

**AGENDA**  
**STATE BOARD OF AGRICULTURE**  
**DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY**

Friday, December 12, 2025  
10:00 A.M.

4145 East 21<sup>st</sup> Street  
Tulsa, Oklahoma 74114

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 October 14, 2025.
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 – Brian McDowell  
Summary of analytical activities, customer contacts, and other pertinent information related to laboratory operations.
  - C. Forestry Services – Andy James  
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 emergency response preparation and education for response to any outbreak of foreign, emerging and/or eradicated disease.
- F. Wildlife Services – Justin Cooper  
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 Sellers  
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 – Bryce Boyer

7. Consideration and Proposed Action on Purchases/Contracts

8. Consideration and Proposed Action on Cases Resolved by Stipulations

**Agricultural Environmental Management Services**

Caleb & Sara Roberts, 92 Red Fox Road, Broken Bow, Oklahoma

**Consumer Protection Services**

B & B Paint & Weed Service, LLC 11549 State HWY 76 N. Lindsay, Oklahoma

GreenLeaf Industries/ Lilly Bee, LLC, 213 S. Forrest Ridge Blvd., Broken Arrow, Oklahoma

Lawn Republic, 12804 S. Memorial Drive, Unit # 111, Bixby, Oklahoma

Mosquito Relief, 3010 Green Oaks Way, Edmond, Oklahoma

Triple J's Solutions, 602 N. Elva, Helena, Oklahoma

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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 Cases Resolved by Consent Order

**Consumer Protection Services**

Patriot Outdoors Pros, LLC, 7301 N. Owasso EXP., STE. M115-B, Owasso, Oklahoma

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10. Consideration and Proposed Action on Cases Resolved by Proposed Final Order

**Consumer Protection Services**

JDJ Total Lawn Care, LLC, 7761 Alameda St., Norman, Oklahoma

Southmark Aviation, Inc., 29 Refuge Lane, Hattiesburg, Mississippi

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11. Consideration and Proposed Action on Proposed Permanent Rules

**ADMINISTRATIVE OPERATIONS**

Title 35. Oklahoma Department of Agriculture, Food, And Forestry

Chapter 1. Administrative Operations

Subchapter 9. Individual Procedures

35:1-9-17. Subpoenas [AMENDED]

## **FEES**

Title 35. Oklahoma Department of Agriculture, Food, And Forestry

Chapter 2. Fees

Subchapter 3. Fee Schedules

35:2-3-2.4 Schedule of microbiological testing fees [AMENDED]

## **AGRICULTURAL PRODUCTS**

Title 35. Oklahoma Department of Agriculture, Food, And Forestry

Chapter 10. Agricultural Products

Subchapter 1. General Provisions

35:10-1-3. Handbook and publication editions [AMENDED]

Subchapter 5. Service Technicians and Service Agencies

35:10-5-4. Device Categories [AMENDED]

Subchapter 9. Packaging And Labeling of Products

35:10-9-1. Packaging and labeling of products [AMENDED]

Subchapter 11. Checking The Net Contents of Packaged Goods

35:10-11-1. Sampling procedures [AMENDED]

Subchapter 13. Method Of Sale of Commodities

35:10-13-1. Method of Sale of food and non-food commodities [AMENDED]

Subchapter 15. National Type Evaluation Program

35:10-15-1. Definitions [AMENDED]

35:10-15-2. Application [AMENDED]

## **ANIMAL INDUSTRY**

Title 35. Oklahoma Department Of Agriculture, Food, And Forestry

Chapter 15. Animal Industry

Subchapter 13. Testing And Inspection For Disease And Release Of Livestock At Auction Markets

35:15-13-3. General requirements for a livestock auction market [AMENDED]

Subchapter 15. Equine Infectious Anemia (Eia)

Part 7. Requirements For Approved Markets

35:15-15-71. Movement of Equidae through approved markets [AMENDED]

Subchapter 19. Poultry Regulations

35:15-19-1. Definitions [AMENDED]

35:15-19-4. ~~Import and exhibition~~ Poultry imports, exhibitions, and sales [AMENDED]

35:15-19-5. Live bird imports from Avian Influenza or Virulent Newcastle Disease affected  
~~quarantined~~ states [AMENDED]

Subchapter 36. Scrapie

35:15-36-3. Requirements for identification [AMENDED]

Subchapter 44. Farmed Cervidae

35:15-44-3. Application for license [AMENDED]

35:15-44-22. Chronic Wasting Disease Genetic Improvement Program (CWDGIP)  
[AMENDED]

## **FORESTRY**

Title 35. Oklahoma Department of Agriculture, Food, And Forestry

Chapter 20. Forestry

Subchapter 3. Rural Fire Protection Program Fund Act

Part 3. Financial Assistance Program

35:20-3-8. Financial assistance certification of eligible fire departments [AMENDED]

## **CONSUMER PROTECTION**

Title 35. Oklahoma Department of Agriculture, Food, And Forestry

Chapter 30. Consumer Protection

Subchapter 17. Combined Pesticide

Part 1. Commercial, Non-Commercial, And Private Categories Of Pesticide Application

35:30-17-1.2. Schedule of combined pesticide program fees [AMENDED]

35:30-17-1.3. Commercial and non-commercial pesticide business applicator license renewal [AMENDED]

35:30-17-2. Consultant license [AMENDED]

35:30-17-2.1. Sales Apprenticeship [NEW]

Part 3. Certification, Conduct Of Examinations, And Recertification

35:30-17-6. Recertification [AMENDED]

Part 5. Prerequisites For Licensing

35:30-17-10. Application insurance requirements [AMENDED]

35:30-17-11. Application for license required [AMENDED]

Part 6. Pesticidal Product Producing Establishments

35:30-17-13. Incorporation by reference of federal pesticide producing establishment regulations [AMENDED]

Part 8. Pesticide Registrations And Permits

35:30-17-17.1. Registration and renewal options. [AMENDED]

Part 9. Minimum Standards For Contracts And Keeping Of Records

35:30-17-20. Contract contents [AMENDED]

35:30-17-21. Records required for pesticide applications and restricted use pesticide sales [AMENDED]

Part 10. Minimum Standards For Pesticides

35:30-17-22. Restricted use pesticide [AMENDED]

Part 11. Standards For Application Of Pesticide

35:30-17-24. Approved chemicals and equipment

35:30-17-24.1. Restricted use areas [AMENDED]

35:30-17-25. Pesticide application by certified applicators, noncertified applicators, service technicians, and private applicators [AMENDED]

Part 21. Standards For Disposal Of Pesticide And Pesticide Containers

35:30-17-89.1. Incorporation by reference of federal pesticide management and disposal regulations [AMENDED]

35:30-17-93. Handling pesticide containers by commercial applicators, non-commercial applicators, private applicators, and restricted use pesticide dealers [AMENDED]

Subchapter 30. Soil Amendment

35:30-30-2. Registration and fees [AMENDED]

Subchapter 37. Nursery Stock Sales

35:30-37-10. Prohibited sales of aquatic plants [AMENDED]

## **AQUACULTURE**

Title 35. Oklahoma Department of Agriculture, Food, And Forestry

Chapter 50. Aquaculture

Subchapter 1. Private Commercial Production

Part 5. Unlicensed Importers And Sellers Of Live Aquaculture Products [NEW]

35:50-1-45. Unlicensed importers [NEW]

## **COMMERCIAL PET BREEDERS AND ANIMAL SHELTERS**

Title 35. Oklahoma Department of Agriculture, Food, And Forestry

Chapter 55. Commercial Pet Breeders And Animal Shelters

Subchapter 1. Licensing

35:55-1-2. Definitions [AMENDED]

35:55-1-3. License required [AMENDED]

35:55-1-4. License application [AMENDED]

35:55-1-5. Grounds for denial, suspension, or revocation of a license [REVOKED]

35:55-1-6. Inspections [AMENDED]

35:55-1-7. Changes of information [REVOKED]

35:55-1-8. Fees [AMENDED]

35:55-1-10. Renewals [REVOKED]

35:55-1-11. Complaints [AMENDED]

35:55-1-12. Display of license [REVOKED]

Subchapter 3. Standards of Care

35:55-3-1. Incorporation by reference [AMENDED]

35:55-3-3. Compatibility [REVOKED]

35:55-3-6.1. Canine brucellosis [AMENDED]

Subchapter 7. Recordkeeping and Sales

35:55-7-1. Records [AMENDED]

## **EMERGENCY DROUGHT COMMITTEE [NEW]**

Title 35. Oklahoma Department of Agriculture, Food, And Forestry

CHAPTER 56. EMERGENCY DROUGHT COMMITTEE

Subchapter 1. General Provisions [NEW]

35:56-1-1. Purpose [NEW]

35:56-1-2. Primary Agency [NEW]

35:56-1-3. Considerations to Convene a Meeting [NEW]

35:56-1-4. Meetings; When Convened [NEW]

35:56-1-5. Emergency Drought Programs [NEW]

12. Next Board meeting scheduled for **January 28, 2026**, at Oklahoma City, Oklahoma.

13. Old Business

14. 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.

15. Adjournment

*\*Neither the Open Meetings Act nor the 1<sup>st</sup> amendment to the U.S. Constitution provide an opportunity for individuals to express views or interview members of a public body. Regular meetings are for the purpose of transacting business. They are not public hearings. Presentations to the Board by persons other than members of the Legislature, representatives of the Governor or employees of the Department shall not be placed on the Board agenda. Members of the Board and staff from ODAFF may join for lunch, tours, or events on December 12, 2025. Board Members, staff, and the public may discuss program issues during lunch, tours, or events on December 12, 2025; no votes or action will be taken during lunch, tours, or events on December 12, 2025.*

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

Enid, Oklahoma  
October 14, 2025

The Oklahoma State Board of Agriculture met in regular session at 1:00 p.m., October 14, 2025, in Enid, Oklahoma. Written notice of this meeting was filed with the Secretary of State. A notice was posted at the Agriculture Building in Oklahoma City and the Autry Technology Center 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:

Brent Bolen  
Clay Burtrum  
Nocona Cook  
Joe Farris

Others Present:

Kalley Whitlock, Executive Assistant  
JanLee Rowlett, Deputy Commissioner  
Daniel Ridings, Director, Administrative Services  
Brian McDowell, Director, Laboratory Services  
Bryce Boyer, Director, Communications  
Kenny Naylor, Director, Consumer Protection Services  
Andy James, Forestry Services  
Teena Gunter, Director, Agricultural Environmental  
Management Services & Office of General Counsel  
Dr. Rod Hall, Director, Animal Industry Services  
Scott Yates, Director, Food Safety  
Justin Cooper, Director, Wildlife Services  
Troy Marshall, Director, Agricultural Statistics  
Meriruth Sellers, Director, Market Development  
Ashley Bender, Market Development  
Sue Ellen Farris  
Gage Milliman, Oklahoma Farm Bureau

Mr. Burtrum called the meeting to order, and a quorum was declared.

A motion was made by Mr. Bolen, seconded by Mr. Farris, to approve the minutes of the regular meeting of August 27, 2025, as presented.

The vote was as follows:

Bolen	Aye
Burtrum	Aye
Cook	Aye
Farris	Aye

The motion carried.

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

The vote was as follows:

Bolen	Aye
Burtrum	Aye
Cook	Aye
Farris	Aye

The motion carried.

A motion was made by Mr. Farris, seconded by Mr. Bolen, to approve the following purchases/contracts as submitted.

The vote was as follows:

Bolen	Aye
Burtrum	Aye
Cook	Aye
Farris	Aye

The motion carried.

A motion was made by Mr. Cook, seconded by Mr. Farris, to approve the Proposed Action on Cases Resolved by Stipulations as submitted.

### **Agricultural Environmental Management Services**

Mark Amos, 22201 Falling Springs Road, Decatur, Arkansas  
Jeff Buffington, 15621 Rhino Road, Spiro, Oklahoma  
Tommy Caldwell, 28565 Latham School Rd., Shady Point, Oklahoma  
Christopher Piovesan, 31605 Holson Valley Road, Wister, Oklahoma  
Zachary Rendel, 59955 E. 66 Road, Miami, Oklahoma  
Par Thluai, 46200 670 Road, Jay, Oklahoma  
Tun & Niang Lun Tuang, 26150 Conser Landing, Heavener, Oklahoma  
Gao N. Yang, 8722 S. Cherokee Street, Muskogee, Oklahoma

### **Consumer Protection Services**

7-Eleven, 8930 S. Sooner Road, Oklahoma City, Oklahoma  
7-Eleven, 12000 S. Western, Oklahoma City, Oklahoma  
7-Eleven, 500 S. W. 89<sup>th</sup>, Oklahoma City, Oklahoma  
Atlas Lawn Care and Tree Service, 34153 CS 2690, Anadarko, Oklahoma  
Barnes Weed and Pest Control, 1225 N. Illinois, Weatherford, Oklahoma  
CHS Agronomy CP, 5500 Cenex Drive, Inver Gove Heights, Minnesota  
Casey's General Stores, Inc., 31258 U. S. HWY 70, Ringling, Oklahoma  
Family Dollar, 911 E. Broadway, Enid, Oklahoma  
Lupercio Lawns, 1807 N. W. 5<sup>th</sup> Street, Oklahoma City, Oklahoma  
Connor & Jason McCabe, 213 W. Jackson Ave., McAlester, Oklahoma  
Okie Drones, 51110 W. 281<sup>st</sup> St. S., Stroud, Oklahoma  
Terminix, 13220 N. Sante Fe Ave, Oklahoma City, Oklahoma  
Julio Velasco, 10917 S. W. 33<sup>rd</sup> Street, Yukon, Oklahoma



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The vote was as follows:

Bolen	Aye
Burtrum	Aye
Cook	Aye
Farris	Aye

The motion carried.

A motion was made by Mr. Farris, seconded by Mr. Cook, to approve the Proposed Action on Cases Resolved by Stipulations as submitted.

**Consumer Protection Services**

Thunder’s Edge, LLC, Weed Man, 3712 N. E 104<sup>TH</sup>, STE. 200, Oklahoma City, Oklahoma

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The vote was as follows:

Bolen	Aye
Burtrum	Abstain
Cook	Aye
Farris	Aye

The motion carried.

A motion was made by Mr. Bolen, seconded by Mr. Cook, to approve the Proposed Action on Cases Resolved by Proposed Final Order as submitted.

**Consumer Protection Services**

Mahler Enterprises, LLC, 1816 Johnson Road, Iowa Park, Texas  
Brian Sheffield, 205 Nash Avenue, Ft. Gibson, Oklahoma

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The vote was as follows:

Bolen	Aye
Burtrum	Aye
Cook	Aye
Farris	Aye

The motion carried.

There was no old or new business presented for the Board to take action upon. Mr. Bolen moved, Mr. Farris seconded, that the meeting be adjourned at 1:50 p.m..

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

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

# October 14, 2025, BOARD MEETING

## PURCHASES/CONTRACTS

### LABORATORY SERVICES

#### **FY26 – Service Contract- \$14,000.00**

Purchase of a one-year service maintenance contract for a Gas Chromatography – Mass Spectrometry Analyzer (GC-MS) for the Pesticide Lab.

#### **FY26 – Anaerobic/Microaerophilic Workstation- \$85,000.00**

This instrument is designed to isolate and cultivate microorganisms under strict anaerobic (no oxygen) or microaerophilic (low oxygen) conditions.

**Justification:** Initial intent is to use this unit for Campylobacter testing in food and allow for testing of other anaerobic and microaerophilic bacteria. Without this unit the samples would have to be outsourced, which would cause an additional increase in expenditures to the Section.

### FORESTRY SERVICES

#### **FY26 – Wildland Firefighting Supplies - \$37,991**

*(Funding Source: USFS 2023 – State Fire Capacity Grant)*

Purchase of 220 pairs of summer and winter Nomex pants (Personal Protective Equipment) for OFS fireline personnel and ODAFF Special Investigators to be used while suppressing, mitigating and investigating wildland fires statewide. Remaining funds will be used to purchase wildland fire hand tools including Pulaski, rakes, shovels and combi-tools. If this purchase is not approved, OFS and ODAFF personnel will not have the mandatory fire resistance clothing needed to provide protection from open flame and radiant heat when suppressing and investigating wildfires.

#### **FY26 – Prescribed Fire Supplies and Prevention Activities - \$77,488**

*(Funding Source: USFS 2024 - Cross Boundary Grant)*

Purchase Evacuation Route signage and fire prevention communication message centers / fire danger signs. These communication tools will be focused and installed in the McCurtain County area per the grant narrative focused on enhancing fire prevention and wildland fire awareness in the Hochatown area specifically within ten (10) miles of US Forest Service lands. If this purchase is not approved, OFS will not be able to provide fire prevention services to the general public as required in state statute. These grant activities will inform the public when fire danger conditions are most extreme and caution should be used.

#### **FY26 – Prepositioning Costs for OFS Suppression Groups - \$46,386**

*(Funding Source: USFS 2025 – State Fire Capacity Grant)*

Payment for lodging and per diem when OFS Suppression Groups are pre-positioned outside of their normal response area. When dangerous fire weather conditions are forecast in Oklahoma, OFS will pre-position resources to areas of concern to assist with the anticipated heavy initial attack activity. A typical Suppression Group consists of 7-11 firefighters operating engines, dozers and UTVs. If this purchase is not approved, Forestry will not have the ability to pay for lodging and per diem when firefighting resources are prepositioned or requested away from their home unit during emergency response or during periods of moderate to extreme fire danger.

#### **FY26 – Volunteer Firefighter Personal Protective Equipment- \$52,981**

*(Funding Source: USFS 2022 – Volunteer Fire Capacity Grant)*

Purchase of Personal Protective Equipment (PPE) for volunteer firefighters that have successfully attended and completed wildland fire training provided by OFS. The PPE package may include Nomex clothing, hard hat, gloves, hand tool, fireline pack, and a fire shelter. This gear will allow them to work safely and comfortably in the wildfire environment year-round. If this purchase is not approved, Oklahoma's volunteer firefighters will not have the fire resistance clothing needed to provide protection from open flame and radiant heat when suppressing, securing, and mopping-up wildfires.

**FY26 – Wildland Fire Equipment Contracts- \$61,144**

***(Funding Source: USFS 2025 – BIL Volunteer Fire Capacity Grant)***

Award federal pass-through grants for the purchase of equipment packages that will help volunteer fire departments with wildfires in challenging terrain and fuels when access by a vehicle is not an option. The packages will consist of items such as hand tools, chainsaws, bladder bags and leaf blowers. Thirty (30) grants will be awarded at a value of \$2,038 each. If this purchase is not approved, Oklahoma's volunteer fire departments will not have the firefighting tools needed to contain wildfires in adverse fuels and terrain thus resulting in fires continuing to burn and threatening values at risk.

**FY26 – Type 7 Engines - \$180,000**

***(Funding Source: USFS 2022 Volunteer Fire Capacity Grant - \$58,726; USFS 2024 Volunteer Fire Capacity Grant - \$62,160; OFS 245 Fund - \$60,000)***

Purchase two (2) Type 7 wildland firefighting engines. These engines will include the cab/chassis, slip-on firefighting unit, toolboxes, emergency lighting, mobile radios, and miscellaneous firefighting supplies. These engines will be used in support of fire management activities including suppression, fuels mitigation and the USFS surplus property program. These engines will be replacing high mileage vehicles that are fifteen years old and have costly mechanical issues. If this purchase is not approved, our wildland firefighting capacity will be reduced, and Forestry may not have enough resources needed to respond statewide. These engines will also be used to support mechanical fuels mitigation projects and in the event of a fire being started by this equipment, Forestry would not have water needed to suppress new starts.

**FY26 – P25 Compliant portable and mobile radios - \$199,950**

***(Funding Source: USFS 2024 State Forest Action Plan Grant - \$164,015; USFS 2023 State Forest Action Plan Grant - \$35,935)***

Purchase of forty-five (45) handheld radios and thirty-seven (37) mobile radios. These radios will be replacing handhelds and mobiles that are no longer being manufactured or supported by the current vendor. The radios will be used by our Fire Management program to support wildfire/emergency response, fuels mitigation projects and communication with federal, state, and local cooperators. If this purchase is not approved, firefighting resources will not have radios capable of communications on wildfires, mitigation projects, and emergency response. Coordination with other incident personnel will be impossible and as a result would impact the safety of everyone involved.

**FY26 – Aerial Firefighting Exclusive Use Contract - \$925,896**

***(Funding Source: USFS 2025 State Forest Action Plan Grant - \$425,896; OFS 245 Fund - \$500,000)***

Establishment of a contract for the purpose of utilizing single-engine scoopers for aerial fire suppression services. The contract will include the daily availability rate for a minimum of two (2) aircraft that will be prepositioned in Oklahoma where the highest threats exist. Remaining funds from the contract will only cover a fraction of the flying costs so this will be augmented with 245 Emergency Funds if fire activity dictates. This contract will ensure aircraft are secured and in place to help with successful initial attack efforts thus preventing significant impacts to values at risk. If this

purchase is not approved, Oklahoma wildland firefighters will not have access to aircraft needed to help support on the ground operations including initial attack. Suppression aircraft enhance firefighter/public safety and assist in the efforts to protect values at risk including homes, ranches, and natural resources.

#### **FY26 – NE Area Radio Repair - \$37,991**

***(Funding Source: OFS 245 Fund)***

Repair & replacement of Coax & antenna for NE area radio infrastructure. The functionality and reliability of the NE area radio infrastructure is critical to the safety and effectiveness of wild land firefighting operations. These radios serve as the backbone of communication across remote and often hazardous terrain where cellular service is either limited or nonexistent. When radio communication is non-functional or compromised, it significantly increases the risk to personnel, property, and the success of wildfire suppression efforts. If this purchase is not approved, the NE Area Dispatch Center in Tahlequah will not have the ability to communicate, coordinate and dispatch wildland firefighting resources. VHF radios are the lifeline of any emergency response organization and dispatching would be impossible without that network.

#### **FY26-Fire Department 80/20 Grant Program- \$2,000,000**

***(Funding Source: Legislative Directed Fund)***

Revision of Board approval of July 23rd, 2025, increase of funding limits per application per state statute: Rural Fire 80/20 Reimbursement Pass-through Grants awarded to certified rural fire departments serving communities under 10,000 in population. Funding limits per application are \$75,000 of state appropriated funds for construction and \$30,000 for fire equipment. Fire departments awarded these grants can fulfill a critical public safety function by purchasing firefighting equipment and/or build, remodel, or expand fire stations. If this grant program is not approved, eligible volunteer fire departments in Oklahoma would not receive the financial assistance needed to complete construction projects or purchase fire equipment. Without this equipment or stations to house the equipment in, response capabilities would be reduced, increasing the threat to public safety and values at risk.

#### **FY26 - United States Forest Service Reimbursement - \$15,697.15**

This payment to the United States Forest Service is coded incorrectly in our financial system and caused us to bill the wrong grant, Program 88 FY 22. It should have been charged to Program 16 CPG 20. We need to reimburse the incorrect grant Program 88 and charge it to Program 16. If not approved these costs will have to be come from state funding without federal reimbursement leading to a loss in revenue.

### **ANIMAL INDUSTRY SERVICES**

#### **FY26- Oklahoma State University College of Veterinary Medicine - \$32,380.00**

Per the NADPRP Cooperative Agreement, ODAFF will work with OSU CVM for the purpose of promoting development of Secure Food Supply Plans to producers, of all FMD susceptible species, through assistance from readily available State Animal Health Officials that takes a “straight from the source” approach in education and outreach to producers. Personnel costs include travel for Dr. Biggs to provide the SBS training to accredited veterinarians as well as an Event Specialist providing administrative and scheduling support. Without this NADPRP Cooperative Agreement funding between ODAFF and OSU, we will not be able to provide professional SBS Training.

### **WILDLIFE SERVICES**

#### **FY26 – Helicopter Pilot Training (*Pre-Approved 8/27/25*) - \$15,760.00**

ODAFF Wildlife Services is requesting approval to send helicopter pilot (Jordan Hamilton) to attend Bell 206 Jet Ranger Training in Dallas, TX September 8-12 with travel dates being September 7-13, 2025. This is a required training for all pilots utilizing federal Bell 206 helicopters. Expenses include:  
\$14,000 - Bell Academy Tuition  
\$700 - Lodging  
\$560 - Per Diem  
\$500 - Transportation/Mileage  
Not approving this will result in the employee being unable to conduct mission critical work.

## **MARKET DEVELOPMENT**

### **FY2026 – Printing – Oklahoma Ag Route signage and brochures – Tulsa State Fair \$6,074.00**

#### **FY2026 –USDA Specialty Crop Block Grant- \$637,149.70**

USDA has provided a Specialty Crop Block Grant to ODAFF with the objective to solely enhance the competitiveness of specialty crops. ODAFF is one of six grant partners included in this award. Effective: 9/30/25 - 9/29/28 - \$637,149.70

**Justification:** This project is entirely funded by the USDA Specialty Crop Block Grant Program. The purpose of this grant is to enhance the competitiveness of specialty crops in the state. 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 Program in the future.

#### **FY2026 – Agreement with Oklahoma Tourism and Recreation Department to Promote the Agritourism Industry-\$42,274.00**

Agreement with Oklahoma Tourism and Recreation Department to promote the Agritourism industry through the development of consumer marketing campaigns. - \$35,000.00 went to board in April 2025 but prices increased so total cost is now \$42,274.00

**Justification:** The Agritourism program is entering a partnership with the Oklahoma Tourism and Recreation Department (OTRD) as part of our marketing plan for FY2026. 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.

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

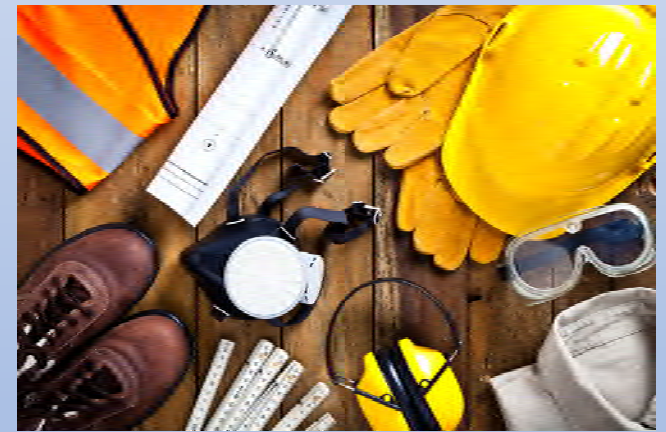
## **December 12, 2025, Board Report**

### **Administrative Services**

# ODAFF Building Maintenance Update

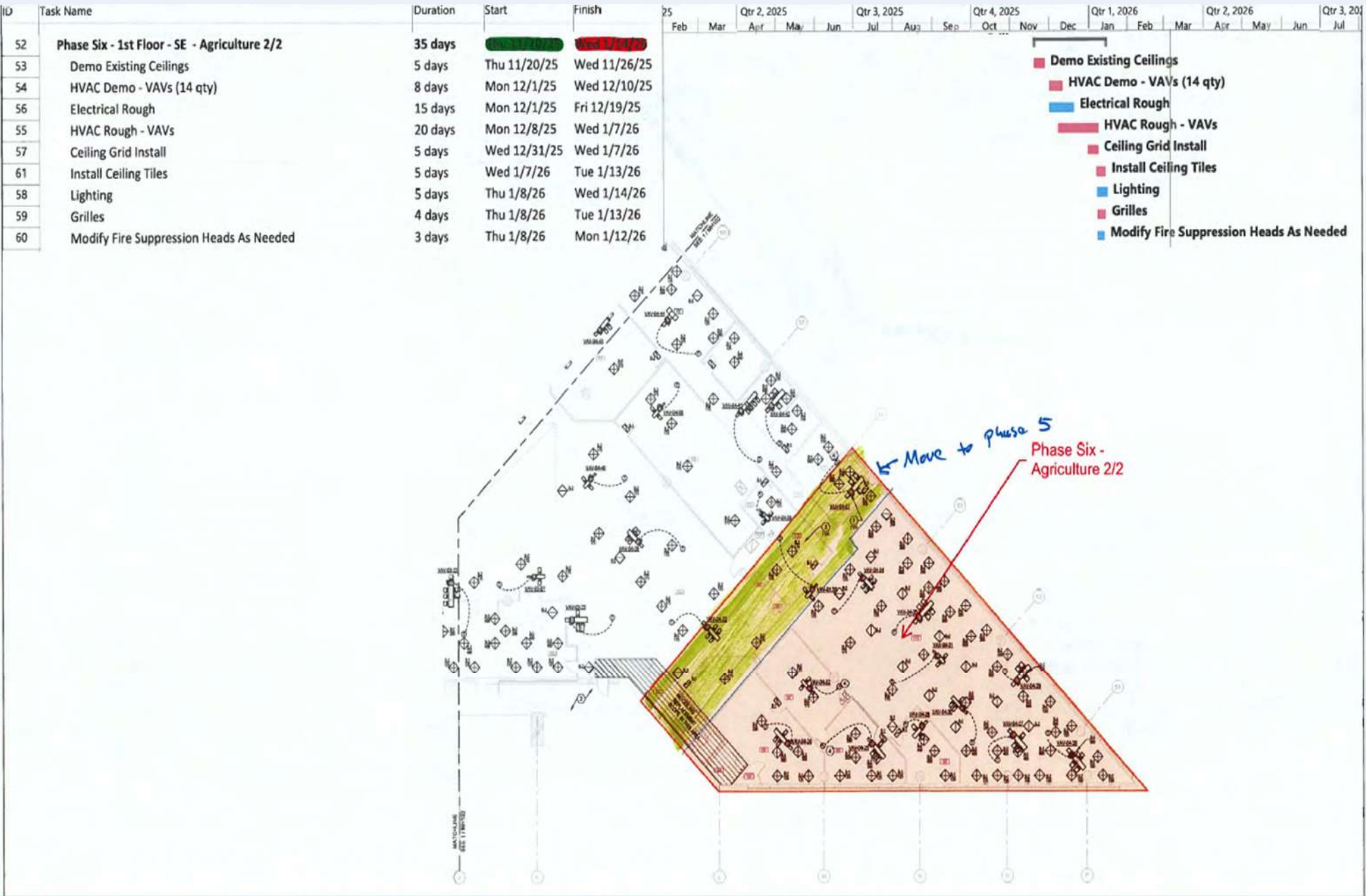
- **Deferred Maintenance Improvements**

- Replacing
  - Light fixtures
  - Ceiling tiles
  - HVAC
  - Phase 6 - 11/20/25 – 1/14/26
    - First floor
      - Executive Offices
      - Finance
      - Purchasing/Fleet





# ODAFF Building Maintenance - Phase 6 – 11/20/25 – 1/14/26



# ODAFF Building Maintenance Update

- **ODAFF Electrical Upgrade**
  - Entire ODAFF building power shutdown 12/2/25 – 12/31/25



# Administrative Services – Investigative Services

## INVESTIGATIVE SERVICES ACTIVITIES

SEPTEMBER 2025



INVESTIGATIONS		SEPTEMBER	YTD	FYTD
LIVESTOCK		7	39	15
FIRE			15	2
PROPERTY			19	6
TIMBER			1	0
AGENCY ASSISTS	ODAFF		1	1
AGENCY ASSISTS	EXTERNAL	4	19	11
OTHER		5	20	9
TOTAL INVESTIGATIONS OPENED		16	114	44
CLOSED PENDING ADDITIONAL INFORMATION		3	29	18
NO CRIME		1	23	8
NO PROSECUTION			0	0
CLOSED - ASSIST CASE		3	17	10
PRESENTED TO DISTRICT ATTORNEY FOR PROSECUTION			13	8
REFERRED FOR ADMINISTRATIVE ACTION			0	0
TOTAL INVESTIGATIONS COMPLETED		7	82	44
COUNTS FILED		0	13	0
VALUE OF LOSSES - ALL CRIMES		\$144,800	\$1,347,983	\$718,000
RECOVERED LOSSES - ALL CRIMES		\$443,500	\$1,219,000	\$893,700
NUMBER OF CATTLE REPORTED STOLEN		91	530	178
NUMBER OF CATTLE RECOVERED		58	226	143



# Administrative Services – Investigative Services

## INVESTIGATIVE SERVICES ACTIVITIES

OCTOBER 2025



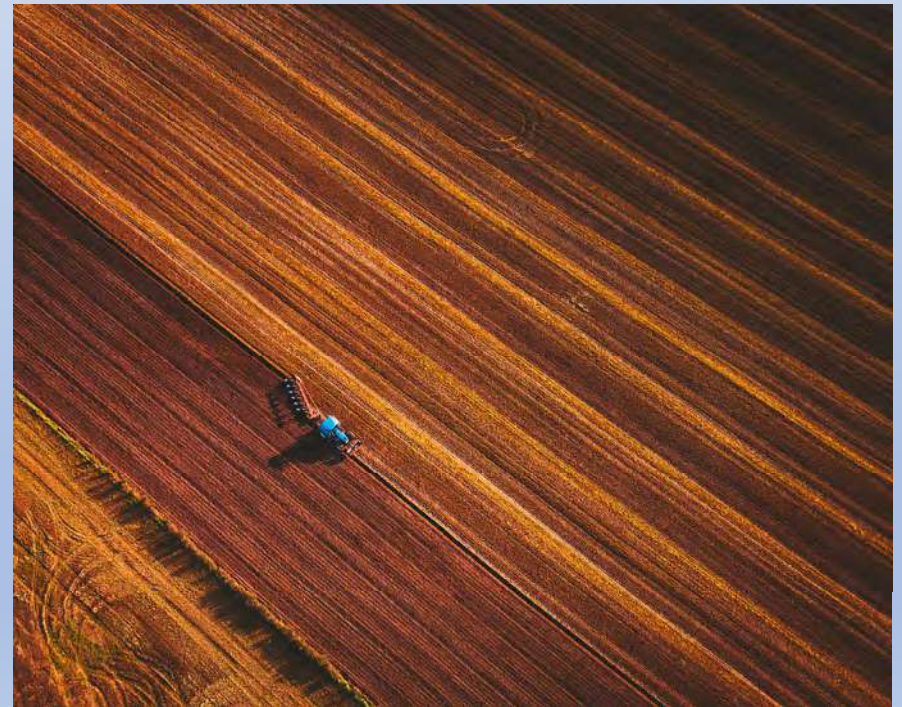
INVESTIGATIONS		OCTOBER	YTD	FYTD
LIVESTOCK		1	40	16
FIRE		1	16	3
PROPERTY		1	20	7
TIMBER		2	3	2
AGENCY ASSISTS	ODAFF		1	1
AGENCY ASSISTS	EXTERNAL	1	20	12
OTHER			20	9
TOTAL INVESTIGATIONS OPENED		6	120	50
CLOSED PENDING ADDITIONAL INFORMATION		1	30	19
NO CRIME			23	8
NO PROSECUTION			0	0
CLOSED - ASSIST CASE			17	10
PRESENTED TO DISTRICT ATTORNEY FOR PROSECUTION			13	8
REFERRED FOR ADMINISTRATIVE ACTION			0	0
TOTAL INVESTIGATIONS COMPLETED		1	83	45
COUNTS FILED		0	13	0
VALUE OF LOSSES - ALL CRIMES		\$90,200	\$1,438,183	\$808,200
RECOVERED LOSSES - ALL CRIMES		\$0	\$1,219,000	\$893,700
NUMBER OF CATTLE REPORTED STOLEN		38	568	216
NUMBER OF CATTLE RECOVERED		0	226	143





# Monthly Financial Reports

## October 2025





# Available Cash at Month End

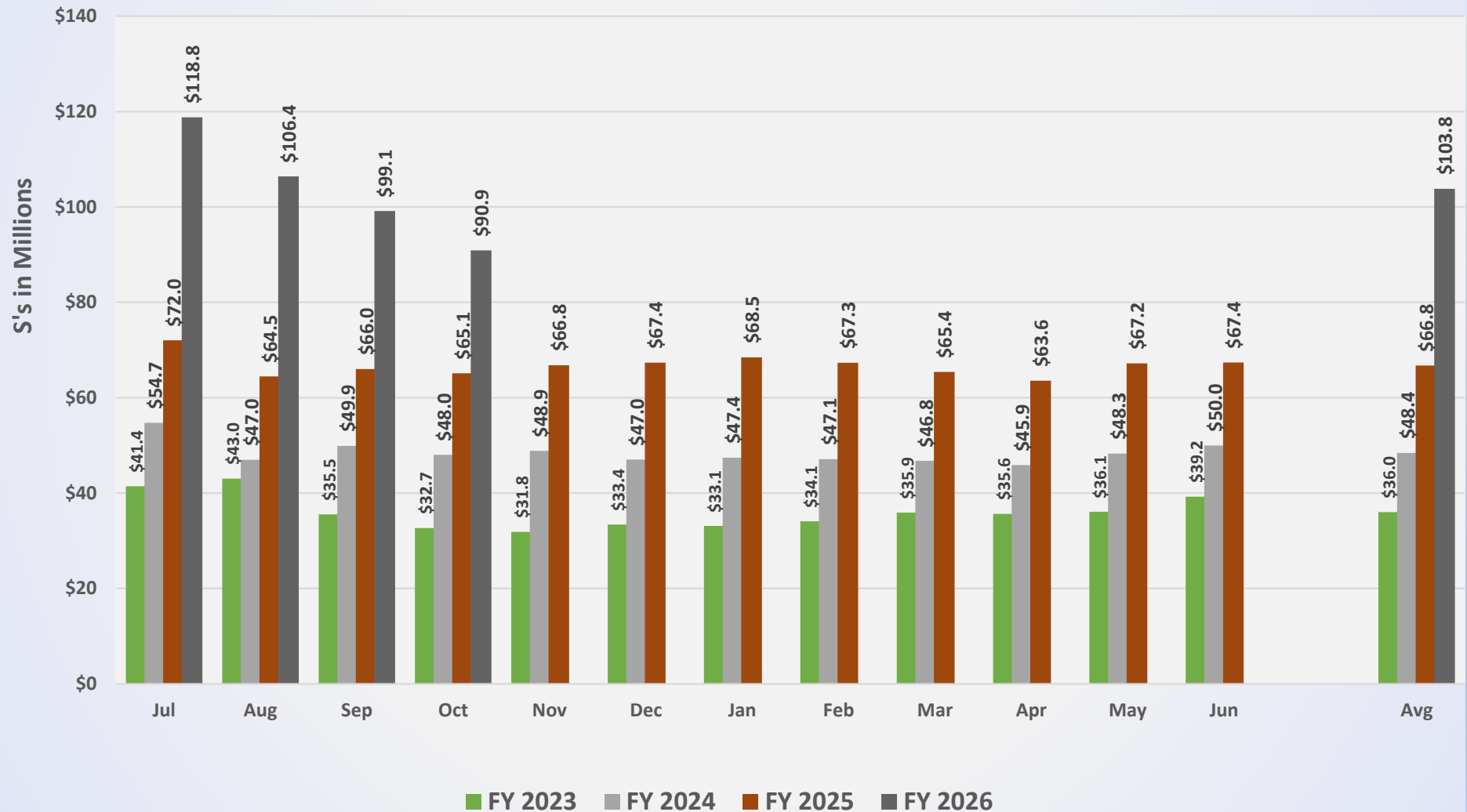
## Months Ending: July 2022 – October 2025

per Allotment Budget & Available Cash Report Fiscal Year 2023-2026

**Note 1:** The amounts shown here include fund 700, Commodity Storage Indemnity Fund, which had a balance of \$12,215.289 as of 10/31/2025.

**Note 2:** One-time cash for FY 2025 Legislative directed payments of \$20.1 million was received in July 2024.

**Note 3:** Fiscal year 2026 appropriations of \$57,337,316 were received as special cash in July 2025.



## Commodity Storage Indemnity Investment Report

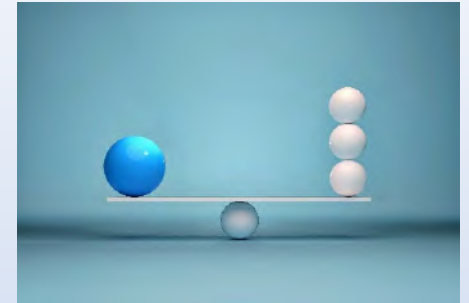
As of October 31, 2025

Investments with Office of State Treasurer

Cash Management Account: \$12,215,289

	Current Month	YTD
	-----	-----
New	-	-
Interest Revenue	36,450	156,432
Reinsurance	-	-
ODAFF Support Services	-	-
Recovered Salvage	-	-
Elevator Salvage	-	-
Matured Long Term Investments	-	-
	-----	-----
TOTALS	36,450	156,432
	=====	=====

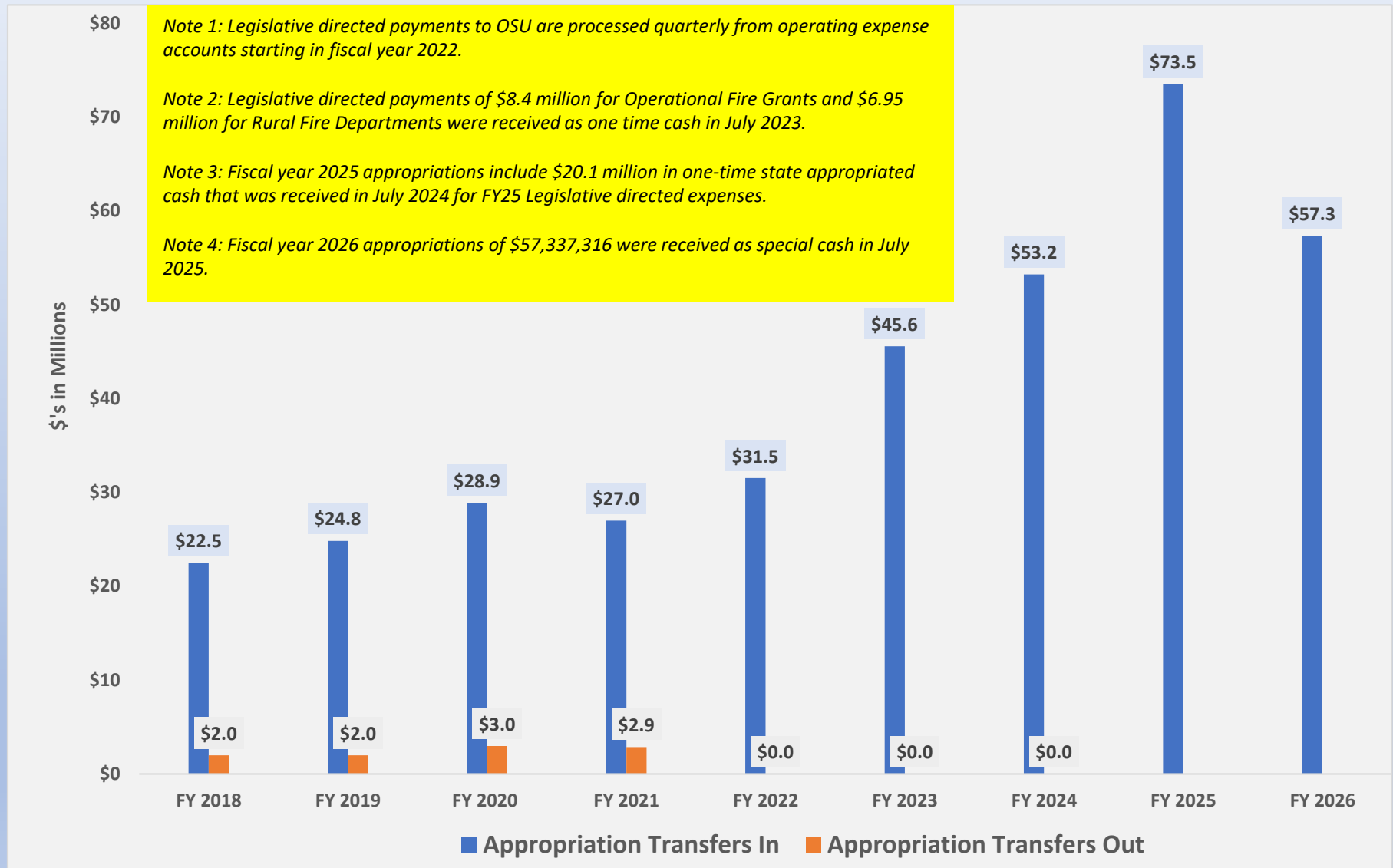
# Administrative Services



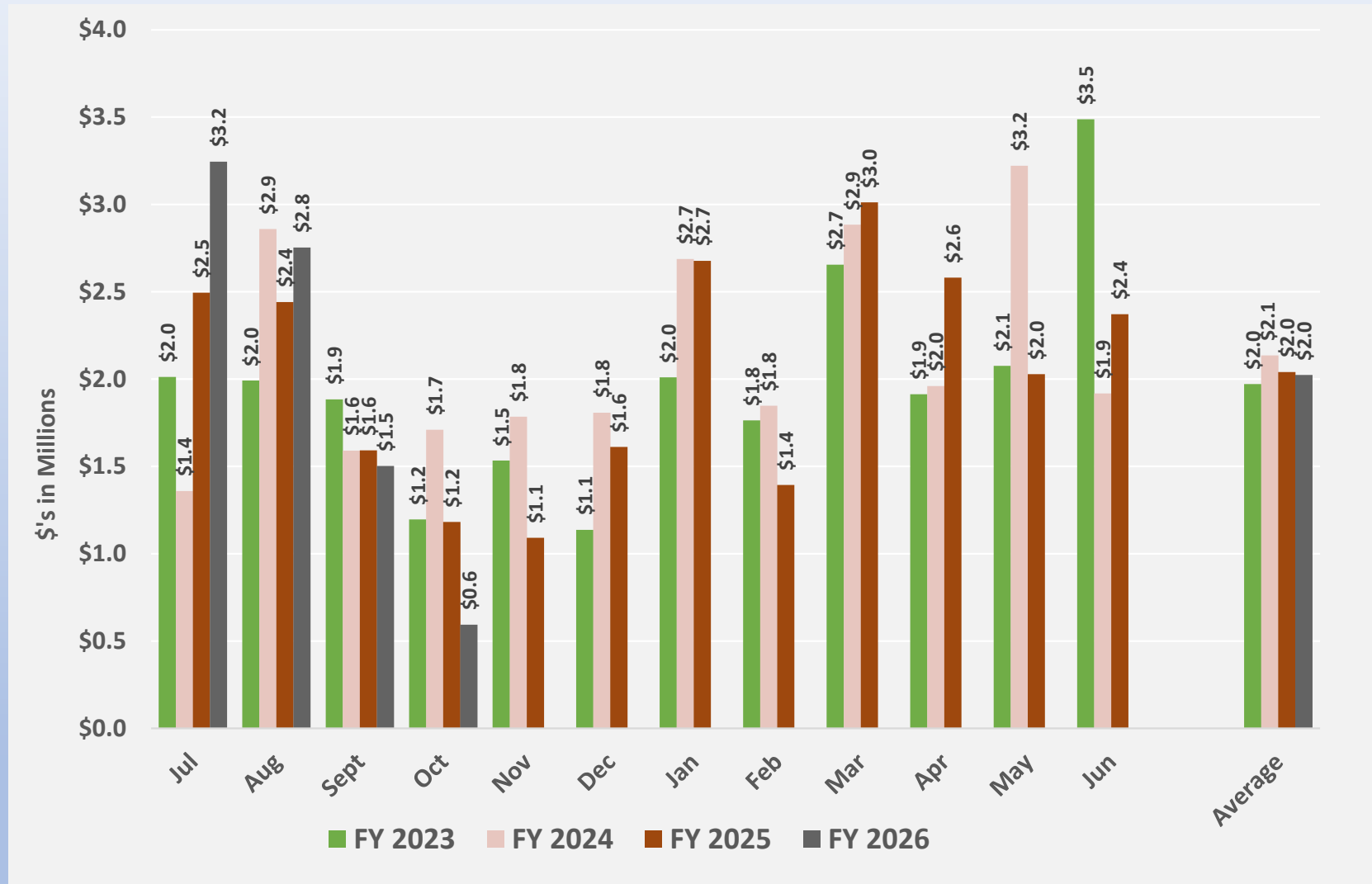
- Cash balance as of October 31, 2025, was \$90.9 million compared to \$65.1 million on October 31, 2024
  - This was an increase of \$25.8 million from the prior year
  - Primarily due to FY 2026 appropriations paid as special cash in July 2025.



