quarter Bird/Animal Aircraft Strike Hazard (BASH) meeting. WS lead discussions between Airfield Management, wing leadership, and the tenant flying units to cover survey data and direct control procedures, along with answering any questions or concerns. Overall bird strike data supports a significant decrease in strikes in the first two quarters of the year along with no costs associated with damage. The data presented during these quarterly meetings is a combination of what WS records on location, through general observations and surveys, and from the National Bird Strike Database.

#### Vance Air Force Base (VAFB)



Figure 14: Great horned owl captured and relocated at VAFB

WS live trapped a Great Horned Owl in a Swedish Goshawk trap. The owl was taken 50 miles west of the base and released between Canton and Fairview in Oklahoma.

Respectfully submitted,

Scott Alls  
Division Director  
Wildlife Services Division

**May 2021 Activity Report  
for  
June 2021 Board Meeting  
  
Agricultural Statistics Division**

**General:** Rainfall totals averaged 1.54 inches across Oklahoma the **first week of May**, with the East Central district recording the highest total at 3.75 inches. According to the April 27th US Drought Monitor Report, drought conditions were rated 57 percent abnormally dry to exceptional drought, up 6 points from the previous week. Additionally, 20 percent of the state was in the moderate drought to exceptional drought category, down 2 point from the previous week. Statewide, temperatures averaged in the high 60's. Topsoil moisture conditions and subsoil moisture conditions were rated mostly adequate to short.

Rainfall totals averaged 0.69 of an inch across Oklahoma the **second week of May**, with the East Central district recording the highest total at 1.42 inches. According to the May 4th US Drought Monitor Report, drought conditions were rated 43 percent abnormally dry to exceptional drought, down 13 points from the previous week. Additionally, 17 percent of the state was in the moderate drought to exceptional drought category, down 3 point from the previous week. Statewide, temperatures averaged in the low 60's. Topsoil moisture conditions and subsoil moisture conditions were rated mostly adequate to short.

Rainfall totals averaged 1.17 inches across Oklahoma the **third week of May**, with the South Central district recording the highest total at 2.09 inches. According to the May 11th US Drought Monitor Report, drought conditions were rated 49 percent abnormally dry to exceptional drought, up 6 points from the previous week. Additionally, 16 percent of the state was in the moderate drought to exceptional drought category, down 1 point from the previous week. Statewide, temperatures averaged in the high 50's and low 60's. Topsoil moisture conditions and subsoil moisture conditions were rated mostly adequate to short.

Rainfall totals averaged 1.59 inches across Oklahoma the **fourth week of May**, with the Southeast district recording the highest total at 4.06 inches. According to the May 18th US Drought Monitor Report, drought conditions were rated 40 percent abnormally dry to exceptional drought, down 9 points from the previous week. Additionally, 10 percent of the state was in the moderate drought to exceptional drought category, down 6 point from the previous week. Statewide, temperatures averaged in the high 60's. Topsoil moisture conditions and subsoil moisture conditions were rated mostly adequate to short.

Rainfall totals averaged 1.45 inches across Oklahoma the **fifth week of May**, with the Southeast district recording the highest total at 2.81 inches. According to the May 25th US Drought Monitor Report, drought conditions were rated 36 percent abnormally dry to exceptional drought, down 4 points from the previous week. Additionally, 8 percent of the state was in the moderate drought to exceptional drought category, down 2 point from the previous week. Statewide, temperatures averaged in the high 60's. Topsoil moisture conditions were rated mostly adequate to surplus. Subsoil moisture conditions were rated mostly adequate to short.

**Small Grains:** Winter wheat harvested reached 1 percent, up 1 point from the previous year but down 2 points from normal. Canola coloring reached 55 percent, down 3 points from the previous year and down 21 points from normal. Rye harvested reached 6 percent, up 2 points from the previous year and up 2 points from normal. Oats jointing reached 85 percent, up 1 point from the previous year and up 1 point from normal. Oats headed reached 60 percent, up 11 points from the previous year and up 1 point from normal.

**Row Crops:** Corn planted reached 70 percent, down 12 points from the previous year and down 14 points from normal. Corn emerged reached 60 percent, down 4 points from the previous year and down 12 points from normal. Sorghum planted reached 30 percent, down 1 point from the previous year and down 7 points from normal. Soybeans planted reached 27 percent, down 39 points from the previous year and down 20 points from normal. Peanuts planted reached 41 percent, up 17 points from the previous year but down 18 points from normal. Cotton planted reached 39 percent, up 25 points from the previous year and up 2 points from normal.

**Hay:** The first cutting of alfalfa hay reached 30 percent, down 15 points from the previous year and down 30 points from normal. The first cutting of other hay reached 40 percent, down 4 points from the previous year but unchanged from normal.

**Pasture and Livestock:** Pasture and range condition was rated at 89 percent good to fair. Livestock condition was rated at 90 percent good to fair.

**Surveys:** Surveys administered by the Oklahoma call center are listed in the table below:

Survey	Enumerated by:	Survey Dates
Calling Suspended on 3/18/2020 due to COVID-19		
Calling has rolled over to field enumerators from home. Laptops have been issued to call center enumerators and are currently being used to collect data as well.		

**Statistics:** On May 5, 2021, the final pecan estimates for the 2020 crop year for Oklahoma wheat were published in the Noncitrus Fruit and Nut Report. Highlights include:

Pecan utilized production was estimate at 6.96 million pounds for the 2020 crop year, which is down 67% from the previous year. Bearing acres were estimated at 98 thousand acres, a 8 thousand acres increase from 2019.

On May 12, 2021, the first forecast for Oklahoma wheat was published in the May Crop Production Report. Highlights include:

Wheat production for Oklahoma is forecast at 108 million bushels, up 4 percent from last year. Yield per acre is expected to average 40.0 bushels, unchanged from the previous year. Acres expected to be harvested for grain, at 2.70 million acres, are up 4 percent from 2020.

**Information Requests:** Phone calls, personal visits to our office, and requests via e-mail for information since last report totaled 26. In addition, our internet home page was hit 17,981 times in 2021, which is up 17 percent from 2020.

**Releases for May:**

Noncitrus Fruit and Nuts  
Crop Production  
Cattle on Feed  
Farm Labor  
Agricultural Prices

**Relating Dates:**

2020  
May 1, 2021  
May 1, 2021  
April & January 2021  
May 15, 2021

**Release Dates:**

May 5, 2021  
May 12, 2021  
May 21, 2021  
May 26, 2021  
May 28, 2021

**Releases for June:**

Crop Production  
Hogs and Pigs  
Cattle on Feed  
Agricultural Prices  
Acreage Report  
Quarterly Grain Stocks

**Relating Dates:**

June 1, 2021  
June 1, 2021  
June 1, 2021  
June 15, 2021  
June 1, 2021  
June 1, 2021

**Release Dates:**

June 10, 2021  
June 24, 2021  
June 25, 2021  
June 30, 2021  
June 30, 2021  
June 30, 2021

**Meetings and Events:**

OTCAC Producer Webinar Team 2  
OTCAC Producer Webinar Team 6  
Plains Grains Inc Board Meeting  
SPR June Area NASDA Training  
OTCAC Producer Webinar Team 17  
OTCAC Producer Webinar Team 1  
NASS/ODAFF Leadership Mtg  
Beginning Farmer/Rancher Planning  
Nation to Nation Planning  
OK DCC June Survey NASDA Training  
SPR NASDA Supervisors Meeting  
NRCS Program's Webinar  
Peanut Commission Meeting  
OTCAC Producer Webinar Team 14  
OTCAC Producer Webinar Team 18

**Date:**

May 4, 2021  
May 4, 2021  
May 7, 2021  
May 12, 2021  
May 13, 2021  
May 20, 2021  
May 25, 2021  
May 26, 2021  
May 27, 2021  
May 27, 2021  
June 3, 2021  
June 8, 2021  
June 17, 2021  
June 21, 2021  
June 22, 2021

**Location:**

Virtual  
Virtual  
Virtual  
Virtual  
Virtual  
Virtual  
Virtual  
Virtual  
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Virtual  
OKC, OK  
Virtual  
Virtual

Respectfully Submitted,



Troy Marshall



# MARKET DEVELOPMENT SERVICES

*June 16, 2021*

## Report to the State Board of Agriculture

### AG IN THE CLASSROOM

#### AG IN THE CLASSROOM IMPACT

- Total Number of Teachers/Administrators Impacted: 124
- Total Number of Pre-Service Teachers Impacted: 97
- Total Number of Extension Educators Impacted: 17
- Total Number of Students Directly Impacted by Coordinators: 1,781
- Total Number of Resources Given: 2,817
- Total Number of Teachers/Pre-Service Teachers Resources Given to: 217
- Total Number of PreK-12th Grade Students Resources Given to: 2,265

#### AG IN THE CLASSROOM WEBSITE, LESSON IMPACT, AND SOCIAL MEDIA

- The AITC website had 10,207 visits and 8,364 unique page view visits.
- The AITC monthly email is delivered to 15,287 accounts.
- The AITC Facebook page now has 7,124 followers.
- The AITC Twitter page now has 566 followers.
- Oklahoma AITC Instagram account now has 562 followers.
- Oklahoma AITC Pinterest account now has 200 followers.
- The AITC YouTube channel now has 7,693 views.
- Kahoot: 124 Kahoot games with 3,711 plays.

#### Ag in the Classroom- Professional Development Workshops

Number of Educators & Grade Level(s)	Location	Lessons/Activities Used	Resources Given
61 Pre-Service Elementary Educators	Oklahoma State University Zoom	Thinking in Pictures, student readers, specialty crop activity sheets, Red Dirt Symbols	Cropopoly Jr or Careeropoly board game
17 PreService Elementary Reading Students	Northeastern State University - Broken Arrow Zoom	Thinking in Pictures, student readers, specialty crop activity sheets, Red Dirt Symbols	Cropopoly Jr or Careeropoly board game
17 Extension Educators	Oklahoma Department of Agriculture, Food, and Forestry	Journey 2050; Specialty Crop Tear Sheets; Plinko Board and Spinning Wheel; Minute to Win It kits	Barn of AITC Resources
12 PreK-2; 7 3rd-5th grade; 26 6th-12th grade	Afton Schools	Fresh From Farm, How to Pick the Best, How Germs Spread, Norman Borlaug	New tear sheets, board games, student readers, and book marks

### Ag in the Classroom- Student Events

Number of Participants & Grade Level(s)	Location	Lessons/Activities Used	Resources Given
14 High School students	4-H Innovate STEM Leadership Summit over zoom	3 workshops- This Little Pig; Punkin' Chunkin'; and Modifying The Plow	N/A
50 Third Grade Students; 3 Teachers; 3 Administrators	Cotton being introduced as Oklahoma State Fiber at Oklahoma State Capitol and Oklahoma Department of Agriculture, Food, and Forestry	The Oklahoma Cotton Council and Oklahoma Ag in the Classroom provided a lunch at the Oklahoma Department of Agriculture; students were welcomed to the State Capitol this afternoon where they received gifts and took pictures with Senator Kidd and Representative Caldwell; the group divided in two to hear the bills be presented on the House and Senate floor	50 ABC Coloring books were provided to Senator Kidd to give to Frederick Elementary third grade students
300 Middle and High School Students from Oklahoma FFA	State FFA Convention Career Show	Oklahoma Ag in the Classroom had a booth at the State FFA Convention and asked students trivia questions about agriculture using the spinning wheel	AITC seed packets and agriculture bookmarks given to students; 150 Ag Careeropoly games given to teachers
65 Kindergarteners- 3 Classes	Henryetta Kindergarten	How plants grow with Strawberry and Tomato tear sheets, made popcorn seed greenhouse necklaces.	3 Cropopoly Jr games, 3 sets of Strawberry Early Childhood tear sheets, 3 sets of Tomato Early Childhood tear sheets, and 3 sets of bookmarks
75 PK-9th grade students	Growing Paynes - Mother's Day Mayhem	Painted Strawberry Rocks	30 Elementary level Strawberry Tear Sheets
77 Fourth and Fifth Grade students, 16 HS students	Pawnee County Progressive Ag Safety Day	Ag Safety Plinko	5 Ag Careeropoly games given to teachers
200 Third through Fifth Grade students	Ponca City Roosevelt Elementary Rodeo Day	Ag Rodeo Plinko	10 sets of Ag Bookmarks given to teachers
1,000 children of all ages	Oklahoma Cowboy Hall of Fame and Museum Chuckwagon Festival	Students made butter; were asked Dairy trivia questions from the Plinko board; Betsy, Ag in the Classroom's wooden milking cow, was also there to be milked	200 Does Chocolate Milk Come From Brown Cows? Tear Sheets

### Ag in the Classroom- Resources Mailed or Delivered

Number Of Resources	Location Resources Were Mailed Or Delivered	Resources Mailed
24	Rush Springs Elementary	Oklahoma Agriculture Fun Facts Bookmarks (Set of 25)
1	Rush Springs Elementary	Harvest of the Month set of 12 posters, Oklahoma Specialty

		Cropopoly Jr Board Game (PreK-5th Grade)
25	Preston School/4-H Program	Do You Know the Difference Between Wool and Cotton? Student Activity Sheets (set of 25) (3rd-12th)
23	Elgin Elementary 2nd Grade Building	Watermelon Early Childhood Student Activity Sheets (set of 25) (PreK-3rd grade)
25	Bennett Elementary Broken Bow	ABC's of Oklahoma Agriculture student coloring book (PreK-3rd)
1	Bennett Elementary Broken Bow, OK	Oklahoma Specialty Cropopoly Jr Board Game (PreK-5th Grade)
60	Justice Public School (Wewoka)	Engineering Process Early Childhood/Lower Elementary student worksheets (set of 25)
20	Mark Twain Elementary	Oklahoma Ag on Rt 66 student magazine (PreK-3rd)
5	Velma-Alma School	Oklahoma Ag on Rt 66 student magazine (PreK-3rd)
20	Bennett Elementary School	Oklahoma Red Dirt Symbols (3rd Grade/Oklahoma History)
20	Bennett Elementary School	Oklahoma Commodity Map student maps
75	Owasso Northeast Elementary	Oklahoma Red Dirt Symbols (3rd Grade/Oklahoma History)
20	Bennett Elementary School	Oklahoma Agriculture Fun Facts Bookmarks (Set of 25)
30	Wickliffe Public School	Oklahoma Ag on Rt 66 student magazine (PreK-3rd)
30	Wickliffe Public School	Specialty Crops Ag Mag student magazine (PreK-3rd)
30	Wickliffe Public School	ABC's of Oklahoma Agriculture student coloring book (PreK-3rd)
30	Wickliffe Public School	Engineering Process Early Childhood/Lower Elementary student worksheets (set of 25) (PreK-3rd)
20	Bennett	Honey Early Childhood Student Activity Sheets (set of 25) (PreK-3rd grade)
1	Wickliffe Public School	It's a Farm Animal Student Readers (set of 25) (PreK-3rd grade)
1	Wickliffe Public School	Green Beans Early Childhood Student Activity Sheets (set of 25) (PreK-3rd grade)
1	Wickliffe Public School	Honey Early Childhood Student Activity Sheets (set of 25) (PreK-3rd grade)
250	Robin hill school	Does Chocolate Milk Come From Brown Cows? Student Activity Sheets (set of 25) (3rd-12th)
1	Robin Hill School	Harvest of the Month set of 12 posters, Nutrition and Did You Know Fun Facts set of 12 posters, Engineering Process Early Childhood/Lower Elementary teacher poster (PreK-3rd Grade), Oklahoma Specialty Cropopoly Jr Board Game (PreK-5th Grade), Elementary Financial Literacy Cards (K-5th, but mostly 3rd-5th Grade), Engineering Process Upper Level teacher poster (3rd-12th Grade), Oklahoma Careeropoly Board Game (3rd-12th Grade)
30	Afton	Oklahoma Ag on Rt 66 student magazine (PreK-3rd)

20	Hammon Head Start	It's a Farm Animal Student Readers (set of 25) (PreK-3rd grade)
1	Hammon Head Start	Harvest of the Month set of 12 posters, Nutrition and Did You Know Fun Facts set of 12 posters, Engineering Process Early Childhood/Lower Elementary teacher poster (PreK-3rd Grade)
27	Mark Twain Elementary	Specialty Crops Ag Mag student magazine (PreK-3rd)
1	Woodlands Elementary	Oklahoma Specialty Cropopoly Jr Board Game (PreK-5th Grade), Elementary Financial Literacy Cards (K-5th, but mostly 3rd-5th Grade), Oklahoma Careeropoly Board Game (3rd-12th Grade)
34	OSU Pre-service Teachers	Oklahoma Careeropoly Board Game (3rd-12th Grade)
24	OSU Pre-service Teachers	Oklahoma Specialty Cropopoly Jr Board Game (PreK-5th Grade)
19	OU - Early Childhood Partnership	Oklahoma Specialty Cropopoly Jr Board Game (PreK-5th Grade); Farm to School Tasteful Harvest Posters; Farm to School Tasteful Harvest Cookbook; Strawberry Early Childhood Student Activity Sheets (Set Of 25) (PreK-3rd Grade); Pecan Early Childhood Student Activity Sheets (Set Of 25) (PreK-3rd Grade); Watermelon Early Childhood Student Activity Sheets (Set Of 25) (PreK-3rd Grade); Green Bean Early Childhood Student Activity Sheets (Set Of 25) (PreK-3rd Grade); Tomato Early Childhood Student Activity Sheets (Set Of 25) (PreK-3rd Grade); It's a Farm Animal Student Readers (set of 25) (PreK-3rd grade); Oklahoma Agriculture Fun Facts Bookmarks (Set of 25); Specialty Crops Ag Mag student magazine (PreK-3rd); ABC's of Oklahoma Agriculture student coloring book (PreK-3rd); Oklahoma Ag on Rt 66 student magazine (PreK-3rd); Harvest of the Month set of 12 posters; Engineering Process Early Childhood/Lower Elementary teacher poster (PreK-3rd Grade)
75	Owasso Elementary	Oklahoma Red Dirt Symbols (3rd Grade/Oklahoma History); Oklahoma Red Dirt Groundbreakers (3rd Grade/Oklahoma History)
275	Jenks FFA	ABC's of Oklahoma Agriculture student coloring book (PreK-3rd)
350	Jenks FFA	Specialty Crops Ag Mag student magazine (PreK-3rd)
25	Jenks FFA	Oklahoma Agriculture Fun Facts Bookmarks (Set of 25); Oklahoma Specialty Cropopoly Jr Board Game (PreK-5th Grade)
25	Growing Paynes	Strawberry Elementary Student Activity Sheets (Set Of 25) (3rd-6th)
50	Four-C Ag Service	Oklahoma Ag on Rt 66 student magazine (PreK-3rd); Grow Garden Grow Readers; Beef or Dairy Student Readers
25	Four-C Ag Service	ABC's of Oklahoma Agriculture student coloring book (PreK-3rd); Crop Talk Student Readers; It's a Farm Animal Student Readers (set of 25) (PreK-3rd grade)
3	Four-C Ag Service	Oklahoma Agriculture Fun Facts Bookmarks (Set of 25)
2	Broken Arrow Elementary	Oklahoma Specialty Cropopoly Jr Board Game (PreK-5th Grade); Strawberry Early Childhood Student Activity Sheets (Set Of 25) (PreK-3rd Grade); Pecan Early Childhood Student Activity

		Sheets (Set Of 25) (Prek-3rd Grade); Watermelon Early Childhood Student Activity Sheets (Set Of 25) (Prek-3rd Grade); Green Bean Early Childhood Student Activity Sheets (Set Of 25) (Prek-3rd Grade); Tomato Early Childhood Student Activity Sheets (Set Of 25); Bees and Honey Early Childhood Student Activity Sheets (Set Of 25); It's a Farm Animal Student Readers (set of 25) (PreK-3rd grade); Crop Talk Student Readers; ABC's of Oklahoma Agriculture student coloring book (PreK-3rd); Harvest of the Month set of 12 posters; Nutrition and Did You Know Fun Facts set of 12 posters; Lower level Financial Literacy Cards
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### Ag in the Classroom- Other Events

Event	Highlights
Hungry Kids Coalition meeting with Lt. Governor	Audrey attended the Hungry Kids Coalition meeting about an upcoming initiative the Lt. Governor will be focusing on. There will be another meeting - TBA.
Awarded CHS Foundation's Educating Next Generation Agricultural Leaders Grant	Oklahoma AITC was awarded this CHS grant in the amount of \$10,000 for an Ag Career CAMP - Creating Agricultural Minded Professionals. The camp will focus on teaching agricultural educators, school counselors, and high school students about agricultural careers and opportunities in the industry.
Opened Registration for Oklahoma Ag in the Classroom Summer Conference	Registration for the Oklahoma Ag in the Classroom Summer Conference is open. The date is set for July 21st at the Hilton Garden Inn in Edmond, OK. AITC is currently reviewing teacher workshop proposals for the conference.
Ag in the Classroom welcomes our summer intern	Brook Langford is an Agricultural Education major at Oklahoma State University from Elgin, Oklahoma. She is involved with numerous collegiate organizations including Oklahoma State University Baptist Collegiate Ministry, Oklahoma State University Beta Psi Chapter of Sigma Alpha Sorority, Oklahoma State University Block and Bridle, Collegiate Cattlewomen's Association Oklahoma State University, Collegiate FFA Oklahoma State University, and Freshman In Transition Living To Learn Program. Brook will be a great asset to our program this summer.

### Ag in the Classroom- New Lessons; Website Additions; Resources

Type	Website URL
Added overall winning AITC Contest artwork to website	<a href="https://ok.agclassroom.org/contest/">https://ok.agclassroom.org/contest/</a>
Added 2021 AITC Summer Conference Sign-up to Website	<a href="https://forms.gle/oyD3ZLrnBLRMWZK78">https://forms.gle/oyD3ZLrnBLRMWZK78</a>

## AGRITOURISM

### Agritourism - Site Visits

Producer	Location	Category	Highlights
Bountiful Harvest	Wagoner	Farm Hub	Dropped off OK Grown bags
Old West Buffalo	Pawhuska	Farm & Ranch	Soft Opening w/ other tourism staff
Growing Paynes	Mustang	U-Pick	Strawberry u-pick season visit

### **Agritourism - New Producers or Potential Producers**

Producer	Location	Category	Highlights
Robinson Ranch	Bixby	Farm to Table	New producer added, potential farm hub, Kat Robinson attended OKLAS for first time and connected w/ ODAFF then
OK Flower Meadow	Pocasset	Horticulture	New producer added, u-pick flower farm
Huffman Family Farm	Choctaw	Farm to Table	New producer added, Naturally grown certified and permaculture farm
Harrah Garden	Harrah	Horticulture	New producer added, community garden open to the public
Dark Water Ranch	Ninnekah	Petting Farm, Pumpkins, Farm to Table	New producer added, Fall attraction will include multicolor sunflowers, animals, hayrides and kid games, also has a farm store selling goat's milk products, MIO producer
WEHO Farm & Market	Wewoka	Farmers Market	Site visit, Potential new FM or hub, Thinking about adding pumpkins and haunted attraction too
Bayer's Blooms	Perkins	Horticulture	New producer added, u-pick flower farm
Old West Buffalo	Pawhuska	Farm & Ranch	New producer added, first connected at OKLAS, buffalo history experience
Wolf Creek Ranch	Pawhuska	Farm & Ranch	New producer added, working cattle and horse ranch
Pacas & Pyres	OKC	Fiber	New producer added, alpaca farm w/ store
Heirloom Rustic Ales	Tulsa	Brewery	New producer added to agritourism and OK Craft Beer Trail
Renaissance Brewing	Tulsa	Brewery	New producer added to agritourism and OK Craft Beer Trail
Brand Strawberry Farm	Luther	U-Pick	Site visit, strawberry/blackberry u-pick farm, farm isn't open to guests yet
Horton Produce	Bluejacket	U-Pick	Site visit, strawberry farm, not ready for agritourism yet
Equity Brewing	Norman	Brewery	New producer added to agritourism and OK Craft Beer Trail
Settlers Brewing	Enid	Brewery	New producer added to agritourism and OK Craft Beer Trail
Enid Brewing Co	Enid	Brewery	New producer added to agritourism and OK Craft Beer Trail
Expenditure Brewing	Okarche	Brewery	New producer added to agritourism and OK Craft Beer Trail
Bricktown Brewery	OKC	Brewery	New producer added to agritourism and OK Craft Beer Trail
Prairie Artisan Ales	OKC	Brewery	New producer added to agritourism and OK Craft Beer Trail
Lazy Circles Brewing	Norman	Brewery	New producer added to agritourism and OK Craft Beer Trail
Iron Monk	Stillwater	Brewery	New producer added to agritourism and OK Craft Beer Trail

### **Agritourism – Web and Social Traffic**

Facebook: 18,802 page likes

Instagram: 1,732 followers

## **Loklahoma**

Facebook: 3,019 page likes

### **Agritourism - Other Activities**

- Phone consultations
  - OGIC update - Cindy, Sherry - Greenwood FM, Karri – farm stand questions, Lori – Arcadia FM, Brian – Craft Beer Trail, Nichole – Salt & Soul market, Carol – Wagoner FM, David – Cleveland FM, Kurt – selling meat at FM,
- Delivered OK Grown bags
  - Sapulpa FM, Shelley Wong, Huffman Family Farm, Lawton FM, Tahlequah FM, Hobart FM
- Attended TravelOK Days in Thackerville w/ Agritourism booth and handed out materials
- Attended and assisted with Ag on Lincoln
- Guest lecture Oklahoma State Ag Communications course

## **ECONOMIC DEVELOPMENT**

Activity	Action
Oklahoma Healthy Food Financing Program	The selection committee for the Oklahoma Healthy Food Financing grant met on May 6 <sup>th</sup> to consider applications for funding. The committee selected 3 proposals to be recommend for funning. (Collective Roots, Laverne; Paseo Farmers Market, OKC; Garrett Smith, Castle)
Agriculture Enhancement & Diversification Program	The selection committee for the Ag Enhancement & Diversification Program met on May 3 <sup>rd</sup> to consider applications for loans and grants. The committee is recommending 2 Agriculture Event grants be funded(Aquaponics National Conference and Cowboys Who Care Ranch Rodeo)
2021 SCBG application	The selection committee for the Specialty Crop Block Grant met on April 28 <sup>th</sup> to hear presentations from applicants seeking funding for their projects to advance the specialty crop industry in Oklahoma. The committee approved 6 projects to be included in Oklahoma’s State Plan that will be submitted to USDA. All are from OSU and fund projects related to turfgrass, pecans, broccoli, snap peas, asparagus, aquaponics and precision irrigation.
Viticulture & Enology Grant RFP	ODAFF grant administrator sent out a Request for Proposals for the 2021 Viticulture & Enology grant. Proposals should help advance the grape or wine industry within the state and are limited to \$50,000 per application. Proposals must be submitted by June 10 <sup>th</sup> to be considered for funding.

## **FARM TO SCHOOL**

ACTIVITY	ACTION
SCBG Tasteful Harvest Poster Set and Cookbook	More than 100 posters sets and several cookbooks have been requested by school and other institutions engaged in child nutrition. They will also be given out at the FRESH Project Training in June.
Farm to School Conference	<b>Farm to School Conference</b> The Back at the Table Conference was held virtually this year with modified content condensed over three 1 hour sessions. The dates were April 8 with 64 in attendance, April 12 with 68 in attendance and April 22 with 51 in attendance.
Specialty Crop Grant 2020	<b>Let's Get Growing with a School Garden</b> The winning sites that will receive garden kits, curriculum materials and salary support are: Stratford Elementary, Oologah Lower Elementary, Guymon High School, Wister Public Schools, Robert E. Lee Early Childhood Center, Scissortail Children's School, DD Kirkland ChildCare School.

## **INTERNATIONAL**

Activity	Action
Certificate of Free Sale	Trevo
Food Export	The following companies have applied and been approved for the brand program:  Southern Roots Sisters Stryve Foods Value Added Products Flying G Jerky  Suan's & Stryve is set to participate in the Summer Virtual Connect: Buyers Mission  Stryve is also participating in Virtual Trade Mission to Columbia & Canada & Korea
OSU/SBDC	Met with a company that is looking to Export Black Walnut for furniture.
MIO Coalition	Attended the MIO booth at the Super Trade Show. Met with several MIO companies to recruit for Food Export and the State Fair Store.
OK Commerce	Continuing to meet considering STEP and contacting our companies to assist through the process.  The following companies have applied for STEP:  Southern Root Sisters Value Added Products
Oklahoma Israel Exchange	Met the new OKIE project manager. Discussed the background of our partnership and how we might be able to create a project in the wine industry.



Misc. Meetings	<ul style="list-style-type: none"> <li>• Euromonitor Research Tutorial</li> <li>• USGLE-Development Diplomacy</li> <li>• GIT Meeting</li> <li>• ODEC Meeting</li> <li>• Connecting the dots with Dr. Food</li> <li>• Spotlight on Kazakhstan</li> </ul>
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## **MADE IN OKLAHOMA PROGRAM**

<b>Meeting</b>	<b>Location</b>	<b>Details</b>
Trillion Tribes	Virtual	She is a Producer of a hair product, zoomed to discuss options and opportunities available to her to help grow her business
Pinto Horse Association of America	OKC	Met to discuss plans for having a Made in Oklahoma booth at the Pinto World Championship Show
Jury for MIO Store	OKC	Met with Suzy to jury products to have in the MIO Store at the Oklahoma State Fair

<b>Event Name</b>	<b>Date</b>	<b>Location</b>
Ag on Lincoln	May 13	ODAFF
A Little Taste of Stockyards City	June 5	Stockyards City (OKC)
Made in Oklahoma Showcase	June 7	Broken Horn Ranch (Luther)
Made In Oklahoma Marketing Workshop	June 8	Broken Horn Ranch (Luther)
Made in Oklahoma at Pinto World Show	June 14-26	Expo Square (Tulsa)

### **New Producers:**

- Stroke Beard Company
- Cosmetic Specialty Labs Inc
- Berea Company
- A Delightful Dilemma
- Vintage ReStyled
- Cards by Caroline
- The Wild Duce Design Co
- South Candian Meats
- Nourished Roots Spice Co
- The Savvy Cactus
- Phil's Seasoning
- USA Coasters
- Lyon's Den Wood Art
- Bossy Butter
- Elemental Solutions
- A Quaint Idea
- Chains and Games Custom Creations
- Cavilee Customs
- Sophie's Choize Pet Food
- Happy Habanero LLC
- Fergy's Designs

### **New Retailers:**

- Needful Things Market
- Eclectic Echo and Company
- 3 new prospective retailers, but don't have MIO products yet

- Silver Leaf Gems
- Faith and Clay by Ashley Shipley
- Tidewater Winery
- Sun Up Farms
- Orton's House Seasoning
- Vermico Farms
- MA Foods LLC
- Sassy Heifer Accessories
- SusieQ's Shop
- The Pen Guys

Other Made in Oklahoma Activities:

- Gift Baskets for major Horse/Rodeo event in Oklahoma
  - Ordered and delivered gift baskets for national horse or rodeo event in Oklahoma.

## **MIO COALITION**

### **Made in Oklahoma Coalition – Advertising, Web and Social Traffic**

<b>Type</b>	<b>\$ Spent</b>	<b>Highlights</b>
Digital Billboard Advertising	\$1,600-\$1,900/month	Features company branded ads in OKC & Tulsa Markets
MIO Featured Monthly Recipes in Tulsa World and Oklahoman	\$500/month each	Featured press release and 1-2 showcased recipes in food section
Marketing, Consulting and Graphics Retainer with Boiling Point Media	\$4,000	Social media posts, digital presence, analytics, management of content and creation of digital footprint, recipe file management.
MIO TV Cooking Segments on Channel 6 in Tulsa and Channel 4, 5 & 9 in OKC	OKC – 9 appearances in April 10 appearances in May Tulsa – 2 appearances in April 2 appearances in May	Natalie Mikels & David Brooks, MIO TV Personalities filmed in-person and remote segments for TV
Restaurants of the Month	Presentation and luncheon with FS Committee	April: Café 501, OKC & Edmond Locations May: The Classic Diner, Henryetta
Discover Oklahoma Commercials	\$5,200	Yearlong contract with Discover Oklahoma kicked off in August with Statewide spots airing through July 2021
MIO Monthly Newsletter		Featured Companies: April: Mitchell's Sausage Rolls May: COOP Ale Works June: Compadres Coffee Roasters
Social Media Stats	Krush Retainer	Twitter: 5,500+ Instagram: 3,000+ Facebook: 16,500+

**Made in Oklahoma Coalition – Other Activities**

<b>Activity</b>	<b>Information</b>
MIO Booth at Travel Plazas for Oklahoma Tourism Week <ul style="list-style-type: none"><li>May 3-7<sup>th</sup></li></ul>	Staff coordinated MIO tabletop displays at three of the Oklahoma Travel Centers throughout the state. We gave away 9 MIO gift baskets, recipe cards, and MIO directory books. These travel stops now sell MIO items so we wanted to have more of a presence with them and show support.
Oklahoma Super Trade Show <ul style="list-style-type: none"><li>May 5<sup>th</sup></li></ul>	Staff recruited 28 companies to participate in the Oklahoma Super Trade Show on May 5 <sup>th</sup> at the Fairgrounds. This was a fantastic show in which all major Oklahoma independent retailers attended. Additionally, we worked with local chefs to feature MIO products in cooking demos throughout the day.
MIO Legislative Luncheon at Capitol <ul style="list-style-type: none"><li>May 12<sup>th</sup></li></ul>	Staff and MIO Board members met with the Senate Appropriations Committee to discuss MIO and why it is important that we be fully funded for another year. Secretary Arthur, JanLee Rowlett, and Jami Longacre attended also.
LocalFarmOK Partnership <ul style="list-style-type: none"><li>April – June</li></ul>	<p>LocalFarmOK is a family-owned farm working with other local farms and businesses so that they may deliver a variety of the freshest, best tasting, all natural, locally focused items - directly to Oklahoma doorsteps, year-round.</p> <p>MIO is partnered with LocalFarmOK to create a MIO mystery box. The box will launch in April as a kick-off to MIO month and will be available as an add-on for shoppers who subscribe to the LocalFarmOK Farm and Variety Bags. Each bag will consist of 5 MIO products and MIO recipes that highlight how to use the products.</p> <p>MIO is doing a partnership with LocalFarmOK from April-June.</p>
MIO Restaurant of the Month Visit <ul style="list-style-type: none"><li>May 27<sup>th</sup></li></ul>	The MIO Restaurant of the Month for May 2021 was the Classic Diner in Henryetta, OK. The Classic Diner is a mom & pop's diner that serves burgers, chicken fried steaks and other diner classics. Staff and MIO Food Service Committee had lunch, took photos, interviewed their staff, and presented them with their Restaurant of the Month Award.