# Appropriations FY 2018 thru FY 2026



# Total Revenue by Month July 2022 –October 2025



Note: Clearing fund 79901 is not included on this slide.



## Revenue By Division

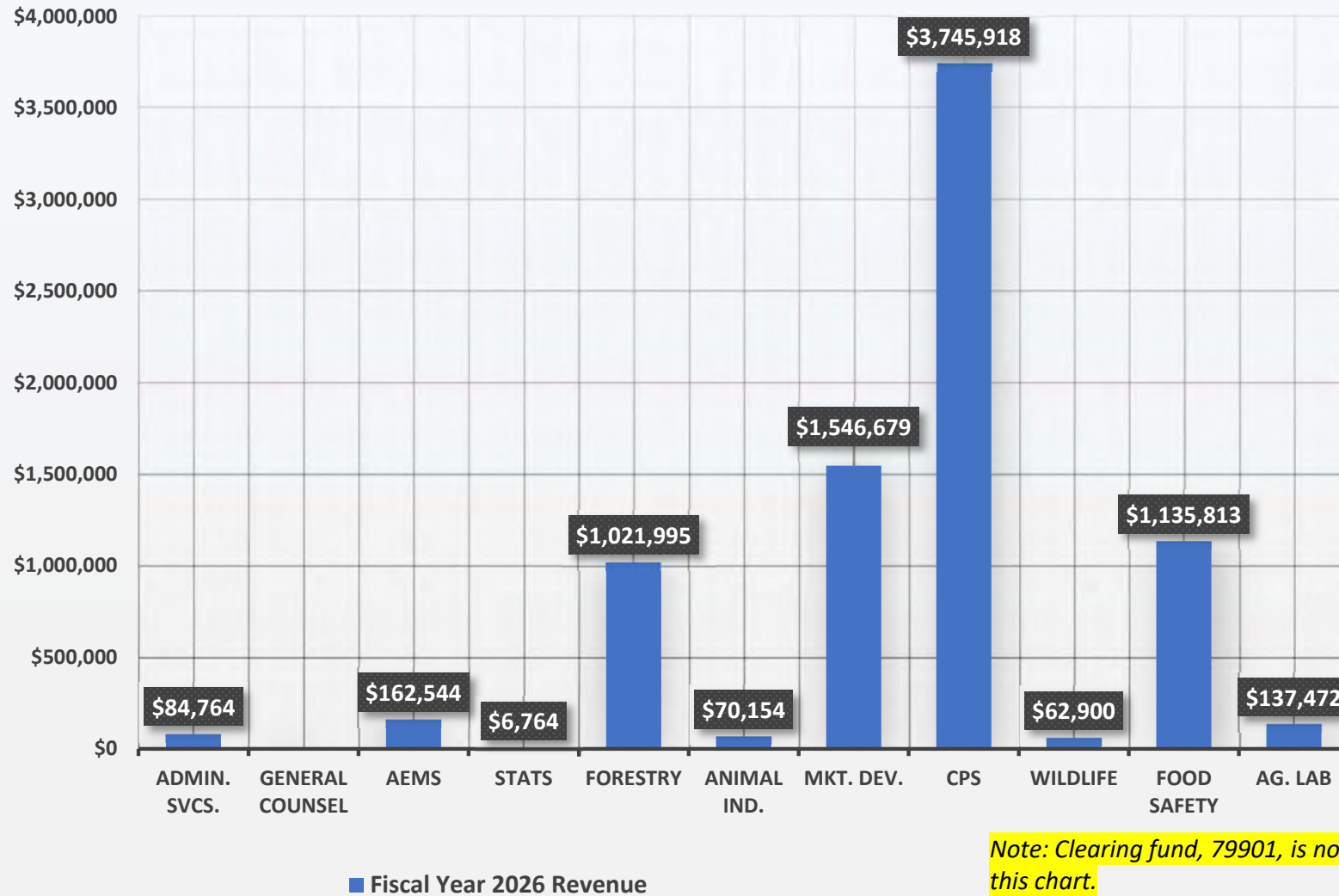
October 2025 & Fiscal Year thru October 2025		
Division	October 2025 Revenue	Fiscal Year 2026 Revenue
Admin. Svcs.	\$38,745	\$84,764
General Counsel	-\$68,143	-\$35,768
AEMS	\$32,419	\$162,544
Stats	\$0	\$6,764
Forestry	\$63,670	\$1,021,995
Animal Ind.	\$14,593	\$70,154
Mkt. Dev.	\$16,126	\$1,546,679
CPS	\$322,330	\$3,745,918
Wildlife	\$100	\$62,900
Food Safety	\$110,686	\$1,135,813
Ag. Lab	\$27,325	\$137,472
<b>Division Total</b> (see division receipts graph on next slide)	<b>\$557,851</b>	<b>\$7,939,236</b>
Commodity Storage Indemnity	\$36,450	\$156,432
Appropriations	\$0	\$57,337,316
<b>Agency Total</b>	<b>\$594,302</b>	<b>\$65,432,984</b>

*Note 1: Clearing fund, 79901, is not included in the above table.*

*Note 2: Appropriations shown above, consist of \$57.3 million in state appropriated special cash received in July 2025 for FY26.*



## Revenue By Division FY26 thru October 2025



## Total Revenues Fiscal Year to Date thru October 31<sup>st</sup>

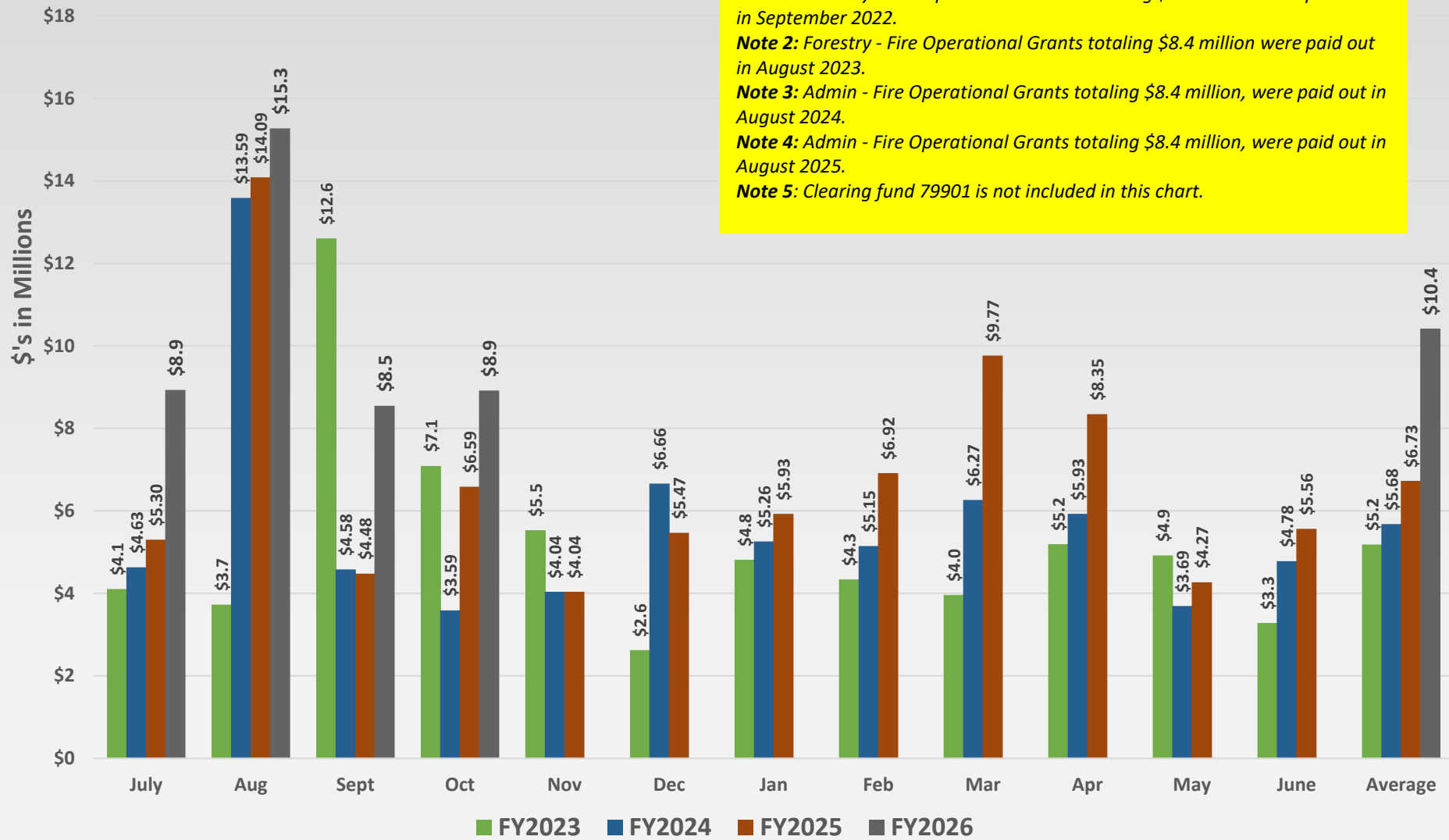


# Administrative Services

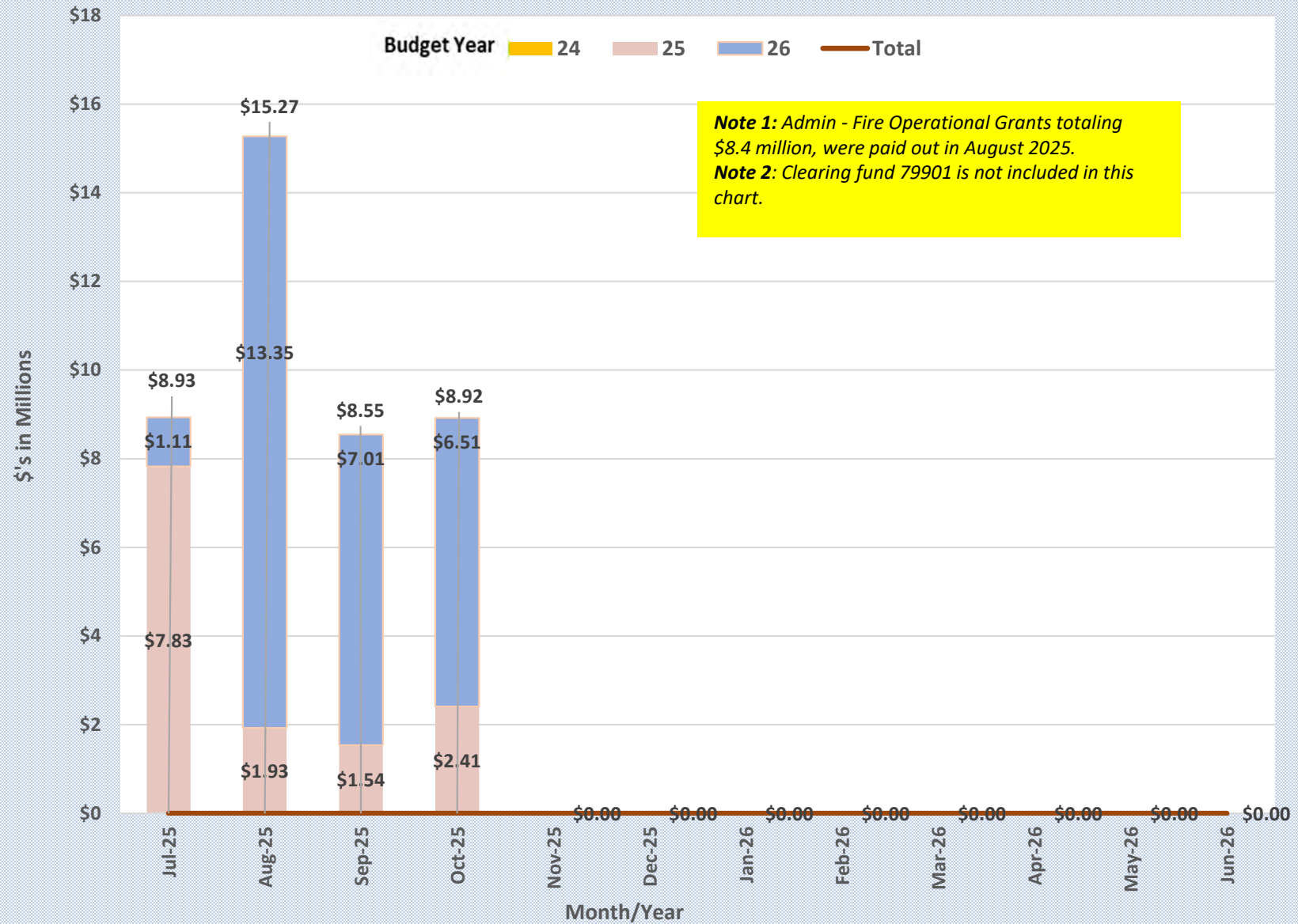
- Revenues for fiscal year 2026 thru October 2025 were \$8.1 million compared to \$7.7 million for the same period in fiscal year 2025
  - This is an increase of approximately \$400K
    - Increase in federal reimbursements
      - Market Development - Resilient Food System Infrastructure cooperative agreement payments received
    - Increase in plant license/fee revenue due to timing of payments



# Total Expenses by Month July 2022 – October 2025



## FY 2026 Total Expenses by Month with Budget Year





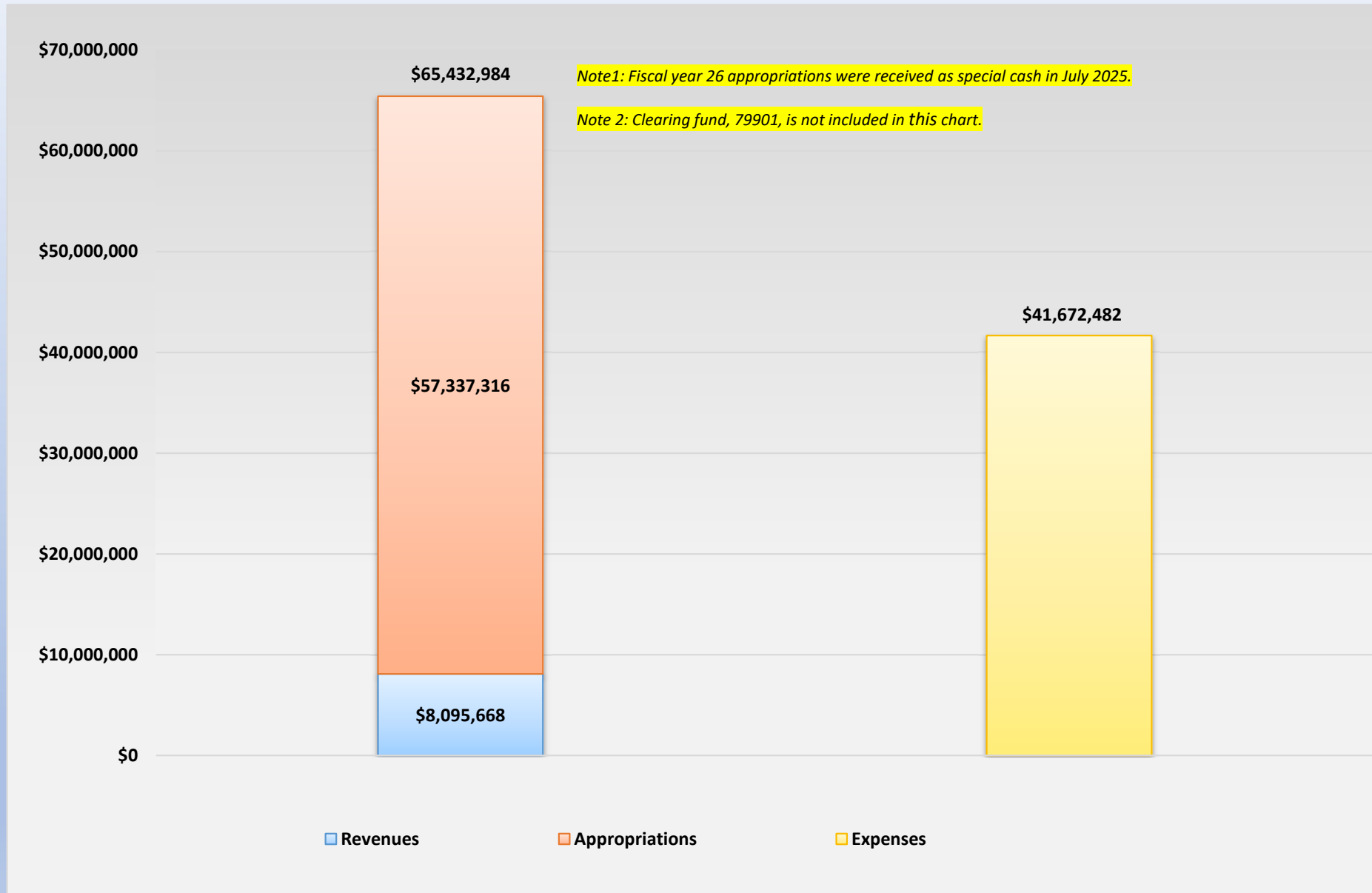
## Total Expenses Fiscal Year to Date thru October 31<sup>st</sup>



# Administrative Services

- Total expenses for fiscal year 26 thru October 31, 2025, were \$41.7 million compared to \$30.5 million for the same period in fiscal year 25.
  - Increase of \$11.2 million and is primarily attributed to the following:
    - Legislative directed equipment replacement grant payments
    - Timing of Legislative directed payments

# Total Revenues, Appropriations and Expenses FY26 thru October 2025



# Expense Budget to Actuals Report – Budget Year 2026 as of October 31, 2025

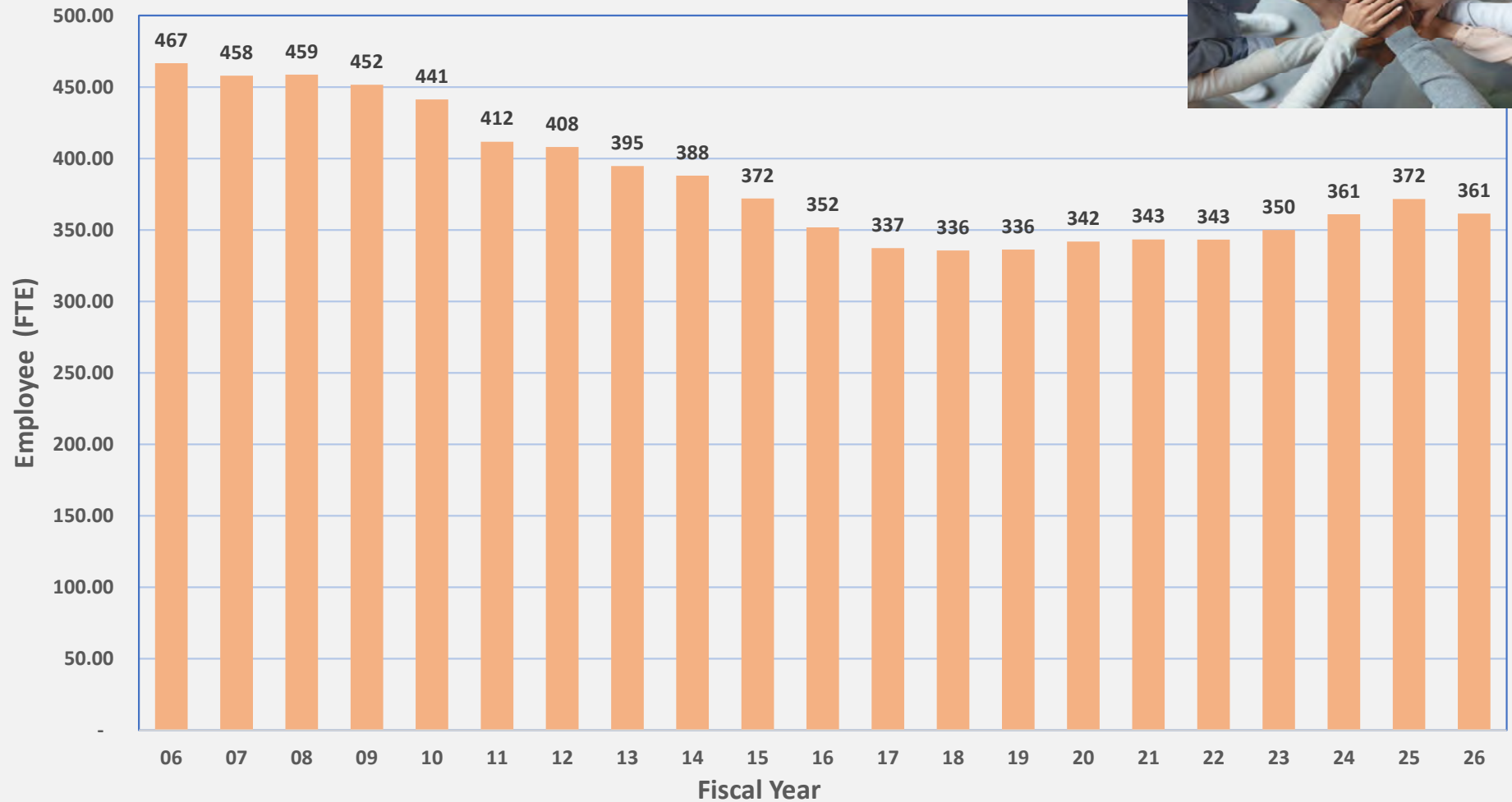
Oklahoma Department of Agriculture, Food & Forestry					
Fiscal Year 2026 Annual Budget to Actuals for Budget Year 2026 thru October 2025					
Object Code	Account Description	Annual Budget	Expenditures	Encumbrances & Pre Encumbrances	Available Budget
511	Salary Expense	24,518,349	6,816,587	24,724,041	(7,022,279)
512	Insur.Prem-Hlth-Life,etc	5,469,596	1,358,723	403,120	3,707,753
513	FICA-Retirement Contributions	6,199,809	1,609,233	1,767	4,588,809
515	Professional Services	3,842,469	585,365	1,739,734	1,517,370
519	Inter/Intra Agy Pmt-Pers Svcs	66,000	7,122	25,918	32,960
521	Travel - Reimbursements	403,288	72,180	-	331,108
522	Travel - Agency Direct Pmts	520,304	87,012	-	433,292
531	Misc. Administrative Expenses	1,438,525	196,268	236,367	1,005,890
532	Rent Expense	978,423	209,746	543,793	224,883
533	Maintenance & Repair Expense	1,973,780	216,272	755,289	1,002,218
534	Specialized Sup & Mat.Expense	1,286,854	128,360	954,885	203,609
535	Production,Safety,Security Exp	219,960	23,243	-	196,717
536	General Operating Expenses	194,249	25,962	-	168,287
537	Shop Expense	603,676	113,724	107,895	382,056
541	Office Furniture & Equipment	6,033,729	257,627	1,520,814	4,255,288
542	Library Equipment-Resources	20,850	6,940	-	13,910
543	Lease Purchases	1,670,285	674,492	995,793	(0)
546	Buildings-Purch.,Constr,Renov.	772,000	88	-	771,912
552	Scholar.,Tuition,Incentive Pmt	15,900	85	-	15,815
554	Program Reimb,Litigation Costs	31,445,030	10,604,333	10,596,244	10,244,453
555	Pmts-Local Gov't,Non-Profits	17,732,133	4,128,267	16,746,127	(3,142,261)
559	Assistance Pymts to Agencies	7,423,559	846,076	5,077,483	1,500,000
561	Loans,Taxes,Other Disbursements	250	-	-	250
564	Merchandise For Resale	200,000	-	200,000	-
601	AFP Encumbrances	-	-	4,138,543	(4,138,543)
810	Req Only	-	-	1,297,978	(1,297,978)
<b>Operating Totals</b>		<b>113,029,018</b>	<b>27,967,707</b>	<b>70,065,791</b>	<b>14,995,520</b>

# Expense Budget to Actuals Report – Budget Year 2026 as of October 31, 2025



Oklahoma Department of Agriculture, Food & Forestry					
Fiscal Year 2026 Annual Budget to Actuals for Budget Year 2026 thru October 2025					
Class Funding	Class Fund Description	Annual Budget	Expenditures	Encumbrances & Pre Encumbrances	Available Budget
19303	GRF	1,500,000	-	-	1,500,000
19312	Carryover	7,456,481	615,066	6,321,609	519,806
19511	Carryover	7,451,469	1,396,949	5,840,111	214,409
20500	Rural Fire Defense Eqp Rev Fd	200,000	-	200,000	-
21000	Agriculture Revolving Fund	25,095,886	1,769,912	20,295,725	3,030,249
22500	Enhancemnt & Diversificatn Fnd	85,000	12,998	-	72,002
23000	Okla Pet Overpopulation Fund	25,000	7,252	17,748	-
23500	Animal Friendly Revolving Fund	25,000	-	25,000	-
24000	Unwanted Pesticide Disp Fund	300,000	-	250,000	50,000
24500	Rural Fire Revolving Fund	1,559,850	1,120	156,755	1,401,976
25500	Ag. Evidence Law Enforce Fund	4,000	-	4,000	-
25600	Ok Viticulture Enology Revl Fd	419,004	27,980	192,748	198,277
26200	Poultry Grading Revolving Fund	909,021	185,291	695,397	28,333
28500	Milk & Milk Prod Inspec Rev Fd	485,274	95,018	347,102	43,154
28600	Ag In The Classrm Educ Rvlv Fd	24,000	-	-	24,000
28700	Healthy Food Financing Revl Fd	125,000	35,924	23,333	65,743
41000	Community Wildfire Def Grant	1,000,000	-	-	1,000,000
41100	OFS Forest Management	912,001	-	-	912,001
42000	Specialty Crop Federal Funds	850,000	21,571	128,721	699,707
43100	Marketingls Farm to School	226,861	28,935	130,288	67,638
44000	RsInt Food Sys Infrstr Coop Ag	6,407,933	653,350	4,782,382	972,201
57601	Duties	55,837,316	20,986,417	30,654,872	4,196,027
57921	Carryover	2,129,923	2,129,923	-	0
	<b>Totals</b>	<b>113,029,019</b>	<b>27,967,707</b>	<b>70,065,791</b>	<b>14,995,521</b>

# Employee FTE Totals Fiscal Year FY 2006 – FY 2026



**Note 1:** FTE listed for fiscal year 23 was based on the FTE from August 15, 2022 thru June 30, 2023 as the Workday HR system was implemented on August 15, 2022.

**Note 2:** FTE listed for fiscal year 26 was based on the FTE for fiscal year 26 thru October 31, 2025.

**DECEMBER 2025 BOARD REPORT  
AGRICULTURE LABORATORY SERVICES  
(September and October 2025 Activities)**

**QUALITY MANAGEMENT SECTION:** (Daniel Tripp, QA Manager)

The internal quality audit for the Bureau of Standards is still ongoing. The QA Manager is waiting for staff to supply requested information to complete the audit.

The QA Manager is working to create a lab-wide protocol for validating chemical methods. This includes a dedicated Standard Operating Procedure (SOP) and validation form capable of evaluating all necessary validation parameters.

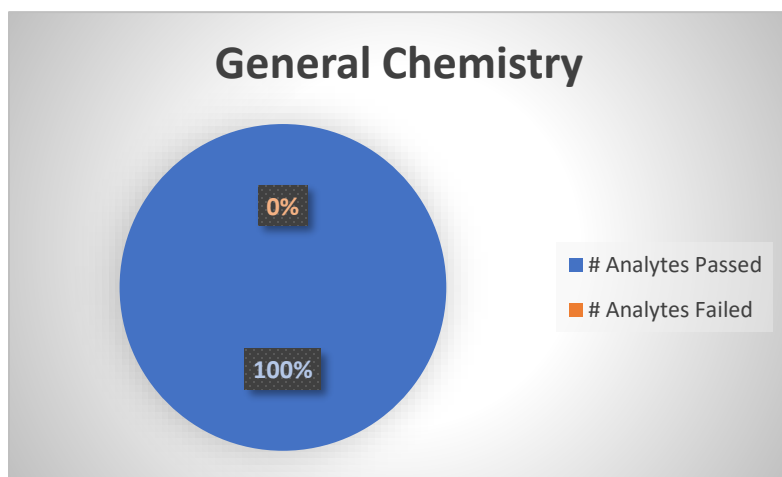
The SOP will be primarily based on the FDA's Guidelines for the Validation of Chemical Methods and will apply only to the chemistry sections (i.e. General Chemistry and Pesticide sections). This will allow the Sections to validate a wide variety of sample matrices and analytes in the event an official method is unavailable.

The validation form will be capable of auto calculating the following performance characteristics: accuracy, precision, selectivity, sensitivity, ruggedness, measurement uncertainty, spike recovery, and false positive/negative rates.

**PT Results**

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.

General Chemistry	
# Analytes Results Received	21
# Analytes Passed	21
# Analytes Failed	0



The Bureau of Standards internal quality audit meeting was held on October 27, 2025. The meeting covered new findings. Findings from the previous meeting for 2022, 2023, and 2024 have been completed. All new findings are scheduled to be completed by the end of the calendar year.

The QA Manager assisted the Food and Dairy Section in locating the correct media and reagents to purchase for campylobacter testing. Testing for this pathogen is expected to start soon. Changes and updates to all *Campylobacter* related worksheets and SOPs are currently being reviewed by the Section.

The internal quality audit for the Food and Dairy Section is expected to start in November.

The QA Manager recently discovered a research paper that developed and validated a protocol for testing meat samples for *Clostridium difficile*. *Clostridium difficile* spreads by way of spores, which allow it to lay dormant and survive. These spores are capable of lying dormant for months or even years on surfaces and soil. Once these spores are in an optimal environment to flourish, the spores become active and infection can spread. It may be possible that this protocol may extend to other sample matrices, like milk. Adding this test to the laboratory's scope will be evaluated in the future, but would require additional staff to be hired.

## PT Results

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.

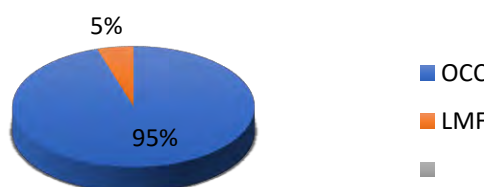
## INORGANIC SECTION: (Elena Lyon, Environmental/Chemical Laboratory Scientist IV)

In September 2025, the Section completed 103 samples consisting of 974 determinations, with the following breakdown:

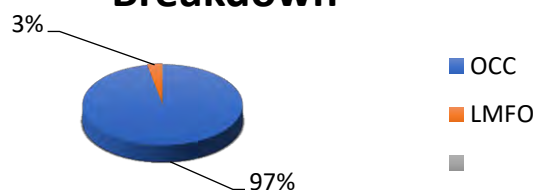
OCC	98	944
Service	0	0
Pollution	0	0
LMFO	5	30
OSU	0	0
<b>Total</b>	<b>103</b>	<b>974</b>



## September 2025 Sample Breakdown



## September 2025 Determinations Breakdown



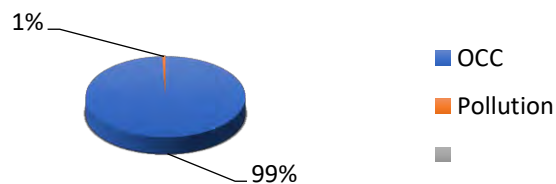
In October 2025, the Inorganic Chemistry Section completed 133 samples consisting of 1317 determinations, with the following breakdown:

Customer	Samples	Determinations
OCC	130	1308
Pollution	3	9
<b>Total</b>	<b>133</b>	<b>1317</b>

## October 2025 Sample Breakdown



## October 2025 Determinations Breakdown

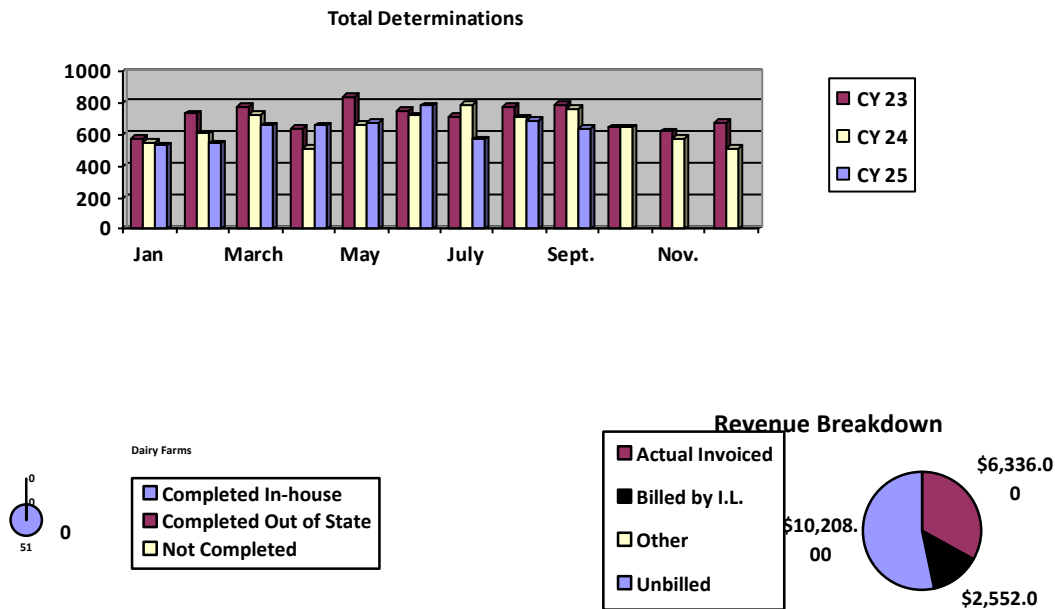


**DAIRY/FOOD SAFETY SECTION:** (Sharon Swyear, Environmental/Chemical Laboratory Scientist IV)

September was a typical month for the Section. One dairy is currently suspended and all other dairies were tested for the month. The dairies are still being tested for H5N1 Avian flu. There was a positive Aflatoxin detected at one of the plants this month. The sample came from a load out of Kansas and was brought to the laboratory for confirmation.

Eleven meat samples were tested for the month. The one sample from August that was positive for Non-O157 E. coli was whole genome sequenced by the Health Department and was identified as O123/O186:H2. It is STX1 and EAE positive, so therefore potentially pathogenic but not one of the seven E. coli's on the USDA list.

Bid specs are being finalized and will be submitted for the purchase of an anaerobic workstation. This workstation will be essential for Campylobacter testing.

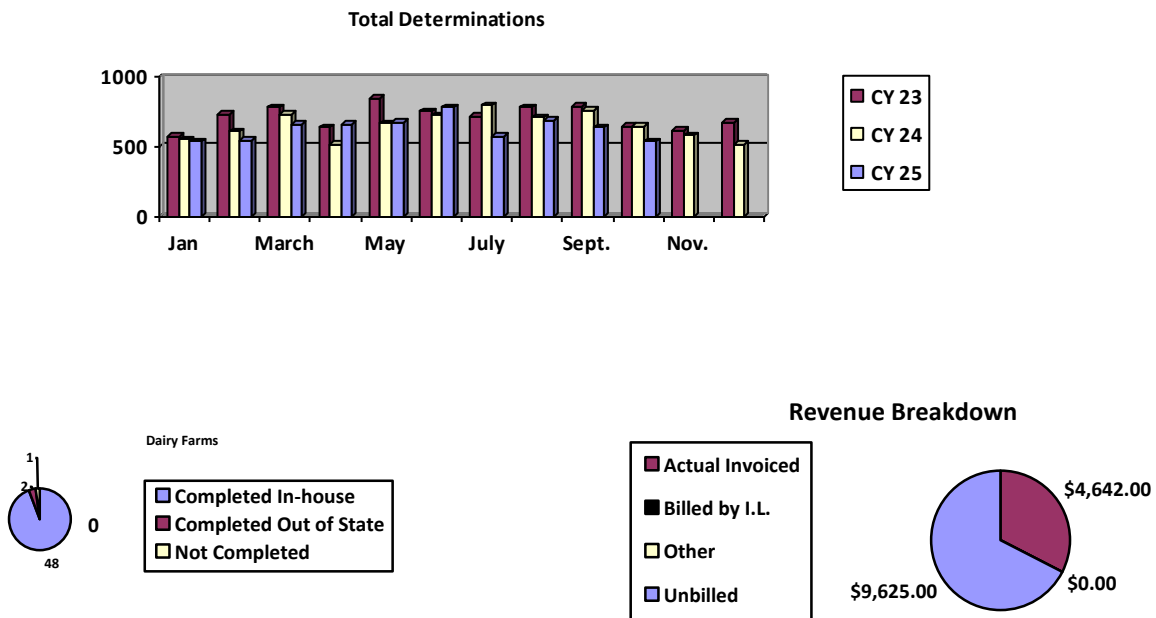


October was a typical month for the Section. One dairy is currently suspended, and one dairy was not tested for the month. The dairies are still being tested for H5N1 Avian flu.

Fifteen meat samples were tested for the month as well as four waters from the plants.

The Section has not received any inorganic water samples that normally are tested during October.

There were two Campylobacter cases reported to different health departments this month. Raw milk samples were collected from the patients and tested. Also, during this time, the Section had sent a routine sample to be tested to an outside laboratory since our laboratory has not been validated to test Campylobacter samples yet. The routine sample was reported as inconclusive and the other two samples were negative. Both the samples from the patients had been open for several days and Campylobacter dies quickly in room temperature air. In order to isolate Campylobacter, the anaerobic workstation would be used where the environment can be controlled. Bid specs have been submitted for the purchase of a workstation and reagents have been purchased.



## SEED SECTION: (Tori Gillispie, Agriculture Services Administrator I)

The Section received a total of 177 seed samples in September. Crops being tested consisted of wheat, rye, barley, oats, mungbeans, and fall season grasses. Overall quality is positive, with certified wheat seed showing excellent germination, likely due to favorable rain fall conditions. While most official samples met quality standards, a few had low germination, resulting in stop sales being issued. There were three seed law violations discovered this month. All infractions have since been resolved.

During the month of October, the Section received a total of 238 samples for testing. The Section is currently winding down small grain testing, which includes wheat, rye, and oats. Remaining samples consisted primarily of fall-season turf grasses, and mungbeans.

Approximately 48% of samples were from carryover seed lots requiring updated germination test dates for the Oklahoma Crop Improvement Association (OCIA), along with random samples collected by CPS inspectors. Overall seed quality was acceptable, and no seed law violations were identified during the month.

The Section continues to focus on staff development and regulatory proficiency. Current activities include participation in the 2025-2026 Proficiency Test over the Federal Seed Act, Canadian M & P, and AOSA Rules. Staff are also reviewing the updated 2025 AOSA Rules for Testing Seed to enhance technical knowledge and ensure testing consistency.

**GENERAL CHEMISTRY SECTION:** (Johnathan White, Environmental/Chemical Laboratory Scientist IV)

September was a productive month for the Section, we had a decent inflow of samples all month allowing us to hit our targets and maintain efficient use of our equipment. We used the FOSS NIRS unit on incoming feeds to screen out Protein, Fat and Fiber. We are screening all incoming feeds after riffing before grinding. Our original goal was to cut down on grinding, however since a relatively small portion of our samples are just analyzed for those components and nothing else and many samples are requiring rechecks the impact to grinding has been minimal, less than 15 samples were not ground. We were able to effectively pass around 30% of the samples for each test, reducing analysts workload and consumable use. Additionally we are able to use these results for confirmation of passing results that are outside of standard parameters, i.e. fiber results less than 50% of guarantee. Both benefits are allowing us to keep up our productivity and turn around times in good standing. The Section has received some help from William Krivanek in the Bureau of Standards for riffing and Ebby Eubanks in Dairy for non-grinding tasks. As sample inflow continues to pick up for feed rush along with overall testing requirements picking up we will need continued assistance from other Sections. The Section is set up for feed rush considering the limited staffing we currently have.

We received 291 samples, completed 280 samples consisting of 1297 determinations. We found 121 violations, giving a 9.33% fail rate. Given that we are not yet in feed rush this was a good month statistically.

Our turn-around time for the month was 17.60 days, slightly under target. We will strive to keep this pace but know that it may not be possible depending on sample load.

Overview of Section numbers for the month:

	Feed	Fertilizer	Lime	Total
<b>Samples Received</b>	225	53	13	291
<b>Samples Completed</b>	216	59	5	280
<b>Determinations</b>	1094	168	35	1297
<b>Violations</b>	94	24	3	121
<b>Violation %</b>	8.59%	14.29%	8.57%	9.33%

October was a good month for the Section, we are not at full feed rush yet but at a level we can handle. The FOSS unit is working well to reduce testing for Protein, Fat and Fiber by screening out samples that are passing by a decent margin and allows us to focus on samples that are failing. Aside from freeing up chemist time this is also reducing our chemical/consumable usage since these are our three most common tests.

Looking forward, in November the Section will be down an additional staff member for most of the month due to medical leave. The Section may have to cancel some testing or extend turnaround times depending on how long the staff member is out.

We received 317 samples, completed 263 samples consisting of 1250 determinations. We found 107 violations, giving a 8.56% fail rate. This was a decent month statistically but slightly skewed by a massive push of reports that went out in early November.

Our turn-around time for the month was 15.91 days, under target. The ability of the FOSS unit to get some results out very quickly is helping the overall numbers. The Section will work to keep this pace.

Overview of Section numbers for the month:

	Feed	Fertilizer	Lime	Total
<b>Samples Received</b>	265	50	2	317
<b>Samples Completed</b>	211	41	11	263
<b>Determinations</b>	1092	87	71	1250
<b>Violations</b>	86	11	10	107
<b>Violation %</b>	7.03%	12.64%	14.08%	8.56%

#### **PESTICIDE SECTION:** (David Smith, Environmental/Chemical Laboratory Scientist IV)

For the month of September new samples received remain about average, with two-thirds being residue cases. The remaining one-third favoring hemp samples.

Turnaround time for residue vegetation analysis remains high due to the number of tests requested of each sample, the limited number of analysts available for performing these tests, and the complicated nature of the analysis itself. The new LC-MS/MS systems are being worked into, though familiarity will take some time.

#### **Pesticide Section samples completed:**

In the month of September, the Section completed 48 samples. Below is the table showing the number of samples, tests per sample, and determinations (Det.) per sample with turnaround times (TAT). The average TAT for samples completed this month is 41 days.

	Number of samples	Test	Det.	Average TAT (days)
Residue Vegetation	13	25	185	101
Residue Soil	17	19	37	24
Residue Water	-	-	-	-
IFA Soil	-	-	-	-
Residue, Other	1	1	1	20
Residue, Swab	-	-	-	-
Concentrate	5	10	5	26
Tank Mix	1	3	2	7
Proficiency Test	-	-	-	-
Hemp	11	11	11	9

Average Residue Turnaround Time: 56 days

Average Formulation Turnaround Time: 23 days

Average Hemp Turnaround Time: 9 days

Totals		
# of Samples	# of Tests	# of Determinations
48	69	241

#### Samples the Section received by month:

The Section received 65 samples this month, comprising 108 tests. New samples received were a mix of Hemp, Soil, and Vegetation residue samples. (see Fig A).

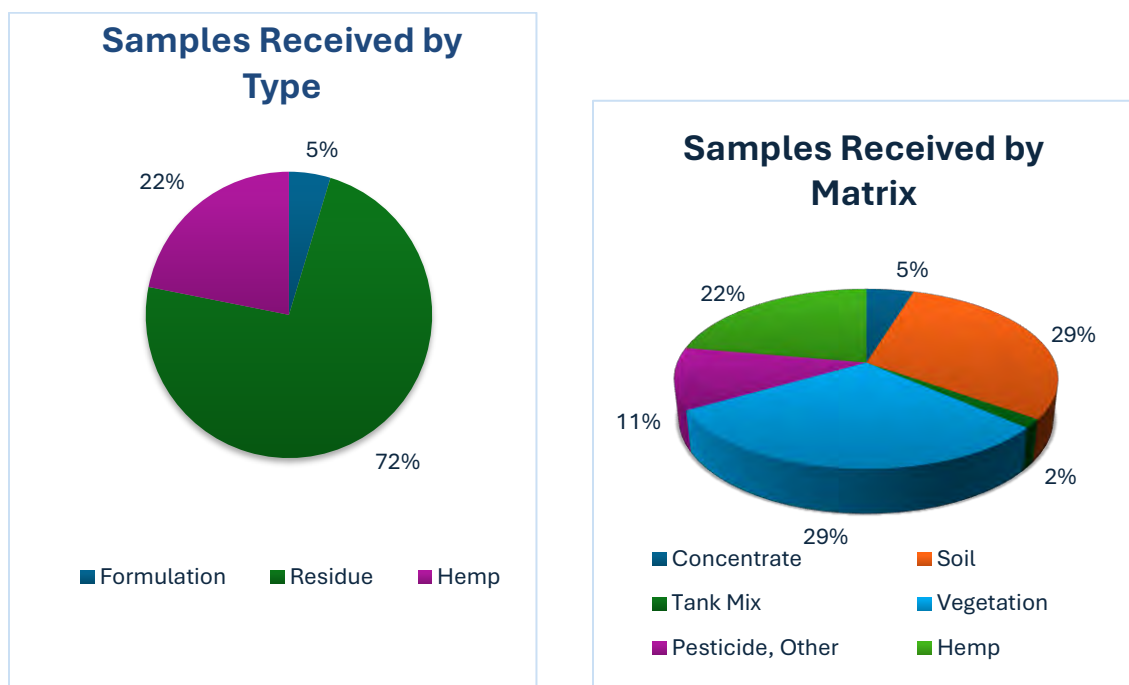


Fig A. Pie charts representing the number of samples received by type (left) and matrix (right).

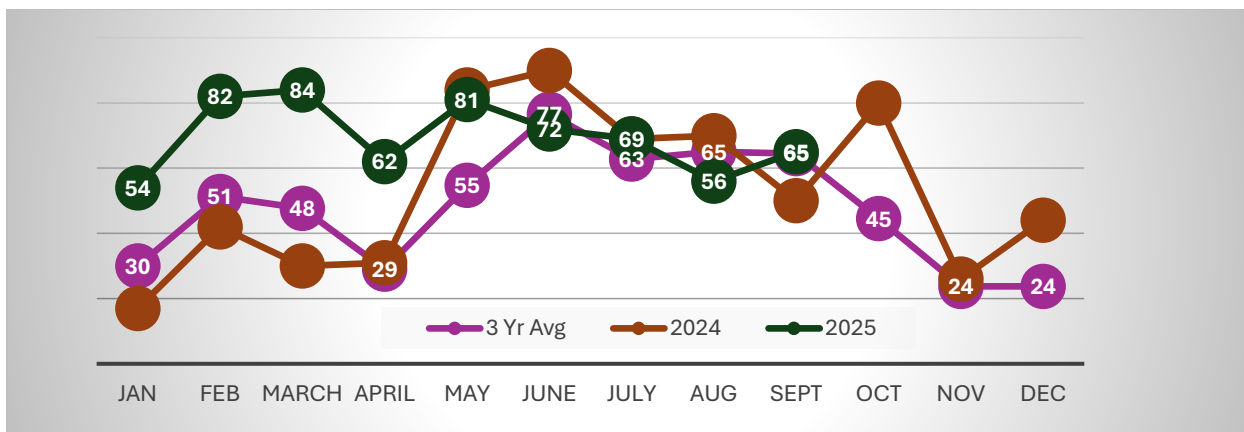
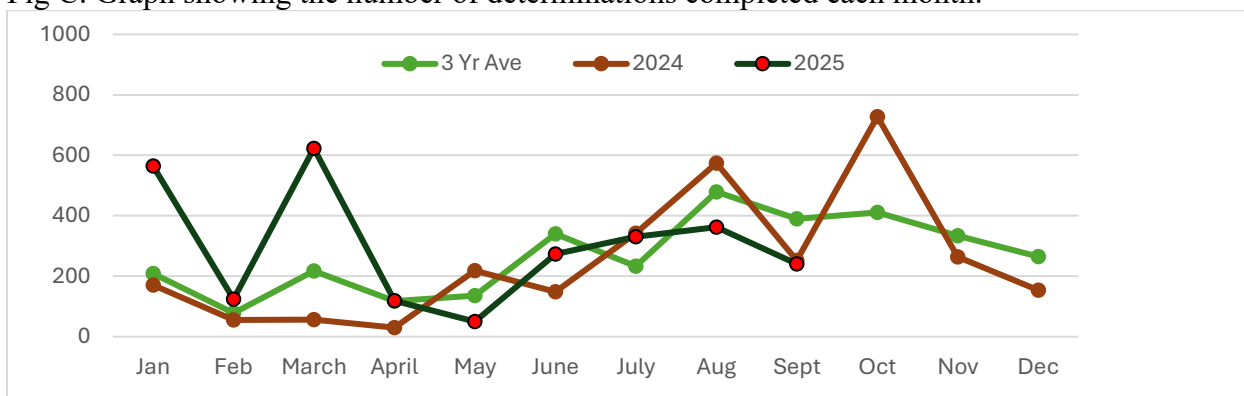


Fig B. Graph showing the number of samples received by the Section each month.