## MARKET NEWS SERVICES

April 15, 2021	June 1, 2021	DIFFERENCE
<b>WHEAT: (bu)</b> \$5.53-\$5.87	\$6.03-\$6.37	\$0.50 higher
<b>MILO: (bu)</b> \$6.20-\$6.60	\$7.13-\$7.38	\$0.78 to \$0.93 higher
<b>SOYBEANS: (bu)</b> \$13.28-\$13.78	\$14.98-\$15.28	\$1.50 to \$1.70 higher
<b>CORN: (bu)</b> \$5.77-\$6.41	\$7.00-\$7.58	\$1.17 to \$1.23 higher
<b>COTTON: (lb)</b> 80.02 cents	79.25 cents	0.77 cents lower

### OKC NATIONAL STOCKYARDS (OKC) STEER CALVES AND YEARLINGS:

Medium & Large Frame No. 1 Muscle Thickness (500-600 lb) Calves

(04-12-21) \$166.00-\$181.50 Wtd. Avg. \$172.99

(05-24-21) \$159.00-\$184.00 Wtd. Avg. \$166.79

Yearlings 600-700 lbs.

(04-12-21) \$144.50-\$170.00 Wtd. Avg. \$154.76

(05-24-21) \$138.00-\$161.00 Wtd. Avg. \$151.56

Seven weekly Oklahoma Market Reports were sent to 8,018 subscribers in April, May and June, 2021 (up from 7,830 subscribers last report).

The market news voice messaging system was accessed 7,954 times Apr. 15<sup>th</sup> to June 1, 2021. It was accessed 4,833 times Apr. 1-30<sup>th</sup>, 5,023 times May 1-31<sup>st</sup> and 90 times on June 1, 2021, compared to 3,227 in April 15<sup>th</sup> to June 1, 2020.

**USDA Hay Report:** 04/29/21: Hay trade remains very slow as several weeks of cooler than average temperatures and heavy rainfall continues to hang around and is expected in the week to come. Producers are eager to get a good cutting Alfalfa to establish a non-rained on crop. Many producers are reporting that with the current cool nights Alfalfa fields remain in rough conditions and a very tough first cutting could be mostly grinder hay. No trades of cow hay or ground alfalfa this week for a trend. Demand remains moderate as most feed yards and dairies seem to be current as of now. Demand remains light to moderate for farmers and ranchers as grass is starting to grow as soon as warmer temperatures grass should flourish.

**\*\*\*ODAFF will be taking this hay report over beginning in July of 2022**

## **AEMS Division Activities April 19, through May 24, 2021**



Meet Dakota Turpin AEMS Division new Field Inspector.  
He is in the Southwest region of Oklahoma

### **AEMS Activity**

- April 30, 2021 -- A representative from the AEMS division participated in a conference call with OSU, USDA APHIS, and ODAFF to discuss the Swine Research Project.
- May 6, 2021 -- Representatives from the AEMS division participated in an Illinois River Watershed working group call.

### **AgPDES Permitting Activities**

- Number of AgPDES CAFO Authorizations this reporting period: 0
- Number of AgPDES PGP Authorizations this reporting period: 0
- Number of AgPDES CGP Authorizations this reporting period: 2

## Complaints and Inspections

A summary of the complaints received and investigated plus all the inspections and technical assistance conducted by the ODAFF AEMS Staff for this reporting period:

12	Complaints received and investigated this reporting period.
20	Complaints closed this reporting period
<b>Complaints Received - Breakdown</b>	
	Cattle – 5
	Swine – 0
	Poultry- 4
	Breeders – 1
	Shelters - 0
	Other – 1
	Misc Animal - 1
95	Year to date complaints received in FY 21
77	Year to date complaints closed in FY 21
68	LMFO/CAFO inspections, plus technical assistance
218	Poultry inspections and technical assistance
0	Pet Shelters inspections and technical assistance
22	Breeders Pre annual inspections and technical assistance

### CAFO and LMFO Activities - Month and Fiscal Year 2021

	Apr 19 – May 23, 2021	FY 21 Total
Complaint or Compliance Follow-ups	18	161
Annual Inspections	51	350
Carcass Disposal Inspections	14	364
Technical Assistance with Contacts	17	95
Site Visit/Review – No contact made	110	287

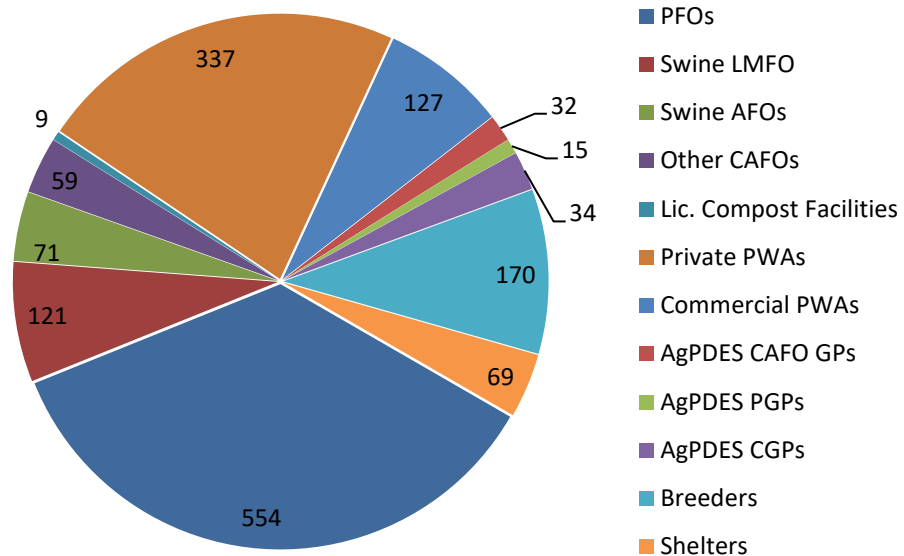
### Poultry Activities – Month and Fiscal Year 2021

	Apr 19–May 24, 2021	FY 21 Total
Complaint or Compliance Follow-ups	43	98
Annual Poultry Inspections	85	468
Poultry Technical Assistance	133	1041
Soil Samples Collected	56	1306
Site Visit/Review – No contact made	140	676
Construction Storm water Inspection	0	0
Eucha-Spavinaw CNMP Written	19	80
New PFO License Pre-Site Inspections	0	0

### Pet Breeders Actives – Month and Fiscal Year 2021

	Apr 19–May 24, 2021	FY 21 Total
Complaint or Compliance Follow-ups	0	22
Shelter Annual Inspections	9	39
Site Visit/Review – No contact made	0	13
Shelter Technical Assistance	1	34
Shelter Close out	0	10
Breeder Annual Inspections	4	20
Breeder Technical Assistance	13	80
Site Visit/Review – No contact made	1	8
Breeder Close out	0	3

## Current FY 21 AEMS Numbers



Respectfully

Teena G Gunter  
AEMS Division

**BEFORE THE STATE BOARD OF AGRICULTURE  
OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY**

**JUNE 2021 BOARD REPORT  
REGARDING APRIL 17, 2021 THROUGH MAY 31, 2021 ACTIVITIES OF THE  
OFFICE OF GENERAL COUNSEL**

**ACTIONS FOR BOARD CONSIDERATION:**

<b>Matter</b>	<b>Type of Resolution</b>	<b>Amount</b>
Shane Backus	Stipulation	\$750.00
Dollar General	Stipulation	\$300.00
Dewayne Muret	Stipulation	\$3,250.00

**CONTRACTS REVIEWED OR DRAFTED (19):**

Forestry - 1
Market Development - 10
CPS - 1
Laboratory Services - 1
Wildlife Services - 2
OGC - 2
Animal Industry - 2

**ADMINISTRATIVE HEARING PROCEEDINGS:**

<b>ODAFF v. Spectrum Division of United Industries</b> , OGC 18-434: Briefed and awaiting ALJ decision.
<b>ODAFF v. Spectrum Division of United Industries</b> , OGC 18-435: Briefed and awaiting ALJ decision.
<b>ODAFF v. Spectrum Division of United Industries</b> , OGC 18-436: Briefed and awaiting ALJ decision.
<b>ODAFF v. Spectrum Division of United Industries</b> , OGC 18-438: Briefed and awaiting ALJ decision.
<b>ODAFF v. Spectrum Division of United Industries</b> , OGC 18-528: Briefed and awaiting ALJ decision.
<b>ODAFF v. Terry Vigil</b> , OGC-19-606: Pending new Scheduling Order.
<b>ODAFF v. Gerald Wilson</b> , OGC-19-212. Initiated individual proceedings. Negotiations ongoing.
<b>ODAFF v. Houston Contracting Farm</b> , OGC 20-050. Initiated individual proceedings. Amended NOV to issue.



<b>W.L. Hardesty, et al v. ODAFF</b> , OGC-19-167. Petition for Declaratory Ruling. Order issued. Briefs submitted. ALJ decision rendered. Motion to reconsider filed and awaiting ALJ response.
<b>ODAFF v. Scott Termite</b> , OGC-19-958 and OGC-20-111: Administrative hearing set for June 10, 2021.
<b>ODAFF v. Superior Termite &amp; Pest</b> , OGC-19-889 and OGC-20-005: Administrative hearing set for June 10, 2021.
<b>ODAFF v. AP&amp;G Co.</b> , OGC-20-053: Default set for June 10, 2021.
<b>ODAFF v. Greg Hobbs</b> , OGC-20-025: Service attempts ongoing.
<b>ODAFF v. Steggs Aerial Spraying</b> , OGC-20-633: Negotiations ongoing. Prehearing conference set for June 10, 2021.
<b>ODAFF v. J.C. Ferguson</b> , OGC-20-641: Service attempts ongoing. Prehearing conference set for June 10, 2021.
<b>ODAFF v. Cedar Canyon Goods LLC</b> , OGC-20-845: Initiated individual proceedings. Prehearing conference set for June 10, 2021.
<b>ODAFF v. Bullseye Termite &amp; Pest Control</b> , OGC-19-1023: Initiated individual proceedings. Prehearing conference set for July 8, 2021.
<b>ODAFF v. Miles Termite &amp; Pest Control</b> , OGC-20-683: Initiated individual proceedings. Prehearing conference set for August 12, 2021.
<b>ODAFF v. Midwest Bed Bug Service</b> , OGC-20-686: Initiated individual proceedings. Prehearing conference set for August 12, 2021.
<b>ODAFF v. Escott Aerial</b> , OGC-20-668: Initiated individual proceedings. Prehearing conference set for July 8, 2021.
<b>ODAFF v. Escott Aerial</b> , OGC-20-695: Initiated individual proceedings. Prehearing conference set for July 8, 2021.
<b>ODAFF v. Escott Aerial</b> , OGC-20-704: Initiated individual proceedings. Prehearing conference set for July 8, 2021.
<b>ODAFF v. Eckles Aircraft</b> , OGC-20-756: Initiated individual proceedings. Prehearing conference set for July 8, 2021.
<b>ODAFF v. Eckles Aircraft</b> , OGC-20-821: Initiated individual proceedings. Prehearing conference set for July 8, 2021.
<b>ODAFF v. MCJ Lawn &amp; Garden</b> , OGC-20-819: Initiated individual proceedings. Prehearing conference set for August 12, 2021.
<b>ODAFF v. TGW Land Services</b> , OGC-21-108: Initiated individual proceedings. Prehearing conference set for July 8, 2021.
<b>ODAFF v. Express Landscape and Lawn Care</b> , OGC-21-157: Initiated individual proceedings. Prehearing conference set for August 12, 2021.
<b>ODAFF v. Bee Green Lawn Service Inc.</b> , OGC-21-894: Initiated individual proceedings. Prehearing conference set for August 12, 2021.
<b>ODAFF v. Nao Tou Vang</b> , 20-356: Initiated individual proceedings. Prehearing conference set for June 10, 2021.
<b>ODAFF v. Niki Latendresse</b> , 19-956: Initiated individual proceedings. Prehearing conference set for June 10, 2021.
<b>ODAFF v. Jeff Vinson</b> , OGC-19-834: Negotiations ongoing. Prehearing conference set for June 10, 2021.

<b>ODAFF v. Delashaw Farm, OGC-19-824:</b> Negotiations ongoing. Prehearing conference set for June 10, 2021.
<b>ODAFF v. Mid-America Feeds, OGC-20-612:</b> Initiated individual proceedings. Negotiations ongoing.
<b>ODAFF v. Sooner Scale, OGC-20-699:</b> Initiated individual proceedings. Negotiations ongoing.
<b>ODAFF v. Sooner Scale, OGC-20-806:</b> Initiated individual proceedings. Negotiations ongoing.
<b>ODAFF v. Sooner Scale, OGC-20-838:</b> Initiated individual proceedings. Negotiations ongoing.
<b>ODAFF v. Farmers Cooperative, OGC-20-849:</b> Initiated individual proceedings. Negotiations ongoing.
<b>ODAFF v. Circle K, OGC-21-15:</b> Initiated individual proceedings. Negotiations ongoing.
<b>ODAFF v. Sooner Scale, OGC-21-890:</b> Initiated individual proceedings. Negotiations ongoing.
<b>ODAFF v. Sooner Scale, OGC-21-891:</b> Initiated individual proceedings. Negotiations ongoing.
<b>ODAFF v. Sooner Scale, OGC-21-892:</b> Initiated individual proceedings. Negotiations ongoing.

#### **OTHER ACTIONS AND PROCEEDINGS:**

<b><i>Kenneth Dale Toon dba Wild Boar Ridge Hunting Ranch v. ODAFF</i></b> , McCurtain County Case No. CV-2018-069. Petition for Declaratory Relief, etc. (Filed but not served on ODAFF as of 11/15/2020).
<b><i>W.L. Hardesty, et al., v. ODAFF and Cesar Cervantes</i></b> , Okmulgee County District Court Case No. CJ-2019-040: Petition served. Answer filed. Motion to Dismiss heard and denied September 4, 2019. Pending scheduling order.
<b><i>Steven Scantling v. ODAFF</i></b> , MPC-21-025. Appeal of termination of employment with Forestry Division. Pending resolution.
<b><i>Kirk Marshall v. ODAFF</i></b> , Oklahoma County District Court Case No. CJ-2020-1347: Petition served. Time period tolled by Supreme Court Order until May 15, 2020. Answer drafted and prepared for filing. Answer filed. Pending further hearing set June 2021.
<b><i>Sam Withiam v. OK State Dept of Agriculture</i></b> , Lincoln County District Court, Case No. CJ-20-73: Lawsuit involved tort claim stating ODAFF damaged concrete during elk depopulation. The Attorney General's Office is handling this claim. An Answer was filed. Discovery is ongoing.
<b><i>Laura Garrison v. State of Oklahoma, ex rel. Oklahoma Department of Agriculture Food and Forestry</i></b> , Pittsburg County District Court, Case No. CJ-2020-111: Lawsuit involves vehicle accident between plaintiff and ODAFF employee. Attorney General's Office is handling this claim.
<b><i>Upton's Naturals Co v. Stitt and Arthur</i></b> , District Court, W.D. Oklahoma, Case No. 5:20-cv-00938: Lawsuit against Governor Stitt and Secretary Arthur in their professional capacities. Upton's Naturals challenges a state law that prohibits food manufacturers from

using terms like "hot dogs," "burgers," or "bacon" on labeling for meat-free products. The Attorney General's Office is handling this claim.
<b><i>William Grossman v. Lori Howard et al.</i></b> , Cherokee County District Court, Case No. CJ-2020-111: Lawsuit filed on the agency and Forestry Services for requesting damages for a car wreck that occurred during a prescribed burn. The prescribed burn was not performed by ODAFF and the agency had no involvement with the circumstances. The Attorney General's Office is handling this claim.
<b><i>Spring Creek Coalition v. ODAFF and Trong</i></b> , Cherokee County Case Number CJ-2021-29: Petition seeking declaratory and injunctive relief. Answer filed.
<b><i>Spring Creek Coalition v. ODAFF and Phan, et al.</i></b> , Delaware County Case Number CJ-2021-33: Petition seeking declaratory and injunctive relief. Answer filed.