### **Determinations the Section completed by month:**

This month, the Section completed 241 determinations with most of the determinations being on Residue samples.

Fig C. Graph showing the number of determinations completed each month.



For the month of October new samples received remains about average, with majority being residue cases. The remaining one-third favoring hemp samples and new formulation inspections.

Turnaround time for residue vegetation analysis remains high due to the number of tests requested of each sample, the limited number of analysts available for performing these tests, and the complicated nature of the analysis itself.

### **Pesticide Section samples completed:**

In the month of October, the Section completed 52 samples. Below is the table showing the number of samples, tests per sample, and determinations (Det.) per sample with turnaround times (TAT). The average TAT for samples completed this month is 91 days.

	Number of samples	Test	Det.	Average TAT (days)
Residue Vegetation	31	86	456	129
Residue Soil	3	10	41	128
Residue Water	-	-	-	-
IFA Soil	-	-	-	-
Residue, Other	-	-	-	-
Residue, Swab	2	8	8	67
Concentrate	5	13	8	28
Tank Mix	-	-	-	-
Proficiency Test	-	-	-	-
Hemp	11	11	11	9

Average Residue Turnaround Time: 125 days

Average Formulation Turnaround Time: 28 days

Average Hemp Turnaround Time: 9 days

Totals		
# of Samples	# of Tests	# of Determinations
52	128	524

#### Samples the Section received by month:

The Section received 47 samples this month, comprising 74 tests. New samples received were a mix of Hemp, Soil, and Vegetation residue samples. (see Fig A).

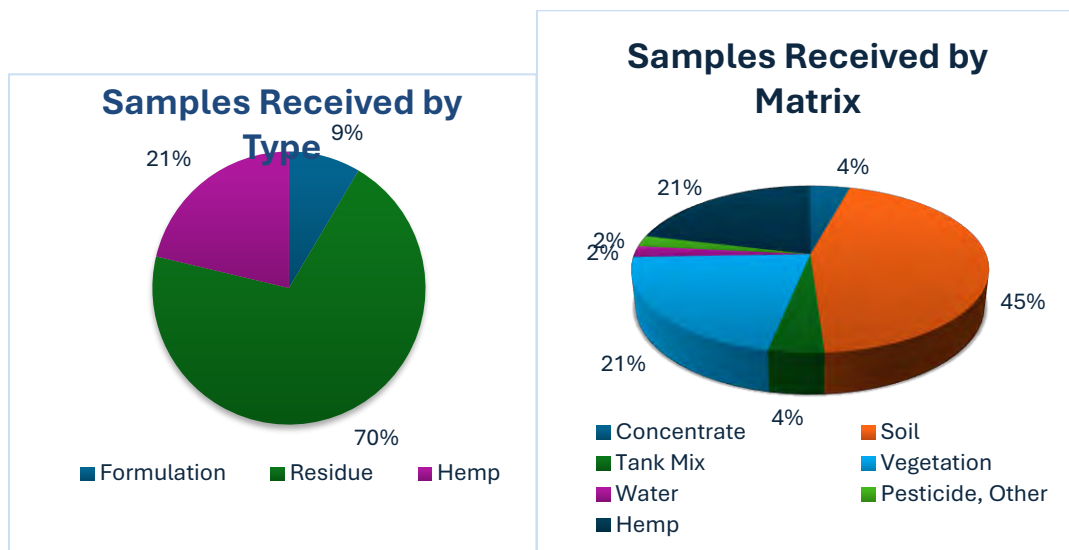


Fig A. Pie charts representing the number of samples received by type (left) and matrix (right).



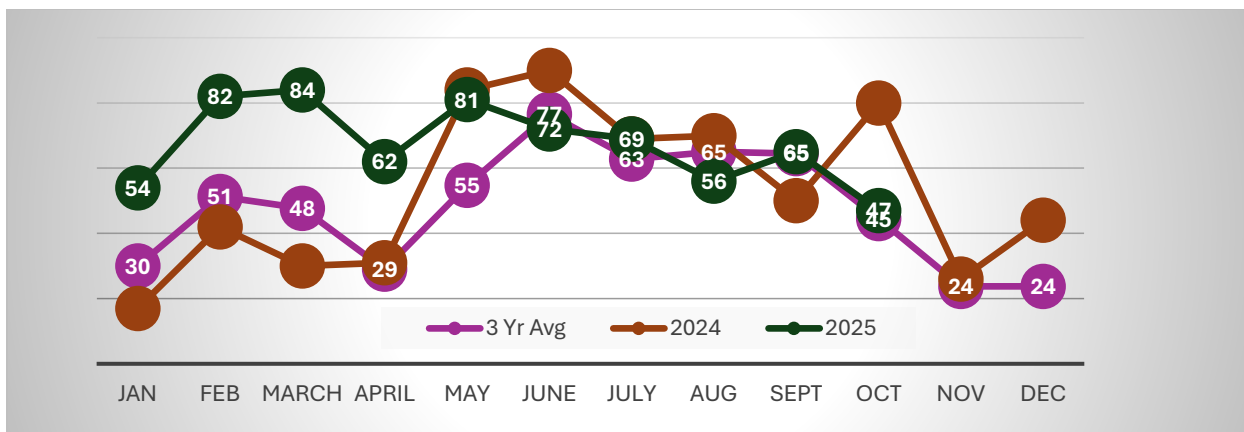
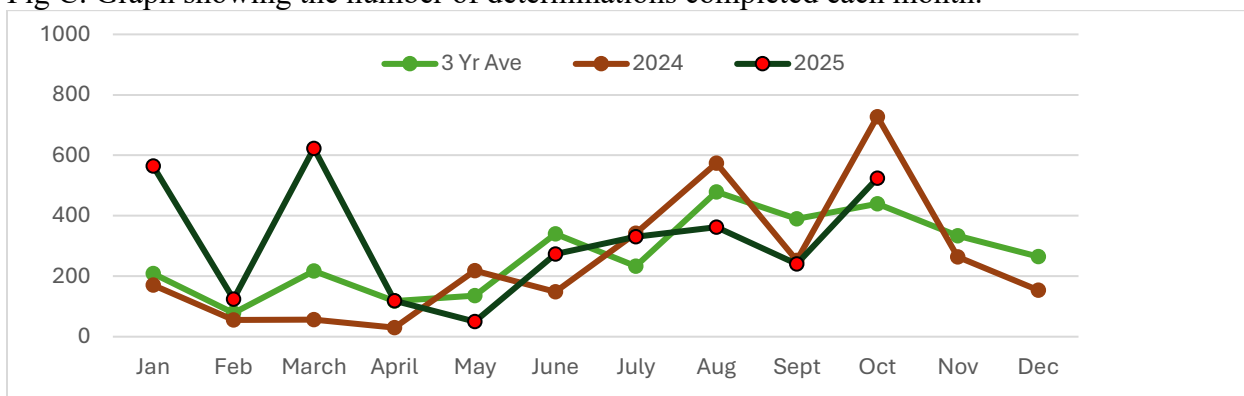


Fig B. Graph showing the number of samples received by the Section each month.

### Determinations the Section completed by month:

This month, the Section completed 524 determinations with most of the determinations being on Residue samples.

Fig C. Graph showing the number of determinations completed each month.



### **OKLAHOMA BUREAU OF STANDARDS:** (William Krivanek, Metrologist II)

The following is a workload summary for the Oklahoma Bureau of Standards from September 1<sup>st</sup> through September 30<sup>th</sup>.

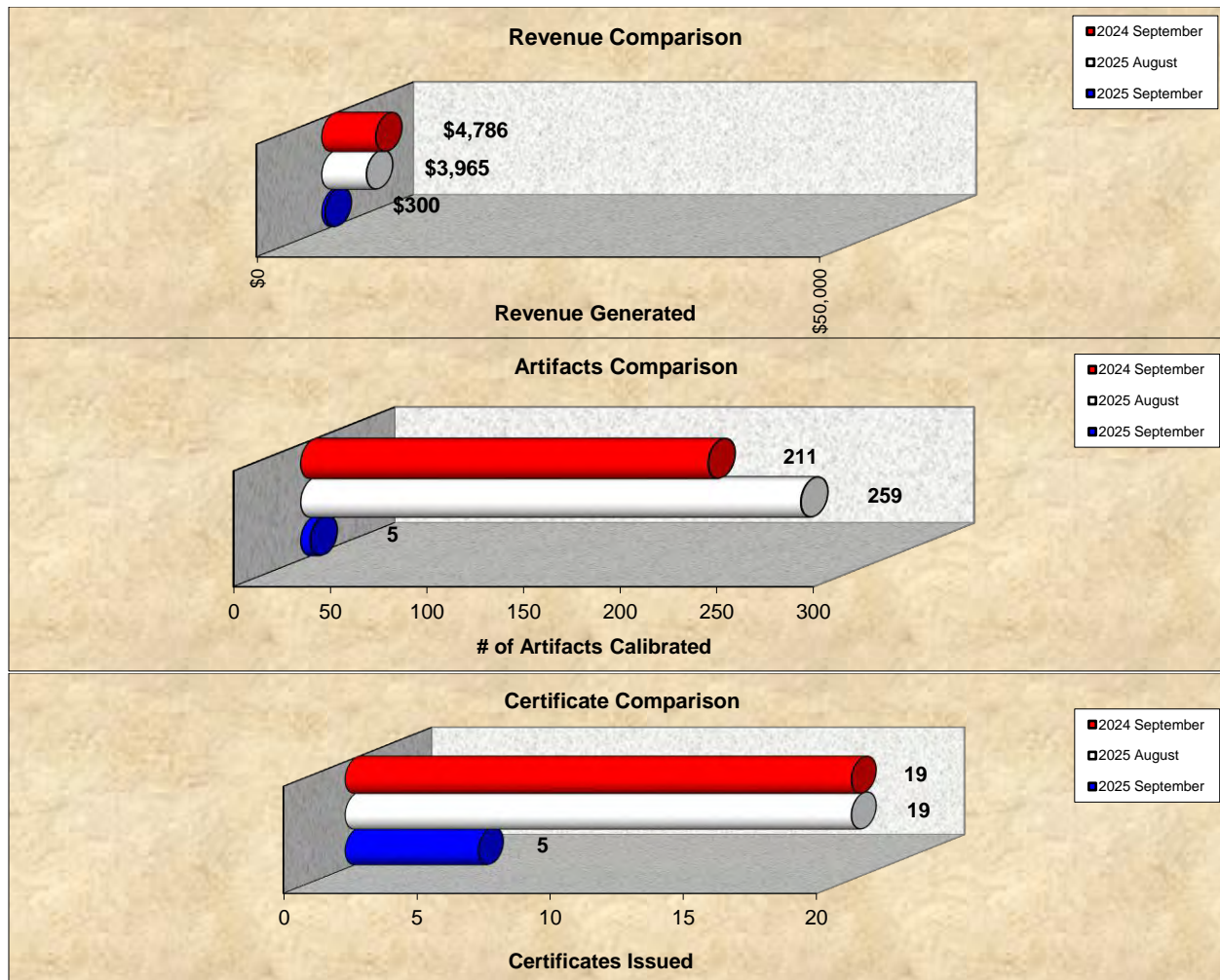
The Oklahoma Bureau of Standards generated a revenue of \$300.00 during the month of September 2025. All appointments completed were for volumetric calibrations. The workload for the Bureau was slower this September than previous years. This is due to the Bureau having to get standards calibrated by the state of Colorado.



Pictured above: This is the 5-gallon slicker standard and 5-gallon test measure standard that was used to complete customer calibrations.

Month	#	Fees	% of Fees	# Standards	% of Standards
Out-of-State Customers	0	\$0.00	0.00%	0	0.00%
In-State Customers	1	\$300.00	100.00%	5	100.00%
Totals	1	\$300.00	100.00%	5	100.00%

Echelon	Total Fees not Charged	# Working Days Lead Time to Next Available Date for Calibration
Mass I / II	\$0.00	0
Mass III	\$0.00	0
Volume	\$0.00	0



The following is a workload summary for the Oklahoma Bureau of Standards from October 1<sup>st</sup> through October 31<sup>st</sup>.

The Oklahoma Bureau of Standards generated a revenue of \$149.00 during the month of October 2025. All appointments completed were for Mass III calibrations. The Colorado Department of Agriculture returned the Bureau's standards after scheduled calibrations were completed.

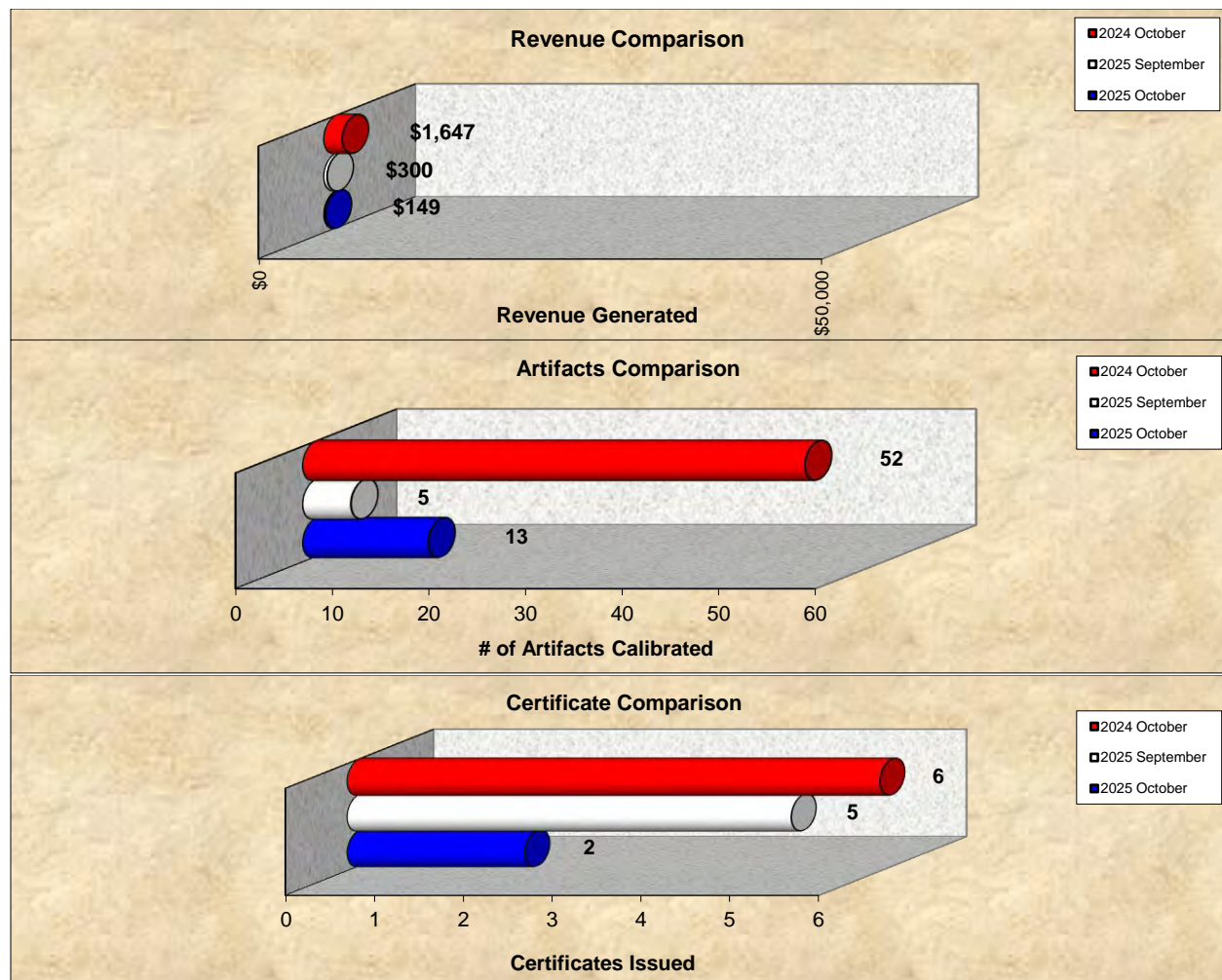
Various Agency employees, including Bureau staff, participated in a forklift training during the month of October ensuring that multiple employees are certified in forklift operation.



Pictured above: This is the department's forklift that was used during training.

Month	#	Fees	% of Fees	# Standards	% of Standards
Out-of-State Customers	0	\$0.00	0.00%	0	0.00%
In-State Customers	2	\$149.00	100.00%	13	100.00%
Totals	2	\$149.00	100.00%	13	100.00%

Echelon	Total Fees not Charged	# Working Days Lead Time to Next Available Date for Calibration
Mass I / II	\$0.00	0
Mass III	\$0.00	0
Volume	\$0.00	0



Respectfully Submitted,

Brian McDowell  
Laboratory Director  
Laboratory Services Division

**BOARD REPORT**  
**AGRICULTURAL LABORATORY SERVICES**  
**SEPTEMBER 2025 ACTIVITIES**

FEED SAMPLES	225
FEED DETERMINATIONS	1094
POSSIBLE VIOLATIONS	94
 FERTILIZER SAMPLES	 53
FERTILIZER DETERMINATIONS	168
POSSIBLE VIOLATIONS	24
 LIME SAMPLES	 13
LIME DETERMINATIONS	35
POSSIBLE VIOLATIONS	3
 PESTICIDE SAMPLES	 48
PESTICIDE DETERMINATIONS	241
POSSIBLE VIOLATIONS	0
 MEAT SAMPLES	 0
MEAT DETERMINATIONS	0
VIOLATIONS	0
 INORGANIC LAB SAMPLES	 103
DETERMINATIONS	974
 SEED SAMPLES	 177
SEED DETERMINATIONS	243
POSSIBLE VIOLATIONS	3
 BUREAU OF STANDARDS CERTIFICATES	 5
NUMBER OF STANDARDS CALIBRATED	5
FEE CHARGES	\$300.00
 DAIRY SAMPLES	 345
DAIRY DETERMINATIONS	636
POSSIBLE VIOLATIONS	10
 <b>TOTAL SAMPLES</b>	 <b>969</b>
<b>TOTAL DETERMINATIONS</b>	<b>3396</b>
<b>TOTAL POSSIBLE VIOLATIONS</b>	<b>134</b>

**BOARD REPORT**  
**AGRICULTURAL LABORATORY SERVICES**  
**OCTOBER 2025 ACTIVITIES**

FEED SAMPLES	265
FEED DETERMINATIONS	1092
POSSIBLE VIOLATIONS	86
 FERTILIZER SAMPLES	 50
FERTILIZER DETERMINATIONS	87
POSSIBLE VIOLATIONS	11
 LIME SAMPLES	 2
LIME DETERMINATIONS	71
POSSIBLE VIOLATIONS	10
 PESTICIDE SAMPLES	 52
PESTICIDE DETERMINATIONS	524
POSSIBLE VIOLATIONS	0
 MEAT SAMPLES	 0
MEAT DETERMINATIONS	0
VIOLATIONS	0
 INORGANIC LAB SAMPLES	 133
DETERMINATIONS	1317
 SEED SAMPLES	 238
SEED DETERMINATIONS	293
POSSIBLE VIOLATIONS	0
 BUREAU OF STANDARDS CERTIFICATES	 2
NUMBER OF STANDARDS CALIBRATED	13
FEE CHARGES	\$149.00
 DAIRY SAMPLES	 224
DAIRY DETERMINATIONS	534
POSSIBLE VIOLATIONS	13
 <b>TOTAL SAMPLES</b>	 <b>966</b>
<b>TOTAL DETERMINATIONS</b>	<b>3931</b>
<b>TOTAL POSSIBLE VIOLATIONS</b>	<b>120</b>





## OKLAHOMA FORESTRY SERVICES BOARD REPORT

*Serving Oklahomans by conserving, enhancing, and protecting our forest and natural resources for present and future generations.*

*Forestry Services' 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.*

### FIRE MANAGEMENT

#### Executive Summary – Drew Daily

Fire Staff Board Report Input – 11/20/2025

#### Wildland Fire Management Executive Summary

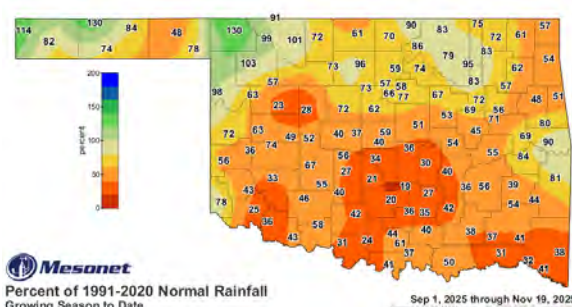
A very wet start at the beginning of the warm growing season supported vigorous herbaceous response through late spring and early summer with both wet and dry cycles leading into fall. The result is wide expanses of above normal fuel loading across most of Oklahoma and exceptional fuel loading spanning from the eastern Panhandle and northwestern Oklahoma down to northern Beckham County. October was primarily dry resulting in compounding drought expansion and a late month, widespread freeze accelerated fuels transition to dormancy. Building dryness beginning in early September set the stage for increasing wildfire occurrence into mid-November.

OFS responded to and/or supported:

- September- 25 Fires / 467.2 Acres
- October- 86 Fires / 738.5 Acres
- November (1-20) 92 Fires / 2,183.6 Acres
- Year-to-Date 1,230 Fires / 231,124.0 Acres
- Rx Fire YTD 21 Rx Fires / Treating 7,004.5 Acres

#### Fire Environment Outlook

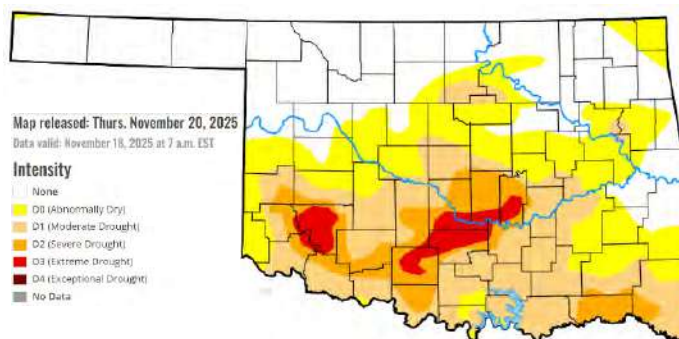
At writing of this report, rainfall is occurring across Oklahoma with recurring chances throughout the remainder of the month. While both amount, duration and location will need require thorough assessment, this is a well-timed rainfall event given intensifying drought indices and degrading Energy Release Component. Both factors contribute to an increase in wildfire occurrence and severity driving emergence of a few categorically large fires (>300 grass/brush or 100 acres timber). The current Oklahoma Drought Monitor expresses notable degradation in drought indices where Extreme Drought has emerged in southwestern and south-central Oklahoma.



Cool Growing Season: Sep 1, 2025 – Nov 19, 2025

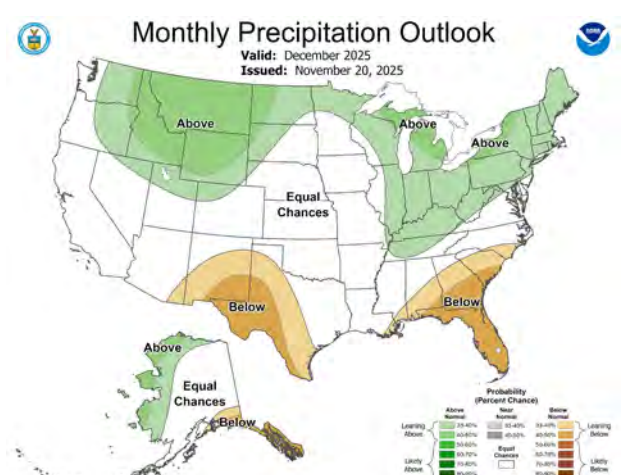
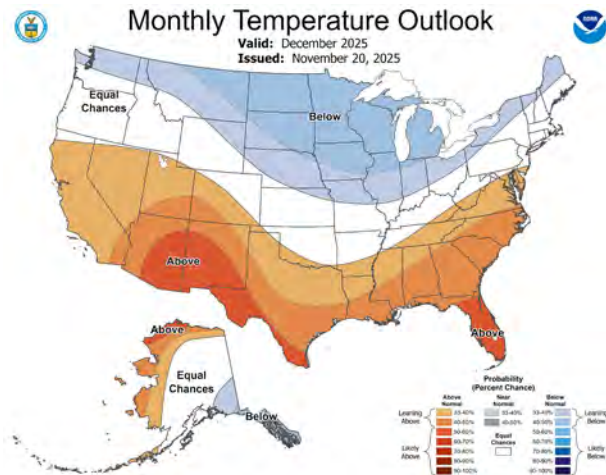
1991-2020 Normal: 19.8 inches to record

Climate Division	Total Rainfall	Moisture Ratio (Normal)	Percentage of Normal	Rank since 1991	Percent on Record	Normal on Record
Panhandle	1.40	-0.54	67%	47th (1991)	8.40%	19.40%
N. Central	4.94	2.09	70%	22nd (1991)	10.80%	19.40%
Westland	5.30	5.00	61%	27th (1991)	17.20%	28.00%
N. Central	3.19	-1.17	44%	11th (1991)	4.34%	19.40%
Central	4.33	-0.97	44%	10th (1991)	9.87%	22.00%
S. Central	5.00	0.00	57%	23rd (1991)	1.84%	30.00%
Southwest	5.30	-0.20	40%	17th (1991)	0.00%	19.40%
S. Central	5.30	-0.67	55%	25th (1991)	1.38%	31.40%
Southwest	5.30	-1.10	42%	28th (1991)	1.38%	31.40%
Southwest	4.50	-0.10	52%	19th (1991)	1.38%	31.40%



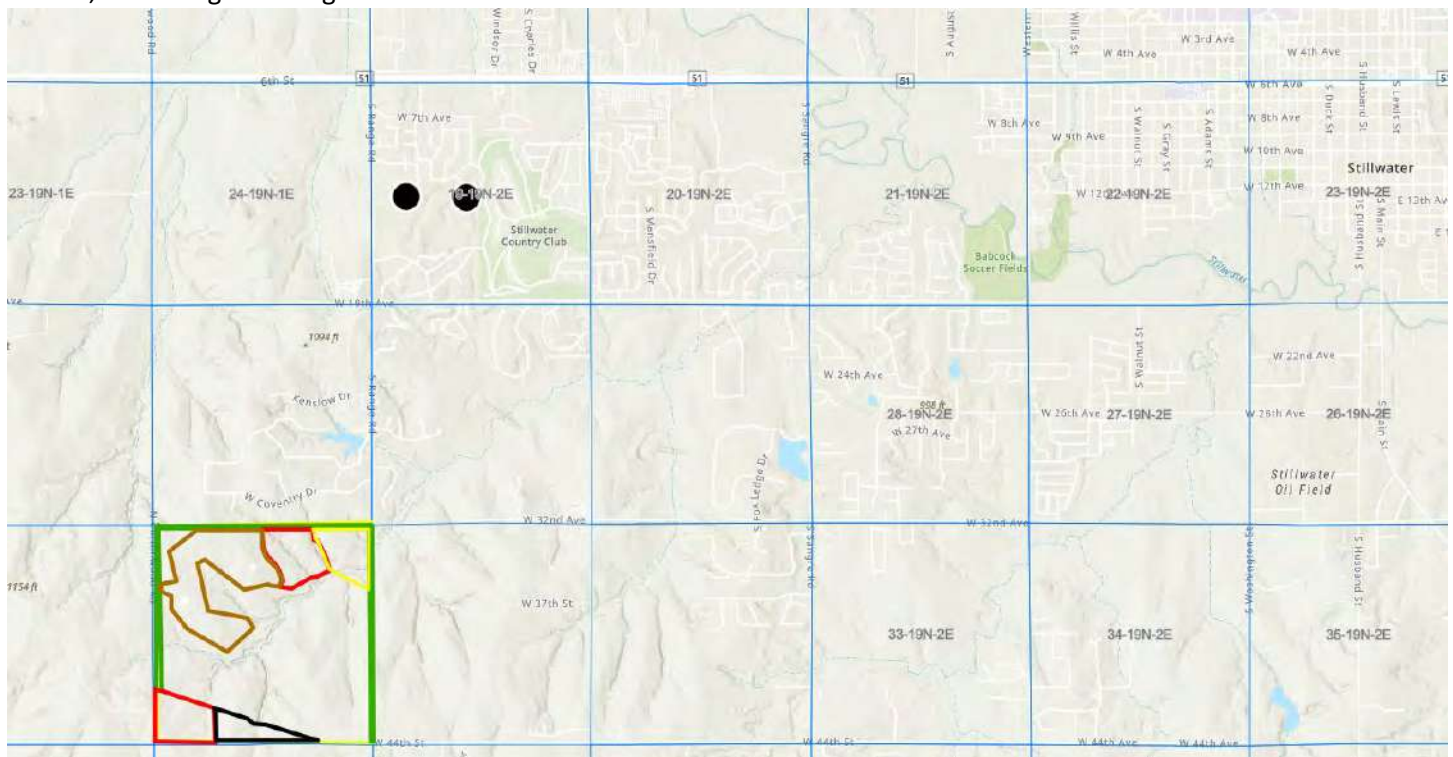


The temperature/precipitation outlooks for December provide no strong signal for either above or below normal expectations. It is worth noting that a weak La Nina is in place favoring a warmer/drier expectation into winter.



**OFS Partnering with Commission of the Land Office**

OFS personnel have met with a CLO Real Estate Management Specialist and Forester on site to develop the initial plans for pursuing a competitive federal grant to conduct wildfire hazard mitigation practices on a section of land lying southwest of Stillwater. This section was burned during the 14Mar25 Firestorm that resulted in 151 new wildfires on one day alone in Oklahoma. The grant is similar to awards that OFS has secured in recent years to successfully complete projects in Washington, Tulsa, Oklahoma, Latimer and Murray Counties. If the submission is awarded, OFS will conduct prescribed fire operations, mechanical mastication and pile burning to restore ecological resilience to the land and reduce overall wildfire potential. In addition, OFS is hoping to establish this as a demonstration of practice site to boost lease value and evaluate feasibility of broader reaching work on the state-owned, revenue generating CLO lands.



### **Hazardous Fuels Mitigation Program – Aaron Williams**

- Mitigation crews started on two separate projects simultaneously last month. Crews were split and began work at the VFW Project south of Wilburton and a second crew started on the Gilcrease Museum project in far NW Tulsa. Both projects are on track to be completed by January, freeing up mitigation resources and personnel for fire suppression support.
- The Gilcrease location experienced a setback in operations when their service truck and utility/flatbed trailer were discovered stolen on Monday October 20. The truck was located the next day approximately one mile south of the project in a residential neighborhood. The truck had been hot wired to start, AVL cut out, and compartment locks punched to gain access. All hand tools were stolen; the truck was hauled to our Goldsby office. The trailer was located by Tulsa PD not far away with some “modifications” done. The incident is being investigated by ODAFF investigators. Measures are being taken to track equipment moving forward using Bluetooth devices and supporting apps.
- We meet this month with the Commission of Land Office to discuss a mitigation project located in far SW Stillwater. This location is within the burn scar of the March '25 fires and potentially can be the start of some much-needed mitigation work in that area.

### **Community Fire Assistance Program – Tammy Carter**

**FFP Update:** An SUV was placed with a certified fire department. Six (6) Type 6 engines here at Goldsby are awaiting approval to be transferred to rural volunteer fire departments. These were purchased by OFS, and the decision was made to pass the titles over to eligible FDs rather than state surplus sales.

**FEPP Update:** 12 trucks and a lot of 10 pumps were sold and are being picked up from the Goldsby Yard. Another sale of three (3) lots of generators will be made available for online purchase on 11/20.

### **Operational Grants (FY26 \$8,414,550.00)**

- All Operational Grant Payments have gone out.

### **80/20 Grants (FY26 \$2,000,000.00)**

- 73 Fire departments have been awarded FY26 80/20 grants. FY26 grant caps for building purposes have been raised to \$75,000.00 and \$30,000.00 for purchasing equipment. Purchase Orders have been created and sent out to awarded fire departments.

### **Equipment Replacement Grant**

- All Equipment Replacement Grant payments have gone out, with a few being returned due to bank accounts being closed or mailing addresses incorrect.

### **Training**

- None from the Community Fire Standpoint.

### **Community Wildfire Defense Grant Program – Erin Brazel**

#### **Summary**

- Round 2 grantee update:
  - Tulsa County CWPP: Recently hired a new Director. Following a recent meeting, the County now has a clearer understanding of the position’s requirements and how to post the listing.
  - Comanche County CWPP: Initiated the sealed bid process to select a contractor to develop their countywide plan.
  - McAlester Project: The city has selected a contractor to begin the work and is currently processing a modification to update the equipment list.

- Outreach efforts are underway with Mannford, Stillwater, Skiatook, Edmond, Sequoyah County, Pawnee County, Payne County and Pearl Jackson Nature Preserve.
- OFS personnel are actively working to provide guidance, technical expertise and support to the seven CWDG Round 3 applicants that have viable projects that were unfortunately not selected in the 2025-Round 3 selections. OFS is guiding them on strengthening their proposal that translates to effective change on the landscape.

## **FOREST MANAGEMENT**

### **Forest Health Program – Dieter Rudolph**

#### ***Emerald Ash Borer Trapping***

Forest Health Specialists Dieter Rudolph and Evan Long collected the purple prism traps used to monitor the spread of the invasive emerald ash borer. Traps are established across the state each year being placed and checked by OFS personnel as well as partners such as Oklahoma Department of Wildlife Conservation, Tree City USA cities, urban foresters and arborists, and engaged citizen scientists. One new county had a suspected emerald ash borer trapped; it is awaiting confirmation from an APHIS lab. This individual was found at the Chickasaw National Recreation Area in Murray County.



#### ***State Fair Judging 4H Forestry Judging***

Dieter Rudolph and Urban and Community Forestry Coordinator Riley Coy participated in judging the 4H forestry exhibits at the state fair. These included leaf collection, wood samples, and forested ecosystem dioramas and displays.

#### ***First Americans Museum (FAM)***

- Prescribed Fire at the Mound - Dieter Rudolph, Education Coordinator Tony Pascall, and Prescribed Fire Coordinator Christian Hayes visited with representatives at the First Americans Museum to discuss managing invasive Johnsongrass and implementing prescribed fire on the mound. This land feature has difficult terrain due to its location, slope, and way it was constructed. OFS provided information and will partner with FAM for outreach surrounding prescribed fire leading up to the burn.
- Indigenous Peoples Day - On 10/13/2025 Dieter and Urban Foresters Riley and Elizabeth had a booth at the Indigenous Peoples Day at the First Americans Museum. OFS's focused outreach was on the programs OFS offers to landowners across the state. Work with the FAM is a continuing part of OFS's focus on developing more meaningful outreach across the state.
- Lightning Talk - On 10/13/2025 Dieter participated in a series of lightning talks at Indigenous Peoples Day at the First Americans Museum. These talks were limited to three minutes. Dieter's talk focused on using forest management to mimic the historical management of the indigenous tribes. The management techniques discussed were all tied to the available forest landowner assistance program.





### *Monarchs on the Mountain*

Dieter and Tony participated in the annual Monarchs on the Mountain event held at Chandler Park in Tulsa. This event has been running for 10 years and OFS's continual partnership since the first has led to multiple partnerships with public parks, municipalities, and volunteer landowner groups. OFS's message was on invasive species and the "Don't Move Firewood" program, working to prevent the spread of new forest pests through raising awareness.

### *Ag Day at Timber Creek Elementary*

Dieter, GIS Manager Chris Mask, and Administrative Assistant Lexi Carney participated in an ag day in Moore. The students rotated across multiple groups, each providing activities and education in various fields of Agriculture. OFS ran two activities. The first activity had kids pretending to be native animals, providing multiple habitats that slowly get removed and later restored. Overall, the activity shows the importance of different habitats across the landscape and how wildlife responds to loss of habitats. The second activity had the students pretending to be trees and competing for the limited resources of sun, water, and nutrients in the form of poker chips.



### *Emerging Markets*

OFS met with two companies looking to establish new forest markets in Oklahoma.

- **SPARQ: Reforestation and Afforestation for Carbon Markets.** Dieter and Area Forester Craig Longshore met with this organization to discuss potential carbon markets for private landowners in Oklahoma. OFS provided technical assistance to this group surrounding how to best establish new forests with the goal of increasing carbon sequestration. If landowners are interested in entering Carbon Markets, OFS will assist them by providing technical assistance and planting/forest management plans to meet the landowner's goals.
- **Bioleum - Utilizing Forest Biomass:** Dieter and FIA Coordinator Josh Bradly met with this organization to discuss the feasibility of establishing a new factory to utilize biomass from logging operations. This practice utilizes the tops and limbs of trees, parts that are commonly left behind following timber harvests. This biomass can be processed and used for energy production. Bioleum is unique in that it is looking to convert woody biomass to high octane jet fuel.

### *Cheyenne and Arapaho Tribes*

- OFS reached out to the Cheyenne and Arapaho Tribes asking if they would be willing to discuss barriers to management that the tribe and its members experience, limiting their ability to manage the forests and natural areas in their communities. Additionally, the tribes provided feedback on outreach methods that are effective to reach their communities and methods that are less successful. By establishing this partnership, OFS can develop more meaningful outreach that reaches landowners that have been previously overlooked.
- While meeting with the Cheyenne and Arapaho Tribes, both parties began discussing potential projects that could be funded by the OFS Landowner Financial Assistance program. In these discussions, one project stood out as having a significant impact. It has been further developed and is being established as a demonstration area. This project will be on tribal land that is in a highly visible area, it is a publicly assessable community forest with multiple trails and is near many of their government buildings and community centers. Through this project OFS and the Cheyenne and Arapaho Tribes will develop a food forest in times of food scarcity, manage the natural area around a creek to reduce the risk of wildfire to the surrounding community, and manage invasive species that are decreasing the forests' health and resiliency.



### **Urban & Community Forestry Program – Riley Coy/Elizabeth Bland-Corbishley**

- September 3rd Urban Forestry Coordinator Riley Coy and Urban and Community Partnership Coordinator Elizabeth Bland-Corbishley assisted Keep Oklahoma Beautiful deliver paint across Oklahoma to communities in need.
- All Journey of Hope events were successfully completed! 80 Survivor Tree Elm Seedlings were planted in 77 Counties reaching more than 33,000 students statewide!





- September 19<sup>th</sup> was a big day! Riley and Education Coordinator Tony Pascall attended the unveiling of the Native Forest Exhibit at the First Americans Museum in Oklahoma City in the morning. In the afternoon, Riley and Forest Health Specialist Dieter Rudolph examined and harvested samples of a Survivor Tree offspring suspected to carry Dutch elm disease.



- September 25<sup>th</sup> Elizabeth attended the Fall Pecan Field Day in Bixby, Oklahoma to network with natural resource professionals and improve knowledge of pecan orchards to better serve Oklahoma communities.
- September 27<sup>th</sup> Riley attended the Arbor Day Celebration in Morrison, Oklahoma marking 27 years of committing to the planting and care of trees in their community.



- September 29<sup>th</sup> and 30<sup>th</sup> Riley and Elizabeth attended and coordinated the Wood Decay Workshop put on by the Oklahoma Community Forestry Council. This workshop featured special guests, Chelsi Abbott and Dr. Frank Rinn who came all the way from Germany for the workshop! There were 60 arborists in attendance.
- October 1<sup>st</sup> Riley attended the OKVMA where former Urban Forestry Coordinator Mark Bays gave a presentation on the history of the Survivor Tree and the precautions taken to ensure its survival.



- October 13<sup>th</sup> Riley, Elizabeth, and Dieter held a booth at Indigenous Peoples Day at the First Americans Museum in Oklahoma City. While at the event Dieter gave a lightning talk on the forest health cost share grant now available to Oklahoma landowners.
- October 16<sup>th</sup> Elizabeth, Madison, and Forest Health Specialist Evan Long visited our neighbors in Kansas at the Kansas Forestry Association's Fall Field Day. There we learned from our geographic neighbors about projects and programs that have been ongoing in the state and region, and discussed improving current, as well as implementing future programs and projects. Topics covered included Forest Legacy Program, Cross Timbers Ecosystem, Forest to Kiln to Mill, and Timber Stand Improvement with diverse goals.



- October 28<sup>th</sup> Elizabeth and Riley attended and coordinated the 2025 OK Urban and Community Forestry Annual Conference in Edmond. This year the conference theme was "From Roots to Canopy: Building Resilient Urban Forests" and featured guest speaker Dr. Ed Gilman. Dr. Gilman has over 30 years of experience in tree care and has written several of the most widely used books on tree pruning. This conference was attended by 104 arborists and tree care professionals.

### **Forest Inventory Analysis Program – Josh Bradley**

- FIA Foresters completed research plots in Cherokee, Adair, Creek, Atoka, Craig, Nowata, Osage, Latimer, and LeFlore counties.
- FIA research takes reliable and repeatable measurements of forest area, forest volume, and forest health across the state. These measurements give private industry precise estimates of merchantable wood available for harvest and demonstrate the sustainable industry practices in place in southeast Oklahoma.
- When working in counties outside the "timber basket" of SE Oklahoma the data is used to model fuel dynamics for wildfire risk estimate, observe forest health changes across ~6 million acres of forests, and monitor the spread of invasive exotic species.

### **Forest Legacy Program – Madison Gore**

- October/November - Madison Gore is serving on the National Forest Legacy Program Panel to review, score, and select the Forest Legacy projects across the US to be funded in federal FY2027.
- October 28th - Madison Gore, Dieter Rudolph, and Aaron Black shadowed a Sustainable Forestry Initiative audit on Musket Mountain along with The Conservation Fund. Simultaneously, The Conservation Fund hired a professional photographer/videographer to capture footage for future Musket Mountain outreach materials. OFS ensured footage for forest management and wildfire protection was captured, so they can be a strong aspect of future messaging.



### **Forest Heritage Center – Shalee Buzan**

#### ***Key Updates:***

#### **Beavers Bend Folk Festival & Craft Show**

- Planning is still underway for the 30th Anniversary Festival in November, themed *Community, Culture, and Craftsmanship*. Sponsorships and marketing are designed to make this milestone event especially memorable.

#### **Looking Ahead – 2026**

- Continue enhancing exhibits (new additions planned).
- Strengthen grant writing and digitization efforts.
- Expand ADA accessibility and multilingual integration.
- Formalize volunteer programming.

### **Forestry Education Program – Tony Pascall**

- On September 2<sup>nd</sup>, Education Coordinator Tony Pascall and a volunteer co-facilitated a Project Learning Tree workshop for all 45 middle school science teachers in Edmond Public Schools. These educators received resources and training on how to teach about forestry and their environment to their students. Over the next two weeks, we did additional planning time with the teachers by grade level in order to continue to support their implementation of this resource.





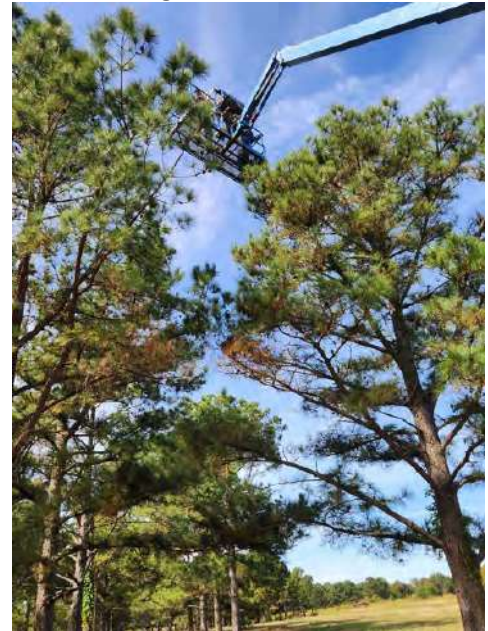
- On October 2<sup>nd</sup>, Tony taught a lesson on the importance of trees and trees as habitats for the Kingfisher Outdoors Classrooms. About 150 4<sup>th</sup> graders learned about the different values of forests.
- On October 6<sup>th</sup> and 7<sup>th</sup>, Tony taught the Elementary Science Methods courses at the University of Oklahoma. 40 future educators in our state learned best practices for outdoor education, as well as how to implement PLT into their teaching. These future teachers will have access to forestry education resources and activities to incorporate in their classrooms for their entire career.
- On October 8<sup>th</sup>, Tony and a volunteer co-facilitated two PLT workshops for about 30 Norman public school teachers, including an early childhood education workshop for teachers who work with kids aged 1-6.



- On October 10<sup>th</sup>, Tony attended, and lead a PLT teaser for the Secondary ELA consortium of curriculum advisors for the state of Oklahoma. Approximately 20 administration proffesionals were in attendance, and learned about the program, and how they could get a workshop for their own schools and districts.
- On October 13<sup>th</sup>, Tony and Secretary Rebecca Carlton taught about 120 3<sup>rd</sup> graders about sustainable forestry and the importance of trees at the Okaridge Elementary Ag day in Moore.
- On October 20<sup>th</sup>, Tony and a voluteer team co-facilitated two PLT workshops for Putnam City public Schools in OKC. One for all 14 STEM educators in the system, and one for 27 Middle School science teachers.
- On October 22<sup>nd</sup>, Tony and a volunteer team taught over 180 students about tree measurement and ID at the Envirothon Field Day in Stillwater. Many of these students will compete at the state competition in April 2026, and this training will help them to be more prepared as they study forestry on their own.
- On October 24<sup>th</sup>, Tony led the Oklahoma Association for Environmental Education (OKAEE) board meeting at the nature center at Martin Nature Park, in his role as board president. The meeting focused on capacity building and work on the EE Expo, coming up in February 2026.

## **Forest Regeneration Center/Forest Tree Improvement Center – Justin Jones**

- Seedling sales kicked off on October 1st, and interest has been strong across the state. So far, 234 orders have been placed, totaling 284,500 conservation seedlings and generating approximately \$125,750 in revenue. Demand remains steady as landowners prepare for upcoming planting projects focused on wildlife habitat, timber production, windbreak establishment, and broader conservation goals.
- Pinecone harvest took place at the FTIC in Idabel throughout October and into November. Crews collected cones from genetically improved loblolly, shortleaf, and Virginia pine orchards. These improved seed sources support a variety of conservation needs, with loblolly and shortleaf primarily used for timber production and Virginia pine serving both conservation plantings and regional Christmas tree production.
- The cover crop at the Forest Regeneration Center is off to an excellent start. Planted just last month, it has established dense, healthy growth across the fallow fields. This cover crop is already helping protect soil, suppress weeds, and improve overall soil health—supporting the Center’s goals of growing quality bareroot seedlings for future regeneration and conservation purposes.