### **MEETINGS:**

<b>Date</b>	<b>Activity</b>
April 20, 2021	Director's Meeting
April 21, 2021	Collections Meeting
April 26, 2021	OBA Legislative Monitoring Committee
April 26, 2021	Congressman Cole's Staff
April 27, 2021	Director's Meeting
April 27, 2021	Intern Interviews
April 28, 2021	Mahard with EPA Region 6
April 28, 2021	NRCS Code 590
April 29, 2021	OGC Staff
April 29, 2021	Food & Beverage Consumer Labeling Litigation
May 3, 2021	Seaboard Foods
May 3, 2021	AEDB Board
May 4, 2021	Director's Meeting
May 5, 2021	State Board of Agriculture
May 6, 2021	LOK Energy/Utility
May 10, 2021	Intern Interview
May 10, 2021	Melissa Milburn of OMES
May 12, 2021	Grievance Manager Training
May 13, 2021	OMMA
May 13, 2021	OGC Docket
May 12, 2021	Commissioners of Land Office
May 14, 2021	Produced Water Treatment and Reuse Seminar Series
May 24, 2021	Understanding the DOJ Civil Rights Division
May 24, 2021	ODAFF and DEQ regarding complaints
May 25, 2021	Director's Meeting
May 25, 2021	Self-Advocates-The Hidden Gems of Educating Policymakers
May 25, 2021	An Active Approach toward Racial Equity & Disability Justice
May 26, 2021	Rob Singletary of DEQ
May 26, 2021	Oklahoma Pork Council

May 27, 2021	OGC Staff
May 27, 2021	AEMS Staff
May 27, 2021	AgPDES Staff

### **RULE ACTIVITIES:**

<b>Chapter 2. Fees (Permanent FY 2021):</b> Permanent rules adopted by Board February 3, 2021. Agency Rule Report submitted to the Governor and Legislature February 10, 2021. Statement of Submission filed with Office of Administrative Rules February 10, 2021.
<b>Chapter 3. Fine Matrices (Permanent FY 2021):</b> Permanent rules adopted by Board February 3, 2021. Agency Rule Report submitted to the Governor and Legislature February 10, 2021. Statement of Submission filed with Office of Administrative Rules February 10, 2021.
<b>Chapter 10. Agricultural Products (Permanent FY 2021):</b> Permanent rules adopted by Board February 3, 2021. Agency Rule Report submitted to the Governor and Legislature February 10, 2021. Statement of Submission filed with Office of Administrative Rules February 10, 2021.
<b>Chapter 13. Fuel Alcohol (Permanent FY 2021):</b> Permanent rules adopted by Board February 3, 2021. Agency Rule Report submitted to the Governor and Legislature February 10, 2021. Statement of Submission filed with Office of Administrative Rules February 10, 2021.
<b>Chapter 15. Animal Industry (Permanent FY 2021):</b> Permanent rules adopted by Board February 3, 2021. Agency Rule Report submitted to the Governor and Legislature February 10, 2021. Statement of Submission filed with Office of Administrative Rules February 10, 2021.
<b>Chapter 17. Water Quality (Permanent FY 2021):</b> Permanent rules adopted by Board February 3, 2021. Agency Rule Report submitted to the Governor and Legislature February 10, 2021. Statement of Submission filed with Office of Administrative Rules February 10, 2021.
<b>Chapter 18. Carcass Disposal (Permanent FY 2021):</b> Permanent rules adopted by Board February 3, 2021. Agency Rule Report submitted to the Governor and Legislature February 10, 2021. Statement of Submission filed with Office of Administrative Rules February 10, 2021.
<b>Chapter 20. Forestry (Permanent FY 2021):</b> Permanent rules adopted by Board February 3, 2021. Agency Rule Report submitted to the Governor and Legislature February 10, 2021. Statement of Submission filed with Office of Administrative Rules February 10, 2021.
<b>Chapter 25 Laboratories (Permanent FY 2021):</b> Permanent rules adopted by Board February 3, 2021. Agency Rule Report submitted to the Governor and Legislature February 10, 2021. Statement of Submission filed with Office of Administrative Rules February 10, 2021.
<b>Chapter 30. Consumer Protection (Permanent FY 2021):</b> Permanent rules adopted by Board February 3, 2021. Agency Rule Report submitted to the Governor and

Legislature February 10, 2021. Statement of Submission filed with Office of Administrative Rules February 10, 2021.
<b>Chapter 37. Food Safety (Permanent FY 2021):</b> Permanent rules adopted by Board February 3, 2021. Agency Rule Report submitted to the Governor and Legislature February 10, 2021. Statement of Submission filed with Office of Administrative Rules February 10, 2021.
<b>Chapter 40. Market Development (Permanent FY 2021):</b> Permanent rules adopted by Board February 3, 2021. Agency Rule Report submitted to the Governor and Legislature February 10, 2021. Statement of Submission filed with Office of Administrative Rules February 10, 2021.
<b>Chapter 44. AgPDES (Permanent FY 2021):</b> Permanent rules adopted by Board February 3, 2021. Agency Rule Report submitted to the Governor and Legislature February 10, 2021. Statement of Submission filed with Office of Administrative Rules February 10, 2021.
<b>Chapter 55. Commercial Pet Breeders and Animal Shelters (Permanent FY 2021):</b> Permanent rules adopted by Board February 3, 2021. Agency Rule Report submitted to the Governor and Legislature February 10, 2021. Statement of Submission filed with Office of Administrative Rules February 10, 2021.
<b>OHRC</b>
<b>Chapter 1. Commission Powers and Jurisdiction (Permanent FY 2021):</b> Permanent rules adopted by Commission on January 21, 2021. Agency Rule Report submitted to the Governor and Legislature January 27, 2021. Statement of Submission filed with Office of Administrative Rules January 27, 2021.
<b>Chapter 15. Licensing (Permanent FY 2021):</b> Permanent rules adopted by Commission on January 21, 2021. Agency Rule Report submitted to the Governor and Legislature January 27, 2021. Statement of Submission filed with Office of Administrative Rules January 27, 2021.
<b>Chapter 20. Racing Officials and Racing Personnel (Permanent FY 2021):</b> Permanent rules adopted by Commission on January 21, 2021. Agency Rule Report submitted to the Governor and Legislature January 27, 2021. Statement of Submission filed with Office of Administrative Rules January 27, 2021.
<b>Chapter 35. General Conduct (Permanent FY 2021):</b> Permanent rules adopted by Commission on January 21, 2021. Agency Rule Report submitted to the Governor and Legislature January 27, 2021. Statement of Submission filed with Office of Administrative Rules January 27, 2021.
<b>Chapter 45. Prohibited Practices and Equine Testing (Permanent FY 2021):</b> Permanent rules adopted by Commission on January 21, 2021. Agency Rule Report submitted to the Governor and Legislature January 27, 2021. Statement of Submission filed with Office of Administrative Rules January 27, 2021.
<b>Chapter 60. Running the Race (Permanent FY 2021):</b> Permanent rules adopted by Commission on January 21, 2021. Agency Rule Report submitted to the Governor and Legislature January 27, 2021. Statement of Submission filed with Office of Administrative Rules January 27, 2021.
<b>Chapter 65. Pari-Mutuel Wagering (Permanent FY 2021):</b> Permanent rules adopted by Commission on January 21, 2021. Agency Rule Report submitted to the

Governor and Legislature January 27, 2021. Statement of Submission filed with Office of Administrative Rules January 27, 2021.
<b>Chapter 70. Objections and Protests; Hearings and Appeals (Permanent FY 2021):</b> Permanent rules adopted by Commission on January 21, 2021. Agency Rule Report submitted to the Governor and Legislature January 27, 2021. Statement of Submission filed with Office of Administrative Rules January 27, 2021.
<b>Chapter 75. Oklahoma-Bred Program (Permanent FY 2021):</b> Permanent rules adopted by Commission on January 21, 2021. Agency Rule Report submitted to the Governor and Legislature January 27, 2021. Statement of Submission filed with Office of Administrative Rules January 27, 2021.
<b>Chapter 85. Gaming Machine Specifications and Use and Operation Requirements (Permanent FY 2021):</b> Permanent rules adopted by Commission on January 21, 2021. Agency Rule Report submitted to the Governor and Legislature January 27, 2021. Statement of Submission filed with Office of Administrative Rules January 27, 2021.

### **OPEN RECORDS REQUESTS (33):**

AEMS: 9
AIS: 4
CPS: 15
Food Safety: 1
Market Development: 3
ODAFF: 1

### **OKLAHOMA HORSE RACING COMMISSION**

<b>Litigation: <i>OQHRA v. OHRC</i>,</b> Oklahoma County Case No. CV-2019-1513-643: Hearing held June 28, 2019. Order of Dismissal entered. Petition in Error from OQHRA filed in Supreme Court. OHRC Response to Petition in Error filed. Designation of Record filed and Record completed. Case placed on “fast-track” docket by Order of the Oklahoma Supreme Court. Plaintiff’s Motion to Retain in the Supreme Court DENIED. Reversed and remanded by Court of Civil Appeals. Briefing cycle in progress. Hearing held. Order AFFIRMING OHRC action entered. Pending possible further action from OQHRA.
<b>Litigation: <i>Alfredo Gomez and Cruz Villafranco v. OHRC</i>,</b> Oklahoma County District Court Case No. CV-2020-430: Petition served. Response filed. Petitioners’ Motion for Partial Summary Judgment responded to. Pending hearing.
<b>Litigation: <i>Samuel Valdivia v. OHRC</i>,</b> Sequoyah County Case No. CV-2020-26. Petition for Temporary Restraining Order and Petition for Injunction served and emergency hearing held. Temporary Restraining Order entered. Hearing set for March 19, 2020 not held due to closure of the Sequoyah County Courthouse due to COVID-19. Amended Petition filed. Hearing held. Order DENYING injunctive relief and further DENYING Motion to Reconsider entered. Pending possible further action.

<b>Litigation: Samuel Valdivia v. OHRC</b> , Sequoyah County Case No. CV-2020-169. Petition for Review of Final Agency Order. Order AFFIRMING OHRC action and DENYING Motion to Reconsider entered. Pending possible further action.
<b>Litigation: Oscar Nunez v. OHRC</b> , Oklahoma County Case No. CV-2020-449: Petition filed and served. Answer filed. Reversed and remanded. Pending rehearing further appeal from final agency order.
<b>Litigation: Josue Ponce v. OHRC</b> , Oklahoma County District Court Case No. CV-2020-815: Petition for Review of Final Agency Order filed. Response filed.
<b>Litigation: Miguel Pena v. OHRC</b> , Oklahoma County District Court Case No. CV-2019-179: Petition for Temporary Restraining Order and Petition for Injunction. Ex Parte TRO hearing held October 11, 2019. TRO entered. Amended Petition for TRO heard May 15, 2020. TRO denied. Permanent injunction denied. Further action pending.
<b>Litigation: Jose Sanchez III, et al. V. Global Gaming, Heritage Place and OHRC</b> , Oklahoma County District Court Case No. CJ-2020-2395: Petition for Temporary Restraining Order and Petition for Injunction. Ex Parte TRO hearing held May 26, 2020. TRO denied. Further action pending.
<b>Litigation: Carlos Ruiz v. OHRC</b> , Tulsa County District Court Case No. CV-2020-627: Petition for Temporary Restraining Order and Petition for Injunction. Ex Parte TRO hearing held June 8, 2020. TRO denied. Further action pending.
<b>Litigation: Sammy Howard v. OHRC</b> , Oklahoma County District Court Case No. CV-2020-1921. Petition served. Response filed. Pretrial conference set for June 3, 2021.
Prepare cases for presentation at Stewards Hearings
Prepare cases for presentation in District Courts
Provide discovery to opposing counsel and Respondents regarding various hearings
Stewards Hearings at Remington Park
Stewards Hearings at Will Rogers Downs
Hearings in District Courts
Prepare and file Motion to Settle Order
Prepare and file Response to Petition for Temporary Restraining Order and Injunction
Prepare and file Motion to Dismiss
Argue appeals at regular session of the Oklahoma Horse Racing Commission
Discuss possible rule revisions/amendments with Executive Director
Draft proposed rule revisions
Advise Executive Director on extent of delegated authority
Discuss certain policy issues with Executive Director
Review communication from Respondents' counsel in various cases
OHRC regular meeting
Supervise and direct OHRC legal intern
Attend Association of Racing Commissioners International (ARCI) Webinars
Attend ARCI Rules Committee meeting
Attend informational session on procedures

### **OTHER ACTIVITIES:**

Communicate with Respondents in individual proceedings
Discuss individual proceedings cases with CPS
Discuss individual proceedings cases with Food Safety
Discuss civil litigation with US Attorney's Office
Direct phone calls from citizens to appropriate division or other agency
Prepare individual proceedings cases for administrative hearing
Discuss hemp seed issues with CPS
Research Oklahoma law on hemp for animal consumption and discuss with CPS
Attend OBA Government & Administrative Law Section Meeting
Attend ELA webinar
Research and discuss issues relating to division transfer of certain properties
Research and discuss issues relating to division improvement of private properties
Provide information to human resources
Respond to constituent phone call relating to Oklahoma Statutes
Attend ASU Indian law webinar
Negotiate terms of settlement with opposing counsel
Prepare settlement agreement document
ZOOM meeting with industry attorney regarding pending litigation
AALA webinar on food labeling
Attend webinar on electronic discovery
Communicate with Market Development about collections cases
Research for Market Development

Respectfully Submitted,



Teena G. Gunter  
General Counsel



## **FOOD SAFETY REPORT MARCH 2021**

### **POULTRY& EGG GRADING, PRODUCE AND ORGANIC SECTION**

#### **Poultry and Egg Section**

In Broken Bow at Tyson Foods, USDA poultry grading was performed by ODAFF inspectors on 507,024 pounds of poultry – boneless/skinless leg meat. ODAFF inspectors provided USDA Shell Egg grading on 78,844 dozen eggs at Cal-Maine Foods Inc. at Sulphur. ODAFF inspectors also provided USDA poultry grading services on poultry products being shipped from OK Foods in Muldrow & Heavener. Also; routine egg quality inspections under the Oklahoma egg law were conducted.

#### **Organic Foods Section**

Organic inspectors completed compliance and certification inspections at:

- Twenty two organic crop producers
- One organic livestock producer
- Four organic processors
- Collected nine organic samples
- Three retail organic inspections
- The organic section had requests for 6,000 certified organic stickers from Oklahoma Certified Organic producers and processors, which display the stickers on all products sold, labeled, or represented as Organic across the United States. The organic section had 7 requests for organic crop applications, 3 requests for organic processing applications and 2 requests for organic livestock applications.

#### **Produce Safety Section**

- Contacting and visiting farms to determine coverage/exemption under the Produce Safety Rule
- Visited 29 farmers markets providing outreach and education to producers and to collect farm inventory
- Quarterly FDA monitoring call
- Submitted end of year grant reports to FDA
- Submitted new produce grant application to FDA
- Regular conference calls with TX, LA, AR, NM, MO, MS
- Completed FDA Sprouts inspection training
- Sent an e-mail newsletter to inform constituents of the latest information

## Oklahoma Meat Inspection Services Investigations and Compliance Activities

Planned Compliance Reviews	09
Random Compliance Reviews	197
Person-to-Person Contacts	52
Special Investigations and/or Projects	03
Reports of Apparent Violations	01
Detentions	00
Consumer Complaints	04
Verbal Warnings Issued	04
Letters of Warning Issued	01
Samples Submitted to Lab for Analysis	00
Accident Investigations	01
Administrative Procedures Act	01 (OK-1-835)

**The Oklahoma Highway Patrol notified Meat Inspection Compliance (1) truck accidents.**

**See details below:**

ACCIDENT LOCATION	ANIMAL/PRODUCT	DISPOSITION
HWY 283 E.W. 1150RD	43423 LBS GROUND BEEF	ALL PRODUCT WAS SENT BACK SAYRE, OK TO ORIGINAL PLANT FOR REINSPECTION AT CARGILL MEAT SOLUTIONS

### Highlighted Activities

No Activities

## **Meat Inspection**

Meat Sample Activity:	
Samples Submitted for Analysis	12
Samples Not Analyzed	0
Samples Analyzed	12
Samples Non-Compliant	2
Samples Negative results	10

May 3-7

Finished training two new inspectors for the Tulsa District.

May 7

Tommy Stephens, Dr. Hardage and Roger Moore completed a final walk thru in Mayes County to become an inspected plant.

May 7

Tommy Stephens, Dr. Hardage and Roger Moore reviewed a plant in Haskell under construction.

May 11

Dr. Hardage and Jason Hoel reviewed the Bryan Jackson plant in Sayre to become custom and headed toward inspection.

May 12

Dr. Hardage met with a new plant owner under construction in Ada.

May 13

Dr. Hardage and Jason Hoel mentored a 4<sup>rd</sup> year vet student to demonstrate processes in Meat and Poultry Inspection.

May 18

Tommy Stephens, Dr. Hardage, Jim Sharp, Lloyd Jeager and Tony Hawkins talked with the owners of the Checotah meat processing plant to finalize coming under inspection.

May 19

Roger Moore and Dr. Hardage met with Butcher House in Hominy for a HACCP review. Then visited a potential site in Maramec, OK

May 25

Dr. Hardage and Jim Sharp went to Garvin to perform an enforcement action at Stones Processing.

May 27

Dr. Hardage and Craig Young met with Scott Cattle Company and Meat Processing in El Reno for the final walk thru to become custom.

Dr. Hardage is doing at least 2 dispositions a day.