## **Water Quality – Aaron Black**

### ***Best Management Practices***

- A total of six (6) completed logging tracts and one (1) thinned tract have been surveyed for BMP implementation, all on industry lands. A combined total of over 1100 acres has been inspected with an average score above 94% implementation.
- Inspections were conducted in Pushmataha County and Latimer County.
- Stream Side Management zones have been at 100% implementation and no risk to water quality has been identified at this time.
- Dry weather has led to favorable logging conditions resulting in high BMP implantation effectiveness and scores. conditions have resulted in more tract access and high scores in all areas.



**Example of road construction with water diversion practices  
in Latimer County**



### ***Education and Training***

- Four (4) individual private landowner site visits were made to Pottawattamie County and Hughes County where OFS grant opportunities and erosion prevention measures were discussed. Concerns for stream degradation and cattle grazing are a common topic for landowners looking to mitigate soil loss and erosion. OFS offers opportunities to plant riparian buffers and place strategic exclusionary fencing to aid in water quality protection that landowners find beneficial.
- The OFS Water Quality program has participated in two (2) outreach events with over 150 in attendance educating school age children and young adults on career opportunities with OFS and informing the public of services we provide.



### **EASTERN OKLAHOMA REGIONS**

#### **NE Area Highlights – Kaley Helton/Craig Longshore**

##### ***Forest Protection***

- From September 1<sup>st</sup> through October 31<sup>st</sup>, the Northeast Area had four (4) fires in the protection area for 63.4 acres. Two structures were saved and none were lost.
- Matt Hendrix and Travis Garrison attended a wildfire academy in Bastrop, TX. They both attended S-270 and Travis also attended S-236. These classes were attended to further their knowledge of wildland fire aircraft and equipment. This training will improve their situation awareness and contribute to a safer and more effective when performing their job duties.
- NE Area had fire equipment inspections in October. Safety Officer Rick O'Daniel inspected every NE transport, dozer, and type 6. Also, fire shelters were inspected for fireline employees to ensure safety while performing their fireline duties.
- Through the month of October, the NE Rangers scouted and started seed collection for species targeted by the nursery. Most of these seed collections are completed and currently waiting on Shumard Oak acorns to fall.
- Forest Ranger David Morris, with help from David Jones and Kasandra Roberts, fabricated bumpers for the new JD 650Ps. These will help to protect the back boxes, AC system and water tanks on this equipment.

##### ***Fire Prevention/Events***

NE Area Rangers had multiple fire prevention programs/events. A list below of event location and how many people attended the event:

**Example of riparian forest  
management consultation in  
Pontotoc County.**

- Braggs School – 150
- Peggs School – 75
- Pryor-Lincoln School – 110
- Pryor CDC – 45
- Craig County Conservation Day – 100
- Cherokee Elementary – 100
- UKB Safety Fair – 175
- Westville School – 50
- Boys and Girls Club Stilwell - 50



### ***Forest Management/Programs***

- Harris Groberg completed Forest Stewardship monitoring for the NE Area. The Stewardship Monitoring helps OFS accurately assess what activities and “on the ground” accomplishments are being conducted on those properties OFS has written stewardship plans for. This data is then provided to the U.S. Forest Service on a yearly basis.
- Harris assisted four (4) landowners with timber harvest information, prescribed burning, and forest pest information. Craig Longshore has assisted three (3) landowners with prescribed burning information and planning.
- Harris completed two (2) Forest Stewardship Plans for properties in the NE Area. The first property was near Locust Grove and this plan covered 15 acres and focused on visual screen planting. The next plan was near Warner. This plan covered 105 acres and focused on wildlife habitat improvement and invasive species control.
- Craig Longshore and Harris Groberg met with ODAFF Ag Investigators in Delaware County to look over a possible timber theft. A plan was created if OFS needed to conduct a measurement of stolen timber.
- Craig Longshore and Kaley Helton attended a Worklahoma event held in Tahlequah. This event focused on networking for possible further employment opportunities.
- Harris Groberg and Craig Longshore attended a Journey of Hope event held in Hominy, OK. Along with the Hominy Softball team they planted the survival tree seedling in an area that can grow and thrive hopefully for years to come.

### ***Administrative***

- Kaley Helton received her certification for ICS 300 & 400 at Monkey Island Fire Department in September & October.

### ***Ongoing Issues & Upcoming***

- Smokey Event- Boys & Girls Club Dahlongah 11/6/25
- Smokey Event- Boys & Girls Club Zion 11/13/25
- Smokey Event- Boys & Girls Club Rocky Mountain 11/20/25
- S-130/190 Jenks Fire Department – 12/2-4/2025



## **EC Area Highlights – Eve Hawkins/Caleb Fields**

### ***Forest Protection Highlights:***

- Since the last board report submission, EC has suppressed eight (8) fires within the EC protection area for a total of 51 acres. One primary structure was saved at a total value of \$40,000 and no structures were lost.
- The third full week of October brought another round of rainfall resulting in approximately 3.0 inches of precipitation that continued to hold wildfire occurrence in check.
- During September and October five (5) Wilburton rangers staffed an OFS Type 6 engine and provided fire response in California.

### ***Hazardous Fuels Mitigation:***

- Work began for the hazardous fuel mitigation project on the Oklahoma VFW Homes property south of Wilburton. These activities included fuel break construction along the northern end of the property adjacent to veterans' homes and firelines were constructed around the perimeter of the property in preparation for broadcast burning. Multiple EC rangers are assisting on this project. Forester Eddie Woods also completed two (2) prescribed burn plans covering 425 acres.



VFW Oklahoma Homes pile burning along northern fuel break



***Forest Management Highlights:***

- Forester Eddie Woods prepared three (3) Forest Stewardship plans with one covering 7,602 acres for the San Bois Wildlife Management Area in Haskell county.
- Forester Brandon Faulkenberry worked with aerial spraying contractors to complete mid rotation release and site prep spraying on four (4) properties totaling 206 acres.
- Foresters and rangers assisted with walnut, acorn, and pinecone collection at various locations within the EC Area and at the Forest Tree Improvement Center in Idabel. All seed collected is bagged and sent to the Forest Regeneration Center in Goldsby to be planted and grown into seedlings for the following year's seedling sales.

***Information / Education Highlights:***

- Wilburton rangers set up and manned a fire prevention booth and had Smokey Bear in attendance at the Latimer County Free Fair. Wilburton rangers also attended and provided representation at Quinton and McCurtain at the community Halloween carnivals.
- Wilburton rangers and forester Eddie Woods set up and manned a fire prevention and forest management booth at this year's Fall Festival held at Robber's Cave State Park despite some soggy weather.
- Forester Brandon Faulkenberry attended the Journey of Hope events in Okfuskee, McIntosh, and Haskell counties with forester Caleb Fields also attending the Okfuskee county event and forester Eddie Woods also attending the Haskell county event.
- Forester Caleb Fields and ranger Arron Sumpter attended and assisted with Walk In the Forest at Beaver's Bend State Park. The event was a success, and multiple people of all ages were reached.



- Foresters Eddie Woods and Brandon Faulkenberry set up and manned an OFS booth at the LeFlore county career day held at Carl Albert State College. Eddie Woods gave a forestry presentation to the Panola 4-H students.
- East Central rangers conducted Smokey Bear school programs at 19 different area schools reaching an approximate total of 3,160 students.

#### ***Equipment update:***

- Fire equipment can take a beating due to the steep terrain and rocky ground we encounter during fireline construction activities. At times, repairs must be made in the field. While working on the VFW Oklahoma Homes fuels management project, we had a track come loose due to broken track bolts. Many of the rangers employed with OFS have the mechanical expertise to make in-the-field repairs such as the one mentioned. This not only prevents lengthy downtime, but it also helps with significant savings on repair. This mechanical knowledge is one of the things that helps OFS maintain a fire-ready fleet of equipment despite years of hard use.



**Safety / Training Highlights:**

- Sixteen (16) EC Area employees renewed their training in Defensive Driving and/or First Aid/CPR/AED with Rick O'Daniel. Due to the nature of our jobs and the remote locations we work in, it necessitates having at least some basic training in first aid and CPR should there be a medical emergency on the fireline or during our daily duties.
- Rangers Clayton Hurst and Bobby Kennon attended the Choctaw Nation of Oklahoma Fire Management Technology Workshop at Daisy, OK that highlighted and discussed drone use during fire management and suppression activities.
- The EC Area conducted fire shelter inspections to check the condition of the fire shelters that are carried during fire all fire management activities. At the beginning of each year before Oklahoma's spring fire season begins, EC employees take an annual fireline safety refresher course that includes fire shelter handling, care, inspection, and deployment.

**SE Area Highlights – Brock Hill/Tama Lester****Forest Protection Highlights:**

- In Protection Fires:
  - September = 7 fires 125.8 acres
  - October = 30 fires 252.3 acres
- Structures lost: 0
- Structures saved: 13
- Pat Wayman and Steve Painter returned from out of state fire assignments in September.
- Tama Lester, FSCC-t, completed a fire assignment in Montana on the Windy Rock Fire in September.

**Forest Management/Programs Highlights:**

- Will Phifer had 15 landowner visits/exams for September and October
- Tyler Hyatt had four (4) landowner contacts in September and nine (9) in October with various landowners to plan and conduct site visits for timber management and RX Burns.
- Jacob Lewis had six (6) landowner contacts in September and eight (8) in October with various landowners to plan and conduct site visits for timber management, health and RX Burns.
- Jacob Lewis, Service Forester, prepared two (2) Stewardship/RXB plans for a total of 239 acres.
- Will Phifer wrote two (2) Forest Stewardship plans in McCurtain County, 48 and 116 acres.
- Many rangers participated in the annual seed collection at the Tree Improvement Center in Idabel, collecting three different species of pinecones and persimmon seeds for the nursery.
- District 1 Rangers/Foresters collected 200+ lbs. of White Oak seed and 150+ lbs. of Overcup Oak seed for the Nursery.
- Will Phifer and Jacob Lewis installed and monitored eight (8) IPS Beetle traps in McCurtain, Pushmataha and Choctaw Counties. This information is sent to USDA Research Station in Alexandria, LA.

**Rx Assistance:****Safety/Training Highlights:**

- Pat Wayman held two (2) safety meetings on (1) pipeline safety; (2) and the importance of watching changing weather with the use and comprehension of new fire weather modeling and terminology regarding fire weather behavior.
- Tyler Hyatt held a safety meeting over chainsaw equipment inspection and chainsaw safety.



- Will Phifer held two safety meetings for the district 1 rangers – Pipeline Safety and Fire Shelter Inspection and Replacement.

#### **Employee Recognition/Other:**

- Don Cook and Sonny Johnson attended the Fire Chiefs meeting in McCurtain County.
- Tony Macon attended the Fire Chiefs meeting in Pushmataha County in September.
- Steve Painter, Jacob Lewis, Justin Grimmett, Tyler Hyatt, Pat Wayman and Brock Marble ran a booth at the Antlers Deer Festival where Smokey made guest appearances. Approximately 500 people visited Smokey at the deer festival.
- Tony Macon, Pat Wayman, and Woodrow Wilson held a Smokey program at Tuskahoma Public Schools on October 3<sup>rd</sup>. There were 84 kids in attendance with age groups ranging from Pre-K to 4<sup>th</sup> grade.
- Derik Gee, Terron Gee, and Woodrow Wilson held a Smokey program at Nashoba Public School on October 6<sup>th</sup>. There were approximately 40 kids in attendance ranging in age from 2<sup>nd</sup> to 4<sup>th</sup> grade.
- Brock Marble and Adam Burleson held a Smokey program at Harmony Public School on October 7<sup>th</sup>. The entire school attended with approximately 350 kids ranging from Pre-K to 8<sup>th</sup> grade.
- Brock Hill, Tyler Hyatt, Pat Wayman, Forrest Cave and Terron Gee participated in media day at Musket Mountain State Forest. Equipment used included a new transport and dozer, new T6 Engine, and new UTV. Dieter, Aaron and Madison were also in attendance.
- Brock Hill, Tyler Hyatt, Pat Wayman, Forrest Cave and Terron Gee participated in media day at Musket Mountain State Forest. Equipment used included a new transport and dozer, new T6 Engine, and new UTV.
- Jacob Lewis, Brock Marble, Derik Gee, Steve Painter, Colton Fuller, Tony Macon, and Bryden Walker represented OFS at the Pushmataha County Fair with Smokey making a handful of surprise visits. There were approximately 300 people that visited the booth sponsored by OFS.
- Will Phifer and Tony Tunnell attended the OFA Banquet at Idabel.
- Jacob Lewis, Service Forester at SE, attended the following tree planting ceremonies with the Journey of Hope tree: Davis Schools, Madill Schools, Durant Schools, and Thackerville Schools.

#### **Upcoming Events/Activities:**

- SPB thinning – Southern McCurtain County, 66 acres
- Site Preparation: Ripping
- Hochatown Mapping and Collecting
- Cross Boundaries Rx Burns
- Ordering and installing Evac signs in Hochatown



## CONSUMER PROTECTION SERVICES DIVISION

### DECEMBER 12, 2025, BOARD MEETING REPORT FOR SEPTEMBER/OCTOBER 2025

#### PESTICIDE SECTION

##### Pesticide Registration Activity

Pesticide registrations from September 1st to November 1st in 2025 are presented in the following chart. A total of 2824 products were registered, of the registered products, 2531, were renewals and 293 were new. There were 225 products cancelled.



##### Pesticide Samples

Pesticide samples taken September-October 2025 is presented in the following chart. A total of 51 with 32 Residue, 2 Tank Mix, 5 Concentration, and 12 Documentary samples were taken.

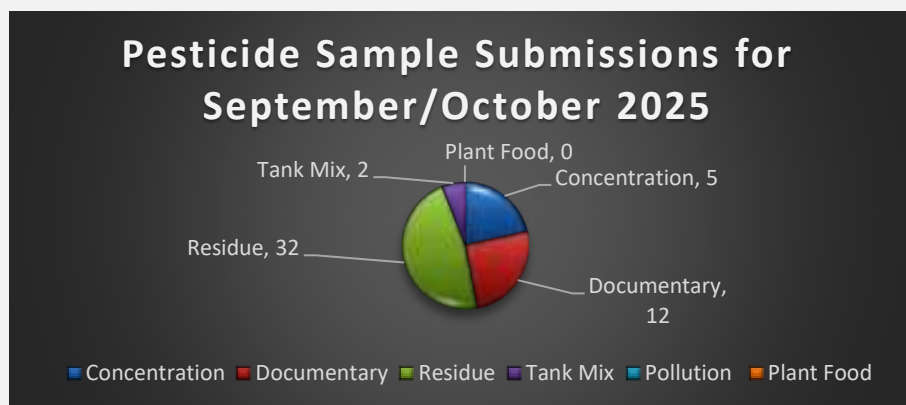


Table 1. Inspection Count for August-September 2025\*      Number of Inspections

Inspection Type	September	October	Two Month Total
CPS Investigation Form	18	32	50
Marketplace	10	42	52
Pesticide Applicator Facility	25	21	46
Pesticide Service Inspection	0	0	0
Restricted Use Pesticide Dealer	11	27	38
Container Containment Inspection	1	0	1
Producer Establishment	5	2	7
Use	28	27	55
Termite	2	1	3
Wood	0	0	0
Pre-treat	4	3	7
Drift Investigation	0	0	0
Pesticide Label	74	106	180
Worker Protection	16	0	16
Total	194	261	455

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

Along with the above inspections CPS field agents also took 34 nonagricultural use samples, 2 agricultural use samples, and 15 producer establishment samples for a total of 51 samples.

### Pesticide Applicator Licenses

Out of 1,228 licensed companies, 1,105 have renewed for the following year.

Stop Work Orders – 377 SWOs issued in total; 323 SWOs issued in October companies that did not renew their license by the September 30 expiration date.

### Pesticide Certified Applicators

Pesticide categories renewing this year: 4-Seed Treatment, 5-Aquatic, and 7c-Fumigation

Recertification letters were sent out to 474 certified applicators in the first week of September. Of those 474 applicators, 123 have renewed their certification for the next cycle.

### Unwanted Pesticide Disposal

ODAFF held two unwanted pesticide disposals one on November 12<sup>th</sup> in Pond Creek at the Grant County Fairgrounds, the other was held November 13<sup>th</sup> in Clinton at the Custer County Fairgrounds. The collection was scheduled from 8:00am until 1:00pm. The Pond Creek event collected over 19,400 pounds and the Clinton event collected over 41,900 pounds, for a two-day total of 61,395 lbs. of unwanted pesticides. ODAFF started the Unwanted Pesticide Disposal Program in 2006, since the start of the program ODAFF has collected almost 1.6 million pounds of unwanted pesticides. ODAFF works with our hazardous waste contractor, CleanEarth to dispose of these pesticides.

## Pesticide Complaints

PESTICIDE COMPLAINTS	September 1, 2025 – October 31, 2025			
	RECEIVED	CLOSED	WARNINGS ISSUED	NO ACTION
CONSUMER GENERATED:	20	17	18	17
MUSK THISTLE:	0	0	0	0
PMR CASES:	14	4	0	14
CASES REFERRED TO OGC:	18			

## ENVIRONMENTAL RESOURCE AND HORTICULTURE SECTION

### *Plant Protection Program*

### Phytosanitary Certificates

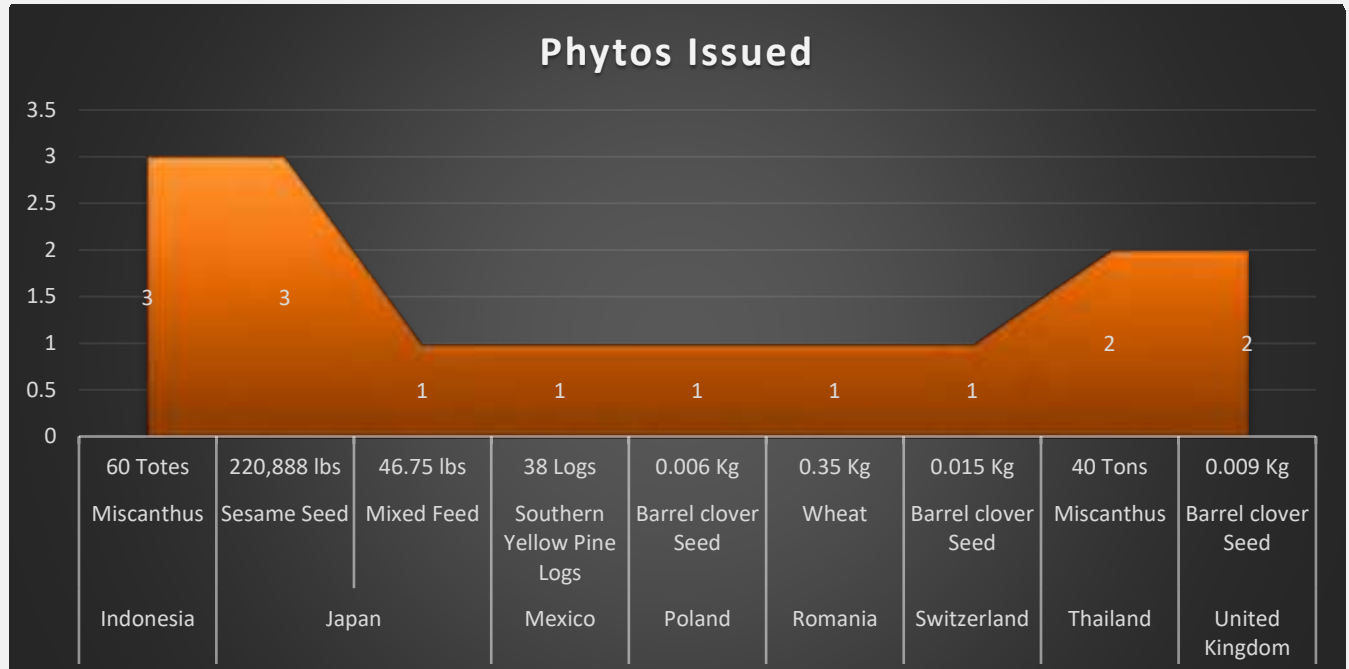
Federal phytosanitary certificates Issued from September - October 31, 2025

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

10 Federal phytosanitary certificates issued @ \$106.00 each

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

6 Federal phytosanitary Certificates issued @ \$61.00 each



### State

State phytosanitary certificates Issued from September 1-October 31, 2025.

264 phytosanitary certificates for 6955 plants.



### **Oklahoma Grape Growers & Winemakers Conference**

Joe Rackley and Melissa Beets represented the CPS Division at the Oklahoma Graper Growers & Winemakers Conference on November 4<sup>th</sup>, 2025, at the Edmond Conference Center. Outreach to the public and conference guests was performed to educate the growers on pests that may be present or pose a danger to vineyards. Additionally, ODAFF, with the assistance of the OU Geospatial Department, presented the Sensitive Crop Viewer for grape growers to view and hopefully register their crops. “Be a Good Neighbor” signs were distributed to encourage neighboring farms to be cognizant of pesticide drift. OSU Viticulture & Enology was present, as was PDIDL-OSU’s Plant Disease and Insect Diagnostic Lab.



Figure 1: Joe Rackley, CPS CAPS Coordinator & State Apiary Program Administrator, presenting pest information.

### **Negative Japanese Beetle Traps**

Yearly trapping took place at 3 nurseries in Garvin, Carter, and Marshall counties. All 40 traps, that were set by May 20<sup>th</sup>, 2025, and removed on October 1st, 2025, were negative for Japanese Beetle.

### **Neopestalotiopsis spp. Positive Strawberries**

The ODAFF was contacted by OSU diagnostic lab with confirmation of *Neopestalotiopsis* spp. presence on October 21st, 2025. Samples of strawberry plants (varieties Ruby June & Camarosa) were brought to OSU by a representative of an organic farm in Bixby, OK on October 15th, 2025. The 55,000 strawberry plugs were purchased from a farm in Kentucky who had an 80% crop loss the year before the fungus. The plugs were picked up in person by the organic farmer and brought back to Oklahoma in a box truck. After planting on October 6th- 8th, the farmer realized the plants were not healthy.

### **SANC**

SANC Audit – Melissa, Rusty, and John participated in Greenleaf Nursery’s annual SANC Systems audit on November 13th, 2025. SANC is a program through the National Plant Board that encourages nurseries to use a systems approach to combat plant pests and diseases.

### *Hemp Program*

There are currently 90 hemp growers, 40 hemp processors/handlers, 324,076 licensed sq ft, and 3107 licensed acres.

## **AGRICULTURE RESOURCE SECTION**

### Fertilizer Program

#### *Program Performance*

Below you will find the performance numbers for the fertilizer, agricultural lime, and soil amendment programs for the time-period September 1st – October 31st, 2025.

Sample Type	Number	Deficiency Penalty/SS
Fertilizer	110	16
Lime	13	-

Investigation Type	Number
Letters of Warning or Deficiency	0
Dry Bulk Fertilizer Storage Facility	87
Liquid Bulk Fertilizer Storage Facility	63
NH <sub>3</sub> Nurse Tank Inspections	0
NH <sub>3</sub> Storage Tank Inspections	0

Joshua Maples, Fertilizer Program Administrator, represented Oklahoma at the 2025 Association of American Plant Food Control Officials (AAPFCO) Administrator’s Seminar in Long Beach, CA from October 27th-31st. His attendance provides Oklahoma with a voice in leadership in AAPFCO decision making, as Joshua is a current Board Member. The purpose of AAPFCO is to help achieve regulatory uniformity through state regulations, as well as provide regulatory control officials and industry a chance to interact and discuss the implementation of regulatory decisions. AAPFCO’s mission highlights the benefits of involvement and inclusion from the state regulatory programs to better maintain uniformity across the states about the regulation of our industry: “The mission of the Association of American Plant Food Control Officials is to establish uniform standards that promote consumer protection, environmental stewardship, and provide a forum to achieve regulatory consensus.” The purpose of the Administrator’s Seminar is for states to gather as control officials to build comradery and work together towards uniformity and consensus across the continent. Attendee representation spanned 32 control officials across 19 states plus Canada. We also had guest attendees/speakers from TFI, NASDA, and EPA.



Figure 2: Josh Maples, presenting at the AAPFCO Administrator’s Seminar.

## Feed Program

### *Program Performance*

September 1-October 31, 2025, reporting period there were a total of 204 official feed samples analyzed, with 1052 feed determinations made from these samples. These determinations resulted in the issuance of 47 violations for feeds or feed ingredients that did not meet established tolerances based on their guaranteed analysis. Most of these violations were issued for products deficient in Crude Protein. Other violations include Vitamin A, Zinc, Calcium, Potassium, Salt, Copper, Crude Fiber, Phosphorus, Manganese and Crude Fat.

Twenty-eight stop sales orders were issued for feed products with severe deviations from their guaranteed analysis. Twelve stop sales were issued for products deficient in Vitamin A. Six stop sales were issued for products deficient in Calcium. Three stop sales were issued for products that exceeded the max guarantee for Crude Fiber. Two stop sales were issued for products deficient in Crude Fat. Two stop sales were issued for products deficient in Zinc. One stop sale was issued for a product deficient in Crude Protein. One stop sale was issued for a product deficient in Salt. One stop sale was issued for a product deficient in Copper.

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 September 2025 – October 2025**

Nutritional Guarantee	Number of Label Violations		
	October <sup>1</sup>	September <sup>2</sup>	Two Month Total
Crude Protein	15	19	34
Non-protein Nitrogen	0	0	0
Crude Fat	1	5	6
Crude Fiber	2	2	4
Calcium	4	5	9
Phosphorus	1	2	3
Salt	3	1	4
Magnesium	0	3	3
Potassium	3	3	6
Copper	3	3	6
Manganese	1	1	2
Iron	0	0	0
Zinc	5	3	8
Vitamin A	9	13	22
Methionine	0	0	0
<b>Total</b>	<b>47</b>	<b>60</b>	<b>107</b>

<sup>1</sup> 204 feed samples analyzed with 1057 determinations; <sup>2</sup> 207 feed samples analyzed with 1061 determinations



**Table 2. Feed Stop Sale Summary September 2025 – October 2025**

Nutritional Guarantee	Number of Stop Sales		
	October <sup>1</sup>	September <sup>2</sup>	Two Month Total
Crude Protein	1	3	4
Non-protein Nitrogen	0	0	0
Crude Fat	2	4	6
Crude Fiber	3	3	6
Calcium	6	6	12
Phosphorus	0	1	1
Salt	1	3	4
Manganese	0	0	0
Potassium	0	0	0
Copper	1	3	4
Zinc	2	3	5
Vitamin A	12	12	24
Medicated Feed	0	0	0
<b>Total</b>	<b>28</b>	<b>38</b>	<b>66</b>

<sup>1</sup> 204 feed samples analyzed with 1057 determinations; <sup>2</sup> 207 feed samples analyzed with 1061 determinations

### Weights & Measures Program

September 1-October 31, 2025 the large capacity scale technicians tested 222 Vehicle scales and 28 of the scales were rejected.

CPS Field Agents checked a total of 925 small scales and 39 platform scales, 9 of the scales were rejected. There were 20 random pack inspections, and 121 standard pack inspections conducted that resulted in 13 companies receiving letters of warning and 2 companies receiving a Stop Sale. Additionally, 208 price verification inspections were conducted at various retailers that resulted in seven companies receiving a letter of warning.

One company received a letter of warning and 1 company received a Stop Sale for labeling violations.

A total of 10 scale companies received a letter of warning for not properly servicing scales while 1 scale company received a letter of warning for not submitting a placing in service report.

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  
December 12, 2025  
Activities September 1, 2025 – October 31, 2025

**Animal Disease Traceability:**

During this time, we distributed 23,300 orange calfhood vaccination EID tags to veterinarians, and 102,720 official EID tags to veterinarians, livestock markets, and producers. We also distributed a wand and laptop with market software to new livestock market veterinarians. We have successfully

13 new accounts were opened for the no-cost electronic CVI we offer to Oklahoma veterinarians. Since we stopped distributing paper CVIs at the end of December, we have seen a drastic decrease in the number of paper CVIs being returned, and an increase in the number of electronic CVIs. To date, 87% of all export CVIs have been received electronically and 75% of all import CVIs were received electronically.

AIS continues to work with Acclaim services through the transition planning for moving the information from USA Herds to the new Ag Enterprise platform. We are continuing UAT phase and anticipating going live with AgE in January. We have pushed the date back to accommodate the power outages at the office and to ensure the licensing modules are ready to go.

Marissa McLaughlin assisted the Oklahoma Department of Corrections with updating their premises identification numbers for all their facilities that have livestock production. We also provided EID tags for use in replacement cattle.

We continue to assist Investigative Services with cattle theft investigations by reviewing official identification records in USAHerds to determine if movement has occurred.

On September 11-21, AIS staff checked livestock in at the Oklahoma State Fair.

On September 25-October 5, AIS staff check livestock in at the Tulsa State Fair.

**Aquaculture:**

During this timeframe, we received a complaint that a gas station in Tulsa was incorrectly labeling cooked Swai fish as catfish. We forwarded this complaint to OSDH.

During this timeframe we registered two new transport vehicles with a current license.

**Biologics:**

During this time, we registered three new biological products.

We continue to work with poultry companies and vaccine manufacturers to allow the importation and use of avian Metapneumovirus vaccine in commercial poultry flocks.

We are participating in USDA's National Milk Testing Strategy. As part of that program, we will test every licensed dairy in Oklahoma monthly. Testing for the first ten months of 2025 has all been negative. Once all states have achieved negative status for several months, the US will be declared free of HPAI in the dairy herd.

## Brucellosis:

The only remaining reservoir of *B. abortus* in the U.S. is in elk and bison in the Greater Yellowstone Park area.

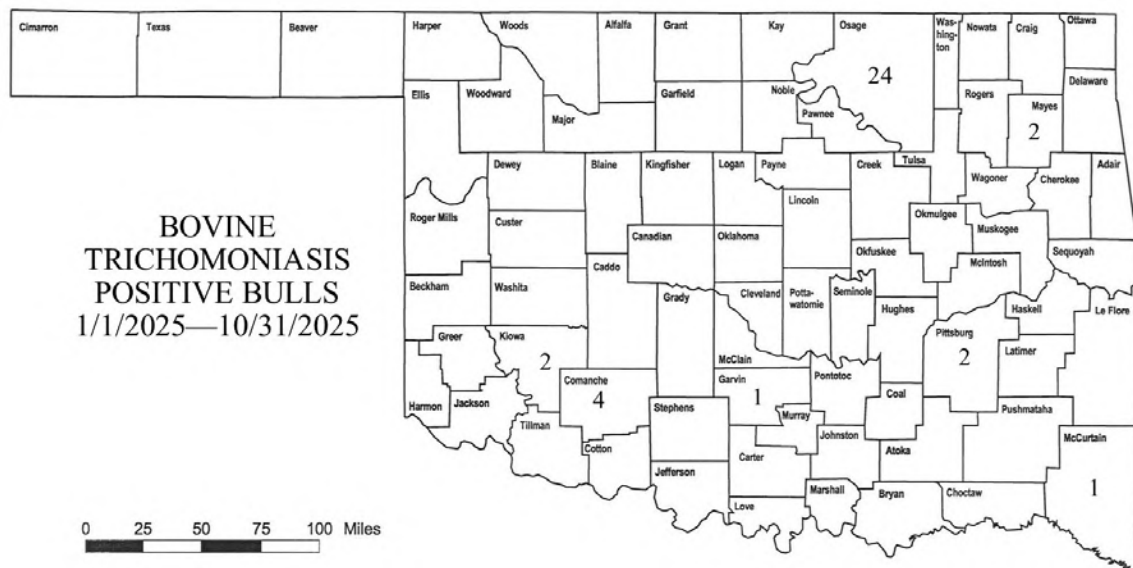
While there is very little need to test for *B. abortus* any longer, this means we have very little or no surveillance for *Brucella suis* (Swine Brucellosis) in cattle, which currently infects approximately 20% of the feral swine that our Wildlife Services personnel test. *B. suis* can, and does, infect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

## Tuberculosis:

There was no significant activity in the Tuberculosis program during this time.

### Trichomoniasis:

During August, there were 2,855 Oklahoma bulls tested for Trichomoniasis with 27 positive confirmations.



13,840 bulls tested / 36 positive = 0.26% positive

Our current statistics compare to 2.1% positive bulls in 2011, 1.4% 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, 0.35% in 2020, 0.28% in 2021, 0.3% in 2022, 0.22% in 2023, and 0.13% in 2024.

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

We received 31 positive Johnes's reports with nine coming from previously known premises and 22 as newly identified premises. Year to date we have 85 positive reports

with 25 coming from previously known premises and 60 from newly identified positive premises.

For the past several years we have seen the number of goats that are positive for Johne's increase and the number for other species decrease. It is difficult to know when this started but we know the number of goat farms has increased. And Johne's in goats is difficult to even suspect as these animals look and act normal until late in the disease progression. It is not surprising to see a goat go from looking active, happy and healthy to end stage of life in about 30 days. Thus, identification and elimination within goat herds is difficult and husbandry practices for most meat goat production systems are not sufficient to stop within herd spread.

Dr. Stone continues to help veterinarians and producers understand the disease risk, ways to manage the disease and work out testing strategies to identify infected animals for culling while meeting the producer's goals.

**Emergency Management:**

On September 8 and 9, Austyn Fuss, intern Halle Pullen, and Dr. Gorczyca participated in a Secure Beef Supply exercise at Cimarron Feeders.

On September 9, I gave a presentation titled *The State Veterinarian's Role in Animal Emergency Response* to the OSU CVM's Introduction to Veterinary Emergency and Disaster Management class.

On September 12, Dr. Gorczyca, Dr. Parrott, and I met with several personnel from Oklahoma Emergency Management to discuss Emergency Support Function 11 plans and responsibilities.

On September 16, Dr. Gorczyca participated in an exercise hosted by OSU Extension that was conducted in conjunction with the NE OK Emergency Management Association's annual meeting. Afterwards, Dr. Gorczyca provided an overview of New World Screwworm current events.

Dana Call has initiated activities associated with the NADPRP grant for collaboration with Tribal Nations to increase Foreign Animal Disease awareness and planning. On October 9, Dana and Dr. Gorczyca met with leaders and staff of SES, to discuss the tabletop exercise they will be providing as part of the grant funding.

On October 15, Dana attended the Inter-Tribal Emergency Management Coalition (ITEMC) meeting in a continued effort to build rapport with Oklahoma's federally recognized tribes to meet the objectives of training opportunities funded through the grant. A working group has been formed with ITEMC members to facilitate the creation of a database of tribal contacts for this and other training opportunities for tribal emergency management personnel.

The training working group met virtually on October 24, 2025. We have initiated the vendor and contract requirements for SES and the Kansas State University NABC, who will provide animal disease response training to tribal participants.

On October 25 and 26, Dana completed training for Emergency Animal Sheltering through the Oklahoma Medical Reserve Corps, small animal response team. Dana has completed the requirements to be an OMRC volunteer and will continue training early next year to become a trainer for emergency animal sheltering.

During this time, we were able to conduct respiratory fit testing for AIS and AEMS inspectors. It is critically important to have our field staff current on their fit testing so that they can respond to HPAI cases.

#### **Equine Programs:**

There have been 8 positive equine West Nile Cases since the last board report.

On September 23, we were notified of a case of Equine Infectious Anemia (EIA) in Garvin County. The diagnosis was officially confirmed on September 25, and the affected horse was euthanized on October 1. The investigation determined that the horse originated from Texas and entered Oklahoma in August 2025 for training, accompanied by a negative EIA test dated March 2025.

The horse was exposed to EIA at a veterinary clinic in Texas during July or August of 2024. Before the horse's positive status was known, exposed Oklahoma horses had been sold through two sales, resulting in trace-outs to approximately 15 states, including Oklahoma. In total, roughly 100 exposed horses have been identified. All exposed horses located in Oklahoma, as well as the horses at the training facility, were placed under quarantine.

Currently in Oklahoma, 48 horses remain under quarantine pending completion of required testing. Five horses have completed their testing protocol and have been released. To date, no additional EIA-positive horses have been detected in Oklahoma or in any of the other states involved in the trace-out.

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

The fall purchase cycle for farmed cervidae producers and commercial hunt area businesses continued through October. AIS issued 41 entry permits for a total of 461 deer and elk.

September 1<sup>st</sup> was the effective date for abolishing the CWD Herd Certification Program in Texas. Producers from Oklahoma and other states no longer can move any CWD susceptible species originating from Texas.

Genetic testing results for the current CWD cooperative agreement sample submissions were completed in September. AIS received funding through the 2026 USDA CWD cooperative agreement to test a portion of Elk and Whitetail deer who are from CWD HCP certified herds.

**Feral Swine:**

We continue to work with Acclaim and OMES for data migration from Kelly Registration Solutions to Ag Enterprise and continue to work in the staging environment.

There has been an increase in feral swine hunter license applications during this reporting period.

**Foreign Animal Disease:**

We had one FAD investigation during August. It was due to the suspicious fly larvae reported in McClain County. Due to some miscommunications about our agreement with USDA to utilize OADDL and PDIDL for routine fly larvae submissions, the case was assigned a FAD referral number. Once that occurred the samples had to be transported to NVSL and treated as a FAD investigation. As expected, there were several species of fly larvae recovered from the calf, none of which was New World Screwworm.

On September 17, October 8, and October 28, the Oklahoma New World Screwworm (NWS) Working Group met to discuss ongoing planning for a potential NWS incursion.

On September 24-25, Dr. Gorczyca and I attended the New World Screwworm Conference in Kansas City, MO.

On October 7, Dr. Gorczyca and I met with two veterinarians from Seaboard Foods to discuss commercial swine movement if farms are in a New World Screwworm infested zone.

**Livestock Market Audits:**

During this period, staff conducted follow-up audits of 4S Livestock Auction's custodial account. The relatively new market recently received a letter of warning regarding its custodial account practices. Staff plans to perform periodic check-ins to ensure producer's funds are being handled according to state and federal laws.

Also, staff has been working with Kory Pearson of Stroud as he is in the process of constructing a new livestock market designed to auction horses. Mr. Pearson plans to be open for business in the early months of 2026.

In addition to this market activity, this division sent packets to a few individuals interested in the sheep and goat marketing business. This period also allowed for a few additional custodial account audits.

**Livestock Auction Market Activities**

Auction market licenses issued	0
Auction market licenses pending	0
Market custodial audits completed	7
Auction market complaints investigated	0
Fines collected	0
Livestock Markets with Legal Action	0

**Outreach:**

On September 11, I traveled to Clinton to give a presentation about New World Screwworm to the Farm Credit Western Division Staff.

On September 13, I assisted personnel from OSU CVM, OK Pork Council, ODAFF Administrative Office, and others at ExpOSure at the Oklahoma State Fair.

On September 14 and 18, I worked shifts in the Oklahoma Veterinary Medical Association (OVMA) Barnyard Birthing Center at the Oklahoma State Fair.

During the Oklahoma State Fair, Dr. Stone spent a lot of time helping to oversee and manage the OVMA Barnyard Birthing Center.

On September 16, I submitted the State Veterinarian Report to the OVMA Communique.

On September 18, Dr. Gorczyca and Austyn Fuss trained four Redlands Community College students for the Secure Food Supply Plan Writing Internship for the Fall Semester of 2025.

On September 22, I was interviewed by Ron Hays about New World Screwworm.

On October 7, I traveled to Ada to give a New World Screwworm presentation to the Pontotoc County Cattlemen's Association.

On October 22, AIS Field Staff was in for the quarterly meeting.

On October 28, Dr. Stone assisted OSU CVM clinician Dr. Lionel Dawson with a group of veterinary students interested in food animal medicine. The class is mainly focused on reproduction, but Dr. Stone spent time discussing regulatory topics, Tuberculosis, Scrapie and Johne's disease, Official ID, animal disease traceability, and proper form completion. Two wet labs followed the next week for students to practice regulatory medicine requirements and proper tuberculosis handling, testing technique and response reading.

On October 30 – November 5, Drs. Gorczyca, Parrott, and I attended the United States Animal Health Association annual conference in Denver, CO

Austyn Fuss and intern Halle Pullen attended the following trade shows to fulfill a portion of the NADPRP Grant Project *Strengthening Food Security: An Educational Excursion on Enhanced Biosecurity*.

- September 10<sup>th</sup> – September 18, Attended Oklahoma State Fair: Exposition for the Youth of Oklahoma
- September 24<sup>th</sup> – October 4<sup>th</sup>, Attended Tulsa State Fair: Exhibitors Hall Tradeshow
- October 16<sup>th</sup> – October 18<sup>th</sup>, Attended Crossroads Farm Show
- On October 31<sup>st</sup>, Attended Fall Conference for veterinarians at Oklahoma State University

Dr. Stone normally attends the Northeastern Oklahoma Veterinary Medical Association meeting on the third Thursday of each month in Claremore. He provides animal health updates and answers questions.

### **Poultry Programs**

There have been 31 sick or dead birds submitted for our sick bird/dead bird program since last report and a total of 166 since January 1<sup>st</sup>, 2025.

Highly Pathogenic Avian Influenza (HPAI) continues to be the largest foreign animal disease incursion in U.S. history, with over 136 million birds affected. The virus has impacted domestic flocks in all 50 states and one U.S. territory, with 1,855 confirmed premises and 1319 Control Areas and Surveillance Zones released.

On October 14th and October 21st, we confirmed two separate cases of HPAI in wild birds - a swan and a Canada goose - both found in Tulsa County. Following these detections, we notified our backyard flock owners and commercial poultry partners to ensure they are aware of HPAI activity in the state and to stress biosecurity which included reminding them to prevent any contact between their domestic birds and migratory waterfowl.

We continue to respond to sick bird calls with testing of suspect birds. Furthermore, we are actively engaged in HPAI surveillance, which includes testing of avian populations at swap meets, auctions, and feed stores. The southward migration of waterfowl is still occurring, and these birds are very active. Therefore, we remain vigilant and continue to emphasize the importance of biosecurity for both commercial and backyard flocks through outreach efforts, including emails, social media, and county extension officers.

### **Public Health**

On September 29, Dr. Gorczyca and I met with several personnel from Oklahoma Department of Health to discuss the need for a State Public Health Veterinarian.

### **Rabies in Livestock:**

There were no cases of rabies in livestock in August. Due to several publicized cases in skunks, we did a couple of interviews about rabies and livestock.

On September 22, I was interviewed by KFOR about rabies cases in skunks near Clinton.

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

There was no significant activity in the Sheep and Goat Programs.

### **Swine Programs:**

On September 2 - 4, Dr. Gorczyca and I attended the US Swine Health Improvement Plan House of Delegates Meeting in Minneapolis, MN.

On October 7 - 11, The National Swine Registry held the Fall Exposition in Duncan. Our inspectors were there to check ID, test results, and CVIs on the swine entering the show and sale.



On October 28, Dr. Gorczyca participated in the Pork Industry Group at OSU.

The Validated and Qualified herd quarterly testing was completed in October. There were several swine sales during this time as students are purchasing their show projects for the spring season. OYE nominations will be required to produce a test chart with the OYE tag number or the family or exhibitor name on the test chart. VQ herd exhibitors will need to have the tag number listed on a verified herd inventory. The OYE tag number must match the 840 tag number.

**Miscellaneous:**

On September 28 - October 6, Catherine and I attended my 48<sup>th</sup> CVM class reunion in Lake Placid, NY, and got in a few days visit with our son, daughter in law, and grandson in Springfield, MA.

On October 14-15, ODAFF Division Directors traveled with the Board of Agriculture to tour parts of Northwestern Oklahoma.

Due to the federal government shutdown, Texas put out a request to other states asking for veterinary medical officers to assist with tuberculosis testing several large dairies as per tuberculosis testing protocols. We were able to allow Dr. Stone travel to the Texas Panhandle to assist the week of October 20 thru 24.

The USDA Area Veterinarian in Charge since 2014, Dr. Becky Brewer, retired. Due to the current federal administration's efforts to decrease the number of federal employees, no new AVICs are being hired. Dr. Melissa Clegg, who is AVIC in Arkansas and Mississippi, is now acting AVIC in Oklahoma.

Respectfully,

A handwritten signature in cursive script that reads "Rod Hall DVM". The ink is dark and the signature is fluid.

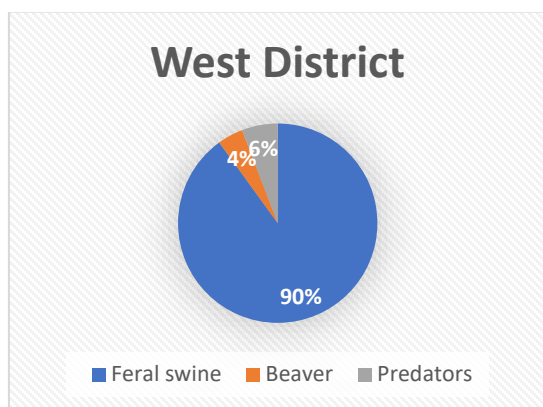
Rod Hall, DVM

**Oklahoma Department of Agriculture, Food, and Forestry**  
**Wildlife Services Division**  
**Board Report for September/October 2025 Activities**

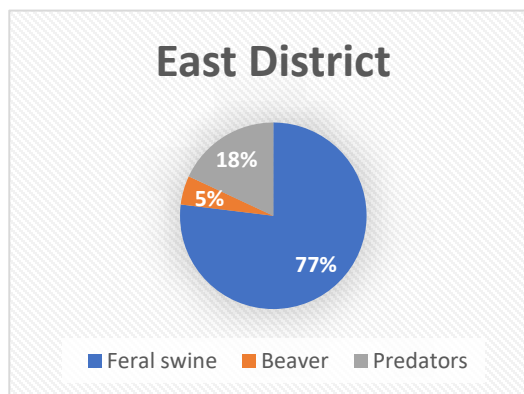
**Introduction**

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 575 properties with an estimated 819,798 acres of land under agreement. Additionally, WS helped 1,346 people 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 \$628,697 during this period. Beaver damages accounted for losses totaling \$93,191. Predation, primarily coyotes and black vultures, were responsible for a number of damage requests, largely to livestock, with losses totaling \$40,903. Feral swine damages accounted for losses totaling \$4898,703, while other species of wildlife were responsible for \$4,900 in damages to property, agriculture, and livestock.

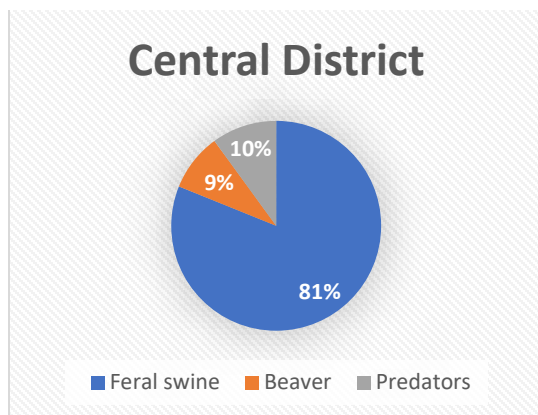
**Providing Wildlife Services**



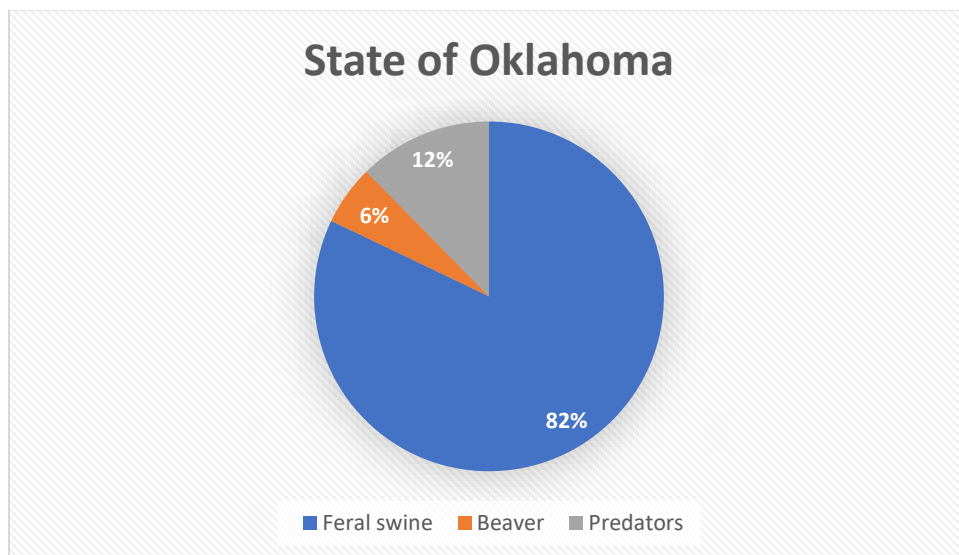
*Figure 1: Species Removed in West District by percentage during September/October 2025*



*Figure 2: Species Removed in the East District by percentage during September/October 2025*



*Figure 3: Species Removed in the Central District by percentage during September/October 2025*



*Figure 4: Species Removed in the State by percentage during September/October 2025*

### **Predator Damage Management**

**Love County** landowner called WS with two fawns found predated on their property near their deer pens. A WS Specialist met with the landowner and verified the loss with estimated damage at \$2000. WS scouted the area and found where coyotes were digging under the fence. Devices were set and one coyote has been removed from the property.

**Logan County** landowner called WS with a report of coyotes killing sheep. A WS Specialist met with him and verified it was coyotes causing the loss estimated at \$1000.00 for five sheep lost.

Devices were set on the property, and two coyotes have been removed at this time. Work is ongoing currently.

**Mayes County** commercial deer farm contacted W for assistance reporting the loss of a fallow deer to coyote predation. The loss was verified and estimated at \$500. The abundance of coyote sign confirmed that coyotes had caused the loss. Snares were placed to capture the coyotes, and one coyote has been removed with this project still being monitored.

### **Feral Swine Damage Management**

**McCurtain County** producer called WS reporting feral swine rooting damage to his cattle pastures. The damage was verified and estimated at \$1,800. After pre-baiting with corn, a remote camera trap was placed and 82 feral swine have been removed with this project still being monitored.

**Caddo County** farmer contacted WS about feral swine rooting up wheat and hayfield. WS responded to the call and determined the rooting was caused by feral swine. A corral trap was placed on the property, and 125 feral swine have been removed with work ongoing. Estimated damages to the wheat field was \$5000.

**Pottawatomie County** landowner called WS with reports of feral swine tearing up hayfields with estimated \$5000 in damage reported. WS responded to the call and determined the damage was caused by feral swine. Pre-bait was started with corn, and a feral swine corral trap was placed on the property. Twenty-seven feral swine have been removed from the property and there is no more sign of feral swine on his property.

**Creek County** producer called WS for assistance with feral swine reporting rooting damage to his cattle pastures and his yard. The feral swine damage was verified and estimated at \$2,000. After pre-baiting with corn, a remote camera trap was placed on the property and 17 feral swine were removed to conclude this project.



*Figure 5: Damage to property in Creek County*

**Nowata County** producer called WS for assistance with feral swine. The owner reported seeing a large sounder of feral swine rooting his Bermuda grass pastures. The rooting damage was verified and estimated at \$10,000. After pre-baiting with corn, a remote camera trap was placed, and 22 feral swine have been removed. This project is still being monitored, and the owner was instructed about environmental changes that he could make to his property, that could help to deter future feral swine concerns.

**Haskell County** producer called WS for assistance with feral swine, reporting rooting damage to his property. The damage was verified and estimated at \$1,500. After pre-baiting, a remote camera trap was placed, and seven feral swine have been removed with this project is still being monitored.

### **Beaver Damage Management**

**Noble County** landowner contacted WS with reports of having trouble with beavers flooding a field and access point. The damage was previously verified, and beavers were trapped. The project was finished by WS draining the area and destroying dams with explosives.

**Kingfisher County** Commissioner called WS with reports of beavers damming up a culvert and flooding a county road. A WS Specialist met with them and verified beavers were the cause. Devices were set on the property, and seven beavers were removed with work ongoing currently. Estimated loss is \$1000 for cleaning out culvert.

**Latimer County** Commissioners' office contacted WS for assistance with beavers along a county road. The presence of beavers was confirmed and flood damage to the roadway was estimated at \$1,200. Conibear traps were placed to alleviate the damage. To date, five beavers have been removed with this project still being monitored.

### **Special Projects**

**Muskogee County** WS Specialist presented information about feral swine management at the Muskogee County Conservation District's "Soil Day". Numerous property owners and producers were present. The program was well received.

### **Awards**

Each year, a Wildlife Specialist from each of the three districts is recognized for their strong work ethic, high standard of professionalism and integrated approach to mitigate wildlife conflicts. This year, Kenny Herd from the East District, Rick Menefee from the Central District and Todd Atha from the West District were those individuals whose possessed these attributes. Congratulations to all three of them.



*Figure 6: Kenny Herd, East District Trapper of the Year*



*Figure 7: Rick Menefee, Central District Trapper of the Year*



*Figure 8: Todd Atha, West District Trapper of the Year*

*Table 1: Beaver, Predator, and Feral Swine removal in Oklahoma by WS September/October 2025*

County	Beaver	Predators	Feral swine	District
Adair	2	1	1	E
Alfalfa		1		C
Atoka	5		65	E
Beaver				W
Beckham			22	W
Blaine	5	2		W
Bryan	3	131	117	E
Caddo				C
Canadian	1	1		C
Carter	4		16	C
Cherokee	7		2	E
Choctaw	3		37	E
Cimarron				W
Cleveland	7	4	12	C
Coal	3		9	C
Comanche	5	5		W
Cotton		1	24	W
Craig			25	E
Creek			53	E
Custer			83	W
Delaware		2	30	E



Dewey	9	3	230	W
Ellis	1	5	50	W
Garfield	2	1		C
Garvin				C
Grady	13		21	C
Grant				C
Greer		11	161	W
Harmon				W
Harper		5		W
Haskell	4		39	E
Hughes		2	51	E
Jackson		4	55	W
Jefferson			14	C
Johnston				C
Kay				C
Kingfisher				C
Kiowa			44	W
Latimer	11		83	E
Leflore	6		56	E
Lincoln			41	C
Logan	5	8	61	C
Love	4	5	66	C
Major				W
Marshall				C
Mayes			17	E
McClain				C
McCurtain	6		131	E
McIntosh	2		47	E
Murray		9	63	C
Muskogee			1	E
Noble			11	C
Nowata			36	E
Okfuskee	2		19	E
Oklahoma	3	19	13	C
Okmulgee			65	E
Osage				E
Ottawa				E
Pawnee			116	C
Payne	2			C
Pittsburg	8			E
Pontotoc	4	13	41	C

Pottawatomie	6		10	C
Pushmataha	8	109	59	E
Roger Mills		1	18	W
Rogers				E
Seminole			38	E
Sequoyah			49	E
Stephens	11	15	59	W
Texas				W
Tillman	3		55	W
Tulsa				E
Wagoner	1		23	E
Washington				E
Washita		2		W
Woods	5	2		W
Woodward	1		65	W
<b>TOTAL</b>	<b>162</b>	<b>362</b>	<b>2404</b>	

\*E –East, W – West, C - Central Districts

Respectfully submitted,

Justin Cooper  
Division Director  
Wildlife Services Division

**September and October 2025 Activity Report  
for  
December 2025 Board Meeting  
  
Agricultural Statistics Division**

**Statistics:**

On November 14, 2025, The November Crop Production Report was released. Highlights include:

**Corn**

- **Harvested Area:** 460,000 acres, up from 410,000 acres in 2024.
- **Yield:** 128 bushels per acre, up from 98 bushels in 2024.
- **Total Production:** 58.88 million bushels, a 47% increase from 2024's 40.18 million bushels.

**Sorghum**

- **Harvested Area:** 370,000 acres, up from 330,000 acres in 2024.
- **Yield:** 60 bushels per acre, up from 39 bushels in 2024.
- **Total Production:** 22.2 million bushels, a 72% increase from 12.87 million bushels in 2024.

**Soybeans**

- **Harvested Area:** 320,000 acres, up from 405,000 acres in 2024.
- **Yield:** 33 bushels per acre, up from 20 bushels in 2024.
- **Total Production:** 10.56 million bushels, a 30% increase from 8.1 million bushels in 2024.

**Peanuts**

- **Harvested Area:** 19,000 acres, up from 18,000 acres in 2024.
- **Yield:** 4,100 pounds per acre, unchanged from the previous year.
- **Total Production:** 77.9 million pounds, up slightly from 73.98 million pounds in 2024.

**Cotton**

- **Harvested Area:** 275,000 acres, up from 185,000 acres in 2024.
- **Yield:** 820 pounds per acre, up from 701 pounds in 2024.
- **Total Production:** 470,000 bales, a 74% increase from 270,000 bales in 2024.

**Information Requests:** Phone calls, personal visits to our office, and requests via e-mail for information since last report totaled 35.

**Releases for September:**

Crop Production  
Cattle on Feed  
Small Grain Summary  
Quarterly Grain Stocks  
Agricultural Prices

**Relating Dates:**

September 1, 2025  
September 1, 2025  
September 1, 2025  
September 1, 2025  
September 15, 2025

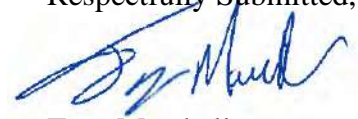
**Release Dates**

September 12, 2025  
September 19, 2025  
September 30, 2025  
September 30, 2025  
September 30, 2025

**Releases for October:****Relating Dates:****Release Dates**

\*No releases in October due to the Government Shutdown

Respectfully Submitted,



Troy Marshall

# MARKET DEVELOPMENT SERVICES

December 12, 2025

Report to the State Board of Agriculture

## AG IN THE CLASSROOM

### AG IN THE CLASSROOM IMPACT

- Total Number of Teachers/Administrators Impacted: 235
- Total Number of Pre-service Teachers Impacted: 0
- Total Number of Extension Educators Impacted: 10
- Total Number of Students Directly Impacted by Coordinators: 1,896
- Total Number of Resources Given: 40,638
- Total Number of Teachers/PreService Teachers Resources Given to: 136
- Total Number of PreK-12th Grade Students Resources Given to: 5,697

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

- The AITC monthly email is delivered to 16,286 accounts.
- The AITC Facebook page now has 10,561 followers.
- Oklahoma AITC Instagram account now has 936 followers.
- Oklahoma AITC Pinterest account now has 156 followers.
- The AITC YouTube channel now has 10,515 views.

### Ag in the Classroom- Professional Development Workshops

Number of Educators & Grade Level(s)	Location	Lessons/Activities Used	Resources Given	Professional Development Workshop/Booth
15 Pawnee County Cattle Women	Pawnee County	Flat--Talked about all resources and our program in general	Flat Picture Book	Professional Learning
40 Adults	Duncan Oklahoma - Duncan Rotary	Read an Accurate Ag Book Week - Flat book and resource guide	Flat Book - Resource Guides	PD
13 teachers (all grades)	Broken Arrow - Catha	Pumpkin Pie in a Bag - 6 decks of ag literacy cards	Barn of Resources	PD
6 Teachers across Oklahoma	Zoom - What's Up Wednesday (October)	All about Pumpkins	Pumpkin Pie in a Bag Resources; Fall books given away in a drawing	PD
7 teachers from across Oklahoma	Zoom - What's Up Wednesday (September)	All about Swine, Pork Council grants; State Fair Academy	N/A	PD

### Ag in the Classroom- Student Events

Number of Participants & Grade Level(s)	Location	Lessons/Activities Used	Resources Given
505 K-5th grades	Rosa Parks elementary Broken Arrow, Tulsa Union	Betsy the cow	N/A
30 High School FFA/4-H/FCCLA students	Building the Bridge Workshop - Edmond, OK	Building the Bridge Kits for use in Elementary classrooms: Flat Aggie and Annie; The Pie that Molly Grew (Pumpkin Pie in a Bag); Can-do Cow Kids (Cattle branding); and The Soil in Jackie's Garden (planting seeds)	First 2 kits: Flat Aggie and Annie AND The Pie that Molly Grew
29,764 Oklahoma students 26 4-H Clubs 7 FCCLA Chapters 60 FFA Chapters	2025 Read an Accurate Ag Book Week	Reading Accurate Ag Books across Oklahoma Other statistics: 329 Oklahoma Teachers/Librarians 30 Legislators 79 registered volunteer readers 8 Zoom Readers ODAFF Board Members Secretary of Agriculture, Blayne Arthur ALL 77 Counties	6 Bushel of Books were given out to participants: Seminole 4-H Club Waukomis FCCLA Wynnewood FFA Cindy Mason - Paden Elementary School Kristeen Westbrook - Northwood Elementary (Piedmont) Michelle Stenhouse - Spiro Elementary School
250 2nd, 3rd, & 4th grade students from across Oklahoma	State Fair Academy - OKC	Greeted the buses at State Fair Academy and talked to students about the history of the fair and why fairs began. We also had Scatter square dancing activities in the afternoon.	Alpaca Tear Sheets; Corn Tear Sheets; Goat Tear Sheets; Dairy Tear Sheets
20 students	Waukomis FCCLA Bushel of Books Presentation		30 Accurate Ag Books - winner from Read an Accurate Ag Book Week
400 2-6th grade	Timber Creek Ag Day	Made Butter	N/A
15 Kindergarten Students	Spiro Kindergarten Bushel of Books Presentation		Accurate Ag Books
45 children and adults	Tulsa State Fair 918 Educate workshops	Made butter	N/A
6 High School FFA Officers	Wynnewood FFA Bushel of Books Presentation	N/A	Bushel of 30 accurate Ag Books (won drawing from Read an Accurate Ag Book week)
100 4th grade students	Oakridge Elementary (Moore) Ag Day	Pollination Stimulation	Teacher - The Bee Book
500 3rd grade students	Pontotoc County Outdoor Day	Scatter Square Dance	N/A
25 2nd grade students	Piedmont Elementary		Bushel of 30 accurate Ag Books (won



	(Mrs. Thompson) Bushel of Books Presentation		drawing from Read an Accurate Ag Book week)
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### Ag in the Classroom- Resources Mailed or Delivered

Oklahoma Christian Academy	Kiefer Public Schools
Henryetta Public schools	Bray-Doyle Elementary
Pontotoc Learning Center	New Lima Public Schools (Wewoka)
Willard 5th & 6th grade Center (Ada)	Douglass Learning Center (Lawton Virtual Academy)
Emerson Elementary (Coalgate)	Wainwright Public Schools
Vici Elementary	Eugene Field Elementary (Oklahoma City)
Western Oklahoma Christian School (Hinton)	Pryor Public Schools
Blackwell OK Okies 4-H Club	Hillcrest Elementary (OKC)
Verdigris Lower Elementary (Claremore)	Bridge Creek Elementary
Foyil Elementary	Oologah Lower Elementary
Homeschool (Drumright)	Cleveland Elementary (OKC)
Vinita High School	Aline Cleo Public Schools
Morris Elementary	Buchanan Elementary (OKC)
YMCA Child Development Center (OKC)	Coolidge Elementary (OKC)
Banner Public School (El Reno)	Konawa Public School
Epic Charter School Comet Academy (OKC)	Morrison Elementary
Homeschool (Broken Arrow)	Justice Schools (Wewoa)
Will Rogers Elementary (Stillwater)	Cushing High School
Denison Elementary (Idabel)	Locust Grove Upper Elementary
Glenwood Elementary (Enid)	Fred Elementary School (Fred, TX)
Southlake Elementary (Moore)	Caddo Elementary
Cushing Middle School	Geronimo Elementary School
Stuart Public School	Calera Elementary School
Bixby Public Schools	Allen Public Schools
Piedmont Middle School	Minco Elementary
Centennial Elementary (Edmond)	Jeff O Mills Elementary (Owasso)
Jones Elementary School	Duke Elementary
Asbury Preschool (Tulsa)	Country Lane Intermediate (Broken Arrow)
Kingsgate Elementary (OKC)	Charter Oak Elementary (Guthrie)
Holy Trinity Lutheran School (Edmond)	Highland Park Elementary (Broken Arrow)
Spring Creek Elementary (Broken Arrow)	Oak Crest Elementary (Broken Arrow)
Carl Albert Middle School (Midwest City)	Stillwater Christian School
Pleasant Hill Elementary (OKC)	Spiro Elementary
Perkins-Tryon Elementary	Laverne Elementary
Mayo Demonstration Elementary	Crescent Elementary
Oklahoma Union Elementary	Skyline Elementary (Stillwater)
Putnam City Schools	Noble Schools
Marlow High School	El Reno Public Schools
Park Road Elementary (Chandler)	Justus-Tiawah School
Cleveland Elementary School	Elmore-City Pernell Public Schools
Catalayah Elementary	Turner Elementary School
Choctaw Elementary	McCord Elementary
Comanche FFA	Frontier School
Nicoma Park Middle School	Moore High School

Griffith Meridian Elementary	Wynnewood Middle School
Rosewood Elementary (Broken Arrow)	Jennings Public School
Lewis & Clark Elementary (Tulsa)	Plainview Middle School (Ardmore)
Oakridge Elementary (Moore)	City of Glenpool
Gore Elementary (Shawnee)	Cement Public Schools (McKenna Perrin for Brad Boles)

#### Ag in the Classroom- Other Events

Event	Highlights
Oklahoma AITC released their NEW 2026 Pizza Challenge	<p>Oklahoma AITC changed their annual contest this year to the Oklahoma AITC 2026 Pizza Challenge where we challenge groups or classrooms of students to create their own pizza recipe and marketing materials. Entries are due December 31st.</p> <p>Pizza is a favorite food of so many Oklahomans because it is so versatile and everyone finds the pizza perfect for them. Pizza for breakfast, lunch, or dinner! It's always a hit. Pizza also highlights so many of Oklahoma's agricultural products. Whether your favorite pizza is cheese, pepperoni, hamburger, or an all veggie pizza, all of those ingredients are grown or raised right here in Oklahoma, starting with the wheat to make the crust. The Pizza Challenge allows your students to develop their own pizza recipe, identify their target audience, create marketing materials for their specific pizza, and learn about the agricultural industry in Oklahoma. This cross-curricular experience will reinforce core academic concepts in math, science, and ELA, while exposing students to career opportunities in our food system.</p>





2026 OKLAHOMA AITC STUDENT

# Pizza Challenge

OCTOBER 20-DECEMBER 31, 2025

OKLAHOMA  
AG  
AG IN THE CLASSROOM

GRADES: PRE-K-12<sup>TH</sup>

REGISTER @  
[HTTPS://OKLAHOMA.AGCLASSROOM.ORG/CONTEST/](https://oklahoma.agclassroom.org/contest/)

 The poster features a vibrant blue background with a white diagonal stripe. On the right side, there is a large, detailed illustration of a pizza with various toppings including pepperoni, mushrooms, olives, and green herbs. A single tomato slice is also shown separately. The text is arranged in a clean, modern layout, with the event title 'Pizza Challenge' in a large, white, cursive font.

## **AGRITOURISM**

### **Agritourism - Site Visits**

<b>Producer</b>	<b>Location</b>	<b>Category</b>	<b>Highlights</b>
Hoffman Pecan Farm	Stillwater	Farm-to-Table	Photoshoot w/ intern, Photos to be used for Edible OKC magazine feature
Ardmore Farmers Market	Ardmore	Farmers Market	Delivered OK Grown bags
Dogwood Blooms	Ardmore	Farm Hub, U-pick	Lead international fellows on agritourism day trip, learned about the ins and outs of this agritourism business
Mackmazing Acres	Spiro	Pumpkin Picking, Mazes, Petting Farm, Teachable Moments	Visit for fall season, took intern to capture social content and photos. They added a new barn this year that will be a gift shop and check in.
The Patch at Lost Hwy Farms	Shady Point	Pumpkin Picking, U-Pick, Teachable Moments	Visit for fall season, took intern to capture social content and photos.
Pleasant Valley Farms	Sand Springs	Pumpkin Picking, Mazes, Teachable Moments	Picked up pumpkins for Oklahoma Ag Route booth at Tulsa State Fair
Pleasant Valley Farms	Sand Springs	Pumpkin Picking, Mazes, Teachable Moments	Visit for fall season, took intern to capture social content and photos.
Pumpkin Town	Tulsa	Pumpkin Picking, Mazes, Petting Farm, Teachable Moments	Visit for fall season, took intern to capture social content and photos.
Honey Creek Farm	Mounds	Horticulture, Country Stays	Picked up gift basket for Oklahoma Ag Route booth at Tulsa State Fair
Big Foot Ranch Pumpkin Patch	Apache	Pumpkin Picking, Mazes, Petting Farm, Teachable Moments	Visit for fall season, took intern to capture social content and photos.
Snider Family Exotics	Fletcher	Pumpkin Picking, Petting Farm, Teachable Moments	Visit for fall season, took intern to capture social content and photos.

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

<b>Producer</b>	<b>Location</b>	<b>Category</b>	<b>Highlights</b>
Sunset Ranch OK	Norman	Trail Riding, Country Stay	Site visit, interested in joining the program, wasn't quite ready, shared next steps
Fossil Creek	SE OK	Country Stay	Site visit, added into the program
Honeyhill Farm	Poteau	Pumpkin Patch	Site visit, interested in joining the program, wasn't ready, shared next steps
Cottonwood Corner Homestead & Pumpkin Patch	Coyle	Pumpkin Patch, Maze	Site visit, added into the program
Maverick Prairie Farms	Maysville	Maze, Pumpkin Patch	Site visit, interested in joining the program, wasn't quite ready, shared next steps
Maverick Prairie Farms	Maysville	Maze, Pumpkin Patch	Site visit, completed next steps, added into the program

Sunset Ranch OK	Norman	Trail Riding, Country Stay	Lead international fellows on agritourism day trip, learned about the ins and outs of this agritourism business  *Also added into the program
Branch and Berry Farm	Purcell	U-pick	Met at OKLAS 2025 – new farm opening in 2026, site visit and shared next steps to joining the program
Igrowblooms	Blanchard	Horticulture, U-Pick, Teachable Moments	Site visit, added to the program
KWC Farms	Thomas	Horticulture, U-Pick,	Site visit, the owners weren't ready to open to the public
Urban Bakery at The Wild Urbans Farm	Walters	Farm-to-Table	Site visit, added to the program
The Twelves	Stillwater	Pumpkin Picking, Mazes, Petting Farm, Teachable Moments	Visited during their large fall festival
Sweet Pickens Pumpkin Patch	Altus	Pumpkin Picking, Mazes, Petting Farm, Teachable Moments	Visited during a field trip and took social media content
Hoffman Pecan Farm	Stillwater	Farm-to-Table, Teachable Moments	Took exchange fellows and toured the processing facility

## Social media

### Facebook

- 26,679 followers

### Instagram

- 10.4k followers

## Agritourism - Other Activities

- **Phone consult/conversations:** Teresa – Cowtown Market, Pontotoc Tech Center, Josh Guarde – Wikinson's Tree Forest, Tracy Martello – Honeyhill Farm, Rod Ardoin – Acadian Family Farm, Jessica King – Sunset Ranch OK, Liz Threlked – Sunny Creek Trading Post, Belinda Briscoe – Wildflower Cottage, Chris Hoffman – Hoffman Pecan Farm, Randy Owens – Pleasant Valley Farms, Asaleigh Cline – Slaughterville Farmers Market, Carl Owens – Country Stay, Kelcea Chapman – Cottonwood Corner, Christi Woods – Perry Farm Hub, Miranda Casteel – Farm Hub, Lee Denton – McCloud Farmers Market, Melinda Kloster, Todd Stallbaumer – TravelOK, Frankie Thillet – Comanche Tulip farm, Colby Barrington – Prairie Creek Farms, Dwayne Cartmell – OSU, Darla DeAngelis – DeAngel Farms, Barrett Allen – Dogwood Blooms, Michael Clark – Venue in Sallisaw, Teresa - Cowtown Market, Shelby Morgan – Comanche FFA, Darla Black – N40 Berries, Laura Phillips – Insurance,
- **Email consults:** Ardmore FM, HH Farmers Market, Sunny Creek Trading Post, Cottonwood Corner, Sunset Ranch OK, Miranda Casteel, The Prairie Exchange, Dark Water Ranch, Maverick Prairie Farms, Berry and Branch Farm, Wind Clan Market, The Stand - Colbert
- **Coordinated OK Grown bags/stickers picked up from office/warehouse:** Sunny Creek Trading Post, Norman Farmers Market



- **Flickr photo uploads (share with producers):** Larhill Farms, Easom Farms, N40 Berries, Hoffman Pecan Farm, The Peach Barn Orchard & Baker, Livesay Orchards, Red Bird Farm, Outback Farm, Sorghum Mill Christmas Tree & Blackberry Farm, Robinson Ranch, Peach Tree Farms, Sugar Sand Farm
- Interviewed with Radio Oklahoma to discuss fall activities
- Interview with Oklahoma Today about Oklahoma Farm Hubs
- Interviewed with the Journal Record about fall agritourism activities
- Sent out OSU farmers market training info to all market managers
- **Oklahoma Ag Route at the Tulsa State Fair**
  - Created a new booth and trail for fairgoers of the Tulsa State Fair to encourage them to explore 7 agricultural locations at the fair including: The Made In Oklahoma Retail, Dairy Bar, OCA Beef Tent, Aglahoma, Wine Garden, 4-H/FFA Competitive Exhibits, and the Oklahoma Ag Route booth. By traveling the route, fairgoers were entered to win prizes donated from Made In Oklahoma companies, agritourism farms, and commodity groups.
  - Created all signage and marketing materials and sent to the printer
  - Monthly meeting with Meriruth and Brady to plan logistics
  - Check in with AITC & Farm to School about weekend activities at the booth
  - Take all supplies, set up and tear down the OK Ag Route booth
  - 475 check ins across the fair
- Attend Tulsa Regional Tourism Meeting
- Cowgirl Confident Webinar, Keynote speaker and panelist
- Speak to two OSU Ag Communications Class about 80 students

## **FARM TO SCHOOL**

<b>Date</b>	<b>F2S Contact Meetings and Events</b>	<b>Highlights</b>
9/2/25	Meeting with Lea Boehm Manager, K-12 Program for Eat Real	Eat Real is a non-profit organization working with K-12 schools across the nation to help foodservice leaders with the framework and support they need to make their school menus delicious, nutritious, and planet-sustaining. Currently, Eat Real is working with OKC Public Schools and MidDel Public Schools.
9/23/25	Cleveland County Detention Center Garden Dedication	Attended the dedication of the detention center's garden.
10/13/25	Oakridge Elementary School Ag Day	Taught The Story of Milk to 1st-grade classes. Students Reached: 58
10/14/25	Timber Creek Elementary School Ag Day	Taught The Story of Milk to Kindergarten, 1 <sup>st</sup> , and 2 <sup>nd</sup> grade classes. Students Reached: 173
10/28/25	Oklahoma Horticulture Society Meeting	Was asked to be the guest speaker at the Oklahoma Horticulture Society Meeting in OKC. Attendees: 6
10/30/25	Healthy Schools OK Partnership Meeting Casey Hale: Healthy Schools Community Development School Health Manager	HSOK provides funding, curricula, training, evaluation tools and support to participating elementary schools focusing on physical activity, nutrition, injury prevention, tobacco use prevention and oral health education. Annie and I shared our resources and discussed how we can



	Katie Barton: Healthy Schools Physical Education and Health Coordinator Annie Davis: AITC	partner in the future. Annie and I will be hosting a resource roundup sharing session at their meeting in January, along with a breakout session at the Healthy Schools OK Institute next July.
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#### **Producer Visits:**

- Acadian Family Farms: Fort Cobb

#### **2025 School Garden Contest:**

Best Start-up School Garden: \$1,000: Middleberg Elementary School



Best Pollinator Garden: \$500: Tuttle High School



Best Education-Based School Garden: \$500: Kingston High School



Best Harvest School Garden: \$500: Little Sprouts Learning Garden



#### **F2S Resources Sent:**

Poster Sets: 11

Cookbooks: 8

Sent to the following schools:

- Kingfisher High School
- Hancock High School
- Oklahoma Department of CareerTech
- Children's Day School
- Busy Bee Daycare
- Happi-Time Daycare
- Will Rogers Elementary School

**F2S Social Media:**

<b>FB Followers</b>	Total: 2,277    New followers: 20
<b>FB Post Reach:</b> This metric counts reach from the distribution of your post.	7,962
<b>FB Views:</b> The number of times your content was played or displayed.	16,278

**The Great Oklahoma Lunch Crunch: National Farm to School Month Celebration**

In honor of National Food Day on **October 24, 2025**, Oklahoma Farm to School is hosting the second annual Great Oklahoma Lunch Crunch—a statewide celebration where cafeterias showcase Oklahoma-grown foods. Students enjoy a meal featuring local produce or meats, then join together for one big “crunch” into something fresh and healthy. Participants who can’t celebrate on October 24th are encouraged to pick any day in October to host a lunch crunch.

**Participants: 12**

- K-12 School or School Districts: 4
  - Oklahoma Connections Academy
  - Minco school and 4-H
  - Maysville Public School
  - Will Rogers Elementary, Stillwater
- Early Childhood Education: 3
  - Morrison Pre-K Brunnemer
  - Angel Academy
  - Little Cherokee Seeds
- Organizations/After School Programs: 3
  - Mayes County HOPE - Digging in the Dirt After-School Program
  - Langston University's 4-H Growing Adventures Club
  - Tigerland STEAM Academy
- Homeschool: 2
  - Bryant Family
  - Killmer Farms

**Oklahoma Youth Reached: 759**

**Local food/foods served:**

- |   |                       |
|---|-----------------------|
| • Apples                                      | • Beef                |
| • Corn  | • Sweet Potatoes      |
| • Available vegetables at our farmers' market | • Squash              |
| • Meat  | • Tomatoes            |
| • Variety Of Fruits & Vegetables              | • Onions              |
| • Tacos                                       | • Chicken             |
|   | • Seasonal vegetables |

- Local honey
- Cushaws
- Jalapenos

- Carrots
- Bell Peppers

## **INTERNATIONAL**

Activity	Action
Certificate of Free Sale	<ul style="list-style-type: none"> <li>• Bar S</li> <li>• Lopez</li> </ul>
Food Export	<ul style="list-style-type: none"> <li>• Brendan Wilson, CEO and Michelle Rogowski, COO came in for a quick visit to attend the MIO store at the OKC State Fair. Other states have mentioned the uniqueness of this project and they wanted to see it first hand. We also had them visit with Not Your Average Joe, who has been working on sourcing coffee beans from Puerto Rico so they could participate in the Food Export programs, also visited about how they could utilize Food Export to enhance their presence in the Made in Oklahoma National Show program in 2026. The group also visited Schwab meat to discuss utilizing FE programs to break into the Mexico market.</li> <li>• Attended the two day Food Export Bi-Annual Meeting in Philadelphia, PA. Together with Food Export Northeast the organization celebrated the 25<sup>th</sup> year anniversary of the strategic alliance between the two regional trade groups. We met with staff for updates and policy changes. Market updates led by the In-Market Reps and discussed 2026 projects as well as reviews successes from 2025 so far. Breakout sessions allowed for realtime feedback on projects such as website updates, focused trade missions and many other projects. There was also a valuable best practices sessions for activity coordination.</li> <li>• Food Hotel Asia followups and evaluations collected</li> </ul>
USLGE	<ul style="list-style-type: none"> <li>• A temporary hold on funds due to the government shutdown</li> </ul>
GIT (Governor's International Team)/ODEC	<ul style="list-style-type: none"> <li>• No meeting this month</li> </ul>
ODAFF Market Development Events	<p>National Show 2026 Launch and workshop: Staff shared details on participation in major U.S. food shows, including the NRA Show Chicago and Fancy Food NYC, highlighting booth availability, costs, potential funding through Food Export, and steps for product submission. Andrea Graves with FAPC reviewed additional financial support, program commitments, and deadlines, including a December 1 cutoff for sign-ups and the \$500 deposit requirement. The session also outlined planning and marketing timelines for upcoming shows, with follow-up meetings scheduled in January, March, and May to finalize details. A Q&amp;A concluded the workshop. The signups for these ODAFF sponsored booths went live at the conclusion of the workshop and the booth space is almost fully committed. There will be 4 booths at NRA and 6 at Fancy Food representing OK.</p>
Misc Meetings	<ul style="list-style-type: none"> <li>• Finalized details of the Japan trip with LT Governor Pinell</li> <li>• Met with Chad Dainty send via commerce looking to source a few ag commodities for an international client</li> <li>• Approved 3 MIO Marketing Stipend Applications</li> <li>• Debrief meeting from Japan Trip</li> </ul>

Food Export Visit to Not Your Average Joe: Tim Herbal, Brendan Wilson, Steve Wilson and Michelle Rogowski



### **MADE IN OKLAHOMA PROGRAM**

<b>Events</b>	<b>Date</b>	<b>Location</b>	<b>Details</b>
Oklahoma State Fair	Sept. 11-21	OKC	Store was largely successful again this year. Featuring 75 companies (up 10 from 2024) and 831 products (up 103 from 2024). Had \$194,801.31 in total sales.
Tulsa State Fair	Sept. 25-Oct. 5	Tulsa	Vendor booth section consisting of 48 booths (4 rows of 12) of Made in Oklahoma companies in the Exchange Building
Made in Oklahoma Market at Stockyards Stampede	October 28	OKC	Had 22 companies signed up to participate but due to weather, 16 participated. Products like leatherwork, soap, etc. that are affected by rain could not participate. Once the rain moved out it was a highly successful day!

#### **New Producers:**

Fins, Fangs and More	Grace Like Rain Wood-N-Stuff	H3 Custom Designs	Keepsakes
Angie's Art Floral Design Studio	Lather & Co.	Ravntec Outdoors	Fauna Stitchery

Winchester Creative	Front Porch Bakery	Busy Bee Baby Things	HopeHouse/hopeWORKS
JeZell Creations	Pretty OK Farm	Mae's Dooryard	Nynke's Soaps
Joni's creations	The Burning Okie	Daybreaker Farms LLC	SilverSmith Creations
Arbuckle Mountain Fried Pies	Mammoth Clay Company	Fox and Folly Farm	Noble County Meats
Dashatron Enterprises	Corals Craft and Print	Red Dirt Roses	Contech Enterprises LLC aka ACI Manufacturing

## VITICULTURE

### **Duncan Rotary Club – Duncan, OK**

- Presented information on Viticulture, Enology, and agritourism to the Duncan Rotary Club. September 24<sup>th</sup>. Super fun.



### **Pecan Creek Winery – Muskogee, OK**

- Met with Bob to pick up state fair prizes. Discussed his new plans for a Charmat tank purchased with RSFI money. He also has been experimenting with making brandy. September 29<sup>th</sup>

### **Food Export Meeting – Philadelphia, PA**

- Attended the Food Export meeting in Philadelphia, Pennsylvania with Jamie Cummings. Learned about the program, gained an insight into trade economics in the current climate, and met other state Department of Ag employees from across the country. October 14<sup>th</sup> – 17<sup>th</sup>

## MARKET NEWS

September 1, 2025-October 31, 2025

- **Grain Report:**

	<b>August 29, 2025,</b>	<b>October 31, 2025,</b>	<b>DIFFERENCE</b>	
<b>WHEAT: (bu)</b>	\$3.73-\$4.50	\$3.99-\$4.64	\$0.26 to \$0.14	<b>Higher</b>
<b>MILO: (bu)</b>	\$2.85-\$3.70	\$3.16-\$3.71	\$0.31 to \$0.01	<b>Higher</b>
<b>SOYBEANS: (bu)</b>	\$9.29-\$9.84	\$9.75-\$10.15	\$0.46 to \$0.31	<b>Higher</b>
<b>CORN: (bu)</b>	\$3.85-\$4.45	\$3.91-\$4.51	\$0.06 to \$0.06	<b>Higher</b>
<b>COTTON: (lb)</b>	60.96 cents	61.04 cents	0.08 cents	<b>Higher</b>

- **OKC NATIONAL STOCKYARDS (OKC) STEERS AND HEIFERS**

<b>Year</b>	<b>Gender</b>	<b>Muscle Thickness</b>	<b>Prices</b>	<b>500-600 lb. Weighted Average</b>
10-29-2024	STEERS	Number 1	\$242.00-\$315.00	\$278.50
10-27-2025	STEERS	Number 1	\$372.00-\$424.00	\$398.00

<b>Year</b>	<b>Gender</b>	<b>Muscle Thickness</b>	<b>Prices</b>	<b>500-600 lb. Weighted Average</b>
10-29-2024	HEIFERS	Number 1	\$225.00-\$268.00	\$246.50
10-27-2025	HEIFERS	Number 1	\$314.00-\$370.00	\$342.00

- **Weekly Report:**

- Six weekly Oklahoma Market Reports were sent to 10,843 subscribers

September 1, 2025-October 31, 2025 (**DOWN from 1,007 subscribers last report**). Due to no longer sending text messages.

- **Voice Messaging System:**

- The market news voice messaging system during
  - Monthly Total: September 1, 2025-October 31, 2025, **7,969 Accessed Times**
  - Last Report: August 1,2025-August 31,2025, **4,004 Accessed Times**
  - Compared to Last Month: **Accessed Times-is UP 3,965 on Accessed times**

- **Oklahoma Agriculture Market News**

- **Facebook Page**
    - Likes/Followers 834
    - **Likes/Followers UP 15**
    - People reached through past report: 1,835 people

- **Oklahoma Hay Directory**

- Hay Directory
    - I have called 103 people so far from the previous years on the hay directory.
    - 26 are not selling or do not have any to sell.
    - 9 have sold out of everything
    - 1 is already sold of hay
    - 1 is only selling locally this year
    - **65 people are currently on the Oklahoma Hay Directory.**

- **Hay Report**



- **Hay Remarks – From our Producers (Each statement or comment is from a different hay producer)**
  - No movement.
  - Movement is unchanged.
  - For my normal hay buyers that own cattle have had a 30 to 40 percent reduction in their herd. Some have sold out completely.
  - We are going to see a lot of discounted hay this year, unless something major changes.
  - We are already seeing 20-to-30-dollar tonnages being sold already.
  - From last year to this year, I left 400 acres untouched.

		<b>September 1, 2025-October 31, 2025</b>	<b>September 1, 2024-October 31, 2024</b>	<b>Difference</b>
<b>Tons:</b>	Hay	4,330	5,555	<b>DOWN 1,225</b>
<b>Bales:</b>	Hay	1,020	3,231	<b>DOWN 2,211</b>

**OKLAHOMA HAY MARKET REPORT  
10-31-25**

		<b>This Week</b>	<b>Last Reported</b>	<b>Last Year</b>
<b>Tons:</b>	Hay	1540	820	0
<b>Bales:</b>	Hay	440	100	0

Compared to the last report. Demand is slow to no movement. It becomes harder to move hay across Oklahoma. Due to the overabundance of hay from past years and the wet hay season, the hay being moved is lower-quality hay compared to what we normally see

Trends: No Trends currently.

The Oklahoma Mesonet Drought Monitor shows that 0 percent of the state is in exceptional drought, 0 percent is in extreme drought, 3.48 percent is in severe drought, 19.04 percent is moderate, 56.38 percent is abnormally dry conditions, and 43.62 percent has no drought conditions.

\*\*\* The next report release will be on November 14th \*\*\*

**Central**

<b>Type</b>	<b>Quality</b>	<b>Ask or Trade</b>	<b>Bale/Per Ton</b>	<b>Size</b>	<b>Shape</b>	<b>Qty</b>	<b>Price Range</b>	<b>Wtd. Avg.</b>	<b>Freight/Used</b>
Alfalfa	Good/Premium	Ask	Per Ton	Large	Square 4x4	0	160.00	0	F.O.B.
Alfalfa	Good	Ask	Per Ton	Large	Square 4x4	0	150.00	0	F.O.B.
Alfalfa	Fair/Good	Ask	Per Ton	Ground	Grinding	240	90.00	90.00	F.O.B.
Bermuda	Fair/Good	Trade	Per Bale	Medium	Round	0	50.00	0	F.O.B.

**North Central**

<b>Type</b>	<b>Quality</b>	<b>Ask or Trade</b>	<b>Bale/Per Ton</b>	<b>Size</b>	<b>Shape</b>	<b>Qty</b>	<b>Price Range</b>	<b>Wtd. Avg.</b>	<b>Freight/Used</b>
Bermuda	Premium/Supreme	Ask	Per Bale	Large	Round	0	80.00	0	F.O.B.
Bermuda	Good/Premium	Trade	Per Bale	Large	Round	80	60.00	60.00	F.O.B.
Bermuda	Premium	Ask	Per Bale	Small	Square	0	11.00	0	F.O.B.
Bermuda	Good	Ask	Per Bale	Large	Round	0	55.00	0	F.O.B.
Bermuda	Fair/Good	Ask	Per Bale	Large	Round	0	50.00	0	F.O.B.

### Northeastern

Type	Quality	Ask or Trade	Bale/Per Ton	Size	Shape	Qty	Price Range	Wtd. Avg.	Freight/Used
Alfalfa	Good	Ask	Per Ton	Large	Round	0	215.00	0	Delivered
Bermuda	Premium/Supreme	Ask	Per Bale	Large	Round	0	150.00	0	Delivered
Prairie/Meadow	Good/Premium	Ask	Per Bale	Large	Square 3x4	0	60.00	0	F.O.B.
Prairie/Meadow	Good/Premium	Ask	Per Bale	Medium	Round	0	50.00	0	F.O.B.
Prairie/Meadow	Good	Ask	Per Bale	Medium	Round	0	45.00	0	F.O.B.

### Northwestern

Type	Quality	Ask or Trade	Bale/Per Ton	Size	Shape	Qty	Price Range	Wtd. Avg.	Freight/Used
Alfalfa	Good	Ask	Per Ton	Large	Square 4x4	0	150.00	0	F.O.B.
Alfalfa	Good	Ask	Per Ton	Ground	Ground	0	85.00	0	F.O.B.
Alfalfa	Fair	Ask	Per Ton	Large	Round	0	130.00	0	F.O.B.
Prairie/Meadow	Good/Premium	Ask	Per Bale	Medium	Round	0	60.00	0	F.O.B.
Bermuda	Premium/Supreme	Trade	Per Ton	Large	Round	360	80.00	80.00	F.O.B.
Grass	Utility	Trade	Per Ton	Large	Round	1300	20.00	20.00	F.O.B.



**Agricultural Environmental Management Services (AEMS)**  
**Division Activities**

**General Activities**

- AEMS Staff attended the annual Arkansas-Oklahoma Arkansas River Compact Commission meeting in Cave Springs, AR in September.
- AEMS Staff participated in the third quarter OCWP-SWP Collaborative meeting in October.
- AEMS Staff attended the Water Sustainability Conference, Oka-Con, in Ada, OK in October.
- AEMS Staff participated in the third quarter ACWA State/EPA Bimonthly Animal Agriculture Calls in October.
- Interviews for the panhandle inspector position were scheduled for November 12, 2025.

**Complaints**

	<b>Received</b>	<b>Closed*</b>
This Reporting Period	16	13
Total FY25	40	44

*\*These numbers include closing of older complaints.*

**Complaint Breakdown for this Reporting Period**

Cattle:	4
Swine:	0
Poultry:	2
Misc Animal:	4
Other:	0
Animal Shelter:	3
Pet Breeder:	3

**Program Activities**

A summary of the inspections, compliance and technical assistance conducted by the ODAFF AEMS Staff for this reporting period.

**CAFO & LMFO ACTIVITIES**

	Sept 1-Oct 31	FY 26 Total
Complaint or Compliance Follow-ups	33	56
Annual Inspections	44	132
Technical Assistance with Contacts	70	219
Site Visit/Review – No contact made	13	39

**POULTRY ACTIVITIES**

	Sept 1-Oct 31	FY 26 Total
Complaint or Compliance Follow-ups	10	17
Annual Inspections	119	145
Technical Assistance with Contacts	333	858
Site Visit/Review – No contact made	122	271
OSU Poultry Education Classes Attended	4	4
Eucha-Spavinaw CNMP Written	9	20

### PET BREEDER & SHELTER ACTIVITIES

	Sept 1-Oct 31	FY 26 Total
Complaint or Compliance Follow-ups	16	32
Annual Inspections	57	119
Technical Assistance with Contacts	81	216
Close Outs	3	7

### AGPDES ACTIVITIES

	Sept 1-Oct 31	FY 26 Total
Complaint or Compliance Follow-ups	0	0
Site Inspections	3	7
Technical Assistance with Contacts	2	12

### COMPOSTING ACTIVITIES

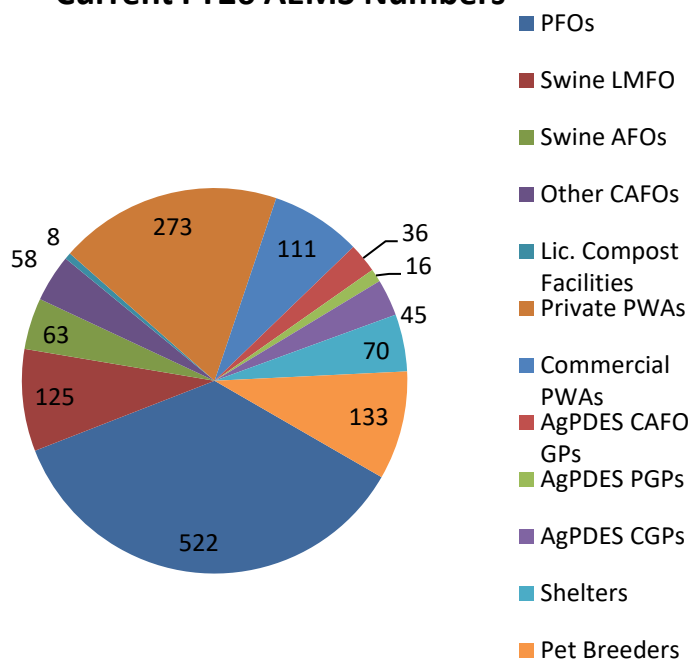
	Sept 1-Oct 31	FY 26 Total
Complaint or Compliance Follow-ups	0	5
Site Inspections (all)	5	11
Technical Assistance with Contacts	8	25

### 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: 0

### Active Licenses/Registrations/Certifications/Permits

### Current FY26 AEMS Numbers



Respectively,

Teena G. Gunter, AEMS Division

**BEFORE THE STATE BOARD OF AGRICULTURE  
OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY  
DECEMBER 2025 BOARD REPORT  
REGARDING SEPTEMBER 1, 2025 THROUGH OCTOBER 31, 2025 ACTIVITIES OF  
THE OFFICE OF GENERAL COUNSEL**

**AMOUNT OF ADMINISTRATIVE FINES COLLECTED:**

<b>Amount to Date (2025)</b>	<b>Amount of Fines for this Board Meeting</b>
\$164,265	\$13,500
\$236,230	2024
\$372,095	2023
\$207,400	2022

**CONTRACTS REVIEWED OR DRAFTED (35):**

Marketing: 27
Admin: 1
AEMS: 1
Animal Industry: 5
FOR: 5
WS: 1

**ADMINISTRATIVE HEARING PROCEEDINGS:**

Total Number of Open Cases: 158
Total Number of New Cases: 16
Total Number of Cases Closed: 32
NOVs Sent: 30

**OTHER ACTIONS AND PROCEEDINGS:**

<b>Stitt v Drummond, Oklahoma County Case Number CV-2024-606:</b> Lawsuit by Governor and certain Cabinet Secretaries against the Attorney General's Office regarding AG Opinion 2024-5. Oral arguments on Motion for Summary Judgment occurred May 9, 2024. Judge Ogden ruled for the Attorney General. The Oklahoma Supreme Court released their opinion on November 12, 2025, ruling in favor of the Governor.
<b><i>Spring Creek Coalition v. ODAFF and Trong, Cherokee County Case Number CJ-2021-29:</i></b> Petition seeking declaratory and injunctive relief. Answer filed.
<b><i>Spring Creek Coalition v. ODAFF and Phan, et al., Delaware County Case Number CJ-2021-33:</i></b> Petition Seeking Declaratory and Injunctive Relief. Order Granting Partial Summary Judgement entered June 28 <sup>th</sup> , 2024. Motion to Reconsider overruled. Petition in Error filed in Supreme Court September 25, 2024. Motion to

Dismiss filed and answered. Motions to intervene/file Amicus. Case assigned to Court of Civil Appeals.