#### **MEAT INSPECTION**

<b>Number of Cattle</b>	<b>403</b>
<b>Total Beef Condemned</b>	<b>4,900 lbs</b>
<b>Number of Swine</b>	<b>117</b>
<b>Total Pork Condemned</b>	<b>728 lbs</b>
<b>Number of Sheep and Goats</b>	<b>255</b>
<b>Total Condemned</b>	<b>0 lbs</b>
<b>Number of Rabbits</b>	<b>0</b>
<b>Total Condemns</b>	<b>0 lbs</b>
<b>Number of Exotic Deer</b>	<b>0</b>
<b>Total Condemns</b>	<b>0 lbs</b>
<b>TOTAL MEAT INSPECTED</b>	<b>382,250 lbs</b>

#### **PROCESSED MEAT INSPECTED**

<b>Processed Red Meat</b>	<b>582,185 lbs.</b>
<b>Condemned on Reinspection</b>	<b>0 lbs</b>
<b>Poultry (Portions)</b>	<b>16,732 lbs</b>
<b>Condemned on Reinspection</b>	<b>0 lbs</b>
<b>Rabbit Meat</b>	<b>0</b>
<b>Condemned on Reinspection</b>	<b>0 lbs</b>
<b>Exotic Deer Meat</b>	<b>0</b>
<b>Condemned on Reinspection</b>	<b>0 lbs</b>
<b>TOTAL PROCESSED MEAT INSPECTED</b>	<b>598,917 lbs</b>

## DAIRY SECTION

Dairy Services staff continues to sample ice cream products at Blue Bell in Broken Arrow related to the *Listeria monocytogenes* product contamination and outbreak in 2015. Since starting back up in September of 2015, all samples collected and analyzed by ODAFF have been negative for *Listeria monocytogenes*.

Dairy staff conducted routine inspections at dairy plants and farms, conducted dairy plant equipment checks and collected ice cream samples, raw milk and retail milk and milk products samples and container samples for laboratory analysis.

Dairy Services staff continues to sample Swans Dairies for campylobacter. Samples where all negative for campylobacter.

Dairy Service Staff Gary Lewis recently completed 1 survey for Dairy Farmers of America Transfer Station and 2 surveys for Lonestar Milk Producers. These passing scores are listed on FDA's Interstate Milk Shippers list website.

Recently FDA Milk Specialist Paul Klug recertified Pete Echelle and Gary Lewis as State Rating officers. Congratulations to Scott Fisher becoming a State Rating Officer. State Rating Officers conducts ratings on BTU (Bulk Tank Unit). Scores are listed on FDA's Interstate Milk Shippers List.

Welcome to our dairy staff Jayson Green. She currently works at Dept. of Human Services. Graduated college from Rogers State College in May of 2020 and is working on a Master's degree from Oklahoma State University. Jayson will be inspecting dairy farms and milk plants in NE Oklahoma.

Sincerely,

A handwritten signature in black ink that reads "Scott Yates". The signature is written in a cursive style with a large, stylized 'S' and a long, sweeping underline.

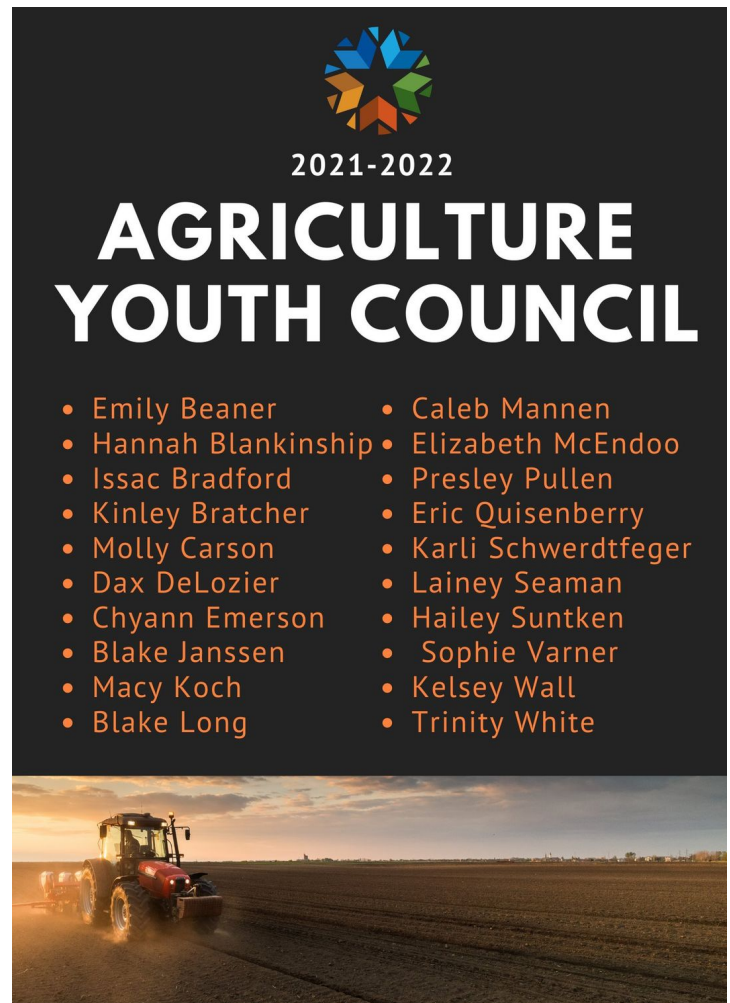
Scott Yates  
Director of Food Safety

Communications Board Report  
May – June 2021

**Agriculture Youth Council** | We are proud to announce the next twenty students from across the Oklahoma whom been selected to serve on the 2021-2022 Oklahoma Agriculture Youth Council. The council was created by Secretary of Agriculture, Blayne Arthur to develop future agricultural leaders in Oklahoma through professional development, industry exposure and experiential learning. The council consists of upcoming high school seniors interested in learning about and representing the agriculture industry from across the state.

2021-2022 Agriculture Youth Council members include: Emily Beaner, Woodward; Hannah Blankinship, Cushing; Isaac Bradford, Tuttle; Kinley Bratcher, Rush Springs; Molly Carson, El Reno; Dax DeLozier, Adair; Chyann Emerson, Tuttle; Blake Janssen, Amber; Macy Koch, Perry; Blake Long, Big Cabin; Caleb Mannen, Fletcher; Elizabeth McEndoo, Stillwater; Presley Pullen, Stratford; Eric Quisenberry, Shattuck; Karli Schwerdtfeger, Stratford; Lainey Seaman, Waynoka; Hailey Suntken, Sequoyah; Sophie Varner, Bristow; Kelsey Wall, Bluejacket; and Trinity White, Fairview.

Council members will serve a year-long term, with approximately 7 sessions and multiple volunteer opportunities throughout the year. Sessions will include visits to Oklahoma agricultural companies and organizations, opportunities to learn about the legislative process and job shadows with industry professionals. In addition, students will participate in leadership and professional skill development activities and receive information regarding preparing for college.



**Ag on Lincoln Recap** | We had an incredibly successful first turnout for our Ag on Lincoln event! The Oklahoma Wheat Commission and the Oklahoma Beef Council sponsored 500 hot dog lunches through the Coit's Food Truck and we were left with ~12 tickets leftover before the food truck left! We estimate we had around 650-700 people come through. We have already had multiple people ask if we will be hosting this event again in the future!



**Oklahoma Leadership Conference** | We hosted the Oklahoma FFA Association's Oklahoma Leadership Conference at the Dept. of Ag! They had the opportunity to learn about our agency's role in the agriculture industry and take part in a hands-on learning activity focused on the legislative process.





## 2022 Fiscal Budget Passed |

Secretary of Agriculture, Blayne Arthur is extending her appreciation to the Governor and the Oklahoma State Legislature for their approval of the state budget for the 2022 Fiscal Year and for their appropriation of funding to programs vital to the success of Oklahoma's agriculture industry.

In addition to funding programs and services provided by the Oklahoma Department of Agriculture, Food and Forestry, the budget includes funding to the following:

- \$3,000,000 for the Oklahoma State University College of Veterinary Medicine
- \$2,000,000 for Oklahoma State University Agricultural Extension Service county offices
- \$1,000,000 for Oklahoma State University experiment stations
- \$150,000 to support facility improvements for the Cattlemen's Congress
- \$300,000 to hire additional meat inspectors to serve state inspected meat processing facilities in Oklahoma

"On behalf of Oklahoma's agriculture industry, I appreciate the Governor and the State Legislature for acknowledging the needs of farmers, ranchers and agriculture businesses across our state," said Sec. Blayne Arthur. "Resources like OSU's College of Veterinary Medicine and county extension offices help make Oklahoma a Top 10 State, and I am excited to see our legislators recognize their importance."

The budget also provides for funding for five additional meat inspectors. ODAFF has continued to hear livestock producers and meat processors across the state express this need.

"We are fortunate to have a state meat inspection program and are excited for the opportunity to hire additional meat inspectors," said Sec. Arthur. "This funding will ultimately offer Oklahomans more variety of locally-sourced proteins, help create additional jobs in rural Oklahoma, and will boost local economies."



FISCAL YEAR 2022

## FUNDING HIGHLIGHTS

OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD AND FORESTRY

**\$3,000,000**

OKLAHOMA STATE  
UNIVERSITY COLLEGE OF  
VETERINARY MEDICINE

OKLAHOMA STATE UNIVERSITY  
AGRICULTURAL EXTENSION  
SERVICE COUNTY OFFICES

**\$2,000,000**

**\$1,000,000**

OKLAHOMA  
STATE UNIVERSITY  
EXPERIMENT STATIONS

SUPPORT FACILITY  
IMPROVEMENTS FOR THE  
CATTLEMEN'S CONGRESS

**\$150,000**

**\$300,000**

HIRE ADDITIONAL MEAT  
INSPECTORS TO SERVE STATE  
INSPECTED MEAT PROCESSING  
FACILITIES IN OKLAHOMA



**Letter to the DOJ | Governor Kevin Stitt and Secretary Blayne Arthur** sent a letter to the U.S. Attorney General regarding the continued investigation by the U.S. Department of Justice into the nation's meatpacking industry and the beef supply chain.



**State of Oklahoma**  
**Department of Agriculture, Food, and Forestry**

J. Kevin Stitt  
Governor

Blayne Arthur  
Secretary of Agriculture

May 21, 2021

The Honorable Merrick Garland  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20250

Dear Attorney General Garland,

On behalf of Oklahoma's farmers and ranchers, we would like to express support for the continued investigation by the U.S. Department of Justice into the nation's meatpacking industry and the beef supply chain. The substantial margins between the live cattle prices our ranchers receive and the retail prices consumers pay at the grocery store are a continuing source of concern and frustration for Oklahoma's beef industry. This investigation is necessary to determine if any manipulation, collusion, or other illegal activity may be occurring and ensure market transparency.

Cattle producers work tirelessly to provide nutritious, safe, affordable protein for the world and steward their land, and their ability to stay in business is crucial to the success of Oklahoma and the United States. Oklahoma is home to over 52,000 cattle operations and ranks second nationally for beef cow inventory. The cattle industry is a mainstay of our state and local economies, and the same is true of many states across our nation.

The significant concerns of our cattle industry stem from the historical consolidation of meat processing companies in the U.S. and the minimal competition that exists in this sector of the beef supply chain today. After years of substantial profit margins for packers, cattle producers are concerned about the level of control these few companies have over the live cattle market. If any market manipulation does exist, it is vital for the continuation of the American beef industry that it be identified and fairness in the market be restored.

We appreciate your recognition of this issue and support further investigation by the DOJ.

Sincerely,

Handwritten signature of Kevin Stitt in black ink.

Kevin Stitt  
Governor of Oklahoma

Handwritten signature of Blayne Arthur in black ink.

Blayne Arthur  
Oklahoma Secretary of Agriculture

2800 N. Lincoln, Oklahoma City, OK 73105 • (405) 521-3864

JanLee Rowlett, Legislative Liaison for the Oklahoma Department of Agriculture, Food, and Forestry to provide an update on the 2021 Legislative session, including ODAFF bill requests and other ag legislative topics.

# **JUNE 16, 2021 BOARD MEETING**

## **PURCHASES/CONTRACTS**

### **Agricultural Statistics**

Printing of 1,500 Oklahoma Agricultural Statistics 2021 annual bulletins, and 7,000 Oklahoma Pocket Facts 2021 for FY 2022 - \$12,000 dollars.

### **Consumer Protection Services**

#### **Oklahoma State University Soil Fertility Research --\$65,000.00**

1. Brief description of the proposed expense, cost, its necessity, and any deadlines for approval.

This is in addition to the original request of \$450,000.00 due to fertilizer tonnage revenue exceeding 1 million dollars for FY2021. Pursuant to 2 O.S. § 8-77.7 (A), ODAFF is required to collect an inspection fee of \$1.00 per ton of which \$0.50 per ton shall be forwarded directly to a special Soil Fertility Research Account in the Department of Plant and Soil Sciences of the Division of Agricultural Sciences and Natural Resources at Oklahoma State University (OSU) for the purpose of conducting soil fertility research and extension involving efficient fertilizer use for agronomic crops and forages and groundwater and surface water protection from plant food nutrients. Though tonnage amounts vary each year due to when a crop is planted, commodity prices, fertilizer prices and the weather we use the upper range of inspection fees paid annually to determine the amount of \$450,000.00 that could potentially be paid out to OSU. However, the actual amount paid to OSU will be based on the amount of inspection fees paid to ODAFF.

2. Consequence(s) and cost (if any) if the proposed expense is not approved.  
This is a statutory requirement of the Oklahoma Fertilizer Act and needs to be done to further research to prevent the pollution of lands and waters of Oklahoma from fertilizers.

#### **GIS Programing with Oklahoma University --\$43,000.00**

1. Brief description of the proposed expense, cost, its necessity, and any deadlines for approval.

GIS programing would provide ODAFF with the ability to GPS hemp grower fields to provide required data to USDA. It also will allow us to do a better job of collecting and reporting our USDA CAPS survey information under our grant programs. Finally, it will assist us in collecting information on complaints, inspections and licensee's.

2. Consequence(s) and cost (if any) if the proposed expense is not approved.  
Without the GIS programming we will have more difficulty meeting USDA hemp reporting requirements and CAPS reporting requirements. This will also limit our efficiency in sampling, trapping and inspections.

- 3 Price verification scanners for the Weights and Measures program- \$7,500.00

## **Food Safety**

### **Oklahoma State University Produce Safety Training Contract Approval --\$120,000.00 (year 5 of 5 year contract with Oklahoma State University)**

1. Brief description of the proposed expense, cost, its necessity, and any deadlines for approval.

Pursuant to 2 O.S. § 2-4 (A-34), the state Board of Agriculture has the power to promulgate rules to ensure state control of any federal program relating to on-farm fruit and vegetable production inspections and regulation. ODAFF received a grant from the FDA for the development of a produce safety program, identification of produce farms in the state, outreach and education to produce farmers, and in 2018 begin the enforcement of the FDA's Food Safety Modernization Act Produce Safety Rule through farm inspections. Up to 40% of the total each year's grant funds (including carry-over funds from the previous year) can be sub-awarded to the state's land grant university for the assistance in outreach and educational efforts. In order to comply with these requirements assistance was requested from Oklahoma State University (OSU) for the purpose of outreach and education activities including teaching Produce Safety Alliance classes across the state, developing educational materials and videos, assisting farms with the On-Farm Readiness Review, measuring the effectiveness of these trainings to determine what topics need further training, and assisting ODAFF in identifying and outreach to farms that may need to comply with the law.

The Produce Safety Alliance class is the only class currently recognized by the FDA to satisfy the produce farm manager training portion of the produce safety rule. To teach this class, a team of certified trainers and a certified lead trainer is required, and OSU has several personnel certified to teach this class including the only lead trainer in the state. The On-Farm Readiness Review tool is currently in development by NASDA, and should be available to the states this winter. It will provide an educational tool that can be taken to the individual farms and help them identify what areas they need to improve on to comply with the new law.

OSU as a land grant university has proven expertise in the research and education of food crop production and food safety through the Ag Research Stations, Cooperative Extension Service, educational TV programs on OETA, and the Robert M. Kerr Food and Agriculture Products Center (FAPC).

The monies being requested for approval is 100% reimbursed through the FDA Cooperative Agreement grant that has been awarded to ODAFF. The \$450,000 is the maximum estimated amount that we will be allowed to sub-award through this grant for fiscal year 2018.

2. Consequence(s) and cost (if any) if the proposed expense is not approved.  
Currently, ODAFF does not have the resources and personnel to host these trainings, and does not have the networking in every county that OSU Extension has to be able to find and reach all produce farms. The outreach, education, and identification of produce farms in Oklahoma is a large requirement of the FDA grant, and OSU's assistance will greatly extend our reach way beyond ODAFF's abilities. The loss of OSU's assistance would place a great strain on ODAFF's limited resources to meet the requirements of the FDA cooperative agreement.

**Win Wam computer software up keep for produce safety inspections \$5,200.00**

1. Brief description of the proposed expense, cost, its necessity, and any deadlines for approval.  
This computer program is used for completing FDA produce safety compliance inspections. Currently Kelly Registration Systems is 2 to 3 years from completing Food Safeties online programs. This would be for updates and for software update fees. This would be paid for by the FDA Produce Grant.
2. Consequence(s) and cost (if any) if the proposed expense is not approved.  
Without the computer program we will have to develop an in house program or change Kelly's schedule which will harm other programs development time.

**Forestry Services****FY22 – \$15,000**

Purchase PPE –Wildland Firefighter boots for OFS front-line personnel. This equipment is mandatory for all personnel responding to wildfires or supporting prescribed burns anywhere in Oklahoma. This equipment must be periodically updated. Without this equipment there is an increased risk to personal safety to Forestry Services' firefighters and liability to the Agency. The price per pair has increase.

**FY 22- \$21,000**

Purchase a new irrigation system for the Greenhouse at FTIC. The irrigation system in the greenhouse at FTIC was originally in place when the building was dedicated in 2002. OFS grows containerized seedlings for sale to Oklahomans and specific genetic families for progeny testing. OFS is having problems with the irrigation heads cycling down the rail system to water the trees because the rail system has had 19 years of wear. OFS needs to replace this system. Without this purchase, OFS runs the risk of not being able to properly irrigate seedlings and the seedlings may be stressed or not survive for their intended use.

**FY 22 \$6,500**

Purchase and installation of reglazing materials for the Greenhouse at FTIC. The plastic and polycarbonate have deteriorated and were damaged in the recent storms. The last time this was replaced was 10 years ago. OFS grows containerized seedlings to sell to Oklahomans and specific genetic families for progeny testing at the FTIC facility. Without this purchase, the seedlings will not be properly protected and may be stressed or not survive for their intended use.

**FY 22- \$7,500**

Purchase up to 15 tons of sulfur 90% Pastille for Forest Regeneration Center. The sulfur is needed to keep the soil pH between 5 and 6.5 for all of the conservation seedlings grown at FRC which are sold to landowners throughout Oklahoma and the nation. Without this purchase, the soil will not meet the requirements to grow the seedlings and the seedlings will not survive for their intended use.

**FY 22 \$9,500**

Purchase soil media to grow containerized seedlings at the Forest Regeneration Center and Forest Tree Improvement Center. Soil media is needed to grow seedlings for conservation plantings such as wetland restoration and reforestation projects. Landowners with challenging planting sites request container seedlings and without the soil media, OFS would not be able to provide them.

**Laboratory Services**

Request approval for the purchase of analytical gas and high quality argon for testing various agricultural products and cylinder rental. Effective 07/01/21 - 06/30/22. Total cost not to exceed \$11,566.84. Purchase of analytical gases and high quality Argon for use in testing. This is necessary for efficient and effective operation in the laboratory, without this analytical gas the laboratory would be unable to fulfill regulatory testing for the State of Oklahoma.

Request approval for the purchase of analytical grade water for laboratory testing. Effective 07/01/2021 - 06/30/2022. Total cost not to exceed \$6300.00.

Request approval for the purchase of PRV Autolex Kits. Effective 07/01/21 - 06/30/22. Total cost not to exceed \$19,975.00. Purchase of test kits are necessary to analyze pseudorabies samples throughout the year and mostly during December and January. The laboratory receives about half of the samples it normally receives for the year during this time. These kits have a short shelf live and need to be purchased as needed throughout the year. If the purchase is not approved the laboratory could lose over \$100K in revenue.

**Market Development**

FY2021 - Ag Enhancement and Diversification Ag Event Grant – Symbiotic Aquaponics – Annual Aquaponic Association Conference - \$7,500.00

FY2021 – Healthy Food Finance Grant – Castle Investments DBA The Castle Store - \$10,000.00

FY2021 – Healthy Food Finance Grant – Flora Fauna Cooperative DBA Paseo Farmers Market - \$10,000.00

FY2022 – Farm to School Garden Grants – Funded entirely by Specialty Crop Block Grant – \$28,000.00

**Farm to School Garden Grants – Funded by Specialty Crop Block Grant - \$28,000.00**

The School Garden Grant that was received from USDA Specialty Crop Block Grant has been designated to four public school sites and three early childhood sites from all over the state of Oklahoma. The first impact will be teacher impact. The teachers will receive training from Ag in the Classroom, Jr. Master Garden training and Farm to School trainings to help them use the school garden to teach agricultural lessons using reading, math, science, social studies, language arts and art in the garden. They will receive resources to teach nutrition education and garden education as well. The second impact will be the students. These seven sites chosen for the school gardens impact approximately 2,500 students' state wide. They will not only gain understanding on how food is grown, how they are harvested and prepared but to also be more aware of healthy food choices available to them. They will be exposed to a variety of specialty crops that can be grown here in our state and are easily planted in the school garden. Each school will have a School Garden Coordinator that will work with Farm to School, the teachers and the students to help with this and to keep the gardens growing year round. If this proposed expense is not approved and therefore the project is not completed, the State not only loses money immediately that is important to the specialty crop industry through the economic impact, but also runs the risk of not being awarded money from the USDA Specialty Crop Block Grant in the future.

FY 2022 – Oklahoma Youth Expo Junior Livestock Show & educational scholarship program – Legislative Directed Spending - \$85,000.00.

**Oklahoma Youth Expo - \$85,000.00 – Legislative Directed Spending**

This amount of \$85,000.00 will directly support the 2022 state-wide spring junior livestock show. For 103 years, the youth of the state of Oklahoma have exhibited some of the finest livestock in the country at OYE, which carries the title of “The World’s Largest Junior Livestock Show” with participants from all 77 Oklahoma counties. OYE also provides agricultural scholarships and leadership-training programs for Oklahoma students. The 10-day OYE generates an economic impact of \$24.5 million to the OKC economy and provides hundreds of youth with scholarships to continue their education at a collegiate level. If this purchase is not approved, there is negative impact on conducting the 2022 Oklahoma Youth Expo (OYE) as well as a reduction of show ring achievement and academic scholarships to the youth of Oklahoma.

FY 2022 – Tulsa County Public Facilities Authority 2020 Junior Livestock Show – Legislative Directed Spending - \$50,000.00

**Tulsa County Public Facilities Authority – Expo Square - \$50,000.00**

The amount of \$50,000.00 goes directly for the purpose of promoting the Oklahoma agriculture industry through national agriculture events, Tulsa State Fair Junior Livestock Auction, and the Tulsa State Fair Livestock Scholarship Program. If this purchase is not approved, there will be a negative economic impact to Tulsa and surrounding communities with the loss of national ag events hosted at Expo Square. In addition, there would be a negative impact on conducting the 2021 Tulsa livestock show and a reduction of scholarships to the youth of Oklahoma.

FY 2022 – Made in Oklahoma Coalition – Legislative Directed Spending - \$343,325.00

**Made in Oklahoma Coalition - \$343,325.00**

The amount of \$343,325.00 goes directly to support a unique public/private partnership that establishes a marketing program for the purpose of promoting food brand awareness, trade and consumer loyalty for Oklahoma food products through a variety of cooperative marketing activities. In addition, MIO promotes business retention, increase of sales to retail and foodservice outlets and business expansion. If this support is not provided, there is a negative impact on the seventy MIO members who employ over 26,000 Oklahomans who have reported increased sales directly related to the MIO marketing campaigns. In addition, the momentum of new, small businesses benefiting from MIO resources and connections will be impaired.

FY2022 – Ag in the Classroom Graphic Design – \$5,500.00 – mis-calculated needs for FY22 from the original price of \$9,500 that went to board in May. The total graphic design cost is \$15,000.00.

**Office of General Counsel**

Contract renewal for OGC Administrative Law Judge FY 2021 effective 7/1/2020 – 6/30/2021. Contract not to exceed \$10,000.

Contract renewal for OGC Westlaw and Clear online legal research system FY 2021 effective 7/1/2020-6/30/2021. Contract not to exceed \$20,000.

1. Brief description of the proposed expense, cost, its necessity, and any deadlines for approval.

Westlaw is a necessary legal research tool for the agency attorneys. It allows them to easily and quickly review federal, Oklahoma, and other states' case law and statutes to better serve the agency. CLEAR allows the Office of General Counsel and Investigative Services to search for addresses and other information regarding individuals for which we do not have good contact information.

2. Consequence(s) and cost (if any) if the proposed expense is not approved.

Without Westlaw, agency attorneys would be unable to efficiently research federal and state law, resulting in more time looking for information and less time actually completing projects and assisting the agency. Without CLEAR, Investigative Services would have a more difficult time investigating cases because of the time that would be spent searching for individuals. The Office of General Counsel would have a more difficult time fining individuals on enforcement matters.

Contract for GovQA 2022 effective 7/1/2021 – 6/30/2022. Contract not to exceed \$30,000.

1. Brief description of the proposed expense, cost, its necessity, and any deadlines for approval.

GovQA is a new product that will allow OGC and the rest of the agency to more easily and efficiently fill open records requests. It will allow all records requests to be filled electronically and will allow large files to easily be transferred electronically. It is an online product. In addition, it will allow ODAFF to invoice the requester for very large requests and allow the agency to recoup some funds for filling the requests.



2. Consequence(s) and cost (if any) if the proposed expense is not approved.  
Without GovQA, open records requests will continue to be saved to compact discs for large files and incur mailing fees and extra work for those filling the requests. In addition, the filling of these requests will take longer due to the effort of filling some requests over and over, and it will incur much longer wait times for those requesting the records.

### **Wildlife Services**

\$19,000.00-Wildlife Services is requesting board approval for \$19,000.00 to purchase a boat and shallow drive motor. The boat will be used for transporting staff and equipment to areas hard to access otherwise that are suffering damages due to wildlife including feral swine. The area that the boat will be used mostly is in the Arkansas River basin between Sequoyah and Haskell counties. Feral swine inhabit the islands of the Sequoyah National Wildlife Refuge and negatively impact adjoining crop and pasture lands. Currently Wildlife Services provides feral swine mitigation assistance to the refuge and the new equipment will make crucial access to the islands feasible. The boat will also be available to assist with beaver management along the Arkansas River as well.

\$ 20,000.00 -ODAFF Wildlife Services is requesting approval for the City of Norman Cooperative Agreement regarding the control of wildlife for the City. Not approving this purchase would result in a human health and safety hazard for the public.

\$769,000.00 -ODAFF wildlife services is requesting approval for the cooperative agreement with USDA APHIS Wildlife Services which will provide damage management activities to farmers and ranchers in Oklahoma. Activities are related to damages incurred from feral swine, beavers, coyotes and avian predators. Not approving this agreement would mean significant financial loss to Oklahoma Agriculture due to wildlife damage.

**BEFORE THE STATE BOARD OF AGRICULTURE  
STATE OF OKLAHOMA**

**APPROVAL OF CASES**

ON THIS 16<sup>th</sup> day of June 2021 the Office of General Counsel of the Oklahoma Department of Agriculture, Food, and Forestry brought for consideration before the State Board of Agriculture those certain cases summarized on Exhibit A hereto which cases have been resolved by stipulation or consent order. The attached Exhibit A summarizes each action by case name, case number, case type and amount received as a stipulated administrative penalty or by consent order.

**ACCORDINGLY, IT IS THEREFORE ORDERED** by the State Board of Agriculture that the resolution of each of the cases summarized on Exhibit A hereto is hereby approved in all aspects; that this order shall be deemed the final agency order for each such case; and that the penalty imposed by each such stipulation or consent order is hereby adopted and incorporated herein by reference to Exhibit A hereto.

WITNESS My Hand and Official Seal this 16<sup>th</sup> day of June 2020.

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Blayne Arthur  
President  
State Board of Agriculture

**Exhibit A**  
**Board of Agriculture**  
**June 16, 2021**

**Cases Resolved by Stipulation**

**Consumer Protection Services**

<b><u>Name</u></b>	<b><u>File No.</u></b>	<b><u>Division</u></b>	<b><u>Amount</u></b>
Shane Backus	OGC-20-681	CPS	\$750.00
Dollar General	OGC-20-557	CPS	\$300.00

**Food Safety**

<b><u>Name</u></b>	<b><u>File No.</u></b>	<b><u>Division</u></b>	<b><u>Amount</u></b>
Dewayne Muret	OGC-21-031	FS	\$3,250.00

**OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY**  
**v. DOLLAR GENERAL**  
**Case File No: OGC-20-557**

**DOLLAR GENERAL**  
**409 N. 11th**  
**HAMMON, OK 73650**

**Summary of Facts:** An investigator conducted two routine price verification inspections at Respondent's store. In each inspection it was revealed that consumer products were offered at prices which exceeded the publicly communicated price and the number of inaccurately priced products was over the allowable percentage of error. A letter of warning was sent after the first inspection.

**Statute or Rule Violation:** Respondent violated 2 O.S. § 14-38 because there was a failure to accurately price 95% of all consumer items sampled which resulted in failed inspections subject to penalty.

**Proposed Administrative Penalty:** The proposed penalty for this case was Three Hundred Dollars (\$300.00) (Four violations at \$75.00 per violation). Respondent stipulated to and paid the penalty.

**Other Actions Required:** None

**OGC Attorney:** Kambi Maddy

BEFORE THE STATE BOARD OF AGRICULTURE  
STATE OF OKLAHOMA

THE OKLAHOMA DEPARTMENT OF )  
AGRICULTURE, FOOD, AND FORESTRY, )  
BY AND THROUGH THE )  
OFFICE OF GENERAL COUNSEL )

COMPLAINANT, )

v. )

DOLLAR GENERAL )  
409 N. 11th )  
HAMMON, OK 73650 )

RESPONDENT. )

**FILED**

APR 26 2021

STATE BOARD OF AGRICULTURE

Case No: OGC-20-557

STIPULATION

Respondent accepts and stipulates to the proposed administrative penalty or fine of **Three Hundred Dollars (\$300.00)** for this action and has accordingly signed this Resolution by Stipulation and returned it along with a check or money order in full payment of the proposed penalty or fine to: Office of General Counsel, Oklahoma Department of Agriculture, Food, and Forestry, 2800 N. Lincoln Blvd., Oklahoma City, OK 73105-4298.

Respondent waives the right to a full administrative or evidentiary hearing and enters this Resolution by Stipulation evidencing Respondent's consent to the proposed penalty and Respondent's stipulation to the allegations of fact and alleged violations of law made in the Notice of Violation.

RESPONDENT:

Mia Savaloja  
Signature

Mia Savaloja  
Printed Name

Dr. Director, Store Ops.  
Job Title

4/7/21  
Date

**BEFORE THE STATE BOARD OF AGRICULTURE  
STATE OF OKLAHOMA**

**FILED**  
MAR 17 2021  
STATE BOARD OF AGRICULTURE

THE OKLAHOMA DEPARTMENT OF )  
AGRICULTURE, FOOD, AND FORESTRY, )  
BY AND THROUGH THE )  
OFFICE OF GENERAL COUNSEL )

COMPLAINANT, )

v. )

Case No: OGC-20-557

DOLLAR GENERAL )  
409 N. 11th )  
HAMMON, OK 73650 )

RESPONDENT. )

**NOTICE OF VIOLATION**

1. Complainant, the Office of General Counsel ("OGC") of the Oklahoma Department of Agriculture, Food, and Forestry (ODAFF) advises Respondent of the following alleged violations of the Oklahoma Agricultural Code and/or rules.

**PREHEARING CONFERENCE NOTICE**

2. Respondent is hereby notified that a Prehearing Conference<sup>1</sup> will be held before an impartial Administrative Law Judge (ALJ) at 1:30 p.m. on May 13, 2021, in the Board Room on the first floor of the Oklahoma Department of Agriculture, Food, and Forestry building, located at 2800 North Lincoln Blvd, Oklahoma City, Oklahoma.

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<sup>1</sup> Prehearing Conferences may address any of the following: a.) Identification and simplification of issues, including the elimination of frivolous claims or defenses; b.) Amendments to the pleadings; c.) the plan, schedule, and limitations of discovery; d.) Identification of admissions of fact to avoid unnecessary proof and cumulative evidence; e.) The identification of witnesses and substance of testimony, exhibits, and documents; f.) The use of prehearing briefs and pre-filed testimony in the form of sworn affidavits; g.) Settlement of all or some of the issues prior to the hearing; h.) Adoption of special procedures for managing difficult or protracted actions that may involve complex issues, multiple parties, novel or difficult legal questions, or evidence problems; i.) Scheduling; and j.) Any other matters as may aid in disposition of the case.

3. **Please note the Prehearing Conference is not an evidentiary hearing: witnesses and evidence will not be presented at the Prehearing Conference.**

4. The Prehearing Conference may be held by telephone; arrangements to do so should be made at least one full week in advance of the Prehearing Conference.

5. Upon request of either party, Prehearing Conferences shall be on the record.

6. A Prehearing Conference may result in a scheduling or other prehearing order and subsequent changes to any prehearing or scheduling order may be made by the ALJ by modifying the order for good cause.

7. Please note that failure to appear at the Prehearing Conference may result in a default judgment being entered against you.

#### **HEARING AND RIGHT TO COUNSEL**

8. Respondent may choose to proceed to a full evidentiary hearing on the merits, at which Respondent will be given the opportunity to cross-examine the Complainant's witnesses, present Respondent's witnesses, and present relevant evidence on Respondent's behalf.

9. **The hearing date will be determined at the Prehearing Conference.**

10. The hearing will be conducted in accordance with the Oklahoma Administrative Procedures Act and the Department's Rules of Practice and Procedure, which may be found in the OAC at Title 35.

11. Respondent has the right to be represented by counsel in this matter.

#### **DEFAULT**

12. Any Respondent who fails to appear after receipt of notice may be determined to have waived the right to appear and present a defense and a default may be presented by the Department

to the Board at a regularly scheduled meeting proposing the relief requested by the Notice of Violation, or other relief if justice so requires.

#### **JURISDICTION, VENUE, AND APPLICABLE LAW**

13. Subject matter jurisdiction and venue are vested in the State Board of Agriculture in its quasi-judicial capacity pursuant to Okla. Const. Art. VI, Section 31 and 2 O.S. § 2-4(7); accordingly, this is the proper forum to hear this matter.