***Cody Tyle Roach et al. v. Blayne Arthur et al., U.S. District Court for the Western District of Oklahoma Civil Action No. CIV-25-424-J:*** Plaintiffs sued agents of Investigative Services for civil rights violations during a search and seizure performed by agents of Investigative Services. Other agency members were included for negligent supervision. This case is being defended by the Attorney General's Office.

***Brad Phillips et al. v. ODAFF and Phan, et al., McCurtain County Case Number CJ-2025-00149:*** Petition seeking injunctive relief. Answer filed.

### **MEETINGS:**

<b>Date</b>	<b>Activity</b>
September 2, 2025	Directors
September 3, 2025	OESC Hearing
September 3, 2025	Attorney for cooperative
September 3, 2025	NASDA Annual Meeting Precall
September 4, 2025	PSHRA Webinar
September 5, 2025	General Counsels Forum
September 8, 2025	AEMS Legal
September 8, 2025	Legislative Biosolids
September 9, 2025	Weaver Group
September 9, 2025	LIMS Document
September 9, 2025	Directors
September 11, 2025	Commissioners of Land Office
September 11, 2025	NASDA Annual Meeting Precall
September 12, 2025	USDA Secretary Rollins
September 15, 2025	AEMS Legal
September 15, 2025	NASDA
September 16, 2025	NASDA
September 17, 2025	NASDA
September 17, 2025	EPA/ODAFF/ODEQ
September 18, 2025	Conference contract
September 22, 2025	AEMS Legal
September 22, 2025	FOR internal
September 23, 2025	OBA GALPS CLE
September 23, 2025	Commissioners of Land Office Audit Committee
September 25, 2025	OGC Staff
September 25, 2025	AgPDES
September 29, 2025	AEMS Legal
September 30, 2025	Health and Payroll Expo
September 30, 2025	Directors
October 2, 2025	FFA Speech



October 6, 2025	AEMS Legal
October 7, 2025	Directors
October 8, 2025	Attorney regarding facility
October 9, 2025	Source Water Protection Collaborative Meeting
October 13, 2025	AEMS Legal
October 14, 2025	State Board of Agriculture
October 14, 2025	Board Retreat
October 15, 2025	Board Retreat
October 15, 2025	Safety Committee
October 20, 2025	AEMS Legal
October 21, 2025	OBA GALPS
October 23, 2025	Agency Security Partner Job Aid
October 23, 2025	Agency Security Partner Training
October 23, 2025	Directors
October 27, 2025	AEMS Legal
October 28, 2025	Directors
October 30, 2025	OGC Staff
October 30, 2025	AgPDES

### **RULE ACTIVITIES:**

**Chapter 1. Administrative Operations (Permanent FY 2026):** On September 25, 2025, the Notice of Rulemaking Intent was submitted and accepted by the Office of Administrative Rules for part 1 of this chapter. Publication occurred on October 15, 2025. Public comment was open from October 15, 2025, through November 14, 2025. The Governor approved this chapter of rules on October 24, 2025. A public hearing took place on November 17, 2025.

On October 8, 2025, the Notice of Rulemaking Intent was submitted and accepted by the Office of Administrative Rules for part 2 of this chapter. Publication occurred on November 3, 2025. Public comment was open from November 3, 2025, through December 3, 2025. A public hearing will take place on January 6, 2026. The Governor approved this chapter of rules on November 7, 2025.

**Chapter 2. Fees (Permanent FY 2026):** On September 25, 2025, the Notice of Rulemaking Intent was submitted and accepted by the Office of Administrative Rules. Publication occurred on October 15, 2025. Public comment was open from October 15, 2025, through November 14, 2025. The Governor approved this chapter of rules on October 24, 2025. A public hearing took place on November 17, 2025.

**Chapter 10. Agricultural Products (Permanent FY 2026):** On September 25, 2025, the Notice of Rulemaking Intent was submitted and accepted by the Office of Administrative Rules. Publication occurred on October 15, 2025. The Governor approved this chapter of rules on October 24, 2025. Public comment was open from October 15, 2025, through November 14, 2025. A public hearing took place on November 17, 2025.

**Chapter 15. Animal Industry (Permanent FY 2026):** On September 25, 2025, the Notice of Rulemaking Intent was submitted and accepted by the Office of Administrative Rules for part 1 of this chapter. Publication occurred on October 15, 2025. The Governor approved this chapter of rules on October 24, 2025. Public comment was open from October 15, 2025, through November 14, 2025. A public hearing took place on November 17, 2025.

On October 23, 2025, the Notice of Rulemaking Intent was submitted and accepted by the Office of Administrative Rules for part 2 of this chapter. Publication occurred on November 17, 2025. Public comment is open from November 17, 2025, through December 17, 2025. A public hearing will take place on January 6, 2026.

**Chapter 30. Consumer Protection (Permanent FY 2026):** On September 25, 2025, the Notice of Rulemaking Intent was submitted and accepted by the Office of Administrative Rules for part 1 of this chapter. Publication occurred on October 15, 2025. The Governor approved this chapter of rules on October 24, 2025. Public comment was open from October 15, 2025, through November 14, 2025. A public hearing took place on November 17, 2025.

On October 8, 2025, the Notice of Rulemaking Intent was submitted and accepted by the Office of Administrative Rules for part 2 of this chapter. Publication occurred on November 3, 2025. The Governor approved this chapter of rules on November 7, 2025. Public comment was open from November 3, 2025, through December 3, 2025. A public hearing will take place on January 6, 2026.

**Chapter 37. Food Safety (Permanent FY 2026):** On October 8, 2025, the Notice of Rulemaking Intent was submitted and accepted by the Office of Administrative Rules. Publication occurred on November 3, 2025. The Governor approved this chapter of rules on November 7, 2025. Public comment was open from November 3, 2025, through December 3, 2025. A public hearing will take place on January 6, 2026.

**Chapter 50. Aquaculture (Permanent FY 2026):** On September 25, 2025, the Notice of Rulemaking Intent was submitted and accepted by the Office of Administrative Rules. Publication occurred on October 15, 2025. The Governor approved this chapter of rules on October 24, 2025. Public comment was open from October 15, 2025, through November 14, 2025. A public hearing took place on November 17, 2025.

**Chapter 55. Commercial Pet Breeders and Animal Shelters (Permanent FY 2026):** On September 25, 2025, the Notice of Rulemaking Intent was submitted and accepted by the Office of Administrative Rules. Publication occurred on October 15, 2025. The Governor approved this chapter of rules on October 24, 2025. Public comment was open from October 15, 2025, through November 14, 2025. A public hearing took place on November 17, 2025.

**Chapter 56. Emergency Drought Committee (Permanent FY 2026):** On September 25, 2025, the Notice of Rulemaking Intent was submitted and accepted by the Office of Administrative Rules. Publication occurred on October 15, 2025. The Governor approved this chapter of rules on October 24, 2025. Public comment was open from October 15, 2025, through November 14, 2025. A public hearing took place on November 17, 2025.

#### **OPEN RECORDS REQUESTS (46):**

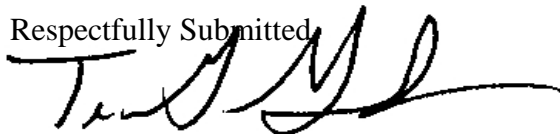
AEMS: 7
CPS: 13
AIS: 8

Pet Breeders: 6
Food Safety: 2
Forestry: 10

**OTHER ACTIVITIES:**

Phone calls or emails with the public: 3
Assistance to Executive: 19
Assistance to industry: 3
Assistance to AEMS: 8
Assistance to CPS: 5
Assistance to Wildlife Services: 2
Assistance to Forestry: 19
Assistance to AIS: 2
Assistance to Admin: 7
Assistance to Market Development: 4
Assistance to other state agencies: 7
Assistance to federal agencies: 0
Assistance to Food Safety: 4
Assistance to NASS: 0
Assistance to Lab: 3
Assistance to Investigative Services: 0
Assistance to Human Resources: 0
Assistance to Legislature: 1
Assistance to Attorney General: 0
Assistance to Public Information: 1
Assistance to Governor's Office: 0

Respectfully Submitted,



Teena G. Gunter  
General Counsel

# **FOOD SAFETY BOARD REPORT NOVEMBER 2025**

SEPTEMBER 1, 2025

OCTOBER 31, 2025



# POULTRY & EGG GRADING, PRODUCE AND ORGANIC SECTION

## POULTRY AND EGG SECTION SEPTEMBER

In Broken Bow at Tyson Foods, USDA poultry grading was performed by ODAFF inspectors on 3,742,460 pounds of poultry – boneless/skinless leg meat & bone in/skin on parts and ground meat. ODAFF inspectors provided USDA Shell Egg grading on 78,590 dozen eggs at Cal-Maine Foods Inc. at Sulphur. ODAFF inspectors provided USDA poultry grading services on poultry products being shipped from National Steak & Poultry Quality Meats in Owasso. Also, routine egg quality inspections under the Oklahoma egg law were conducted.

## ORGANIC FOODS SECTION SEPTEMBER

Organic inspectors completed compliance and certification inspections at:

- Twelve organic crop producers
- One organic livestock producer
- Four organic processors
- Collected two organic samples
- Fifteen retail organic inspections
- Organic staff attended an Organic Transition Field Day at Acadian Family Farm
- The organic section had requests for 3,000 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 4 requests for organic crop applications and 3 requests for organic processing applications.

# POULTRY & EGG GRADING, PRODUCE AND ORGANIC SECTION

## POULTRY AND EGG SECTION OCTOBER

In Broken Bow at Tyson Foods, USDA poultry grading was performed by ODAFF inspectors on 1,822,619 pounds of poultry – boneless/skinless leg meat & bone in/skin on parts and ground meat. ODAFF inspectors provided USDA shell egg grading on 42,090 dozen eggs at Cal-Maine Foods Inc. at Sulphur. ODAFF inspectors provided USDA poultry grading services on poultry products being shipped from National Steak & Poultry Quality Meats in Owasso. Also, routine egg quality inspections under the Oklahoma egg law were conducted.

## ORGANIC FOODS SECTION OCTOBER

Organic inspectors completed compliance and certification inspections at:

- Nine organic crop producers
- Six organic processors
- Thirteen retail organic inspections
- The organic section had requests for 1,000 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 2 requests for organic crop applications and 1 request for an organic processing application.



# POULTRY & EGG GRADING, PRODUCE AND ORGANIC SECTION

## PRODUCE SAFETY SECTION SEPTEMBER

- Visited 8 farms providing outreach and education to producers and updating farm inventory
- Completed 2 produce farm inspections for the Produce Safety Rule
- Taught an online Produce Safety Alliance class with OSU
- Working on learning how to inspect and teach the new water rule to our farmers and working on developing a multi-state agricultural water workshop for farms
- Provided technical assistance for 8 farms
- Visited 51 farmers markets/market hubs providing outreach and education to producers and to collect farm inventory
- Sent an e-mail newsletter to inform farms about produce safety classes
- Regular conference calls with TX, LA, AR, NM, MO, MS

## HOMEMADE FOOD FREEDOM ACT SEPTEMBER

- Received 29 complaints on Homemade Food Freedom Act businesses.
- Meat compliance assisted with 9 complaints.
- Issued 12 Warning letters and 6 Verbal warnings; we have been unable to contact 2 of the producers.
- We now have over 500 registered Homemade Food Freedom Act businesses.
- Taught a Homemade Food Freedom Act workshop with OSU in Oklahoma City.
- Presented information about the law at a veteran farmer workshop in Purcell.



# POULTRY & EGG GRADING, PRODUCE AND ORGANIC SECTION

## PRODUCE SAFETY SECTION OCTOBER

- Visited 1 farm providing outreach and education to producer and to verify inventory
- Visited 4 farmers markets/market hubs providing outreach and education to producers and to collect farm inventory
- Completed 1 produce farm inspection for the Produce Safety Rule
- Working on learning how to improve our inspections and teach the new water rule to our farmers
- Regular conference calls with TX, LA, AR, NM, MO, MS

## HOMEMADE FOOD FREEDOM ACT OCTOBER

- Received 10 complaints on Homemade Food Freedom Act businesses.
- One of those complaints was found to not be a homemade food business.
- Meat compliance assisted with 3 complaints.
- Issued 3 Warning letters and Verbal warnings were given to 3 producers and 2 we have been unable to contact.
- We now have over 575 registered homemade food freedom act businesses.
- Taught a Homemade Food Freedom Act workshop with OSU in Stillwater.

# OKLAHOMA MEAT INSPECTION SERVICES

## INVESTIGATIONS AND COMPLIANCE ACTIVITIES

### SEPTEMBER

<b>Planned Compliance Reviews</b>	08
<b>Random Compliance Reviews</b>	189
<b>Person-to-Person Contacts</b>	91
<b>Special Investigations and/or Projects</b>	10
<b>Reports of Apparent Violations</b>	00
<b>Detentions</b>	00
<b>Consumer Complaints</b>	08
<b>Verbal Warnings Issued</b>	09
<b>Letters of Warning Issued</b>	00
<b>Samples Submitted to Lab for Analysis</b>	00
<b>Accident Investigations</b>	03
<b>Administrative Procedures Act</b>	00

The Oklahoma Highway Patrol notified Meat Inspection Compliance with three (3) truck accidents in the month of August 2025.

See details below:

ACCIDENT LOCATION	ANIMAL PRODUCT	DISPOSITION
<ul style="list-style-type: none"> <li>I-240 &amp; I-35</li> </ul>	<ul style="list-style-type: none"> <li>85 cases of mixed beef products; 1168 pounds</li> </ul>	<ul style="list-style-type: none"> <li>All product was sent to OKC landfill</li> </ul>
<ul style="list-style-type: none"> <li>I-35 S. of Norman</li> </ul>	<ul style="list-style-type: none"> <li>300 cases of BLNS Pork (39820 lbs)</li> </ul>	<ul style="list-style-type: none"> <li>Truck and trailer caught fire; product took to landfill</li> </ul>

### Highlighted Activities

During the course of Random Reviews and Anonymous Consumer Complaints, Compliance and Investigation Services sent out zero (0) Letter of Warning for Violations of the Oklahoma Meat Inspection Act and/or State Statutes.



# OKLAHOMA MEAT INSPECTION SERVICES

## INVESTIGATIONS AND COMPLIANCE ACTIVITIES

### OCTOBER

<b>Planned Compliance Reviews</b>	06
<b>Random Compliance Reviews</b>	89
<b>Person-to-Person Contacts</b>	39
<b>Special Investigations and/or Projects</b>	0
<b>Reports of Apparent Violations</b>	00
<b>Detentions</b>	00
<b>Consumer Complaints</b>	06
<b>Verbal Warnings Issued</b>	08
<b>Letters of Warning Issued</b>	00
<b>Samples Submitted to Lab for Analysis</b>	00
<b>Accident Investigations</b>	00
<b>Administrative Procedures Act</b>	00

The Oklahoma Highway Patrol notified Meat Inspection Compliance with zero (0) truck accidents in the month of October 2025.

See details below:

ACCIDENT LOCATION	ANIMAL PRODUCT	DISPOSITION

### Highlighted Activities

During the course of Random Reviews and Anonymous Consumer Complaints, Compliance and Investigation Services sent out zero (0) Letter of Warning for Violations of the Oklahoma Meat Inspection Act and/or State Statutes.

# OKLAHOMA MEAT INSPECTION SERVICES

## INVESTIGATIONS AND COMPLIANCE ACTIVITIES

### SEPTEMBER

#### SLAUGHTER MEAT INSPECTION

<b>Number of Cattle</b>	1,256
<b>Total Beef Condemned</b>	14,300 lbs
<b>(Beef heads &amp; livers)</b>	(avg. H wt 20 lbs, avg. L wt 10 lbs)
<b>Number of Swine</b>	245
<b>Total Pork Condemned</b>	1,162 lbs
<b>(Pork heads &amp; livers)</b>	(avg. H wt 10 lbs, avg. L wt 2 lbs)
<b>Number of Sheep &amp; Goats</b>	3,624
<b>Total Condemned</b>	28 lbs
<b>Number of Chickens</b>	3,676
<b>Number of Rabbits</b>	104
<b>Total Condemnations</b>	0 lbs
<b>Number of Buffalo</b>	11
<b>Total Condemnations</b>	250 lbs
<b>TOTAL MEAT INSPECTED</b>	1,314,330 lbs

<b><u>AVG. CARCASS WT</u></b>	<b><u>AVG. SWINE</u></b>
Beef 700 lbs, Pork 250 lbs, Sheep/Goat 100 lbs	<b><u>HEAD/LIVER</u></b> Head 10 lbs / Liver 2 lbs

<b><u>AVG. BEEF HEAD/LIVER</u></b>	<b><u>AVG. LAMB/GOAT</u></b>
Head 20 lbs / Liver 10 lbs	<b><u>HEAD</u></b> Head 2 lbs

#### PROCESSED BOXED MEAT INSPECTED

<b>Processed Red Meat</b>	1,657,674.24 lbs
<b>Condemned on Reinspection</b>	0 lbs
<b>Poultry (Portions)</b>	267,514.76 lbs
<b>Condemned on Reinspection</b>	0 lbs
<b>Rabbit Meat</b>	0
<b>Condemned on Reinspection</b>	0 lbs
<b>Exotic Deer Meat</b>	0
<b>Condemned on Reinspection</b>	0 lbs
<b>TOTAL PROCESSED MEAT INSPECTED</b>	1,925,189 lbs

#### MEAT SAMPLE ACTIVITY

31 Samples Submitted for Analysis  
 31 Samples Analyzed  
 31 Samples Negative Analysis

1 (Heat) Samples Not Analyzed  
 0 Samples Non-Compliant  
 0 Sample Positive Results

Sept. 22 – 26 – Tommy Stephens attended the USDA Frontline Supervisor meeting in Dallas



# OKLAHOMA MEAT INSPECTION SERVICES

## INVESTIGATIONS AND COMPLIANCE ACTIVITIES

### OCTOBER

#### SLAUGHTER MEAT INSPECTION

<b>Number of Cattle</b>	1,377
<b>Total Beef Condemned</b>	14,160 lbs
<b>(Beef heads &amp; livers)</b>	(avg. H wt 20 lbs, avg. L wt 10 lbs)
<b>Number of Swine</b>	196
<b>Total Pork Condemned</b>	1,162 lbs
<b>(Pork heads &amp; livers)</b>	(avg. H wt 10 lbs, avg. L wt 2 lbs)
<b>Number of Sheep &amp; Goats</b>	4,471
<b>Total Condemned</b>	62 lbs
<b>Number of Chickens</b>	3,288
<b>Number of Rabbits</b>	0
<b>Total Condemnations</b>	0 lbs
<b>Number of Buffalo</b>	10
<b>Total Condemnations</b>	210 lbs
<b>TOTAL MEAT INSPECTED</b>	1,470,288 lbs

<b><u>AVG. CARCASS WT</u></b>	<b><u>AVG. SWINE</u></b>
Beef 700 lbs, Pork 250 lbs, Sheep/Goat 100 lbs	<b><u>HEAD/LIVER</u></b> Head 10 lbs / Liver 2 lbs

<b><u>AVG. BEEF HEAD/LIVER</u></b>	<b><u>AVG. LAMB/GOAT</u></b>
Head 20 lbs / Liver 10 lbs	<b><u>HEAD</u></b> Head 2 lbs

#### PROCESSED BOXED MEAT INSPECTED

<b>Processed Red Meat</b>	1,542,874.72 lbs
<b>Condemned on Reinspection</b>	0 lbs
<b>Poultry (Portions)</b>	231,637.28 lbs
<b>Condemned on Reinspection</b>	0 lbs
<b>Rabbit Meat</b>	0
<b>Condemned on Reinspection</b>	0 lbs
<b>Exotic Deer Meat</b>	0
<b>Condemned on Reinspection</b>	0 lbs
<b>TOTAL PROCESSED MEAT INSPECTED</b>	1,756,512 lbs

#### MEAT SAMPLE ACTIVITY

28 Samples Submitted for Analysis  
 28 Samples Analyzed  
 28 Samples Negative Analysis

0 (Heat) Samples Not Analyzed  
 0 Samples Non-Compliant  
 0 Sample Positive Results

Nov. 4 – 5 – Scott Yates and Tommy Stephens attended the ASMID State Directors meeting in Denver.



## DAIRY SECTION-SEPTEMBER

Dairy staff conducted routine inspections at dairy farms, dairy plants, performed equipment checks and collected farm and plant dairy samples throughout the state.

Additionally, Dairy Services conducted the following dairy farm surveys:

- DFA CENTRAL COUNCIL 23 (BTU 40-023) located in Grady County.

This state survey received a passing score and information regarding the survey is available on FDA's Interstate Milk Shippers List website.

In September FDA Milk Specialist, Clinton George, conducted an FDA Check rating for the following facility:

- PARKER PLASTICS INC. (40-119) located in Sand Springs

This Check Rating will receive a passing score.

Under the direction of the State Veterinarian, Dairy staff has implemented additional bio-security protocols when visiting dairy farms throughout the state. This information is being shared with our producers, and they are encouraged to contact the State Veterinarian if their herd shows symptoms related to HPAI.

Also, under the direction of the State Veterinarian and USDA, Dairy services expanded HPAI sampling to all dairy farms beginning January 6, 2025. Farm samples are tested at the Oklahoma Animal Disease Diagnostic Laboratory in Stillwater. To date, all Oklahoma permitted dairy farms have tested negative eight months in a row.

FDA Milk Specialist, Clinton George, is currently preparing the Oklahoma Dairy State Program Evaluation. This evaluation occurs every 3 years.

Oklahoma Dairy Services has agreed to participate in Year 3 of a Multi-Drug Residue Raw Milk Monitoring Project. Dairy services will collect raw bulk milk samples from milk tankers and submit blind samples for drug residue analysis to help determine if current residue screenings are sufficient.

In September, Oklahoma dairy services partnered with FDA and ORAU to film a dairy plant training video at Hiland Dairy in Chandler. This will be a teaching aid for dairy inspectors throughout the country.

Dairy Services continues to periodically test raw milk permit holders for *Listeria* and *E. coli*.



## DAIRY SECTION-OCTOBER

Dairy staff conducted routine inspections at dairy farms and dairy plants, performed equipment checks, and collected farm and plant dairy samples throughout the state.

Under the direction of the State Veterinarian and USDA, Dairy services expanded HPAI sampling to all dairy farms beginning January 6, 2025. Farm samples are tested at the Oklahoma Animal Disease Diagnostic Laboratory in Stillwater. To date, all Oklahoma permitted dairy farms have tested negative.

Dairy Services continues to periodically test raw milk permit holders for Listeria and E. coli.

Pete Echelle conducted a state rating on DFA Central Council BTU 40-018. Results are pending.

Scott Fisher recently conducted a State Survey on O-I Glass in Muskogee, OK. This state survey received a passing score. Information regarding the survey is available on FDA's Interstate Milk Shippers List website.

Scott Fisher conducted a survey on Parker Plastics. This state survey received a passing score. Information regarding the survey is available on FDA's Interstate Milk Shippers List website.

Sincerely,

Scott Yates  
Director of Food Safety

## Communications

Sept. 1, 2025 – Oct. 31, 2025

### Events:

- Secretary Brooke Rollins visit to Oklahoma
- Read an Accurate Ag Book Week (Nearly 30,000 students across all 77 counties read to)
- ExpOSure at the Oklahoma State Fair & Tulsa State Fair
- School Garden Winners announced & awarded
- Ag Youth Council second session
- Traveling Board Meeting

### News outreach:

- Secretary Brooke Rollins visit:
  - Farm Report: [Ag Secretary Brooke Rollins Details Plan to Combat New World Screwworm and Secure U.S. Food Supply - Oklahoma Farm Report](#)
  - KOCO: [US Secretary of Agriculture visits Oklahoma to discuss screwworm](#)
  - FOX25: [USDA aims to tackle New World Screwworm to protect Oklahoma agriculture](#)
  - Oklahoma Voice: [US preparing for 'critical threat' to US agriculture, USDA leader says during Oklahoma stop • Oklahoma Voice](#)
- News 9 did a profile on the Made in Oklahoma Store at the State Fair: [Made in Oklahoma Store showcases 75 local companies at State Fair - News9.com](#)
- FOX23 did a profile on the Ag Route at the Tulsa State Fair: [Made in Oklahoma program at the Tulsa State Fair highlights local businesses | News | fox23.com](#)
- OFS talked with media about ways homeowners can become Firewise:
  - OETA: [Fire Prevention Week focuses on lithium-ion safety](#)
  - KFOR: [OK Forestry Services: Oklahomans must stay vigilant ahead of more potential wildfires](#)
  - FOX23 : [Oklahoma Forestry Services gives tips on how to keep homes safe during wildfire season | News | fox23.com](#)

### Social:

- Secretary Brooke Rollins visit recap
- Youth in agriculture highlights
- Read an Accurate Ag Book Week
- AgHERculture recaps

Social media reach:

- Facebook:
  - Followers: 25.5K
  - Views: 332K
  - Engagement: 5.8K
- Instagram:
  - Followers: 4.5K
  - Views: 101K people
  - Engagement: 2.3K

# **December 12, 2025, BOARD MEETING**

## **PURCHASES/CONTRACTS**

### **ADMINISTRATIVE SERVICES**

#### **FY26-Agency Vehicle Purchase - \$1,119,434.32**

Purchase of new agency vehicles. These vehicles are needed to replace aging fleet vehicles. Replacement of these vehicles is critical to the agency's mission and if not replaced may put the employee and public at greater risk. This expansion will include the purchase and outfitting of an additional 19 new vehicles. The funding for this purchase will come from both Administration and Wildlife Services. Wildlife Services secured Board approval in the June 2025 meeting for \$110,000. Additionally, Administration is now requesting approval for \$1,009,434.32 to complete the total purchase. In summary, with this funding, our agency will be able to purchase a total of 22 vehicles.

### **FORESTRY SERVICES**

#### **FY26 – Vehicle Upfitting for Emergency Response - \$65,000**

*(Funding Source: OFS 245 Fund)*

Upfitting of seven (7) pick-ups that ODAFF is in the process of purchasing to replace vehicles currently in service. The upfit will include emergency warning systems (light/sirens), radio console and radio installation, enhanced off-road capabilities, cellular booster and functionality/operational upgrades. Purchase of the equipment and installation provides required equipment an operational capacity to maintain and enhance OFS emergency response to wildfires and on-scene incident management.

#### **FY26 – Purchase of Computer Aided Dispatching (CAD) System- \$800,000**

*(Funding Source: Program Code 98 USFS 2022 IIJA State Fire Capacity Grant - \$113,087; Program Code 98 USFS 2025 IIJA State Fire Capacity Grant - \$247,811; OFS 245 Fund - \$439,102)*

Payment to a Statewide Contract Vendor for the development of a custom CAD system that will be used to support wildfire response and eventually all-hazard incidents throughout the state. This custom system will provide resource dispatching, tracking, assignment, and positioning of all wildfire resources committed to the agency. Currently this process is maintained through an Excel spreadsheet shared via Microsoft Teams with no real-time mapping or spatial data available. With this system in place, OFS will have the technology needed to maintain accountability for wildfire response resources statewide and enhanced interagency reporting. If this purchase is not approved, accountability of resources could be compromised resulting in potential injuries and possibly responder fatalities.

**FY26 – Type 7 Firefighting Skid Units - \$50,000*****(Funding Source: OFS 245 Fund)***

Purchase four (4) Type 7 Firefighting Skid Units, to equip hazard fuels mitigation service trucks to have a means of fire suppression on site during projects where masticators and other heavy equipment operate and may spark wildfire. These units will also serve as support for dozers when assigned to wildfire suppression. If this purchase is not approved, we will continue to be required to always have a Type 6 engine on site when fuel moisture and fire weather merits reducing the number of resources available for fire suppression or slowing project work timelines due to inability for mitigation operations to continue.

**FY26 – Fire Evacuation / Fire Prevention Signage and Supplies - \$32,250.00*****(Funding Source: Program Code 08 (FY24 USFS Cross Boundary Grant)***

Purchase Fire Evacuation and Fire Prevention Signage and supplies prescribed within the approved grant narrative focusing on preparedness, education and evacuation planning in the event of a wildfire occurring in the Hochatown area where vacation cabin rentals are being developed in high-severity wildland fuels. Funding for this effort was awarded to OFS by the U.S. Forest Service to enhance efforts in proximity to USFS lands in the McCurtain County area. Approximately 50% of the high-use recreational area is currently signed, leaving the remainder not clearly marked which has high potential for negatively impacting egress of visiting recreational users while also limiting timely increase of emergency response personnel and equipment.

**Concho Demonstration Area - \$75,000*****(Funding Source: Program Code 79 (FY24 Underserved Landowner Outreach)***

This funding comes from a federal grant that has no match requirement. It will go to the Cheyenne and Arapaho Tribes in Concho to create a new demonstration forest in Western Oklahoma. The focus area is a forest surrounding a spring-fed creek that runs along the edge of town. Management will address reducing the risk of wildfire to the town of Concho, protecting the water quality of the creek, planting a food forest in times of food insecurity, and reducing invasive species. Not funding this project will set us back in terms of developing partnerships with tribal entities, it will lose a unique opportunity to create positive messages surrounding forestry in a part of the state that OFS has less presence, and it will set OFS back on implementing a federal grant focused on increasing outreach to underserved landowners.

**Remote Sensing – \$6,000*****(Funding Source: Program Code 26 (FY25 Invasive Species Coop Forest Health & Monitoring Program)***

This funding comes from a federal grant that has no match requirement. These dollars are to go to satellite and multispectral imagery over the area that will become Musket Mountain State Forest. By collecting this data, OFS will have the most recent imagery and be able to assess current stand conditions across the property. This will assist in determining priority areas when developing a 10-year management plan. It also sets a baseline for similar data collections in following years to better assess the changes over time. Not funding this project will decrease

efficiency when developing a long-term plan for the management of Musket Mountain State Forest as similar information would need to be collected on the ground across all 11,000 acres.

## **WILDLIFE SERVICES**

### **FY26- Ardmore Municipal Airport- \$7,500 - (Pre-approved 11/6/2025)**

Cooperative Agreement with Ardmore Municipal Airport to provide for the protection of property and human health and safety from beavers, deer, elk, and feral hogs that can cause damage to these resources. Failure to approve will result in property damage, human health and safety, and unmitigated hazards for aircraft.

## **MARKET DEVELOPMENT**

### **FY2026 – Beau Hague – Veteran or Young Farmer/Ag Enhancement & Diversification Grant - \$6,220.00**

### **FY2026 – Amy Reinke – Ag Enhancement & Diversification Loan - \$75,000.00**

### **FY2026 – Contractual Agreement between ODAFF and Oklahoma State Department of Education – \$38,000.00**

Ag in the Classroom Program receives \$38,000.00 for curriculum standard alignment, shipping and printing of Ag in the Classroom lessons and resources.

Justification: The Ag in the Classroom program has a longstanding relationship with the State Department of Education relating to curriculum development and dissemination.

Previously, these funds along with the directive to develop curriculum have gone to Oklahoma State University, however, as staffing and budgets at the University have changed, the need for curriculum development is not being met currently. Coordinators of the AITC program have worked with SDE to find innovative solutions to ensure the program's curriculum will be relevant and accurate. Without this support from SDE, ODAFF will not be able to financially support the plan that has been developed to ensure the success and validity of the program.

### **FY2026 – 30 Handwashing Stations - \$30,000.00**

#### ***Funded entirely by the Farm to School State Formula Grant***

Justification: The Oklahoma Farm to School Program is launching the Oklahoma Farm to School Garden Crew. This program is designed to support and celebrate school gardens across Oklahoma. It brings together teachers, students and community members to learn, grow and thrive through gardening. 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 school districts throughout the state but also runs the risk of not being awarded money in the future.

### **FY2026 – Healthy Food Finance Grant – Miranda Casteel/The Hapy Hoe Farm Market - \$10,000.00**

### **FY2026 – Ag in the Classroom State Summer Conference – Facility Rental - \$25,000.00**



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

**APPROVAL OF CASES**

ON THIS 12<sup>th</sup> day of December 2025, 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 12<sup>th</sup> day of December 2025.

---

Blayne Arthur  
President  
State Board of Agriculture

**Exhibit A  
Board of Agriculture  
December 12, 2025**

**Consideration and Proposed Action on Cases Resolved by Stipulation:**

**Agricultural Environmental Management Services**

<b><u>Name</u></b>	<b><u>File No.</u></b>	<b><u>Division</u></b>	<b><u>Amount</u></b>
Caleb & Sara Roberts	OGC-25-125	AEMS	\$500.00

**Consumer Protection Services**

<b><u>Name</u></b>	<b><u>File No.</u></b>	<b><u>Division</u></b>	<b><u>Amount</u></b>
B & B Paint & Weed Service, LLC	OGC-25-650	CPS	\$4,000.00
GreenLeaf Industries/Lilly Bee, LLC	OGC-25-1122	CPS	\$3,000.00
Lawn Republic	OGC-25-1014	CPS	\$1,500.00
Mosquito Relief	OGC-25-989	CPS	\$250.00
Triple J's Solutions	OGC-25-1109	CPS	\$1,500.00

**Consideration and Proposed Action on Cases Resolved by Proposed Consent Order:**

<b><u>Name</u></b>	<b><u>File No.</u></b>	<b><u>Division</u></b>	<b><u>Amount</u></b>
Patriot Outdoor Pros, LLC	OGC-25-1012	CPS	\$250.00

**Consideration and Proposed Action on Cases Resolved by Proposed final Order:**

<b><u>Name</u></b>	<b><u>File No.</u></b>	<b><u>Division</u></b>	<b><u>Amount</u></b>
JDJ Total Lawn Care, LLC	OGC-25-884	CPS	\$1,500.00
Southmark Aviation, Inc.	OGC-25-899	CPS	\$1,000.00

**OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY**

**v. CALEB & SARA ROBERTS**

**Case File No. OGC-25-125**

**CALEB & SARA ROBERTS PFO #1805  
92 RED FOX RD  
BROKEN BOW, OK 74728**

**Summary of Facts:** The Respondents failed to accurately report in annual reports their actions with the poultry litter created by their PFO and attend education classes.

**Statute or Rule Violation:** 2 § 10-9.7(C)(7), 10-9.7(J), 10-9.5(F)(1), 10-9.5(F)(3), and 10-9.5(F)(4) by failing to accurately report in annual reports their actions with the poultry litter created by their PFO and by failing to complete four (4) hours of education.

**Proposed Administrative Penalty:** The proposed penalty for this case was Five Hundred Dollars (\$500.00). Respondents stipulated to and paid the penalty, provided missing information, and attended classes.

**Other Actions Required:** None.

**OGC Attorney:** Abigail Wilburn

**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.**

**CALEB & SARA ROBERTS PFO #1805  
92 RED FOX RD  
BROKEN BOW, OK 74728**

**RESPONDENT.**

OCT 14 2025  
STATE BOARD OF AGRICULTURE

**Case No: OGC-25-125**

**AMENDED 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. **November 13, 2025**, 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.**

---

<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, § 31 Okla. Stat. Tit. 2 § 2-4(16); 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 owning or operating a Poultry Feeding Operation.

16. Pursuant to the Oklahoma Poultry Feeding Operations Act, Okla. Stat. Tit. 2 § 10-9 *et seq.*, ODAFF has authority to regulate persons who are poultry feeding operations.

17. That Act at Okla. Stat. Tit. 2 § 10-9.7(C) states: “*Every poultry feeding operation shall have a Nutrient Management Plan. . .*”

18. That Act at Okla. Stat. Tit. 2 § 10-9.7(C)(7) states: “*Records shall be maintained of all poultry wastes applied on land owned or controlled by the operator, and sold or given to other persons. . .*”

19. That Act at Okla. Stat. Tit. 2 § 10-9.7(J) states: “*Every poultry feeding operation shall file by September 1 of each year an annual report with the Department regarding all poultry waste removed from or land-applied by the facility for the period from July 1 of the previous year through June 30 of that year. . .*”

20. The Act at Okla. Stat. Tit. 2 § 10-9.5(F)(1) states: “*All operators of poultry feeding operations and poultry waste applicators shall attend educational courses on poultry waste handling. All such operators and applicators shall attend educational training on poultry waste management as provided by Oklahoma State University through the Cooperative Extension Service. All current and new operators and applicators shall receive the initial nine (9) hours of*

*training in the first year and two (2) hours of continuing education every year until the operator or applicator has received a total of nineteen (19) hours of training. . . Upon receiving the nineteen (19) required hours, the operator or applicator shall be required to receive two (2) hours of continuing education every three (3) years. . .”*

21. The Act at Okla. Stat. Tit. 2 § 10-9.5(F)(3) states: *“Failure to obtain the initial nine-hour training and any continuing education as provided in this subsection shall be deemed a violation of the Oklahoma Registered Poultry Feeding Operations Act for operators and the Oklahoma Poultry Waste Applicators Certification Act for applicators.”*

22. The Act at Okla. Stat. Tit. 2 § 10-9.5(F)(4) states: *“All operators or applicators shall meet the educational requirements of this section no later than December 31 of each year.”*

#### **ALLEGATIONS OF FACT**

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

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

25. On or about August 30, 2024, the Agricultural Environmental Management Services (AEMS) Division of the Department received the Respondent's FY 2024 Poultry Feeding Operation (PFO) Annual Report.

26. On or about October 15, 2024, the Department sent a request for information based on the Respondent's annual report, in which the Respondent's report stated no litter was sold, transferred, or land applied during the reporting period. This has been the case from FY 2019 through FY2024, the past six (6) consecutive years. The Nutrient Management Plan (NMP) states nearly five hundred (500) tons of litter is generated each year, therefore approximately

three thousand (3,000) tons of litter is unaccounted for. The Department requested the Respondent's to provide the records on where the poultry waste has either applied, sold, or transferred, with a due date of November 15, 2024.

27. On or about December 30, 2024, the Department sent the Respondent a Letter of Warning (LOW) regarding their unaccounted litter for the past six (6) years, with a written response requested accounting for how many tons and the actions taken with the litter, due by January 31, 2025.

28. To date, the Department has failed to receive a response from the Respondent.

29. On or about February 5, 2024, the Department sent Respondent a Letter of Warning (LOW) regarding their missing educational training, in which they were behind two (2) hours with an additional two (2) hours being due on December 31, 2024, for a total of four (4) hours needing to be completed.

30. In May of 2025, the Respondent completed 2 hours of education.

31. To date, the Respondent has failed to complete the remaining hours of education.

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

32. Based upon the application of the above law to the aforementioned facts, Respondent has violated Okla. Stat. Tit. 2 § 10-9.7(C)(7), 10-9.7(J), 10-9.5(F)(1), 10-9.5(F)(3), and 10-9.5(F)(4) by failing to accurately report their actions taken with the litter and by failing to attend four (4) hours of education.

#### **ATTORNEY CONFERENCES**

33. 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 405-522-6104 or by email at [Abigail.wilburn@ag.ok.gov](mailto:Abigail.wilburn@ag.ok.gov).

34. 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.

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

#### **ENFORCEMENT PROCEEDINGS**

36. 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.

37. 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.

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

#### **PRAYER FOR RELIEF**

39. The Department is not seeking to remove any license or registration. We are seeking a monetary penalty as set out in Okla. Stat. Tit. 2 § 2-18(A). In this case, we are seeking a Five Hundred and Dollar (\$5000.00) administrative penalty, **submission of accurate litter records, and proof of continuing education courses.**

### OKLAHOMA SMALL BUSINESS REGULATORY FLEXIBILITY ACT

40. The Oklahoma Small Business Regulatory Flexibility Act, Okla. Stat. Tit. 75 § 506, may apply to this action; please review the full act to determine if it applies to you.

### ENFORCEMENT OF JUDGMENTS

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

### INFORMAL DISPOSITION OF AN INDIVIDUAL PROCEEDING

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

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

44. 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

45. If Respondent desires to resolve this matter without a hearing or further action, Complainant proposes an administrative penalty of Five Hundred Dollars (\$500.00)

46. If you wish to waive your right to hearing and stipulate to the above alleged findings of fact and conclusions of law, you may submit **accurate litter records, and proof of continuing education courses**, and 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 September, 2025.

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

*Abigail Wilburn*

Teena G. Gunter, General Counsel, OBA # 17767  
James Rucker, Deputy General Counsel, OBA # 14574  
Wendi Morse, OBA # 33571  
Kiersten Hamill, OBA #33187  
Abigail Wilburn, OBA #33641  
Assistants General Counsel  
2800 N. Lincoln Blvd.  
Oklahoma City, OK 73105-4298  
Telephone: (405) 522-6104  
Facsimile: (405) 522-5789

**CERTIFICATE OF MAILING**

This is to certify that on this 13 day of OCT., 2025, a true and  
correct copy of the forgoing instrument was mailed, via Certified Mail, Return Receipt  
Requested, as follows:

**CALEB & SARA ROBERTS PFO #1805**  
**92 RED FOX RD**  
**BROKEN BOW, OK 74728**

*YLN*

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-25-125**

**CALEB & SARA ROBERTS PFO #1805  
92 RED FOX RD  
BROKEN BOW, OK 74728**

**RESPONDENT.**

**STIPULATION**

Respondent accepts and stipulates to the proposed administrative penalty or fine of Five Hundred Dollars (\$500.00) for this action, **submits accurate litter records, and proof of continuing education courses**, 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: \_\_\_\_\_

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-25-125

CALEB & SARA ROBERTS PFO #1805 )  
92 RED FOX RD )  
BROKEN BOW, OK 74728 )

RESPONDENT. )

STIPULATION

Respondent accepts and stipulates to the proposed administrative penalty or fine of Five Hundred Dollars (\$500.00) for this action, submits accurate litter records, and proof of continuing education courses, 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:

*[Handwritten Signature]*

*Sara Roberts, owner*

*11/12/25*

FILED  
NOV 17 2025  
STATE BOARD OF AGRICULTURE

**OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY**

**v. B & B PAINT & WEED SERVICE LLC**

**Case File No. OGC-25-650**

**B & B PAINT & WEED SERVICE LLC**

**11549 STATE HWY 76 N.**

**LINDSAY, OK 73052**

**Summary of Facts:** In August of 2025, a complaint investigation was carried out by the Department. The Department found that Respondent's license expired in 2018 and was not renewed until September of 2024. Respondent performed two applications for Continental Resources on June 18, 2024, and June 24, 2024.

**Statute or Rule Violation:** Respondent violated 2 O.S. § 3-82(A) and 2 O.S. § 3-86(A)(15) by making commercial pesticide applications without a license.

**Proposed Administrative Penalty:** The proposed penalty for this case was Four Thousand Dollars (\$4,000.00). Respondent stipulated and paid.

**Other Actions Required:** None.

**OGC Attorney:** Kiersten Wormus

**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.**

**B & B PAINT & WEED SERVICE LLC  
11549 STATE HWY 76 N.  
LINDSAY, OK 73052**

**RESPONDENT.**

**FILED**  
**JUN 10 2025**  
**STATE BOARD OF AGRICULTURE**

**Case Nos: OGC-25-650**

**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. The 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 9<sup>th</sup> day of October 2025, 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.**

---

<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. The 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(16); 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 pesticide.

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

### **ALLEGATIONS OF FACT**

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

18. On August 7, 2024, a complaint investigation was performed by the Consumer Protection Division of the Department.

19. Our records show your company license was renewed on September 3, 2024.

20. Prior to the renewal, your license had been expired since December 31, 2018.

21. This investigation involves applications you made for Continental Resources in section 8-3S-3W.

22. According to your application records you applied Alligare SMF 75, Alligare Ballast Herbicide, and Buccaneer Plus Glyphosate Herbicide to the oil well sites on June 18, 2024, and June 24, 2024.



23. Making commercial pesticide applications without a license is a violation of the Oklahoma Combined Pesticide Law & Rules, specifically 2 O.S. § 3-82(A) and 2 O.S. § 3-86(A)(15).

**ALLEGED CONCLUSIONS OF LAW**

24. Based upon the application of the above law to the aforementioned facts, you are in violation of 2 O.S. § 3-82(A) and 2 O.S. § 3-86(A)(15) which are listed below.

- 2 O.S. §3-82(A): “(A) 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.”
- 2 O.S. §3-86(A)(15): “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: (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.”

### **PRAYER FOR RELIEF**

25. The Department is seeking an administrative penalty in the amount of **Four Thousand Dollars (\$4,000.00)**.

### **ATTORNEY CONFERENCES**

26. 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 405-522-5803 or by email at [Kiersten.wormus@ag.ok.gov](mailto:Kiersten.wormus@ag.ok.gov).

27. 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.

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

### **ENFORCEMENT PROCEEDINGS**

29. 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.

30. 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.

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

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

32. 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**

33. 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**

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

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

36. 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**

37. If Respondent desires to resolve this matter without a hearing or further action, Complainant proposes an administrative penalty of **Four Thousand Dollars (\$4,000.00)**.

38. 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 12th day of May, 2025.

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

*Kiersten Wormus*

Teena G. Gunter, General Counsel, OBA #17767  
James Rucker, Deputy G. Counsel, OBA #14574  
Wendi Morse, OBA #33571  
Kiersten Wormus, OBA #33187  
Abbie Wilburn, OBA #33641  
Assistants General Counsel  
2800 N. Lincoln Blvd.  
Oklahoma City, OK 73105-4298  
Telephone: (405) 522-5803  
Facsimile: (405) 522-5789

**CERTIFICATE OF MAILING**

This is to certify that on this 10 day of June, 2025, a true and correct copy of the forgoing instrument was mailed, via Certified Mail, Return Receipt Requested, as follows:

**B & B PAINT & WEED SERVICE LLC**  
**11549 STATE HWY 76 N.**  
**LINDSAY, OK 73052**

*GB*

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 Nos: OGC-25-650**

**B & B PAINT & WEED SERVICE LLC )  
11549 STATE HWY 76 N. )  
LINDSAY, OK 73052 )**

**RESPONDENT. )**

**STIPULATION**

Respondent accepts and stipulates to the proposed administrative penalty or fine of **Four Thousand Dollars (\$4,000.00)** 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: \_\_\_\_\_



BEFORE THE STATE BOARD OF AGRICULTURE  
STATE OF OKLAHOMA

**FILED**  
OCT 15 2025  
STATE BOARD OF AGRICULTURE

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

COMPLAINANT,

v.

Case Nos: OGC-25-650

B & B PAINT & WEED SERVICE LLC  
11549 STATE HWY 76 N.  
LINDSAY, OK 73052

RESPONDENT.

STIPULATION

Respondent accepts and stipulates to the proposed administrative penalty or fine of **Four Thousand Dollars (\$4,000.00)** 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:

*B.P. Highsmith*

Signature

Brian P. Highsmith / owner

Printed Name and Title

Date:

10/15/2025

**RECEIVED**

OCT 08 2025

ODAFF FINANCE

**OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY**

**v. GREENLEAF INDUSTRIES/LILLY BEE, LLC**

**Case File No. OGC-25-1122**

**GreenLeaf Industries / Lilly Bee, LLC**  
**213 S. Forest Ridge Blvd.**  
**Broken Arrow, OK 74364**

**Summary of Facts:** In July of 2025, the Consumer Protection Services Division of the Department investigated the Respondent. The Department found that the Respondent failed to provide the criminal history report or acknowledgement, and the agreement page for the previous partner when obtaining Respondent's 2024 hemp grower license, Respondent sold untested hemp plants and failed to follow the transportation rules. Additionally, the Department found that Respondent failed to submit an inspection request form for the 2024 harvest of 0.5 acres until 6/12/2025, Respondent failed to submit an inspection request form for any other 2024 harvests, Respondent failed to submit the 2024 post-harvest report for 0.5 acres until 6/12/2025, Respondent failed to submit a post-harvest report for an additional 1.5 acres of licensed outdoor growing area, and Respondent failed to submit a post-harvest report for 1,000 square feet of licensed indoor growing area.