14. Respondent has substantial business operations and assets within the State of Oklahoma.

15. Based upon current information and belief, at all relevant times hereto, Respondent has, among other things, engaged in the business of selling consumer items under the business name of Dollar General, located at 409 N. 11th, in Hammon, Oklahoma.

16. Pursuant to 2 O. S. § 2-4(A)(3), ODAFF has authority to regulate persons who violate the Oklahoma Agricultural Code by initiating and processing administrative, civil, or criminal actions and proceedings necessary under the Oklahoma Agricultural Code.

17. Under the provisions of 2 O.S. § 14-38(B)(2), it is unlawful for a store to charge a retail price for any consumer item which exceeds the lowest then price in that store, whether a shelf, sale, advertised, or otherwise publicly communicated price, of the consumer item.

18. Under the provisions of 2 O.S. § 14-38(J), failure to accurately price ninety-five percent (95%) of all consumer items sampled as part of an inspection shall be a failed inspection subject to penalty. A second violation following any twelve-month period in which no violation has been found will be assessed a penalty of Seventy-five Dollars (\$75.00) per consumer item which results in an overcharge or potential overcharge.



### **ALLEGATIONS OF FACT**

19. Based upon current information and belief, the following allegations of fact summarize the alleged violations committed by Respondent:

20. On or about November 19, 2019, a price verification inspection was performed by an Oklahoma Department of Agriculture, Food, and Forestry inspector at Dollar General in Hammon, Oklahoma. The inspection revealed that six (6) of the one hundred (100) products inspected were offered at a price which exceeded the publicly communicated price.

21. Respondent's failure to accurately price ninety-five percent (95%) of all consumer items sampled as part of this inspection, is a violation of 2 O.S. § 14-38(J). A letter of warning was sent to the Respondent.

22. On or about July 30, 2020, a price verification inspection was performed by an Oklahoma Department of Agriculture, Food, and Forestry inspector at Dollar General in Hammon, Oklahoma. The inspection revealed that four (4) of the fifty (50) products inspected were offered at a price which exceeded the publicly communicated price.

23. Respondent's failure to accurately price ninety-five percent (95%) of all consumer items sampled as part of this inspection, is a second violation of 2 O.S. § 14-38(J). A letter of warning was sent to the Respondent.

### **ALLEGED CONCLUSIONS OF LAW**

24. Based upon the application of the above law to the aforementioned facts, Respondent's failure to accurately price ninety-five percent (95%) of all consumer items sampled as part of the aforementioned inspections is a violation of 2 O.S. § 14-38(B)(2) and is subject to the penalty provided in 2 O.S. § 14-38(J).

### **ATTORNEY CONFERENCES**

25. If Respondent desires to meet with OGC attorneys prior to the Prehearing Conference to discuss the allegations or seek a possible resolution, please contact the undersigned at 405-522-5997.
26. Additionally, OGC attorneys will be available for consultation from 9:00 a.m. until 12:00 p.m. on the date of the Prehearing Conference.
27. Arrangements to discuss the matter before the Prehearing Conference are encouraged.

#### **ENFORCEMENT PROCEEDINGS**

28. Enforcement proceedings may include but are not limited to:
- a.) Administrative fines or penalties;
  - b.) Revocation, suspension, or denial for up to one (1) year of any license, permit, or charter issued by ODAFF or the Board;
  - c.) Criminal actions, which could involve fines, imprisonment, or both; and
  - d.) Civil actions.
29. Pursuant to 2 O.S. § 2-18(A), after notice and opportunity for a hearing in accordance with the Administrative Procedures Act, if the State Board of Agriculture finds any person in violation of the Oklahoma Agricultural Code or any rule promulgated or order issued pursuant thereto, unless otherwise specifically provided by statute or rule, the Board shall have the authority to assess an administrative penalty of not less than One Hundred Dollars (\$100.00) and not more than Ten Thousand Dollars (\$10,000.00) for each violation.
30. Each animal, each action, or each day a violation continues may constitute a separate and distinct violation.
31. Fine matrixes containing typical fines for most violations of statutes and rules enforced by ODAFF may be found in the OAC at Title 35.

### **ENFORCEMENT OF JUDGMENTS**

32. Administrative penalties, civil penalties, and other fines imposed by the Board shall be enforced pursuant to the procedure outlined in 2 O.S. § 2-7(B) and the Uniform Enforcement of Foreign Judgments Act, 12 O.S. § 719 *et seq.*

### **INFORMAL DISPOSITION OF AN INDIVIDUAL PROCEEDING**

33. Informal disposition of an Individual Proceeding may be made by Stipulation, Agreed Settlement, Consent Order, or Default.

34. Resolution by Stipulation, Agreed Settlement, Consent Order, or Default shall be approved by the State Board of Agriculture.

35. Proposed Final Administrative Orders shall be prepared and issued in accordance with the Administrative Procedures Act and presented to the Board of Agriculture for review and approval.

### **STIPULATION**

36. If Respondent desires to resolve this matter without a hearing or further action, Complainant proposes an administrative penalty of Three Hundred Dollars (\$300.00). (4 violations at \$75.00 per violation).

37. If you wish to waive your right to hearing and stipulate to the above alleged findings of fact and conclusions of law, you may pay the full amount of the recommended penalty by check or money order and sign and return the attached Resolution by Stipulation along with your full payment of this penalty prior to the stated hearing date.

DATED THIS 15th day of March, 2021.

OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND  
FORESTRY, OFFICE OF GENERAL COUNSEL



*Kambi Maddy*

Teena G. Gunter, General Counsel, OBA # 17767  
James Rucker, Deputy General Counsel, OBA # 14574  
Wendi Morse, OBA # 33571  
Kambi Maddy, OBA # 13873 \*  
Shelby Turner, OBA # 34010  
Assistants General Counsel  
2800 N. Lincoln Blvd.  
Oklahoma City, OK 73105-4298  
Telephone: (405) 522-5997  
Facsimile: (405) 522-5789

**CERTIFICATE OF MAILING**

This is to certify that on this 17 day of March, 2021, a true and correct copy of the forgoing instrument was mailed, via Certified Mail, Return Receipt Requested, as follows:

**DOLLAR GENERAL CORPORATION  
ATTN: LEGAL DEPARTMENT  
100 MISSION RIDGE  
GOODLETTSVILLE, TN 37072**

  
\_\_\_\_\_  
Gina Blaylock

**BEFORE THE STATE BOARD OF AGRICULTURE  
STATE OF OKLAHOMA**

**THE OKLAHOMA DEPARTMENT OF )  
AGRICULTURE, FOOD, AND FORESTRY, )  
BY AND THROUGH THE )  
OFFICE OF GENERAL COUNSEL )**

**COMPLAINANT,**

**v.**

**Case No: OGC-20-557**

**DOLLAR GENERAL )  
409 N. 11th )  
HAMMON, OK 73650 )**

**RESPONDENT. )**

**STIPULATION**

Respondent accepts and stipulates to the proposed administrative penalty or fine of **Three Hundred Dollars (\$300.00)** for this action and has accordingly signed this Resolution by Stipulation and returned it along with a check or money order in full payment of the proposed penalty or fine to: Office of General Counsel, Oklahoma Department of Agriculture, Food, and Forestry, 2800 N. Lincoln Blvd., Oklahoma City, OK 73105-4298.

Respondent waives the right to a full administrative or evidentiary hearing and enters this Resolution by Stipulation evidencing Respondent's consent to the proposed penalty and Respondent's stipulation to the allegations of fact and alleged violations of law made in the Notice of Violation.

**RESPONDENT:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Job Title

\_\_\_\_\_  
Date

**OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY**  
**v. SHANE BACKUS**  
**Case File No: OGC-20-681**

**SHANE BACKUS**  
**388091 E. 1134 RD.**  
**WELEETKA, OK 74880**

**Summary of Facts:** Respondent performed commercial pesticide applications without the proper certification and used a pesticide in a manner inconsistent with its labeling.

**Statute or Rule Violation:** 2 O.S. § 3-86(A)(4), 2 O.S. § 3-86(A)(15), 2 O.S. § 3-82(A)(1)

**Proposed Administrative Penalty:** The penalty was assessed at \$750. Respondent stipulated and paid the penalty in full.

**Deviations:** None.

**Other Actions Required:** None.

**OGC Attorney:** Shelby Turner

**FILED**

STATE BOARD OF AGRICULTURE

**RESPONDENT.**

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(continued from page 12)

**) Case No: OGC 20-681**

Signature \_\_\_\_\_

Shane Backus Owner/operator  
Printed Name and Title:

Date: 5/3/21

BEFORE THE STATE BOARD OF AGRICULTURE  
STATE OF OKLAHOMA

**FILED**  
MAY 01 2021  
STATE BOARD OF AGRICULTURE

THE OKLAHOMA DEPARTMENT OF	)	
AGRICULTURE, FOOD, AND FORESTRY,	)	
BY AND THROUGH THE	)	
OFFICE OF GENERAL COUNSEL	)	
	)	
COMPLAINANT,	)	
v.	)	Case No: <u>OGC 20-681</u>
	)	
SHANE BACKUS	)	
388091 E. 1134 RD.	)	
WELEETKA, OK 74880	)	
	)	
RESPONDENT.	)	

**NOTICE OF VIOLATION**

1. Complainant, the Office of General Counsel ("OGC") of the Oklahoma Department of Agriculture, Food, and Forestry (ODAFF) advises Respondent of the following alleged violations of the Oklahoma Agricultural Code and/or rules.

**PREHEARING CONFERENCE NOTICE**

2. Respondent is hereby notified that a Prehearing Conference<sup>1</sup> will be held before an impartial Administrative Law Judge (ALJ) at 1:30 PM on **Thursday, May 13, 2021** in the Board Room on the first floor of the Oklahoma Department of Agriculture, Food, and Forestry building, located at 2800 North Lincoln Blvd, Oklahoma City, Oklahoma.

3. **Please note the Prehearing Conference is not an evidentiary hearing: witnesses and evidence will not be presented at the Prehearing Conference.**

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<sup>1</sup> Prehearing Conferences may address any of the following: a.) Identification and simplification of issues, including the elimination of frivolous claims or defenses; b.) Amendments to the pleadings; c.) the plan, schedule, and limitations of discovery; d.) Identification of admissions of fact to avoid unnecessary proof and cumulative evidence; e.) The identification of witnesses and substance of testimony, exhibits, and documents; f.) The use of prehearing briefs and pre-filed testimony in the form of sworn affidavits; g.) Settlement of all or some of the issues prior to the hearing; h.) Adoption of special procedures for managing difficult or protracted actions that may involve complex issues, multiple parties, novel or difficult legal questions, or evidence problems; i.) Scheduling; and j.) Any other matters as may aid in disposition of the case.



4. The Prehearing Conference may be held by telephone; arrangements to do so should be made at least one full week in advance of the Prehearing Conference.
5. Upon request of either party, Prehearing Conferences shall be on the record.
6. A Prehearing Conference may result in a scheduling or other prehearing order and subsequent changes to any prehearing or scheduling order may be made by the ALJ by modifying the order for good cause.
7. Please note that failure to appear at the Prehearing Conference may result in a default judgment being entered against you.

#### **HEARING AND RIGHT TO COUNSEL**

8. Respondent may choose to proceed to a full evidentiary hearing on the merits, at which Respondent will be given the opportunity to cross-examine the Complainant's witnesses, present Respondent's witnesses, and present relevant evidence on Respondent's behalf.
9. **The hearing date will be determined at the Prehearing Conference.**
10. The hearing will be conducted in accordance with the Oklahoma Administrative Procedures Act and the Department's Rules of Practice and Procedure, which may be found in the OAC at Title 35.
11. Respondent has the right to be represented by counsel in this matter.

#### **DEFAULT**

12. Any Respondent who fails to appear after receipt of notice may be determined to have waived the right to appear and present a defense and a default may be presented by the Department to the Board at a regularly scheduled meeting proposing the relief requested by the Notice of Violation, or other relief if justice so requires.

### **JURISDICTION, VENUE, AND APPLICABLE LAW**

13. Subject matter jurisdiction and venue are vested in the State Board of Agriculture in its quasi-judicial capacity, pursuant to Okla. Const. Art. VI, Section 31 and 2 O. S. § 2-4(7); accordingly, this is the proper forum to hear this matter.

14. Respondent has substantial business operations and assets within the State of Oklahoma.

15. Based upon current information and belief, at all relevant times hereto, Respondent has, among other things, engaged in the application of pesticides as Dash Lawn Care, located at 388091 E. 1134 Rd. in Weleetka, OK 74880.

16. Pursuant to Okla. Sta. Ann. 2 § 2-4(A)(3), ODAFF has authority to regulate persons who violate the Oklahoma Agricultural Code by initiating and prosecuting administrative, civil, or criminal actions and proceedings necessary under the Oklahoma Agricultural Code.

#### **2 O.S. 3-86**

A. It shall be unlawful for any person, whether or not they hold a commercial or noncommercial license, to violate any part of this subsection or rules promulgated by the State Board of Agriculture. Any license, certificate, or identification issued may be suspended, canceled, revoked, or refused issue or reissue by the Board after a notice and an opportunity to be heard has been given to the holder of the license or certificate. The suspension, cancellation, revocation, or refusal to issue or reissue any license, certificate, or identification may be made if the Board finds:

- (4) A person has used a pesticide in a manner inconsistent with its labeling unless prior written approval has been obtained from the Board;

(15) Any person to act, operate, do business, or advertise as an applicator unless the person has obtained a valid license issued by the Board for the category in which the person is engaged.

**2 O.S. 3-82(A)(1)**

It shall be unlawful for any person to act, operate, or do business or advertise as a commercial, noncommercial, certified applicator, temporary certified applicator, service technician, or private applicator unless the person has obtained a valid applicator's license issued by the State Board of Agriculture for the category of pesticide application in which the person is engaged.

**ALLEGATIONS OF FACT**

17. Based upon current information and belief, the following allegations of fact summarize the alleged violations committed by Respondent.

18. On or about July 7, 2020, a complaint investigation was performed by ODAFF regarding the City of Weleetka Cemetery.

19. It was noted that the Cemetery had many dead or dying trees.

20. There was evidence of vegetation control applications around these trees, as well as the fence lines and headstones.

21. Upon further investigation, it was discovered that Respondent was contracted by the City of Weleetka to maintain the City's cemetery grounds.

22. The City of Weleetka supplied ODAFF with invoices from Respondent, indicating that herbicide applications were made in the cemetery during the summer of 2019.

23. Respondent is not a commercial applicator registered with ODAFF.

24. A chemical sales invoice was also provided, which showed that Polaris was the product purchased to apply to the cemetery.

25. The restrictions and limitations section of the Polaris states: "Do not side trim desirable vegetation unless severe injury and plant death can be tolerated."

26. It was determined that Respondent's application of Polaris resulted in uptake through the trees' roots, causing injury and death to the trees.

27. On or about October 9, 2020, a Letter of Warning detailing the above violations was sent to Shane Backus of Dash Lawn Care.

#### **ALLEGED CONCLUSIONS OF LAW**

28. Based upon the application of the above law to the aforementioned facts, Respondent violated **2 O.S. 3-86(A)(4) and (15) and 2 O.S. 3-82(A)(1)** by making commercial applications without the proper certification and using a pesticide in a manner inconsistent with its label.

#### **ATTORNEY CONFERENCES**

29. If Respondent desires to meet with attorneys for the Department prior to the Prehearing Conference to discuss the allegations and/or seek a possible resolution, please contact the undersigned at 405-522-5997.

30. Additionally, OGC attorneys will be available for consultation on a first-come, first-served basis from 9:00 a.m. to 12:00 p.m. on the date of the Prehearing Conference.

31. Arrangements to discuss the matter before the Prehearing Conference are encouraged.

#### **ENFORCEMENT PROCEEDINGS**

32. Enforcement proceedings may include but are not limited to:

- a.) Administrative fines or penalties;
- b.) Revocation, suspension, or denial for up to one (1) year of any license, permit, or charter issued by ODAFF or the Board;
- c.) Criminal actions, which could involve fines, imprisonment, or both; and

d.) Civil actions.

33. Pursuant to 2 Okla. Stat. § 2-18(A), after notice and opportunity for a hearing in accordance with the Administrative Procedures Act, if the State Board of Agriculture finds any person in violation of the Oklahoma Agricultural Code or any rule promulgated or order issued pursuant thereto, unless otherwise specifically provided by statute or rule, the Board shall have the authority to assess an administrative penalty of not less than One Hundred Dollars (\$100.00) and not more than Ten Thousand Dollars (\$10,000.00) for each violation.

34. Each animal, each action, or each day a violation continues may constitute a separate and distinct violation.

35. Fine matrixes containing typical fines for most violations of statutes and rules enforced by ODAFF may be found in the OAC at Title 35.

#### **OKLAHOMA SMALL BUSINESS REGULATORY FLEXIBILITY ACT**

36. The Oklahoma Small Business Regulatory Flexibility Act, 75 O.S. Supp. 2002, § 506, may apply to this action; please review the full act to determine if it applies to you.

#### **ENFORCEMENT OF JUDGMENTS**

37. Administrative penalties, civil penalties, and other fines imposed by the Board shall be enforced pursuant to the procedure outlined in 2 O.S. § 2-7(B) and the Uniform Enforcement of Foreign Judgments Act, 12 O.S. § 719 *et seq.*

#### **INFORMAL DISPOSITION OF AN INDIVIDUAL PROCEEDING**

38. Informal disposition of an Individual Proceeding may be made by Stipulation, Agreed Settlement, Consent Order, or Default.

39. Resolution by Stipulation, Agreed Settlement, Consent Order, or Default shall be approved by the State Board of Agriculture.

40. Proposed Final Administrative Orders shall be prepared and issued in accordance with the Administrative Procedures Act and presented to the Board of Agriculture for review and approval.

### **STIPULATION**

41. If Respondent desires to resolve this matter without a hearing or further action, Complainant proposes an administrative penalty of Seven Hundred Fifty Dollars (\$750.00).

42. If you wish to waive your right to hearing and stipulate to the above alleged findings of fact and conclusions of law, you may pay the full amount of the recommended penalty by check or money order and sign and return the attached Resolution by Stipulation along with your full payment of this penalty prior to the stated hearing date.

DATED THIS 26 day of February, 2021.

OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND  
FORESTRY, OFFICE OF GENERAL COUNSEL

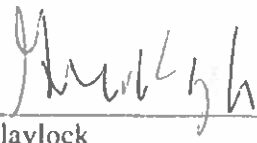


Teena G. Gunter, General Counsel, OBA # 17767  
James Rucker, Deputy General Counsel, OBA # 14574  
Wendi Morse, OBA # 33571  
Kambi Maddy, OBA # 13873  
✓ Shelby Turner, OBA # 34010  
Assistant General Counsel  
2800 N. Lincoln Blvd.  
Oklahoma City, OK 73105-4298  
Telephone: (405) 522-5997  
Facsimile: (405) 522-5789

**CERTIFICATE OF MAILING**

This is to certify that on this 1 day of Mar, 2021, a true and correct copy of the forgoing instrument was mailed, via Certified Mail. Return Receipt Requested, as follows:

**SHANE BACKUS  
388091 E. 1134 RD.  
WELEETKA, OK74880**

  
\_\_\_\_\_  
Gina Blaylock

THE OKLAHOMA DEPARTMENT OF  
AGRICULTURE, FOOD, AND FORESTRY,  
BY AND THROUGH THE  
OFFICE OF GENERAL COUNSEL  
  
COMPLAINANT,  
  
v.  
  
SHANE BACKUS  
388091 E. 1134 RD.  
WELEETKA, OK 74880  
  
RESPONDENT.

Respondent accepts and stipulates to the proposed administrative penalty or fine of Seven Hundred Fifty Dollars (\$750.00) for this action and has accordingly signed this Resolution by Stipulation and returned same along with a check or money order in full payment of the proposed penalty or fine to: Office of General Counsel, Oklahoma Department of Agriculture, Food, and Forestry, 2800 N. Lincoln Blvd., Oklahoma City, OK 73105-4298.

RESPONDENT:

Date:



**OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY  
v. DEWAYNE MURET  
Case File No: OGC-21-031**

**DEWAYNE MURET  
5700 W. ADOBE RD.  
NEWKIRK, OK 74767**

**Summary of Facts:** Respondent slaughtered animals not in compliance with the requirements set forth by the Oklahoma Meat Inspection Act.

**Statute or Rule Violation:** 2 O.S. § 6-190

**Proposed Administrative Penalty:** The penalty was assessed at \$3,250. Respondent stipulated and paid the penalty in full.

**Deviations:** None.

**Other Actions Required:** None.

**OGC Attorney:** Shelby Turner

BEFORE THE STATE BOARD OF AGRICULTURE  
STATE OF OKLAHOMA

THE OKLAHOMA DEPARTMENT OF  
AGRICULTURE, FOOD, AND FORESTRY,  
BY AND THROUGH THE  
OFFICE OF GENERAL COUNSEL

COMPLAINANT,

v.

DEWAYNE MURET  
5700 W. ADOBE RD.  
NEWKIRK, OK 74767

RESPONDENT.

**FILED**

MAY 17 2021

STATE BOARD OF AGRICULTURE]

) Case No: OGC-21-031

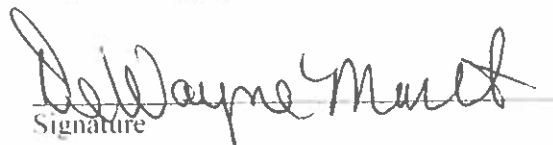
M7  
5-17-21

STIPULATION

Respondent accepts and stipulates to the proposed administrative penalty or fine of Three Thousand Two Hundred Fifty Dollars (\$3,250.00) for this action and has accordingly signed this Resolution by Stipulation and returned same along with a check or money order in full payment of the proposed penalty or fine to: Office of General Counsel, Oklahoma Department of Agriculture, Food, and Forestry, 2800 N. Lincoln Blvd., Oklahoma City, OK 73105-4298.

Respondent waives their right to a full administrative and/or evidentiary hearing and enters this Resolution by Stipulation evidencing Respondent's consent to the proposed penalty and Respondent's stipulation to the allegations of fact and alleged violations of law made in the Notice of Violation.

RESPONDENT:

  
Signature

  
Printed Name and Title:

Date: 5-13-21

BEFORE THE STATE BOARD OF AGRICULTURE  
STATE OF OKLAHOMA

THE OKLAHOMA DEPARTMENT OF )  
AGRICULTURE, FOOD, AND FORESTRY, )  
BY AND THROUGH THE )  
OFFICE OF GENERAL COUNSEL )

COMPLAINANT, )

v. )

DEWAYNE MURET )  
5700 W. ADOBE RD. )  
NEWKIRK, OK 74767 )

RESPONDENT. )

Case No: OGC-21-031

**FILED**  
MAY 01 2021  
STATE BOARD OF AGRICULTURE

**NOTICE OF VIOLATION**

1. Complainant, the Office of General Counsel ("OGC") of the Oklahoma Department of Agriculture, Food, and Forestry (ODAFF) advises Respondent of the following alleged violations of the Oklahoma Agricultural Code and/or rules.

**PREHEARING CONFERENCE NOTICE**

2. Respondent is hereby notified that a Prehearing Conference<sup>1</sup> will be held before an impartial Administrative Law Judge (ALJ) at 1:30 pm on **Thursday, May 13th, 2021** in the Board Room on the first floor of the Oklahoma Department of Agriculture, Food, and Forestry building, located at 2800 North Lincoln Blvd, Oklahoma City, Oklahoma.

3. **Please note the Prehearing Conference is not an evidentiary hearing: witnesses and evidence will not be presented at the Prehearing Conference.**

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<sup>1</sup> Prehearing Conferences may address any of the following: a.) Identification and simplification of issues, including the elimination of frivolous claims or defenses; b.) Amendments to the pleadings; c.) the plan, schedule, and limitations of discovery; d.) Identification of admissions of fact to avoid unnecessary proof and cumulative evidence; e.) The identification of witnesses and substance of testimony, exhibits, and documents; f.) The use of prehearing briefs and pre-filed testimony in the form of sworn affidavits; g.) Settlement of all or some of the issues prior to the hearing; h.) Adoption of special procedures for managing difficult or protracted actions that may involve complex issues, multiple parties, novel or difficult legal questions, or evidence problems; i.) Scheduling; and j.) Any other matters as may aid in disposition of the case.

4. The Prehearing Conference may be held by telephone; arrangements to do so should be made at least one full week in advance of the Prehearing Conference.
5. Upon request of either party, Prehearing Conferences shall be on the record.
6. A Prehearing Conference may result in a scheduling or other prehearing order and subsequent changes to any prehearing or scheduling order may be made by the ALJ by modifying the order for good cause.
7. Please note that failure to appear at the Prehearing Conference may result in a default judgment being entered against you.

#### **HEARING AND RIGHT TO COUNSEL**

8. Respondent may choose to proceed to a full evidentiary hearing on the merits, at which Respondent will be given the opportunity to cross-examine the Complainant's witnesses, present Respondent's witnesses, and present relevant evidence on Respondent's behalf.
9. **The hearing date will be determined at the Prehearing Conference.**
10. The hearing will be conducted in accordance with the Oklahoma Administrative Procedures Act and the Department's Rules of Practice and Procedure, which may be found in the OAC at Title 35.
11. Respondent has the right to be represented by counsel in this matter.

#### **DEFAULT**

12. Any Respondent who fails to appear after receipt of notice may be determined to have waived the right to appear and present a defense and a default may be presented by the Department to the Board at a regularly scheduled meeting proposing the relief requested by the Notice of Violation, or other relief if justice so requires.

### **JURISDICTION, VENUE, AND APPLICABLE LAW**

13. Subject matter jurisdiction and venue are vested in the State Board of Agriculture in its quasi-judicial capacity, pursuant to Okla. Const. Art. VI, Section 31 and 2 O. S. § 2-4(7); accordingly, this is the proper forum to hear this matter.

14. Respondent has substantial business operations and assets within the State of Oklahoma.

15. Based upon current information and belief, at all relevant times hereto, Respondent has, among other things, engaged in slaughter of animals as Dewayne's Deer Processing, BBQ, and Catering, located at 5700 W. Adobe Road in Newkirk, OK 74767.

16. Pursuant to Okla. Stat. Ann. 2 § 2-4(A)(3), ODAFF has authority to regulate persons who violate the Oklahoma Agricultural Code by initiating and prosecuting administrative, civil, or criminal actions and proceedings necessary under the Oklahoma Agricultural Code.

#### **2 O.S. § 6-190**

No person, firm or corporation shall, with respect to any cattle, bison, sheep, swine, goats, horses, mules or other equines, or any carcasses, parts of carcasses, meat or meat food products of any such animals:

(a) Slaughter any such animals or prepare any such articles which are capable of use as human food at any establishment preparing such articles for intrastate commerce, except in compliance with the requirements of this act;

(b) Slaughter or handle in connection with slaughter any such animals in any manner not in accordance with Section 6-183 of this title;

(c) Sell, transport, offer for sale or transportation, or receive for transportation, in intrastate commerce,

(1) any such articles which :

(A) are capable of use as human food, and

(B) are adulterated or misbranded at the time of such sale, transportation, offer for sale or transportation, or receipt for transportation; or

(2) any articles required to be inspected under Sections 6-181 through 6-196 of this title unless they have been so inspected and passed;

(d) Do, with respect to any such articles which are capable of use as human food, any act while they are being transported in intrastate commerce or held for sale after such transportation, which is intended to cause or has the effect of causing such articles to be adulterated or misbranded.

### **ALLEGATIONS OF FACT**

17. Based upon current information and belief, the following allegations of fact summarize the alleged violations committed by Respondent.

18. On or about July 23, 2020, agents for the Oklahoma Department of Agriculture, Food, and Forestry executed a search warrant at Dewayne's Deer Processing, BBQ, and Catering, located at 5700 W. Adobe Road in Newkirk, OK 74767.

19. As a result of this search and further investigation, it was discovered that Respondent engaged in the following:

- On or about March 8, 2020, kill and processing of 1 bull belonging to 7C Land and Cattle
- On or about April 3, 2020, kill and processing of 4 calves belonging to 7C Land and Cattle

- On or about April 20, 2020, kill and processing of 1 cow and 2 calves belonging to 7C Land and Cattle
- On or about July 2, 2020, kill and processing of 2 calves belonging to 7C Land and Cattle
- On or about July 20, 2020, kill and processing of 3 calves belonging to 7C Land and Cattle

20. Respondent has previously owned and operated a licensed meat processing facility and is aware of the regulations concerning the operation of such facility.

21. Respondent now has a lengthy history of slaughtering animals in violation of the Oklahoma Meat Inspection Act.

22. On or about September 1, 2020, a Letter of Warning detailing Respondent's most recent violations was sent to Dewayne Muret.

#### **ALLEGED CONCLUSIONS OF LAW**

23. Based upon the application of the above law to the aforementioned facts, Respondent violated 2 O.S. § 6-190 by slaughtering animals not in compliance with the requirements set forth by the Oklahoma Meat Inspection Act.

#### **ATTORNEY CONFERENCES**

24. If Respondent desires to meet with attorneys for the Department prior to the Prehearing Conference to discuss the allegations and/or seek a possible resolution, please contact the undersigned at 405-522-5997.

25. Additionally, OGC attorneys will be available for consultation on a first-come, first-served basis from 9:00 a.m. to 12:00 p.m. on the date of the Prehearing Conference.

26. Arrangements to discuss the matter before the Prehearing Conference are encouraged.

### **ENFORCEMENT PROCEEDINGS**

27. Enforcement proceedings may include but are not limited to:

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DATED THIS 26 day of February, 2021.

OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND  
FORESTRY, OFFICE OF GENERAL COUNSEL

ST

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Teena G. Gunter, General Counsel, OBA # 17767

James Rucker, Deputy General Counsel, OBA # 14574

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Kambi Maddy, OBA #13873

✓ Shelby Turner, OBA # 34010

Assistant General Counsel

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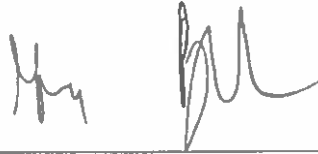
Telephone: (405) 522-5997

Facsimile: (405) 522-5789

**CERTIFICATE OF MAILING**

This is to certify that on this 1 day of March, 2021, a true and correct copy of the forgoing instrument was mailed, via Certified Mail, Return Receipt Requested, as follows:

**DEWAYNE MURET  
5700 W. ADOBE RD.  
NEWKIRK, OK74767**

A handwritten signature in black ink, appearing to read 'Gina Blaylock', written over a horizontal line.

GINA BLAYLOCK

**THE OKLAHOMA DEPARTMENT OF  
AGRICULTURE, FOOD, AND FORESTRY,  
BY AND THROUGH THE  
OFFICE OF GENERAL COUNSEL**

v.

**RESPONDENT.**

[illegible]

**) Case No: OGC-21-031**

Respondent accepts and stipulates to the proposed administrative penalty or fine of Three Thousand Two Hundred Fifty Dollars (\$3,250.00) for this action and has accordingly signed this Resolution by Stipulation and returned same along with a check or money order in full payment of the proposed penalty or fine to: Office of General Counsel, Oklahoma Department of Agriculture, Food, and Forestry, 2800 N. Lincoln Blvd., Oklahoma City, OK 73105-4298.

Respondent waives their right to a full administrative and/or evidentiary hearing and enters this Resolution by Stipulation evidencing Respondent's consent to the proposed penalty and Respondent's stipulation to the allegations of fact and alleged violations of law made in the Notice of Violation.

RESPONDENT:

Signature

Printed Name and Title:

Date: \_\_\_\_\_

## 2021 BOARD MEETING DATES

A REGULAR MEETING HAS BEEN SCHEDULED FOR:

WEDNESDAY, FEBRUARY 3, 2021 10:00 AM AT  
2800 N LINCOLN BLVD OKLAHOMA CITY, OK 73105

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A REGULAR MEETING HAS BEEN SCHEDULED FOR:

WEDNESDAY, MARCH 24, 2021 10:00 AM AT  
2800 N LINCOLN BLVD OKLAHOMA CITY, OK 73105

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A REGULAR MEETING HAS BEEN SCHEDULED FOR:

WEDNESDAY, MAY 5, 2021 10:00 AM AT  
2800 N LINCOLN BLVD OKLAHOMA CITY, OK 73105

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A REGULAR MEETING HAS BEEN SCHEDULED FOR:

WEDNESDAY, JUNE 16, 2021 10:00 AM AT  
2800 N LINCOLN BLVD OKLAHOMA CITY, OK 73105

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THE AMENDED REGULAR MEETING SCHEDULED

FOR: WEDNESDAY, JULY 28, 2021 10:00 AM AT  
2800 N LINCOLN BLVD OKLAHOMA CITY, OK 73105

HAS BEEN CHANGED TO:

WEDNESDAY, AUGUST 11, 2021 10:00 AM AT  
2800 N LINCOLN BLVD OKLAHOMA CITY, OK 73105

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THE AMENDED REGULAR MEETING SCHEDULED FOR:  
WEDNESDAY, SEPTEMBER 8, 2021 10:00 AM AT 2800 N  
LINCOLN BLVD OKLAHOMA CITY, OK 73105

HAS BEEN CHANGED TO:

WEDNESDAY, SEPTEMBER 15, 2021 10:00 AM AT  
2800 N LINCOLN BLVD OKLAHOMA CITY, OK 73105

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THE AMENDED REGULAR MEETING SCHEDULED FOR:  
WEDNESDAY, OCTOBER 13, 2021 10:00 AM AT 2800 N  
LINCOLN BLVD OKLAHOMA CITY, OK 73105

HAS BEEN CHANGED TO:

THURSDAY, OCTOBER 28, 2021 10:00 AM AT  
2800 N LINCOLN BLVD OKLAHOMA CITY, OK 73105

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THE AMENDED REGULAR MEETING SCHEDULED  
FOR: WEDNESDAY, NOVEMBER 17, 2021 AT 10:00 AM AT  
LINCOLN BLVD OKLAHOMA CITY, OK 73105

HAS BEEN CHANGED TO:

WEDNESDAY, DECEMBER 8, 2021 10:00 AM AT  
2800 N LINCOLN BLVD OKLAHOMA CITY, OK 73105