**Statute or Rule Violation:** Respondent violated O.A.C. 35:30-24-12(h)(1), O.A.C. 35:30-24-12(h)(2), O.A.C. 35:30-24-12(h)(10), and O.A.C. 35:30-24-12(h)(12) by providing false information or otherwise engaging in deception to secure or retain a license, failing to provide accurate and complete records in response to a request for information from the Department, handling, processing, or selling non-compliant hemp which enters the stream of commerce, and failing to follow transportation rules.

**Proposed Administrative Penalty:** The proposed penalty for this case was Three Thousand Dollars (\$3,000.00). Respondent stipulated and paid.

**Other Actions Required:** None.

**OGC Attorney:** Kiersten Wormus

**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-25-1122**

**GREENLEAF INDUSTRIES/LILLY BEE, LLC )  
213 S. FOREST RIDGE BLVD. )  
BROKEN ARROW, OK 74364 )**

**RESPONDENT. )**

**AMENDED 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. Respondents are 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 the 8<sup>th</sup> day of January 2026 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.**

---

<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. Respondents have 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(16); 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 growing and handling commercial hemp.

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.

### **ALLEGATIONS OF FACT**

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

18. In July of 2025, the Consumer Protective Services Division of the Department conducted an investigation into the Respondent.

19. Respondent provided false information or otherwise engaged in deception to secure or retain their license. Specifically, Respondent failed to provide the criminal history report or acknowledgement, and the agreement page for the previous partner when obtaining Respondent's 2024 hemp grower license.

20. Respondent failed to timely, accurately, and truthfully complete and submit any application, report, or request for information from the Department. Specifically, Respondent failed to submit an inspection request form for the 2024 harvest of 0.5 acres until 6/12/2025, Respondent failed to submit an inspection request form for any other 2024 harvests, Respondent

failed to submit the 2024 post-harvest report for 0.5 acres until 6/12/2025, Respondent failed to submit a post-harvest report for an additional 1.5 acres of licensed outdoor growing area, and Respondent failed to submit a post-harvest report for 1,000 square feet of licensed indoor growing area.

21. Respondent handled, processed, and/or sold non-compliant hemp which entered the stream of commerce. Specifically, Respondent sold untested hemp plants.

22. Respondent failed to follow the transportation rules found in the Industrial Hemp Program Rules.

23. Based on the allegations above, the Respondent has violated the Oklahoma Industrial Hemp Program Laws & Rules, specifically O.A.C. 35:30-24-12(h)(1), O.A.C. 35:30-24-12(h)(2), O.A.C. 35:30-24-12(h)(10), and O.A.C. 35:30-24-12(h)(12).

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

24. Based upon the application of the above law to the aforementioned facts, you are in violation of O.A.C. 35:30-24-12(h)(1), O.A.C. 35:30-24-12(h)(2), O.A.C. 35:30-24-12(h)(10), and O.A.C. 35:30-24-12(h)(12) which are stated below:

- O.A.C. 35:30-24-12(h)(1): “(h) Violations of the Oklahoma Industrial Hemp Program and the rules of this subchapter shall include, but not be limited to, the following conduct: (1) Providing false, misleading, or incorrect information or otherwise engaging in fraud or deception to secure or retain a license.”
- O.A.C. 35:30-24-12(h)(2): “(h) Violations of the Oklahoma Industrial Hemp Program and the rules of this subchapter shall include, but not be limited to, the following conduct: (2) Failure to timely, accurately, and



truthfully complete and submit any application, report, or request for information from the Department.”

- O.A.C. 35:30-24-12(h)(10): “(h) Violations of the Oklahoma Industrial Hemp Program and the rules of this subchapter shall include, but not be limited to, the following conduct: (10) Handling, processing, or selling non-compliant hemp which enters the stream of commerce.”
- O.A.C. 35:30-24-12(h)(12): “(h) Violations of the Oklahoma Industrial Hemp Program and the rules of this subchapter shall include, but not be limited to, the following conduct: (12) Failure to follow transportation rules as provided within this subchapter.”

#### **PRAYER FOR RELIEF**

25. The Department is seeking an administrative penalty in the amount of **Three Thousand Dollars (\$3,000.00)**.

#### **ATTORNEY CONFERENCES**

26. 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 405-522-5803 or by email at [Kiersten.wormus@ag.ok.gov](mailto:Kiersten.wormus@ag.ok.gov).

27. 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.

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

#### **ENFORCEMENT PROCEEDINGS**

29. 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.

30. 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.

31. Any person, holder or non-holder of a valid license violating any of the provisions of 2 O.S. §3-86(A)(1)-(22) shall be guilty of a misdemeanor and shall be punishable by a fine of not less than One Hundred Dollars (\$100.00) and not more than Ten Thousand Dollars (\$10,000.00), imprisonment in the county jail for not less than thirty (30) days and not more than one (1) year, or both.

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

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

33. 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**

34. 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**

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

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

37. 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**

38. If Respondent desires to resolve this matter without a hearing or further action, Complainant proposes an administrative penalty of **Three Thousand Dollars (\$3,000.00)**.

39. 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 31st day of October, 2025.

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

*Kiersten Wormus*

---

Teena G. Gunter, General Counsel, OBA #17767  
James Rucker, Deputy G. Counsel, OBA #14574  
Wendi Morse, OBA #33571  
Kiersten Wormus, OBA #33187  
Abbie Wilburn, OBA #33641  
Assistants General Counsel  
2800 N. Lincoln Blvd.  
Oklahoma City, OK 73105-4298  
Telephone: (405) 522-5803  
Facsimile: (405) 522-5789

**CERTIFICATE OF MAILING**

This is to certify that on this 31st day of October, 2025, a true and correct copy of the forgoing instrument was emailed as follows:

**GreenLeaf Industries / Lilly Bee, LLC**  
**[stevewill35@gmail.com](mailto:stevewill35@gmail.com)**

*Kiersten Wormus*  
Kiersten Wormus

**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-25-1122**

**GREENLEAF INDUSTRIES/LILLY BEE, LLC )  
213 S. FOREST RIDGE BLVD. )  
BROKEN ARROW, OK 74364 )**

**RESPONDENT. )**

**STIPULATION**

Respondent accepts and stipulates to the proposed administrative penalty or fine of **Three Thousand Dollars (\$3,000.00)** 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: \_\_\_\_\_



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. )

GREENLEAF INDUSTRIES/LILLY BEE, LLC )  
213 S. FOREST RIDGE BLVD. )  
BROKEN ARROW, OK 74364 )

RESPONDENT. )

Case No: OGC-25-1122

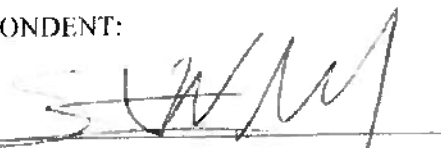
**FILED**  
NOV 07 2025  
STATE BOARD OF AGRICULTURE

STIPULATION

Respondent accepts and stipulates to the proposed administrative penalty or fine of **Three Thousand Dollars (\$3,000.00)** 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: 11/05/2025

**OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY**

**v. LAWN REPUBLIC**

**Case File No. OGC-25-1014**

**LAWN REPUBLIC**

**12804 S. MEMORIAL DR. UNIT #111**

**BIXBY, OK 74008**

**Summary of Facts:** On July 2, 2025, the Consumer Protection Services Division of the Department conducted a use inspection in Broken Arrow, OK. Our inspector observed Respondent's unmarked application truck at a residence in Broken Arrow, OK. This truck had a spray rig in the bed and was pulling a trailer with a z-sprayer and chemical containers on it. Respondent's company license expired December 31, 2022.

**Statute or Rule Violation:** Respondent violated 2 O.S. § 3-82(A) and 2 O.S. § 3-86(A)(15) by making commercial pesticide applications without a license.

**Proposed Administrative Penalty:** The proposed penalty for this case was One Thousand Five Hundred Dollars (\$1500.00). Respondent stipulated and paid.

**Other Actions Required:** None.

**OGC Attorney:** Kiersten Wormus

**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.**

**LAWN REPUBLIC )  
12804 S. MEMORIAL DR. UNIT #111 )  
BIXBY, OK 74008 )**

**RESPONDENT. )**

**Case No: OGC-25-1014**

**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. The 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 13<sup>th</sup> day of November 2025 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.**

---

<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. The 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(16); 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 commercial pesticide applications.

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.

### **ALLEGATIONS OF FACT**

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

18. On the 2<sup>nd</sup> day of July 2025, the Consumer Protection Services Division of the Department conducted a use inspection in Broken Arrow, OK.

19. Our inspector observed your company's unmarked application truck at a residence in Broken Arrow, OK. This truck had a spray rig in the bed and was pulling a trailer with a z-sprayer and chemical containers on it.

20. Your company license expired December 31, 2022.

21. ODAFF records show that you renewed your company license on July 29, 2025.

22. Making commercial pesticide applications without a license is a violation of the Oklahoma Combined Pesticide Law & Rules, specifically 2 O.S. § 3-82(A) and 2 O.S. § 3-86(A)(15).

### **ALLEGED CONCLUSIONS OF LAW**

23. Based upon the application of the above law to the aforementioned facts, you are in violation of 2 O.S. § 3-82(A) and 2 O.S. § 3-86(A)(15) which are all stated below:

- 2 O.S. §3-82(A): “(A) 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, unless the person is applying to his or her own property.”
- 2 O.S. §3-86(A)(15): “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: (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.”

### **PRAYER FOR RELIEF**

24. The Department is seeking an administrative penalty in the amount of **One Thousand Five Hundred Dollars (\$1500.00)**.



### **ATTORNEY CONFERENCES**

25. 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 405-522-5803 or by email at [Kiersten.wormus@ag.ok.gov](mailto:Kiersten.wormus@ag.ok.gov).
26. 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.
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 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.
30. Each animal, each action, or each day a violation continues may constitute a separate and distinct violation.

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

31. 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**

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 the Respondent desires to resolve this matter without a hearing or further action, the Complainant proposes an administrative penalty of **One Thousand Five Hundred Dollars (\$1500.00)**.

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 27th day of August, 2025.

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

*Kiersten Wormus*

Teena G. Gunter, General Counsel, OBA #17767

James Rucker, Deputy G. Counsel, OBA #14574

Wendi Morse, OBA #33571

Kiersten Wormus, OBA #33187

Abbie Wilburn, OBA #33641

Assistants General Counsel

2800 N. Lincoln Blvd.

Oklahoma City, OK 73105-4298

Telephone: (405) 522-5803

Facsimile: (405) 522-5789

**CERTIFICATE OF MAILING**

This is to certify that on this \_\_\_\_\_ day of \_\_\_\_\_, 2025, a true and correct copy of the forgoing instrument was mailed, via Certified Mail, Return Receipt Requested, as follows:

LAWN REPUBLIC  
12804 S. MEMORIAL DR. UNIT #111  
BIXBY, OK 74008

\_\_\_\_\_  
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.**

**LAWN REPUBLIC  
12804 S. MEMORIAL DR. UNIT #111  
BIXBY, OK 74008**

**RESPONDENT.**

**Case No: OGC-25-1014**

**STIPULATION**

Respondent accepts and stipulates to the proposed administrative penalty or fine of **One Thousand Five Hundred Dollars (\$1500.00)** 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: \_\_\_\_\_

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.

LAWN REPUBLIC  
12804 S. MEMORIAL DR. UNIT #111  
BIXBY, OK 74008

RESPONDENT.

Case No: OGC-25-1014

**FILED**  
OCT 30 2025  
STATE BOARD OF AGRICULTURE

STIPULATION

Respondent accepts and stipulates to the proposed administrative penalty or fine of **One Thousand Five Hundred Dollars (\$1500.00)** 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

Patrick Reeder Owner  
Printed Name and Title

Date: 10/24/25

**RECEIVED**  
OCT 28 2025  
ODAFF FINANCE

**OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY**

**v. MOSQUITO RELIEF**

**Case File No. OGC-25-989**

**MOSQUITO RELIEF  
3010 GREEN OAKS WAY  
EDMOND, OK 73034**

**Summary of Facts:** On May 30, 2025, a pesticide applicator facility and use inspection was performed by the Consumer Protection Division of the Department. During this investigation, our inspector observed that Respondent's company trucks did not have the company name on them.

**Statute or Rule Violation:** Respondent violated O.A.C. 35:30-17-15 by improper identification of an application vehicle.

**Proposed Administrative Penalty:** The proposed penalty for this case was Two Hundred Fifty Dollars (\$250.00). Respondent stipulated and paid.

**Other Actions Required:** None.

**OGC Attorney:** Kiersten Wormus



**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.**

**MOSQUITO RELIEF  
3010 GREEN OAKS WAY  
EDMOND, OK 73034**

**RESPONDENT.**

**Case Nos: OGC-25-989**

**FILE**  
**SEP 3 2025**  
**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 p.m. on 11th day of December 2025**, 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(16); 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 pesticide.
16. Pursuant to Okla. Sta. Ann. 2 § 2-4(A)(3), ODAFF has authority to regulate people who violate the Oklahoma Agricultural Code by initiating and prosecuting administrative, civil, or criminal actions and proceedings necessary under the Oklahoma Agricultural Code.

### **ALLEGATIONS OF FACT**

17. Based upon current information and belief, the following allegations of fact summarize the alleged violations committed by Respondent.
18. On May 30, 2025, a pesticide applicator facility and use inspection was performed by the Consumer Protection Division of the Department.
19. During this investigation, our inspector observed that your company trucks did not have your company name on them.
20. ODAFF requires that all vehicles used by a commercial applicator while conducting business display the company's name and license number on both sides of the vehicle in 2 inch or larger letters.
21. Improper identification of an application vehicle is a violation of the Oklahoma Combined Pesticide Law & Rules, specifically O.A.C. 35:30-17-15.

### **ALLEGED CONCLUSIONS OF LAW**

22. Based upon the application of the above law to the aforementioned facts, you are in violation of O.A.C. 35:30-17-15 which is listed below.

- O.A.C. 35:30-17-15: "All vehicles, including nurse tanks and self-propelled ground applicators, used by a commercial applicator during the conduct of business shall be identified by displaying the name and license number of the licensee. The display shall be on both sides of the vehicle in letters not less than two (2) inches in height."

### **PRAYER FOR RELIEF**

23. The Department is seeking an administrative penalty in the amount of **Two Hundred Fifty Dollars (\$250.00)**.

### **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 405-522-5803 or by email at [Kiersten.wormus@ag.ok.gov](mailto:Kiersten.wormus@ag.ok.gov).

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:

- 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.

28. 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.

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

30. 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**

31. 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**

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 **Two Hundred Fifty Dollars (\$250.00)**.

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 2nd day of September, 2025.

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

*Kiersten Wormus*

Teena G. Gunter, General Counsel, OBA #17767

James Rucker, Deputy G. Counsel, OBA #14574

Wendi Morse, OBA #33571

Kiersten Wormus, OBA #33187

Abbie Wilburn, OBA #33641

Assistant General Counsel

2800 N. Lincoln Blvd.

Oklahoma City, OK 73105-4298

Telephone: (405) 522-5803

Facsimile: (405) 522-5789

CERTIFICATE OF MAILING

This is to certify that on this 3 day of Sept, 2025, a true and correct copy of the forgoing instrument was emailed as follows:

**MOSQUITO RELIEF  
3010 GREEN OAKS WAY  
EDMOND, OK 73034**



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 Nos: OGC-25-989**

**MOSQUITO RELIEF )  
3010 GREEN OAKS WAY )  
EDMOND, OK 73034 )**

**RESPONDENT. )**

**STIPULATION**

Respondent accepts and stipulates to the proposed administrative penalty or fine of **Two Hundred Fifty Dollars (\$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, \_\_\_\_\_

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.

MOSQUITO RELIEF  
3010 GREEN OAKS WAY  
EDMOND, OK 73034

RESPONDENT.

Case Nos: OG/C-25-989

**FILED**  
OCT 09 2025  
STATE BOARD OF AGRICULTURE

**RECEIVED**

OCT 10 2025  
ODAFF FINANCE

STIPULATION

Respondent accepts and stipulates to the proposed administrative penalty or fine of **Two Hundred Fifty Dollars (\$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 73105-1298

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

Porfirio C. Linares - owner  
Printed Name and Title

Date: 10/1/2025

**OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY**

**v. TRIPLE J's SOLUTIONS**

**Case File No. OGC-25-1109**

**MIKE JONES  
TRIPLE J's SOLUTIONS  
602 N. ELVA  
HELENA, OK 73741**

**Summary of Facts:** On July 15, 2025, the Consumer Protection Services Division of the Department conducted a use inspection in Lahoma, OK. Our inspector observed Respondent's employee making an application along the side of N. Stable Road in Lahoma, OK. Our inspector spoke with the non-certified applicator who stated that the company was contracted by the City of Lahoma to make applications to city property. Our inspector met with Mr. Jones on July 17, 2025, at the Lahoma City Hall where he confirmed making the pesticide applications without a license and certification.

**Statute or Rule Violation:** Respondent violated 2 O.S. § 3-82(A), 2 O.S. §3-86(A)(9), 2 O.S. § 3-86(A)(15), and 2 O.S. § 3-86(A)(16) by advertising and making commercial pesticide applications without a license.

**Proposed Administrative Penalty:** The proposed penalty for this case was One Thousand Five Hundred Dollars (\$1500.00). Respondent stipulated and paid.

**Other Actions Required:** None.

**OGC Attorney:** Kiersten Wormus

**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.**

**TRIPLE J's SOLUTIONS  
602 N. ELVA  
HELENA, OK 73741**

**RESPONDENT.**

**Case No: OGC-25-1109**

**FILED**  
SEP 3 2025  
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. The 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 13<sup>th</sup> day of November 2025 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.**

---

<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. The 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(16); 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 commercial pesticide applications.

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.

### **ALLEGATIONS OF FACT**

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

18. On the 15<sup>th</sup> day of July 2025, the Consumer Protection Services Division of the Department conducted a use inspection in Lahoma, OK.

19. Our inspector observed your employee making an application along the side of N. Stable Road in Lahoma, OK. Our inspector spoke with the non-certified applicator Autum Jones who stated that the company was contracted by the City of Lahoma to make applications to city property.

20. Our inspector met with you on July 17, 2025, at the Lahoma City Hall where you confirmed making the pesticide applications without a license and certification.

21. A company must be licensed and certified with ODAFF in order to make commercial pesticide applications in Oklahoma.

22. Your company is not licensed with ODAFF to make commercial pesticide applications.
23. Advertising and making commercial pesticide applications without a license is a violation of the Oklahoma Combined Pesticide Law & Rules, specifically 2 O.S. § 3-82(A), 2 O.S. §3-86(A)(9), 2 O.S. § 3-86(A)(15), and 2 O.S. § 3-86(A)(16).

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

24. Based upon the application of the above law to the aforementioned facts, you are in violation of 2 O.S. § 3-82(A), 2 O.S. §3-86(A)(9), 2 O.S. § 3-86(A)(15), and 2 O.S. § 3-86(A)(16) which are all stated below:

- 2 O.S. §3-82(A): “(A) 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, unless the person is applying to his or her own property.”
- 2 O.S. §3-86(A)(9): “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: (9) Advertising or offering to



perform in a category of pesticide application for which no license is held or under a name for which no license is held.”

- 2 O.S. §3-86(A)(15): “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: (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. §3-86(A)(16): “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: (16) Any persons to be employed or represent themselves as certified applicators or service technicians unless they have met the certification standards prescribed by the Board and obtained valid

certificates or identifications issued by the Board for the categories for which the persons are to be employed or supervised.”

#### **PRAYER FOR RELIEF**

25. The Department is seeking an administrative penalty in the amount of **One Thousand Five Hundred Dollars (\$1500.00)**.

#### **ATTORNEY CONFERENCES**

26. 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 405-522-5803 or by email at [Kiersten.wormus@ag.ok.gov](mailto:Kiersten.wormus@ag.ok.gov).
27. 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.
28. Arrangements to discuss the matter before the Prehearing Conference are encouraged.

#### **ENFORCEMENT PROCEEDINGS**

29. 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.
30. 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.

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

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

32. 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**

33. 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**

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

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

36. 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**

37. If the Respondent desires to resolve this matter without a hearing or further action, the Complainant proposes an administrative penalty of **One Thousand Five Hundred Dollars (\$1500.00)**.

38. 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 28th day of August, 2025.

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

*Kiersten Wormus*

Teena G. Gunter, General Counsel, OBA #17767

James Rucker, Deputy G. Counsel, OBA #14574

Wendi Morse, OBA #33571

Kiersten Wormus, OBA #33187

Abbie Wilburn, OBA #33641

Assistants General Counsel

2800 N. Lincoln Blvd.

Oklahoma City, OK 73105-4298

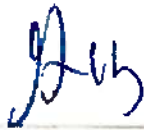
Telephone: (405) 522-5803

Facsimile: (405) 522-5789

**CERTIFICATE OF MAILING**

This is to certify that on this 3 day of Sept., 2025, a true and correct copy of the forgoing instrument was mailed, via Certified Mail, Return Receipt Requested, as follows:

MIKE JONES  
TRIPLE J's SOLUTIONS  
602 N. ELVA  
HELENA, OK 73741

  
\_\_\_\_\_  
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.**

**TRIPLE J's SOLUTIONS  
602 N. ELVA  
HELENA, OK 73741**

**RESPONDENT.**

**Case No: OGC-25-1109**

**STIPULATION**

Respondent accepts and stipulates to the proposed administrative penalty or fine of **One Thousand Five Hundred Dollars (\$1500.00)** 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: \_\_\_\_\_

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.

TRIPLE J's SOLUTIONS  
602 N. ELVA  
HELENA, OK 73741

RESPONDENT.

Case No: OGC-25-1109

STIPULATION

Respondent accepts and stipulates to the proposed administrative penalty or fine of **One Thousand Five Hundred Dollars (\$1500.00)** 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:

RECEIVED

OCT 29 2025

ODAFF FINANCE

Signature

Printed Name and Title:

Date: 10-20-25



**OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY**

**v. PATRIOT OUTDOOR PROS LLC**

**Case File No. OGC-25-1012**

**PATRIOT OUTDOOR PROS LLC  
7301 N. OWASSO EXPRESSWAY STE. M115-B  
OWASSO, OK 74055**

**Summary of Facts:** On June 25, 2025, a use inspection was performed by the Consumer Protection Division of the Department in Owasso, OK. During this investigation, our inspector observed Respondent's company application truck without the company name or license number on it. This truck was pulling a trailer with a z-sprayer and water tank on it. There was no company information on the trailer.

**Statute or Rule Violation:** Respondent violated O.A.C. 35:30-17-15 by improper identification of an application vehicle.

**Proposed Administrative Penalty:** The proposed penalty for this case was Two Hundred Fifty Dollars (\$250.00). Respondent and Department entered a settlement for \$250.

**Other Actions Required:** None.

**OGC Attorney:** Kiersten Wormus

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

**FILED**  
SEP 22 2025  
STATE BOARD OF AGRICULTURE

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

COMPLAINANT, )

v. )

Case Nos: OGC-25-1012

PATRIOT OUTDOOR PROS LLC )  
7301 N. OWASSO EXPRESSWAY )  
STE. M115-B )  
OWASSO, OK 74055 )

RESPONDENT. )

**SETTLEMENT AGREEMENT AND CONSENT ORDER**

**PARTIES**

1. This Settlement Agreement and Consent Order (the "Agreement") is between the Oklahoma Department of Agriculture, Food, And Forestry (the "Department") and Patriot Outdoor Pros LLC (the "Respondent").

**AUTHORITY**

2. The Department has authority over this matter pursuant to Okla. Const. Art. VI, Section 31 and 2 O.S. § 2-4(16).

**DEPARTMENT'S NOTICE**

3. On the 3<sup>rd</sup> day of September 2025, the Department issued a Notice of Violation in Case No. OGC-25-1012, ("Notice") to the Respondent, which is attached hereto as Exhibit A. The Allegations of Fact and Summary of Applicable Law of that Notice are incorporated herein by reference.

**ORDER AND AGREEMENT**

4. In compromise and full settlement of *this matter*, the Respondent shall pay the Department an administrative penalty of Two Hundred Fifty Dollars and Zero Cents (\$250.00).
5. Upon the execution of this agreement by both parties, payment shall be made within thirty (30) days by Respondent payable to the "Oklahoma Department of Agriculture, Food, And Forestry" and mailed to the following address:

Office of General Counsel  
Oklahoma Department of Agriculture, Food, and Forestry  
2800 N. Lincoln Blvd.

#### **EFFECT OF THE AGREEMENT**

6. In exchange for Respondent's compliance with the terms of this Agreement, the Department agrees not to initiate any further administrative, civil, or criminal proceedings against Respondent, its officers, directors, agents, customers, servants, employees, representatives, parents, subsidiaries, successors and assigns, based or relating to the facts alleged in the Department's Notice. This release shall not prevent the Department from enforcing the terms of this Agreement and does not release Respondent from liability for other unknown or undiscovered past violations or potential future violations of state or federal law. This Agreement relates only to claims within the jurisdiction of the Department and specifically does not release Respondent from actions initiated by other state or federal agencies having jurisdiction over related matters.
7. Respondent and the Department recognize there is risk and expense inherent in any litigation. Thus, the parties agree to enter into this compromise and settlement to avoid incurring any further cost and expense arising as a result of this dispute. Respondent and the Department each do not waive and each expressly reserves all of its rights in any future proceeding against it.
8. The Department does not by entering into this Agreement concede that its factual basis for initiating this Action, and violations found based upon those facts, are not true and accurate. Respondent, without admitting the truth of said factual averments and having previously contested the alleged violations in informal discussions with representatives of the Department, voluntarily waives its right to a formal evidentiary hearing to contest such factual averments. By entering into this agreement, Respondent does not admit or consent to the truth of the factual averments set forth in the Notice. The Department and Respondent are avoiding further contention, including litigation of this matter, through settlement of this Action by this Agreement.

#### **NO ADMISSION**

9. This Agreement and any proceedings taken hereunder are not intended and shall not in any event be construed as, or deemed to be, an admission or concession or evidence of any liability or any wrongdoing whatsoever on the part of any party. The parties hereto specifically disclaim and deny any liability or wrongdoing whatsoever with respect to the allegations and claims asserted against them in this action and enter into this Agreement solely to avoid the further expense, inconvenience, burden and uncertainty of litigation.

#### **NON-ADMISSIBILITY**

10. These settlement negotiations have been undertaken by the parties in good faith and for settlement purposes only, and neither this Agreement nor any evidence of negotiations hereunder, shall be offered or received in evidence in this Action, or any other action or proceeding, for any purpose other than in an action or proceeding to enforce the terms of this Agreement.

### **HEARING WAIVER**

11. Respondent hereby agrees to waive its right to a hearing and its opportunity to appeal or contest this Agreement. Respondent enters into this Agreement freely and voluntarily.

### **NOTICE**

12. Unless otherwise specified, reports, notice, or other submissions required under this Agreement shall be in writing and shall be sent to:

For the Oklahoma Department of Agriculture, Food, and Forestry:

Kiersten Wormus

Assistant General Counsel

2800 N. Lincoln Blvd.

Oklahoma City, OK 73105-4298

For Respondent Patriot Outdoor Pros LLC:

Dustin Christ

Patriot Outdoor Pros LLC

7301 N. Owasso Expressway Ste. M115-B


Owasso, OK 74055

### **MISCELLANEOUS**

13. This Agreement may be amended only by mutual agreement of the Department and Respondent. Such amendments shall be in writing, shall have as their effective date the date on which they are signed by both parties, and shall be incorporated into this agreement.
14. The undersigned representative of the Office of General Counsel, Oklahoma Department of Agriculture, Food, and Forestry agrees to propose and recommend this Agreement to the State Board of Agriculture (the "Board"). Furthermore, Respondent understands that the Office of General Counsel Representative neither possesses the legal power to bind the Board nor can the Office of General Counsel Representative promise acceptance of this Agreement by the Board. Respondent understands that it may attend the meeting of the Board but is not required to do so.
15. In the event the Board accepts this Agreement, Respondent shall receive a copy of the Approval. Compliance with this Agreement shall constitute full and complete settlement.
16. In the event the Board does not approve this Agreement, then Respondent or the Department is free to make a counterproposal for the Board's consideration, or the Parties may choose to go through a formal administrative hearing on the above charges, and the recitations herein will be held for naught and are inadmissible in any future proceedings.
17. No breach of any provision of this Agreement can be waived by any undersigned party unless in writing. Waiver of any one breach by an undersigned party shall not be deemed to be a waiver of any other breach of the same or any other provision of this Agreement.
18. This Agreement shall be governed by the laws of the State of Oklahoma.

Executed by the Parties on the dates set forth below:

OKLAHOMA DEPARTMENT  
OF AGRICULTURE, FOOD, AND  
FORESTRY

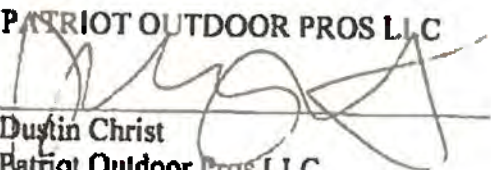
  
Keady Naylor, Director  
Consumer Protection Services  
2800 N. Lincoln Blvd.  
Oklahoma City, OK 73105-4298  
Telephone: (405) 522-0625

Date:

9/22/2025

- and by -

PATRIOT OUTDOOR PROS LLC

  
Dustin Christ  
Patriot Outdoor Pros LLC  
7301 N. Owasso Expressway Ste. M115-B  
Owasso, OK 74055

Date:

9/20/25

**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.**

**PATRIOT OUTDOOR PROS LLC  
7301 N. OWASSO EXPRESSWAY  
STE. M115-B  
OWASSO, OK 74055**

**RESPONDENT.**

**FILED**

**SEP 3 2025**

**STATE BOARD OF AGRICULTURE**

**Case Nos: OGC-25-1012**

**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 11th day of December 2025**, 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.**

<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(16); 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 pesticide.

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

### ALLEGATIONS OF FACT

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

18. On June 25, 2025, a use inspection was performed by the Consumer Protection Division of the Department in Owasso, OK.

19. During this investigation, our inspector observed your company application truck without your company name or license number on it. This truck was pulling a trailer with a z-sprayer and water tank on it.

20. There was no company information on the trailer.

21. ODAFF requires that all vehicles used by a commercial applicator while conducting business display the company's name and license number on both sides of the vehicle in 2 inch or larger letters.

22. Improper identification of an application vehicle is a violation of the Oklahoma Combined Pesticide Law & Rules, specifically O.A.C. 35:30-17-15.

### **ALLEGED CONCLUSIONS OF LAW**

23. Based upon the application of the above law to the aforementioned facts, you are in violation of O.A.C. 35:30-17-15 which is listed below.

- O.A.C. 35:30-17-15: "All vehicles, including nurse tanks and self-propelled ground applicators, used by a commercial applicator during the conduct of business shall be identified by displaying the name and license number of the licensee. The display shall be on both sides of the vehicle in letters not less than two (2) inches in height."

### **PRAYER FOR RELIEF**

24. The Department is seeking an administrative penalty in the amount of **Two Hundred Fifty Dollars (\$250.00)**.

### **ATTORNEY CONFERENCES**

25. 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 405-522-5803 or by email at [Kiersten.wormus@ag.ok.gov](mailto:Kiersten.wormus@ag.ok.gov).

26. 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.

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 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.

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.

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

32. 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**

33. 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

34. Informal disposition of an Individual Proceeding may be made by Stipulation, Agreed Settlement, Consent Order, or Default.
35. Resolution by Stipulation, Agreed Settlement, Consent Order, or Default shall be approved by the State Board of Agriculture.
36. 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

37. If Respondent desires to resolve this matter without a hearing or further action, Complainant proposes an administrative penalty of **Two Hundred Fifty Dollars (\$250.00)**.
38. 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 2nd day of September, 2025.

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

*Kiersten Wormus*

Teena G. Gunter, General Counsel, OBA #17767  
James Rucker, Deputy G. Counsel, OBA #14574  
Wendi Morse, OBA #33571  
Kiersten Wormus, OBA #33187  
Abbie Wilburn, OBA #33641  
Assistants General Counsel  
2800 N. Lincoln Blvd.  
Oklahoma City, OK 73105-4298

Telephone: (405) 522-5803  
Facsimile: (405) 522-5789

**CERTIFICATE OF MAILING**

This is to certify that on this 3 day of Sept., 2025, a true and correct copy of the forgoing instrument was emailed as follows:

**PATRIOT OUTDOOR PROS LLC  
7301 N. OWASSO EXPRESSWAY STE. M115-B  
OWASSO, OK 74055**

  
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 Nos: OGC-25-1012**

**PATRIOT OUTDOOR PROS LLC )  
7301 N. OWASSO EXPRESSWAY )  
STE. M115-B )  
OWASSO, OK 74055 )**

**RESPONDENT.**

**STIPULATION**

Respondent accepts and stipulates to the proposed administrative penalty or fine of **Two Hundred Fifty Dollars (\$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:** \_\_\_\_\_



**OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY**

**v. JDJ TOTAL LAWN CARE LLC**

**Case File No. OGC-25-884**

**JOSE MARTINEZ  
JDJ TOTAL LAWN CARE LLC  
7761 ALAMEDA ST  
NORMAN, OK 73026**

**Summary of Facts:** On the 7th day of April 2025, the Consumer Protection Services Division of the Department conducted a use inspection at the STS gas station in Norman, OK. During this inspection, Respondent informed ODAFF's inspector that he was in the process of testing to become a certified applicator. Respondent also admitted to making commercial pesticide applications and fertilizer applications. ODAFF records show that Respondent was once a service technician, but the certification expired in 2022.

**Statute or Rule Violation:** Respondent violated 2 O.S. § 3-82(A), 2 O.S. § 3-86(A)(15), and 2 O.S. § 3-86(A)(16) by making commercial pesticide applications without a license and certification.

**Proposed Administrative Penalty:** The proposed penalty for this case was One Thousand Five Hundred Dollars (\$1500.00). This matter was set for a prehearing on November 13, 2025. The Respondent failed to appear and a default was entered.

**Other Actions Required:** None.

**OGC Attorney:** Kiersten Wormus

**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. )**

**JDJ TOTAL LAWN CARE LLC )  
7761 ALAMEDA ST )  
NORMAN, OK 73026 )**

**RESPONDENT. )**

**Case No: OGC-25-884**

**FILED**  
**NOV 14 2025**  
**STATE BOARD OF AGRICULTURE**

**PROPOSED FINAL ORDER**

NOW on this 13<sup>th</sup> day of November 2025, this matter comes before me, the undersigned Administrative Law Judge. The Complainant appears through Assistant General Counsel, Kiersten Wormus. Respondent appears not.

On the 13<sup>th</sup> day of November 2025, this matter came on for Prehearing Conference. The Respondent was provided a file-stamped copy of the Notice of Violation delivered by certified mail, article number 91 7199 9991 7037 6525 8036 on July 21, 2025, to JDJ Total Lawn Care LLC, at 7761 Alameda St., Norman, OK 73026.

The Notice of Violation advised Respondent that failure to appear at the designated time and place for hearing and failure to pay the recommended fine or penalty stated in the Notice of Violation following proper notice to the Respondent may result in a default judgment being entered against Respondents.

**FINDINGS OF FACT**

I. On the 7<sup>th</sup> day of April 2025, the Consumer Protection Services Division of the Department conducted a use inspection at the STS gas station in Norman, OK.

During this inspection, Respondent informed ODAFF's inspector that he was in the process of testing to become a certified applicator. Respondent also admitted to making commercial pesticide applications and fertilizer applications. ODAFF records show that Respondent was once a service technician, but the certification expired in 2022. *See* Complainant's Notice of Violation attached hereto as Exhibit 1.

2. Respondent failed to plead or otherwise defend this action within the time prescribed.

3. The Notice of Violation was delivered by certified mail on July 21, 2025. *See* certified mail receipt attached hereto as Exhibit 2.

4. A hearing was set for 13<sup>th</sup> day of November 2025 at 1:30 p.m. and the Respondent did not appear.

5. The Complainant requested entry of default judgment against Respondent for all penalties imposed by the Notice of Violation.

6. An administrative penalty in the amount of One Thousand Five Hundred Dollars (\$1500.00) was proposed by the Notice of Violation.

7. The undersigned granted Complainant's request based on Respondent's failure to appear and defend the allegations contained in the Notice of Violation.

#### **CONCLUSIONS OF LAW**

1. Based upon the application of the above law to the aforementioned facts, you are in violation of 2 O.S. § 3-82(A), 2 O.S. § 3-86(A)(15), and 2 O.S. § 3-86(A)(16) which are listed below.

- 2 O.S. §3-82(A): "(A) 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, unless the person is applying to his or her own property."

- 2 O.S. §3-86(A)(15): "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: (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. §3-86(A)(16): "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: (16) Any persons to be employed or represent themselves as certified applicators or service technicians unless they have met the certification standards prescribed by the Board and obtained valid certificates or identifications issued by the Board for the categories for which the persons are to be employed or supervised."

2. 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.

3. The above Findings of Fact are hereby adopted and incorporated by reference as Conclusions of Law.

4. The Allegations of Fact and Conclusions of Law set forth in the attached Notice of Violation are hereby adopted and incorporated by reference as Findings of Fact and Conclusions of Law.

**RECOMMENDED ORDER**

IT IS THEREFORE RECOMMENDED that the Notice of Violation filed in this matter on July 9, 2025, be adopted as a Final Order and a penalty in the amount of One Thousand Five Hundred Dollars (\$1,500.00) imposed on the Respondent.

THIS 13th DAY OF NOVEMBER 2025.

A handwritten signature in cursive script that reads "Rachel Lawrence Mor". The signature is written in dark ink and is positioned above a horizontal line.

RACHEL LAWRENCE MOR,  
ADMINISTRATIVE LAW JUDGE

**CERTIFICATE OF MAILING**

This is to certify that a true and correct copy of the above and foregoing Proposed Final Order was mailed by certified mail, return receipt requested, postage prepaid, on the date of filing to:

JOSE MARTINEZ  
JDJ TOTAL LAWN CARE LLC  
7761 ALAMEDA ST  
NORMAN, OK 73026



---

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.**

**JDJ TOTAL LAWN CARE LLC  
7761 ALAMEDA ST  
NORMAN, OK 73026**

**RESPONDENT.**

JUL 09 2025  
STATE BOARD OF AGRICULTURE

**Case No: OGC-25-884**

**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. The 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 13<sup>th</sup> day of November 2025 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. The 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(16); 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 commercial pesticide applications.

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.

### **ALLEGATIONS OF FACT**

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

18. On the 7<sup>th</sup> day of April 2025, the Consumer Protection Services Division of the Department conducted a use inspection at the STS gas station in Norman, OK.

19. During this inspection, you informed our inspector that you were in the process of testing to become a certified applicator. You also admitted to making commercial pesticide applications and fertilizer applications.

20. ODAFF records show that you were once a service technician, but the certification expired in 2022.

21. As of today, your company is not licensed to perform commercial pesticide applications.

22. Making commercial pesticide applications without a license and certification are violations of the Oklahoma Combined Pesticide Law & Rules, specifically 2 O.S. § 3-82(A), 2 O.S. § 3-86(A)(15), and 2 O.S. § 3-86(A)(16).

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

23. Based upon the application of the above law to the aforementioned facts, you are in violation of 2 O.S. § 3-82(A), 2 O.S. § 3-86(A)(15), and 2 O.S. § 3-86(A)(16) which are all stated below:

- 2 O.S. §3-82(A): “(A) 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, unless the person is applying to his or her own property.”
- 2 O.S. §3-86(A)(15): “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: (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. §3-86(A)(16): “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: (16) Any persons to be employed or represent themselves as certified applicators or service technicians unless they have met the certification standards prescribed by the Board and obtained valid certificates or identifications issued by the Board for the categories for which the persons are to be employed or supervised.”

#### **PRAYER FOR RELIEF**

24. The Department is seeking an administrative penalty in the amount of **Fifteen Hundred Dollars (\$1500.00)**.

#### **ATTORNEY CONFERENCES**

25. 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 405-522-5803 or by email at [Kiersten.wormus@ag.ok.gov](mailto:Kiersten.wormus@ag.ok.gov).
26. 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.
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 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.
30. Each animal, each action, or each day a violation continues may constitute a separate and distinct violation.

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

31. 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**

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 the Respondent desires to resolve this matter without a hearing or further action, the Complainant proposes an administrative penalty of **Fifteen Hundred Dollars (\$1500.00)**.

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 13th day of June, 2025.

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

*Kiersten Wormus*  
Tecna G. Gunter, General Counsel, OBA #17767  
James Rucker, Deputy G. Counsel, OBA #14574  
Wendi Morse, OBA #33571  
Kiersten Wormus, OBA #33187  
Abbie Wilburn, OBA #33641  
Assistants General Counsel  
2800 N. Lincoln Blvd.  
Oklahoma City, OK 73105-4298

Telephone: (405) 522-5803  
Facsimile: (405) 522-5789



**CERTIFICATE OF MAILING**

This is to certify that on this 10 day of July, 2025, a true and correct copy of the forgoing instrument was mailed, via Certified Mail, Return Receipt

Requested, as follows:

JOSE MARTINEZ  
JDJ TOTAL LAWN CARE LLC  
7761 ALAMEDA ST  
NORMAN, OK 73026



---

Gina Blaylock

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

**V.**

**RESPONDENT.**

Page 10 of 10

**OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY**

**v. SOUTHMARK AVIATION INC.**

**Case File No. OGC-25-899**

**SOUTHMARK AVIATION INC.  
29 REFUGE LN.  
HATTIESBURG, MS 39402**

**Summary of Facts:** On the 9th day of April 2025, the Consumer Protection Services Division of the Department conducted a complaint investigation at Respondent's storage location in Stillwater, OK. When the inspector arrived at this location no one was present, and the door was unlocked. The inspector observed several pallets of pesticides and pesticide totes, some of which were restricted use pesticides. At the time of this investigation the Respondent did not have a restricted use pesticide dealer permit with ODAFF.

**Statute or Rule Violation:** Respondent violated O.A.C. 35:30-17-93(1)(A) by improperly handling of pesticide containers.

**Proposed Administrative Penalty:** The proposed penalty for this case was One Thousand Dollars (\$1000.00). This matter was set for a prehearing on November 13, 2025. The Respondent failed to appear, and a default was entered.

**Other Actions Required:** None.

**OGC Attorney:** Kiersten Wormus

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

**FILED**  
NOV 14 2025  
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-25-899

SOUTHMARK AVIATION INC. )  
29 REFUGE LN. )  
HATTIESBURG, MS 39402 )

RESPONDENT. )

**PROPOSED FINAL ORDER**

NOW on the 13<sup>th</sup> day of November 2025, this matter comes before me, the undersigned Administrative Law Judge. The Complainant appears through Assistant General Counsel, Kiersten Wormus. Respondent appears not.

On the 13<sup>th</sup> day of November 2025, this matter came on for Prehearing Conference. The Respondent was provided with a file-stamped copy of the Notice of Violation delivered by certified mail, article number 91 7199 9991 7037 6525 8449 on September 2, 2025, to Southmark Aviation Inc., at 29 Refuge Ln, Hattiesburg, MS 39402.

The Notice of Violation advised Respondent that failure to appear at the designated time and place for hearing and failure to pay the recommended fine or penalty stated in the Notice of Violation following proper notice to the Respondent may result in a default judgment being entered against Respondents.

### **FINDINGS OF FACT**

1. On the 9th day of April 2025, the Consumer Protection Services Division of the Department conducted a complaint investigation at Respondent's storage location in Stillwater, OK. When the inspector arrived at this location no one was present, and the door was unlocked. The inspector observed several pallets of pesticides and pesticide totes, some of which were restricted use pesticides. After leaving this facility ODAFF's inspector met Respondent's manager, and he informed the inspector that the Respondent was moving into a newly rented facility and that it planned on selling restricted use pesticides. The manager also stated that the owner of the facility had not provided Respondent with a key. At the time of this investigation the Respondent did not have a restricted use pesticide dealer permit but was licensed with ODAFF as a commercial pesticide applicator. See Complainant's Notice of Violation attached hereto as Exhibit 1.

2. Respondent failed to plead or otherwise defend this action within the time prescribed.

3. The Notice of Violation was delivered by certified mail on September 2, 2025. See certified mail receipt attached hereto as Exhibit 2.

4. A hearing was set for 13<sup>th</sup> day of November 2025 at 1:30 p.m. and the Respondent did not appear.

5. The Complainant requested entry of default judgment against Respondent for all penalties imposed by the Notice of Violation.

6. An administrative penalty in the amount of One Thousand Dollars (\$1000.00) was proposed by the Notice of Violation.

7. The undersigned granted Complainant's request based on Respondent's failure to appear and defend the allegations contained in the Notice of Violation.

#### **CONCLUSIONS OF LAW**

1. Based upon the application of the above law to the aforementioned facts, you are in violation of O.A.C. 35:30-17-93(1)(A) which is listed below.

- O.A.C. 35:30-17-93(1)(A): "The following procedure governs handling of pesticide containers other than bulk pesticide containers by commercial applicators: (1) Full or partially full containers: (A) Pesticide containers shall be stored in a secure and locked enclosure."

2. 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.

3. The above Findings of Fact are hereby adopted and incorporated by reference as Conclusions of Law.

4. The Allegations of Fact and Conclusions of Law set forth in the attached Notice of Violation are hereby adopted and incorporated by reference as Findings of Fact and Conclusions of Law.

#### **RECOMMENDED ORDER**

IT IS THEREFORE RECOMMENDED that the Notice of Violation filed in this matter on August 27, 2025, be adopted as a Final Order and a penalty in the amount of One Thousand Dollars (\$1000.00) imposed on the Respondent.

SIGNED THIS 13TH DAY OF NOVEMBER 2025.

A handwritten signature in black ink, reading "Rachel Lawrence Mor". The signature is written in a cursive, flowing style. The first letter "R" is large and loops around. The last letter "r" is a simple, horizontal stroke.

---

RACHEL LAWRENCE MOR,  
ADMINISTRATIVE LAW JUDGE



**CERTIFICATE OF MAILING**

This is to certify that a true and correct copy of the above and foregoing Proposed Final Order was mailed by certified mail, return receipt requested, postage prepaid, on the date of filing to:

SOUTHMARK AVIATION INC.  
29 REFUGE LN.  
HATTIESBURG, MS 39402

A handwritten signature in dark ink, appearing to read 'G. Blaylock', is written above a horizontal line.

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.**

**SOUTHMARK AVIATION INC.  
29 REFUGE LN.  
HATTIESBURG, MS 39402**

**RESPONDENT.**

**Case No: OGC-25-899**

**FILED**  
**AUG 27 2025**  
**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. The 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 13<sup>th</sup> day of November 2025 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.**

---

<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. The 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(16); 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 commercial pesticide applications.

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.

### **ALLEGATIONS OF FACT**

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

18. On the 9<sup>th</sup> day of April 2025, the Consumer Protection Services Division of the Department conducted a complaint investigation at your storage location in Stillwater, OK.

19. When the inspector arrived at this location no one was present, and the door was unlocked.

20. The inspector observed several pallets of pesticides and pesticide totes, some of which were restricted use pesticides.

21. After leaving this facility our inspector met your manager, and he informed the inspector that you were moving into a newly rented facility and that you planned on selling restricted use pesticides. The manager also stated that the owner of the facility had not provided you with a key.

22. At the time of this investigation your company did not have a restricted use pesticide dealer permit, but you were licensed with ODAFF as a commercial pesticide applicator.

23. Our records show that you received a restricted use dealer permit on April 22, 2025.

24. Commercial pesticide applicators must keep their pesticides stored in a secure and locked enclosure.

25. Improper handling of pesticide containers is a violation of the Oklahoma Combined Pesticide Law & Rules, specifically O.A.C. 35:30-17-93(1)(A).

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

26. Based upon the application of the above law to the aforementioned facts, you are in violation of O.A.C. 35:30-17-93(1)(A) which is stated below:

- O.A.C. 35:30-17-93(1)(A): "The following procedure governs handling of pesticide containers other than bulk pesticide containers by commercial applicators: (1) Full or partially full containers: (A) Pesticide containers shall be stored in a secure and locked enclosure."

#### **PRAYER FOR RELIEF**

27. The Department is seeking an administrative penalty in the amount of **One Thousand Dollars (\$1000.00)**.

#### **ATTORNEY CONFERENCES**

28. 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 405-522-5803 or by email at [Kiersten.wormus@ag.ok.gov](mailto:Kiersten.wormus@ag.ok.gov).

29. 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.

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

### **ENFORCEMENT PROCEEDINGS**

31. 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.

32. 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.

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

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

34. 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**

35. 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

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

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

38. 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

39. If the Respondent desires to resolve this matter without a hearing or further action, the Complainant proposes an administrative penalty of **One Thousand Dollars (\$1000.00)**.

40. 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 26th day of August, 2025.

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

*Kiersten Wormus*

Teena G. Gunter, General Counsel, OBA #17767  
James Rucker, Deputy G. Counsel, OBA #14574  
Wendi Morse, OBA #33571  
Kiersten Wormus, OBA #33187  
Abbie Wilburn, OBA #33641  
Assistant General Counsel  
2800 N. Lincoln Blvd.  
Oklahoma City, OK 73105-4298



Telephone: (405) 522-5803  
Facsimile: (405) 522-5789

**CERTIFICATE OF MAILING**

This is to certify that on this 27 day of Aug, 2025, a true and correct copy of the forgoing instrument was mailed, via Certified Mail, Return Receipt Requested, as follows:

**SOUTHMARK AVIATION INC.  
29 REFUGE LN.  
HATTIESBURG, MS 39402**

  
\_\_\_\_\_  
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.**

**SOUTHMARK AVIATION INC.  
29 REFUGE LN.  
HATTIESBURG, MS 39402**

**RESPONDENT.**

**Case No: OGC-25-899**

**STIPULATION**

Respondent accepts and stipulates to the proposed administrative penalty or fine of **One Thousand Dollars (\$1000.00)** 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: \_\_\_\_\_

## **CHAPTER 1. ADMINISTRATIVE OPERATIONS**

### **SUBCHAPTER 9. INDIVIDUAL PROCEDURES**

#### **35:1-9-17. Subpoenas**

(a) Subpoenas for the attendance of witnesses, or for the furnishing of information required by the Administrative Law Judge, or for the production of evidence or records of any kind, shall be issued in accordance with the Administrative Procedures Act ~~and the Oklahoma Pleading Code~~.

(b) Subpoenas shall be issued by the Executive Secretary of the Board or designee and the signature shall be sufficient authentication for any subpoena.

(c) Subpoenas shall be served in any manner prescribed by these rules for the service of notices.

(d) The Department may seek an appropriate judicial order to compel compliance by persons who fail to obey a subpoena, who refuse to be sworn or make an affirmation at a hearing, or who refuse to answer a proper question during a hearing. The hearing may proceed despite the refusal but the Administrative Law Judge may continue the proceedings as necessary to secure a court ruling.

## RULE IMPACT STATEMENT

### TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY CHAPTER 1. ADMINISTRATIVE OPERATIONS

(A) **PURPOSE AND LEGAL BASIS OF THE PROPOSED RULE:**

The proposed rule amendment removes the reference to the Oklahoma Pleading Code pursuant to Okla. Const., Art. 6, § 31; State Board of Agriculture; and 2 O.S. § 2-4(A)(2).

(B) **CLASSIFICATION:**

This rule amendment is classified as a *nonmajor rule amendment* with no financial impact.

(C) **PURPOSE OF PROPOSED AMENDMENT:**

The purpose is to remove requirements that are not required under the Oklahoma Administrative Procedures Act.

(D) **CLASSES OF PERSONS WHO MOST LIKELY WILL BE AFFECTED BY THE PROPOSED RULE AND ANY INFORMATION ON COST IMPACTS RECEIVED BY THE AGENCY FROM ANY PRIVATE OR PUBLIC ENTITIES:**

The proposed rules affect persons regulated by the Department. No cost impacts have been received to date.

(E) **PERSONS WHO WILL BENEFIT FROM THE PROPOSED RULE:**

Persons who rely on subpoenas for the Department's programs and the agency will benefit from the proposed rules.

(F) **DETERMINATION OF PROBABLE ECONOMIC IMPACT:**

The proposed amendment is revenue neutral. No state agency, political subdivision, entity, or individual will experience costs or revenues as a result of implementation.

(G) **METHODOLOGY OF PROBABLE ECONOMIC IMPACT:**

No additional cost to the Department is anticipated by the proposed rules. Economic determinations were based on internal agency review.

(H) **DETERMINATION OF WHETHER IMPLEMENTATION WILL HAVE ANY ECONOMIC IMPACT ON ANY POLITICAL SUBDIVISION OR REQUIRE THEIR COOPERATION IN IMPLEMENTING OR ENFORCING THE PROPOSED RULE:**

No effect or cost on any political subdivision is anticipated by the proposed rules.

(I) **DETERMINATION OF WHETHER IMPLEMENTATION OF THE PROPOSED RULE WILL HAVE AN ADVERSE EFFECT ON SMALL BUSINESS AS**

**PROVIDED BY THE OKLAHOMA SMALL BUSINESS REGULATORY FLEXIBILITY ACT:**

The proposed rules will have no adverse economic impact on small business.

**(J) DETERMINATION OF WHETHER THERE ARE LESS COSTLY METHODS OR NON-REGULATORY METHODS FOR ACHIEVING THE PURPOSE OF THE PROPOSED RULES:**

The Department is unaware of any non-regulatory methods to achieve the purpose of the proposed rules. No measures were necessary to minimize compliance costs, as no costs are imposed by the rule.

**(K) DETERMINATION OF THE EFFECT OF THE PROPOSED RULE ON THE PUBLIC HEALTH, SAFETY, AND ENVIRONMENT:**

The proposed rules will not affect the public health, safety, and environment.

**(L) DETERMINATION OF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY, AND ENVIRONMENT:**

The Department is not aware of any detrimental effect the proposed rules will have on public health, safety, and environment.

**(M) DATE RULE IMPACT STATEMENT WAS PREPARED:**

This rule impact statement was prepared on September 26, 2025. Amended December 2, 2025.

**TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND  
FORESTRY**

**CHAPTER 2. FEES**

**SUBCHAPTER 3. FEE SCHEDULES**

**35:2-3-2.4. Schedule of microbiological testing fees**

- (a) Aerobic plate count - \$22.00.
- (b) Coliform, total (PA, MPN, or MF) - \$22.00.
- (c) E. coli (PA, MPN, or MF) - \$22.00.
- (d) E. coli O157:H7 or STEC - \$66.00.
- (e) Coliform, fecal (MF or MPN) - \$22.00.
- (f) Listeria spp. or listeria monocytogenes - \$66.00.
- (g) Salmonella - \$66.00.
- (h) Staphylococcus aureus on petri film - \$25.00.
- (i) Thermometer check for OK Dairy Program - \$25.00.
- (j) Pipette check for OK Dairy Program - \$25.00.
- (k) Yeast and mold count - \$25.00.
- (l) Antibiotics in dairy products - \$25.00.
- (m) Somatic cell count in dairy products - \$22.00.
- (n) Fat, protein, added water, and lactose in dairy products - \$22.00.
- (o) Aflatoxin in dairy products - \$33.00.
- (p) Alkaline phosphatase in dairy products - \$33.00.
- (q) Water activity in jerky - \$70.00.
- (r) Campylobacter - \$66.00.
- (s) Food Pathogen Confirmation - \$50.00.



## RULE IMPACT STATEMENT

### TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY CHAPTER 2. FEES

(A) **PURPOSE AND LEGAL BASIS OF THE PROPOSED RULE:**

The proposed rule amendments creates fees for new microbiological testing to cover the Department's costs of labor and supply pursuant to Okla. Const., Art. 6, § 31, State Board of Agriculture, 2 O.S. § 2-4(A)(2) and (20), and 2 O.S. § 14-81 et seq.

(B) **CLASSIFICATION:**

This rule amendment is classified as a *nonmajor rule amendment* with no financial impact.

(C) **PURPOSE OF PROPOSED AMENDMENT:**

The purpose is to add additional testing services for persons relying on lab testing from ODAFF.

(D) **CLASSES OF PERSONS WHO MOST LIKELY WILL BE AFFECTED BY THE PROPOSED RULE AND ANY INFORMATION ON COST IMPACTS RECEIVED BY THE AGENCY FROM ANY PRIVATE OR PUBLIC ENTITIES:**

The proposed rules will affect persons or entities that pay fees for goods and services from the Department.

(E) **PERSONS WHO WILL BENEFIT FROM THE PROPOSED RULE:**

Taxpayers will benefit from the rules as the cost of providing goods and services will be borne primarily by the person or entity receiving the goods or services rather than funds appropriated to the Department by the Legislature.

(F) **DETERMINATION OF PROBABLE ECONOMIC IMPACT:**

The cost of providing new testing services will be borne primarily by the person or entity requesting the services rather than funds appropriated to the Department by the Legislature.

(G) **METHODOLOGY OF PROBABLE ECONOMIC IMPACT:**

No additional cost to the Department is anticipated by the proposed rules. Economic determinations were based on internal agency review.

(H) **DETERMINATION OF WHETHER IMPLEMENTATION WILL HAVE ANY ECONOMIC IMPACT ON ANY POLITICAL SUBDIVISION OR REQUIRE THEIR COOPERATION IN IMPLEMENTING OR ENFORCING THE PROPOSED RULE:**

No effect on any political subdivision is anticipated by the proposed rules.

(I) **DETERMINATION OF WHETHER IMPLEMENTATION OF THE PROPOSED RULE WILL HAVE AN ADVERSE EFFECT ON SMALL BUSINESS AS PROVIDED BY THE OKLAHOMA SMALL BUSINESS REGULATORY FLEXIBILITY ACT:**

The proposed rules will have no adverse effect on small business. However, new tests offered by the Department will include a fee for the lab services. Accordingly, small businesses that need campylobacter or food pathogen confirmation testing will pay a testing fee.

(J) **DETERMINATION OF WHETHER THERE ARE LESS COSTLY METHODS OR NON-REGULATORY METHODS FOR ACHIEVING THE PURPOSE OF THE PROPOSED RULES:**

The Department is unaware of any non-regulatory or less costly methods to achieve the purpose of the proposed rules.

(K) **DETERMINATION OF THE EFFECT OF THE PROPOSED RULE ON THE PUBLIC HEALTH, SAFETY, AND ENVIRONMENT:**

The proposed rules will not detrimentally affect the public health, safety, and environment.

(L) **DETERMINATION OF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY, AND ENVIRONMENT:**

The Department is not aware of any detrimental effect the proposed rules will have on public health, safety, and environment.

(M) **DATE RULE IMPACT STATEMENT WAS PREPARED:**

This rule impact statement was prepared September 15, 2025. Amended December 2, 2025.

## **TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY**

### **CHAPTER 10. AGRICULTURAL PRODUCTS**

#### **SUBCHAPTER 1. GENERAL PROVISIONS**

##### **35:10-1-3. Handbook and publication editions**

References to a Handbook or publication in these rules shall mean the following edition of the National Institute of Standards and Technology (NIST), unless a different reference is made in the text of the rule:

- (1) Handbook 44 "Specifications, Tolerances and Other Technical Requirements for Commercial Weighing & Measuring Devices" (~~2025~~ 2026 Edition).
- (2) Handbook 130 "Uniform Laws and Regulations" (~~2025~~ 2026 Edition), excluding Section G "Uniform Engine Fuels and Automotive Lubricants Regulation."
- (3) Handbook 133 "Checking the Net Contents of Packaged Goods" (~~2025~~ 2026 Edition).
- (4) Handbook 105-1 "Specifications and Tolerances for Field Standard Weights" (2019 Edition).
- (5) Handbook 105-2 "Specifications and Tolerances for Field Standard Measuring Flasks" (2021 Edition).
- (6) Handbook 105-3 "Specifications and Tolerances for Graduated Neck Type Volumetric Field Standards" (2010 Edition).
- (7) Publication 14 (~~2024~~ 2026 Edition).
- (8) Publication 12 (1991 Edition).
- (9) Federal Grain Inspection Service Moisture Handbook (2006 Edition).

#### **SUBCHAPTER 5. SERVICE TECHNICIANS AND SERVICE AGENCIES**

##### **35:10-5-4. Device Categories**

- (a) Device Category 1 shall include scales which fall into class I and/or II, whether designated by the manufacturer or not, pursuant to "Handbook 44" Section S.5.2. The minimum equipment necessary to service Category 1 scales shall be certified standards in amounts suitable to test devices in the category as specified in the most recently published edition of "Handbook 44" and the National ~~Conference~~ Council on Weights and Measures "(NCWM) Publication 12" Examination Procedures Outline (EPO's) For Weighing and Measuring Devices.
- (b) Device Category 2 shall include scales which fall into class III, III L and/or IIII, whether designated by the manufacturer or not, pursuant to "Handbook 44". The minimum equipment necessary to service Category 2 scales shall be certified standards in amounts suitable to test device in said category as specified in the most recently published edition of Handbook 44 and NCWM Pub. 12 EPO's.
- (c) Device Category 3 shall include moisture meters. The minimum equipment necessary to service moisture meters shall be certified standards in amounts suitable to test devices in the category as specified in the most recently published edition of the "Handbook 44". If ~~offical~~ official grain samples are used to check meters, the grain sample moisture content must be determined by the oven test method referenced in the "Federal Grain Inspection Service (FGIS) Moisture Handbook," supplements, and revisions.)

#### **SUBCHAPTER 9. PACKAGING AND LABELING OF PRODUCTS**

### **35:10-9-1. Packaging and labeling of products**

The Board adopts the "Uniform Packaging and Labeling Regulation" as approved by the National ~~Conference~~ Council on Weights and Measures and published in Handbook 130, "Uniform Laws and Regulations", supplements, and revisions.

## **SUBCHAPTER 11. CHECKING THE NET CONTENTS OF PACKAGED GOODS**

### **35:10-11-1. Sampling procedures**

The Board adopts and will employ the sampling procedures as approved by the National ~~Conference~~ Council on Weights and Measures and published in Handbook 133 "Checking the Net Contents of Packaged Goods," supplements, and revisions.

## **SUBCHAPTER 13. METHOD OF SALE OF COMMODITIES**

### **35:10-13-1. Method of Sale of food and non-food commodities**

The Board adopts the "Uniform Regulations for the Method of Sale of Commodities" as approved by the National ~~Conference~~ Council on Weights and Measures and published in Handbook 130, "Uniform Laws and Regulations", supplements, and revisions.

## **SUBCHAPTER 15. NATIONAL TYPE EVALUATION PROGRAM**

### **35:10-15-1. Definitions**

The following words and terms, when used in this Subchapter, shall have the following meaning, unless the context clearly indicates otherwise.

**"Certificate of Conformance"** means a document issued by the National Institute of Standards and Technology and/or the National ~~Conference~~ Council on Weights and Measures based on testing in participating laboratories, this document constitutes evidence of conformance of a type with the requirements of Handbook 44 and the National Institute of Standards and Technology Handbook 105-1, 105-2, or 105-3.

**"National Type Evaluation Program"** means a program of cooperation between the National Institute of Standards and Technology, the National ~~Conference~~ Council on Weights and Measures, other Federal Agencies, the States, and the private sector for determining, on a uniform basis, conformance of a type with the relevant provisions as approved by the National ~~Conference~~ Council on Weights and Measures published in Handbook 44, "Specifications, Tolerances and Other Technical Requirements for Weighing and Measuring Devices," and the National ~~Conference~~ Council on Weights and Measures, Publication 14, "National Type Evaluation Program, Administrative Procedures, Technical Policy, Checklist and Test Procedures."

**"Participating laboratory"** means any State Measurement Laboratory that has been accredited by the National Institute of Standards and Technology or accrediting authority, in accordance with its program for the Certification of Capability of State Measurement Laboratories, any State Weights and Measures Agency, or other laboratory that has been authorized to conduct a type evaluation under the National Type Evaluation Program.

**"Type"** means a model or models of a particular measurement system, instrument, element, or field standard that positively identifies the design. A specific type may vary in its

measurement ranges, size, performance, and operating characteristics as specified in the Certificate of Conformance.

**"Type evaluation"** means the testing, examination, and/or evaluation of a type by a Participating Laboratory under the National Type Evaluation Program.

### **35:10-15-2. Application**

This subchapter shall apply to all classes of devices and equipment (except for cotton bale weighing devices at cotton gins in Oklahoma) as specified by the National ~~Conference~~ Council on Weights and Measures and published in Handbook 44 and the National Institute of Standards and Technology Handbook 105-1, 105-2, and 105-3.

## RULE IMPACT STATEMENT

### TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY CHAPTER 10. AGRICULTURAL PRODUCTS

(A) **PURPOSE AND LEGAL BASIS OF THE PROPOSED RULE:**

The proposed rule amendments update handbook and publication references; replaced conference with council to match the national standards; and corrected a misspelled word pursuant to Okla. Const., Art. 6, § 31; State Board of Agriculture; 2 O.S. § 2-4(A)(2); and 2 O.S. § 14-31 et seq.

(B) **CLASSIFICATION:**

This rule amendment is classified as a *nonmajor rule amendment* with no financial impact.

(C) **PURPOSE OF PROPOSED AMENDMENT:**

The purpose is to update handbook and publication references; replaced conference with council to match the national standards; and corrected a misspelled word.

(D) **CLASSES OF PERSONS WHO MOST LIKELY WILL BE AFFECTED BY THE PROPOSED RULE AND ANY INFORMATION ON COST IMPACTS RECEIVED BY THE AGENCY FROM ANY PRIVATE OR PUBLIC ENTITIES:**

The proposed rule amendments affect persons regulated by the Department's agricultural products programs. No cost impacts have been received to date.

(E) **PERSONS WHO WILL BENEFIT FROM THE PROPOSED RULE:**

Persons relying on the Department's agricultural products programs will benefit from the proposed rule amendments.

(F) **DETERMINATION OF PROBABLE ECONOMIC IMPACT:**

The proposed amendments are revenue neutral. No state agency, political subdivision, entity, or individual will experience costs or revenues as a result of implementation.

(G) **METHODOLOGY OF PROBABLE ECONOMIC IMPACT:**

No additional cost to the Department is anticipated by the proposed rules. Economic determinations were based on internal agency review.

(H) **DETERMINATION OF WHETHER IMPLEMENTATION WILL HAVE ANY ECONOMIC IMPACT ON ANY POLITICAL SUBDIVISION OR REQUIRE THEIR COOPERATION IN IMPLEMENTING OR ENFORCING THE PROPOSED RULE:**

No effect on any political subdivision is anticipated by the proposed rule amendments.

(I) **DETERMINATION OF WHETHER IMPLEMENTATION OF THE PROPOSED RULE WILL HAVE AN ADVERSE EFFECT ON SMALL BUSINESS AS**

**PROVIDED BY THE OKLAHOMA SMALL BUSINESS REGULATORY FLEXIBILITY ACT:**

The proposed rule amendments will have no adverse effect on small business.

**(J) DETERMINATION OF WHETHER THERE ARE LESS COSTLY METHODS OR NON-REGULATORY METHODS FOR ACHIEVING THE PURPOSE OF THE PROPOSED RULES:**

The Department is unaware of any non-regulatory methods to achieve the purpose of the proposed rules. No measures were necessary to minimize compliance costs, as no costs are imposed by the rule.

**(K) DETERMINATION OF THE EFFECT OF THE PROPOSED RULE ON THE PUBLIC HEALTH, SAFETY, AND ENVIRONMENT:**

The proposed rule amendments will not affect the public health, safety, and environment.

**(L) DETERMINATION OF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY, AND ENVIRONMENT:**

The Department is not aware of any detrimental effect the proposed rule amendments will have on public health, safety, and environment.

**(M) DATE RULE IMPACT STATEMENT WAS PREPARED:**

This rule impact statement was prepared on September 16, 2025. Amended December 2, 2025.



# **TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY**

## **CHAPTER 15. ANIMAL INDUSTRY**

### **SUBCHAPTER 13. TESTING AND INSPECTION FOR DISEASE AND RELEASE OF LIVESTOCK AT AUCTION MARKETS**

#### **35:15-13-3. General requirements for a livestock auction market**

- (a) Any person owning, operating, conducting, or maintaining a livestock auction market shall be required to employ a livestock auction market veterinarian for auctions selling cattle, horses, swine, or other species as determined by the state veterinarian.
- (b) The buyer's invoice shall include the buyer's name and address and a description of the livestock as to age, color, and sex.
- (c) The seller's invoice shall include the seller's name and address and a description of the livestock as to age, color, and sex.
- (d) The livestock auction market veterinarian or sale company shall not be responsible for results of any tests that are conducted properly or for any reactor animals or responder animals found in the market.
- (e) Refusal or failure to comply with Department rules shall be just cause for the revocation or suspension of the livestock auction market license.
- (f) No person owning, operating, conducting, or maintaining a livestock auction market shall allow any of the following animals to leave the livestock auction market unless it is individually identified by an official identification with an exception for weak cattle or cattle that pose a greater than normal risk of being injured or injuring a person:
  - (1) All beef cattle eighteen (18) months of age or older, except terminal fed steers and heifers, going directly to a feedlot or slaughter which will not be reintroduced into the breeding herd;
  - (2) All dairy cattle;
  - (3) All "M" branded cattle including any commingled cattle, and
  - (4) All roping, exhibition, event, and rodeo cattle.
  - (5) All swine
  - (6) All sheep and goats
  - (7) All cervid species
- (g) Weak cattle or cattle that pose a greater than normal risk of being injured or injuring a person may be sold with a back tag and slaughter only tag to be transported directly to slaughter.
- (h) The owner or operator of the livestock auction market shall keep records of each animal consigned or delivered to the livestock auction market for a period of five (5) years for disease traceback purposes, including but not limited to, the following:
  - (1) "Drive-in" or any other documents identifying the backtag, owner's name and address, and license tag of mode of transportation;
  - (2) Any records kept pursuant to the Livestock Auction Market Act;
  - (3) Records of any official identification applied to the animal or already existing with the animal;
  - (4) Any records available regarding the purchaser of the animals; and

- (5) Records of official identification that are sufficiently legible and accurate to facilitate successful tracebacks.
- (i) Each livestock auction market shall sign and have on record with the Department the most current livestock market contract for each of the species sold at the market. Markets shall sell only species approved to be handled, sold, or exchanged pursuant to their livestock auction market license.
- (j) The livestock auction market shall make the above records available to Department personnel when requested on non-sale days. In an emergency, records may be requested and shall be made available to Department personnel regardless of sale schedule.
- ~~(i) Each livestock auction market shall sign and have on record with the Department the most current livestock market contract for each of the species sold at the market.~~
- (k) Routine Livestock Auction Markets shall not be scheduled on Sundays. Sunday sales shall require special permission of the State Veterinarian.

## **SUBCHAPTER 15. EQUINE INFECTIOUS ANEMIA (EIA)**

### **PART 7. REQUIREMENTS FOR APPROVED MARKETS**

#### **35:15-15-71. Movement of Equidae through approved markets**

(a) All test eligible Equidae offered for sale or sold at any market shall meet one of the following requirements:

- (1) Be accompanied by a record of an official negative test for EIA conducted by an approved laboratory within twelve (12) months of the date of the sale. If the market veterinarian is unable to verify the authenticity of the test record, the market veterinarian shall complete a new test chart and test the Equid for EIA.
- (2) Have a blood sample collected by an accredited veterinarian or authorized agent of the Board at the market and obtain official negative test results for EIA from an approved laboratory before the animal leaves the market.
- (3) Have a blood sample collected by an accredited veterinarian or authorized agent of the Board at the market and be quarantined to the market or to an Oklahoma premises until negative results are received from an approved laboratory.

(A) The market veterinarian shall ensure that the sample reaches an approved EIA laboratory within five (5) business days of the sale.

(B) The market veterinarian shall report the test results to the purchaser within 10 business days of the sale.

~~(b) A copy of a VS Form 10-11 shall not be considered an official test record.~~

~~(e)(b)~~ All Equidae consigned to an approved market shall be released by the market veterinarian to meet the requirements of this subchapter and the state of destination.

~~(d)(c)~~ Known positive or exposed Equidae shall not be consigned for sale at approved markets.

~~(e)(d)~~ Equidae found to be ~~positive~~ non-negative or exposed through testing conducted at an approved market shall be quarantined ~~maintained~~ at the premises of origin or at the sale facility in quarantine pens, isolated as far as possible from all other Equidae in the sale facility, ~~and~~ the the quarantine pen or pens shall be clearly identified, by sign or paint, with the word "Quarantined."

## SUBCHAPTER 19. POULTRY REGULATIONS

### 35:15-19-1. Definitions

The following words and terms when used in this Subchapter shall have the following meaning unless the context clearly indicates otherwise:

**"Baby poultry"** means newly hatched poultry that have not been fed or watered.

**"Check testing"** means the process of collecting blood samples from birds in a flock by state inspectors to verify compliance with rules and testing procedures used by permitted testers.

**"Custom hatching"** means a process in which a person incubates eggs, through mechanical means, for another person.

**"Dealer"** means a person other than a flock owner or hatchery who offers poultry products for sale or trade.

**"Domesticated"** means propagated and maintained under the control of a person.

**"Exhibition poultry"** means domestic fowl bred for purposes of meat or egg production and competitive or noncompetitive showing.

**"Flock"** means:

(A) As applied to breeding, all poultry of one kind of mating (breed and variety or combination of stocks) and one classification on one farm.

(B) As applied to disease control, all the poultry on one farm except that, at the discretion of the Official State Agency, any group of poultry segregated from another group and has been segregated for a period of at least 21 days may be considered a separate flock.

**"Fowl typhoid"** or **"typhoid"** means a disease of poultry caused by *Salmonella gallinarum*.

**"Hatchery"** means hatchery equipment on one premise operated or controlled by any person used for the incubation of eggs with the intention of:

(A) Selling or dispensing of hatched chicks before they reach sixteen (16) weeks of age, or

(B) Custom hatching.

**"Infected flock"** means a flock in which one or more birds have been diagnosed by an approved test or isolation of a reportable salmonella group.

**"Laboratory"** means a laboratory approved by the Board for performing approved serological testing procedures and bacteriological culture techniques.

**"Negative test result"** means an approved testing procedure in which the blood or serum antigen mixture fails to agglutinate.

**"Official leg band"** or **"wing band"** means an individual identification device for poultry approved by the State Veterinarian.

**"Official State Agency"** means the Department.

**"Official test"** means the official blood tests for pullorum-typhoid shall be the standard tube agglutination test, the microagglutination test, the rapid serum test, or the stained antigen, rapid whole-blood test for all classes of poultry.

**"Permitted tester"** means a person qualified and authorized by the State Veterinarian or the poultry disease control authority of the state of origin to collect and test blood samples for the pullorum-typhoid eradication program.

**"Positive test result"** means an approved testing procedure in which there is complete or nearly complete agglutination.

**"Poultry"** means domesticated fowl, including chickens, turkeys, ostriches, emus, rheas, cassowaries, waterfowl, and game birds, except doves and pigeons, which are bred for the primary purpose of producing eggs or meat.

**"Poultry auction"** means a regularly scheduled event in which poultry are sold to the highest bidder.

**"Poultry house" or "house"** means any building used to house poultry.

**"Poultry special sale"** means an event that is held intermittently, in which poultry are sold to the highest bidder.

**"Poultry swap meet"** means an event in which individuals come together to buy, sell, and trade poultry.

**"Products"** means poultry breeding stock, hatching eggs, baby poultry, and started poultry.

**"Pullorum disease" or "pullorum"** means a disease of poultry caused by Salmonella pullorum.

**"Quarantine"** means, but is not limited to, any order, hold, affected area, quarantine, infected premise or area, movement restrictions of any kind, or notice issued by any state or federal entity specifying boundaries or conditions of the quarantine.

**"Started poultry"** means young poultry that have been fed and watered and are less than sixteen (16) weeks of age.

**"State"** means any state, the District of Columbia, the Virgin Islands, or Puerto Rico.

**"State Inspector"** means any person employed by the Official State Agency to supervise the selecting and testing of participating flocks and to perform the official inspections and tests necessary to verify compliance with the requirements of the National Poultry Improvement Plan.

#### **35:15-19-4. Import and exhibition Ppoultry imports, exhibitions, and sales**

(a) ~~Domesticated fowl including chickens, turkeys, game chickens, game birds, or waterfowl~~ **Poultry** over four (4) months of age and intended for breeding, meat, ~~or egg production, or hunting~~ purposes shall not be imported into the state unless they:

(1) Have originated from a National Plan source which is U.S. pullorum-typhoid clean or equivalent with a NPIP 9-3, or

(2) Have passed a negative agglutination test for reportable salmonella groups within ninety (90) days prior to import and have received a Certificate of Veterinary Inspection within thirty (30) days, ~~and be individually identified by a leg or wind band.~~

(b) ~~All p~~**Poultry** under four (4) months of age, ~~including baby chicks, started chicks, turkey poults, started poults, other newly hatched domestic poultry, game chickens, game birds, waterfowl, and hatching eggs shall not be imported into the state unless they shipped, brought into, or offered for sale in Oklahoma, except those intended for immediate slaughter, shall:~~

(1) Have originated from a NPIP Pullorum-Typhoid clean breeder flock and shall be accompanied by a NPIP VS Form 9-3 or an APHIS VS form 17-6;

(2) Have an approved commuter flock agreement on file with the state of origin and ODAFF; or

(3) Have obtained an entry permit prior to shipment.

(c) Exhibition poultry are subject to the following:

(1) Any poultry or other domestic fowl being exhibited in Oklahoma shall be free of visible evidence of disease, and

- (2) Have passed a negative test for reportable salmonella groups within ninety (90) days prior to exhibition, with the results recorded on an official form from the state of origin certifying that the testing was done by a permitted tester of that state, or
- (3) Have originated from negative or clean flocks authoritatively participating in the disease control and eradication phases of the National Poultry Improvement Plan or NPIP approved state plan, and
- (4) Be from flocks not known to be infected with reportable salmonella groups.
- (5) Poultry qualifying under 2 or 3 may be imported without an official health certificate if accompanied by an approved state or NPIP form.
- (6) All exhibition poultry shall be identified by an official leg or wing band unless they originate from a negative or clean flock authoritatively participating in the National Poultry Improvement Plan or NPIP approved state plan.
- (7) Application of official leg or wing bands shall not be required for birds tested on the exhibition premise for a specific event. Birds tested and not identified with an official leg or wing band shall be tested prior to entering any future exhibitions.
- (d) All persons holding poultry exhibitions in Oklahoma shall obtain a permit from the State Veterinarian prior to the exhibition. Those persons holding multiple exhibitions at the same location may apply for a permit by listing the dates and times of all exhibitions scheduled during a fiscal year beginning July 1 and ending June 30. The permittee shall be responsible for maintaining a list of the names and addresses of all exhibitors for each exhibition. The permittee shall keep these records and make them available to any authorized agent for inspection or photocopying for at least one (1) year after the date of the exhibition.
- (e) Managers of regular poultry auctions, special sales, and swap meets shall verify that:
  - (1) The poultry are free of visible evidence of disease.
  - (2) If imported from out of state, have met the requirements of 35:15-19-4 (a) and (b).
  - (3) Managers of poultry auctions, sales and swap meets shall have the most current version of the poultry auction or poultry special sale/swap meet agreement signed and in their possession.

**35:15-19-5. Live bird imports from Avian Influenza or Virulent Newcastle Disease affected quarantined states**

- (a) No person shall import poultry, other avian species, products of poultry, or products of other avian species originating from or transported through an area under quarantine by any state or federal animal health official for Avian Influenza or Virulent Exotic Newcastle Disease. The State Veterinarian or designee may grant a written exception to this rule and shall base the decision to grant an exception on current science and published guidelines.
- (b) Poultry or other avian species determined to be infected with or exposed to Avian Influenza or Virulent Exotic Newcastle Disease shall be destroyed.

**SUBCHAPTER 36. SCRAPIE**

**35:15-36-3. Requirements for identification**

- (a) All sheep and goats imported into Oklahoma shall be identified by a USDA approved official identification device.
- (b) All sheep and goats shall be officially identified prior to movement for sale or exhibition.

(1) Owner-shipper statements with official sheep/goat identification tag numbers listed are required.

~~(1)~~ (2) If moving to a livestock market, unidentified sheep/goats shall have identification ~~may be~~ applied by the market before sale.

~~(2)~~ (3) The state veterinarian may grant a written exception for the official identification of wethers on an individual basis.

## **SUBCHAPTER 44. FARMED CERVIDAE**

### **35:15-44-3. Application for license**

(a) An application for a farmed cervidae facility shall contain the following complete, accurate, and legible information, in addition to the information required by the Farmed Cervidae Act:

(1) Email addresses, if available, of the applicant.

(2) Name, address, telephone number, and email addresses, if available, of the operator, if different from the applicant.

(3) A list of all names the farmed cervidae facility operates pursuant to, and the address and facility telephone number of each, including but not limited to the Doing Business As (D/B/A), corporate name, or other name. If a corporation, submit the certificate of good standing from the Secretary of State.

(b) The Department shall not issue a license if the applicant had any equivalent license denied, revoked, or suspended by any authority, except in accordance with the provisions of 2 O.S. § 6-514.

(c) The Department may refuse to issue a license for a premises where a previous herd of animals has been infected with a reportable or other disease regulated by the Department.

(d) Using information from the application and from the State's files, the Department shall determine if the proposed facility is adequate and complies with all legal requirements and would not result in harm to native wildlife.

(e) If an applicant is denied a farmed cervidae license, the Department shall notify the applicant in writing by certified mail, return receipt requested, of the denial. The denial shall include the following:

(1) Reasons for the denial;

(2) Steps necessary to meet the requirements for a license, if applicable; and

(3) The opportunity to request an administrative hearing on the denial.

(f) All captive cervid species shall be housed on a licensed farmed cervidae facility, a commercial hunting area licensed by Oklahoma Department of Wildlife Conservation, or a cervidae facility owned or operated for the purpose of exhibition of farmed or captive bred cervidae regulated by the United State Department of Agriculture's Animal Care Division.

### **35:15-44-22. Chronic Wasting Disease Genetic Improvement Program (CWDGIP)**

(a) The CWDGIP is only available to white-tailed deer producers who are Oklahoma Farmed Cervidae licensees.

(b) Producers choosing to participate in the CWDGIP shall register with the Animal Industry Services Division (AIS) of Oklahoma Department of Agriculture, Food, and Forestry (ODAFF or The Department) and remit a fee of \$100 per year, payable no later than January 1.

(c) An inventory of all participating deer shall be submitted to AIS at the time of registration.

(1) Participating deer shall be identified with an official USDA ear tag.

- (2) Genetic testing information for the individual deer shall be submitted at the time of registration.
- (3) Details of the alleles at Codon 96 and the Genetically Estimated Breeding Value (GEBV) of offspring of participating does shall be submitted to AIS upon receipt of the testing results.
- (d) Beginning February 1, 2026 and ending April 15, 2026, white-tailed deer does of any age and bucks that are less than 24 months of age, born and raised in Oklahoma by registered CWDGIP producers may be released onto private land pursuant to the landowner meeting the requirements of Oklahoma Department of Wildlife Conservation's regulations as outlined in Section 1. D. of 2024 Oklahoma House Bill 3462.
  - (1) White-tailed deer shall be released only if:
    - (A) Their genetic testing proves they have the SS alleles at Codon 96;
    - (B) Their GEBV is at or below -0.0560;
    - (C) They are identified with one (1) orange bangle ear tag in each ear that is at least 2" X 1 5/8" in size and the previously applied USDA official ear tag shall remain in place; and
  - (2) The White-tailed deer that meet the genetic traits in (1) of this section may be released during the same time frame in subsequent years.
  - (3) Deer meeting the above specifications shall be exempted from the requirements of 35:15-44-6 (2).
- (e) All White-tailed deer imported into Oklahoma Farmed Cervidae facilities or Oklahoma Department of Wildlife Conservation licensed Commercial Hunt Areas shall have the SS alleles at Codon 96 and have a Genomic Estimated Breeding Value meeting or exceeding -0.056.
  - (1) Male White-tailed deer imported into Oklahoma Department of Wildlife Conservation licensed Commercial Hunt Areas are exempt from the above requirements.
  - (2) A certificate verifying the SS alleles at Codone 96 and the GEBV meeting or exceeding -0.056 shall be attached to the import permit application.



## RULE IMPACT STATEMENT

### TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY CHAPTER 15. ANIMAL INDUSTRY

(A) **PURPOSE AND LEGAL BASIS OF THE PROPOSED RULE:**

The proposed rule amendment adds additional animals to the livestock auction market requirements; adds a requirement that blood samples reach an approved lab within 5 business days; adds definitions to poultry regulations; adds requirements for the sale of poultry at auctions; updates language for live bird imports from virulent Newcastle disease affected states; adds requirements for identification for sheep and goats; adds requirement for captive cervid species to be housed on licensed property; and exempts certain deer from record keeping pursuant to Okla. Const., Art. 6, § 31; State Board of Agriculture; 2 O.S. § 2-4(A)(2) and (A)(7); 2 O.S. § 6-1 et seq., 2 O.S. § 6-91 et seq., 2 O.S. § 6-121 et seq., 2 O.S. § 6-131 et seq., 2 O.S. § 6-141 et seq., 2 O.S. § 6-281 et seq., 2 O.S. § 6-501 et seq., and 2 O.S. § 9-130 et seq.

(B) **CLASSIFICATION:**

This rule amendment is classified as a *nonmajor rule amendment* with no financial impact.

(C) **PURPOSE OF PROPOSED AMENDMENT:**

The purpose is to add additional animals to the livestock auction market requirements; add a requirement that blood samples reach an approved lab within 5 business days; add definitions to poultry regulations; add requirements for the sale of poultry at auctions; update language for live bird imports from virulent Newcastle disease affected states; add requirements for identification for sheep and goats; add requirement for captive cervid species to be housed on licensed property; and exempt certain deer from record keeping.

(D) **CLASSES OF PERSONS WHO MOST LIKELY WILL BE AFFECTED BY THE PROPOSED RULE AND ANY INFORMATION ON COST IMPACTS RECEIVED BY THE AGENCY FROM ANY PRIVATE OR PUBLIC ENTITIES:**

The proposed rules affect persons who keep, buy, sell, or transport livestock and other animals, or consume products derived from livestock. No cost impacts have been received to date.

(E) **PERSONS WHO WILL BENEFIT FROM THE PROPOSED RULE:**

Persons who keep, buy, sell, or transport livestock and other animals, or consume products derived from livestock, will benefit from the proposed rules.

(F) **DETERMINATION OF PROBABLE ECONOMIC IMPACT:**

The proposed amendment is revenue neutral. No state agency, political subdivision, entity, or individual will experience costs or revenues as a result of implementation.

(G) **METHODOLOGY OF PROBABLE ECONOMIC IMPACT:**

No additional cost to the Department is anticipated by the proposed rules. Economic determinations were based on internal agency review.

(H) **DETERMINATION OF WHETHER IMPLEMENTATION WILL HAVE ANY ECONOMIC IMPACT ON ANY POLITICAL SUBDIVISION OR REQUIRE THEIR COOPERATION IN IMPLEMENTING OR ENFORCING THE PROPOSED RULE:**

No effect on any political subdivision is anticipated by the proposed rules.

(I) **DETERMINATION OF WHETHER IMPLEMENTATION OF THE PROPOSED RULE WILL HAVE AN ADVERSE EFFECT ON SMALL BUSINESS AS PROVIDED BY THE OKLAHOMA SMALL BUSINESS REGULATORY FLEXIBILITY ACT:**

The proposed rules will have no adverse effect on small businesses.

(J) **DETERMINATION OF WHETHER THERE ARE LESS COSTLY METHODS OR NON-REGULATORY METHODS FOR ACHIEVING THE PURPOSE OF THE PROPOSED RULES:**

The Department is unaware of any non-regulatory methods to achieve the purpose of the proposed rules. No measures were necessary to minimize compliance costs, as no costs are imposed by the rule.

(K) **DETERMINATION OF THE EFFECT OF THE PROPOSED RULE ON THE PUBLIC HEALTH, SAFETY, AND ENVIRONMENT:**

The proposed rules will benefit public health, safety, and the environment.

(L) **DETERMINATION OF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY, AND ENVIRONMENT:**

The Department is not aware of any detrimental effect the proposed rules will have on public health, safety, and environment.

(M) **DATE RULE IMPACT STATEMENT WAS PREPARED:**

This rule impact statement was prepared on September 22, 2025. Amended December 2, 2025.

**TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND  
FORESTRY**

**CHAPTER 20. FORESTRY**

**SUBCHAPTER 3. RURAL FIRE PROTECTION PROGRAM FUND ACT  
PART 3. FINANCIAL ASSISTANCE PROGRAM**

**35:20-3-8. Financial assistance certification of eligible fire departments**

(a) **Certification procedure.** Each Rural Fire Coordinator shall certify each year the eligibility of fire departments in their assigned District to receive state grants and awards. Fire departments shall complete and submit appropriate forms provided by the Oklahoma Department of Agriculture, Food, and Forestry to the respective Rural Fire Coordinator no later than April 30 of each year. The fire department shall submit the following, at a minimum:

(1) Name, address, and contact information;

~~(2) The fire department's OFIRS reporting number and a statement that a report of fire runs was reported to the State Fire Marshall's Office for the previous year. Fire departments formed after the end of the previous calendar year shall be exempt;~~

~~(3)~~(2) Proof of a public listing of an emergency telephone number or statement indicating the fire department is a part of the 911 system.

~~(4)~~(3) Proof of workers' compensation insurance on its firefighters;

~~(5)~~(4) Proof of liability insurance on each fire department vehicle acquired from the Department;

~~(6)~~(5) A statement indicating the fire department has formally adopted NIMS and is actively participating in NIMS training and compliance activities; and

~~(7)~~(6) Compliance with all other applicable state and federal laws.

(b) **Ineligibility.** New fire departments formed after April 30 shall not be eligible for funds in that year. Fire departments submitting the forms for certification after April 30 shall not be eligible for funding in that year.

(c) **Certified list of Rural Fire Departments.** From the fire department forms submitted, the Rural Fire Coordinators shall provide a written list of the certified incorporated cities, towns and rural fire departments, and the name and address of the fire chief or other official contact person to the Department as soon as practicable after notification.

(d) **Review and approval of lists.** The Department shall review the Rural Fire Coordinator's lists of certified fire departments and amounts, and submit them to the State Board of Agriculture for consideration and approval.

## RULE IMPACT STATEMENT

### TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY CHAPTER 20. FORESTRY

- (A) **PURPOSE AND LEGAL BASIS OF THE PROPOSED RULE:**  
The proposed rule amendment removes the requirement to submit a statement on fire runs for certification procedures pursuant to Okla. Const., Art. 6, § 31; State Board of Agriculture; 2 O.S. § 2-4(A)(2) and (20); and 2 O.S. § 16-1 et seq.
- (B) **CLASSIFICATION:**  
This rule amendment is classified as a *nonmajor rule amendment* with no financial impact.
- (C) **PURPOSE OF PROPOSED AMENDMENT:**  
The purpose is to remove requirements to submit a statement of fire runs for certification procedures.
- (D) **CLASSES OF PERSONS WHO MOST LIKELY WILL BE AFFECTED BY THE PROPOSED RULE AND ANY INFORMATION ON COST IMPACTS RECEIVED BY THE AGENCY FROM ANY PRIVATE OR PUBLIC ENTITIES:**  
The proposed rules affect persons regulated by the Department. No cost impacts have been received to date.
- (E) **PERSONS WHO WILL BENEFIT FROM THE PROPOSED RULE:**  
Fire departments in Oklahoma will benefit from the proposed rules.
- (F) **DETERMINATION OF PROBABLE ECONOMIC IMPACT:**  
The proposed amendment is revenue neutral. No state agency, political subdivision, entity, or individual will experience costs or revenues as a result of implementation.
- (G) **METHODOLOGY OF PROBABLE ECONOMIC IMPACT:**  
No additional cost to the Department is anticipated by the proposed rules. Economic determinations were based on internal agency review.
- (H) **DETERMINATION OF WHETHER IMPLEMENTATION WILL HAVE ANY ECONOMIC IMPACT ON ANY POLITICAL SUBDIVISION OR REQUIRE THEIR COOPERATION IN IMPLEMENTING OR ENFORCING THE PROPOSED RULE:**  
No effect on any political subdivision is anticipated by the proposed rules.
- (I) **DETERMINATION OF WHETHER IMPLEMENTATION OF THE PROPOSED RULE WILL HAVE AN ADVERSE EFFECT ON SMALL BUSINESS AS PROVIDED BY THE OKLAHOMA SMALL BUSINESS REGULATORY FLEXIBILITY ACT:**

The Department does not anticipate the proposed rules will have an adverse effect on small business.

(J) **DETERMINATION OF WHETHER THERE ARE LESS COSTLY METHODS OR NON-REGULATORY METHODS FOR ACHIEVING THE PURPOSE OF THE PROPOSED RULES:**

The Department is unaware of any non-regulatory methods to achieve the purpose of the proposed rules. No measures were necessary to minimize compliance costs, as no costs are imposed by the rule.

(K) **DETERMINATION OF THE EFFECT OF THE PROPOSED RULE ON THE PUBLIC HEALTH, SAFETY, AND ENVIRONMENT:**

The proposed rules will not affect the public health, safety, and environment.

(L) **DETERMINATION OF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY, AND ENVIRONMENT:**

The Department is not aware of any detrimental effect the proposed rules will have on public health, safety, and environment.

(M) **DATE RULE IMPACT STATEMENT WAS PREPARED:**

This rule impact statement was prepared on October 10, 2025. Amended on December 2, 2025.

**TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND  
FORESTRY**

**CHAPTER 30. CONSUMER PROTECTION**

**SUBCHAPTER 17. COMBINED PESTICIDE**

**PART 1. COMMERCIAL, NON-COMMERCIAL, AND PRIVATE CATEGORIES OF  
PESTICIDE APPLICATION**

**35:30-17-1.2. Schedule of combined pesticide program fees**

- (a) The fees for issuance or renewal of pesticide ~~business applicators~~ licenses shall be as follows:
- (1) Commercial ~~license applicator~~ - One Hundred Dollars (\$100.00) per category, Five Hundred Dollars (\$500.00) maximum for each location.
  - (2) Non-commercial ~~license applicator~~ - Fifty Dollars (\$50.00) per category, Two Hundred Fifty Dollars (\$250.00) maximum for each location.
  - (3) Duplicate issue - Ten Dollars (\$10.00) each.
  - (4) Private applicator - Twenty Dollars (\$20.00) each.
  - (5) For licenses that expire on September 30<sup>th</sup> of each year, failure to remit a commercial or non-commercial ~~business applicator~~ license renewal fee by the 1st day of October shall result in a penalty of twice the amount of the license renewal fee, and after the 1st day of November shall also result in an additional One Hundred Dollar (\$100) penalty which shall be paid prior to license renewal.
  - (6) For licenses that expire on December 31<sup>st</sup> of each year, failure to remit a commercial or non-commercial applicator license renewal fee by the 1st day of January shall result in a penalty of twice the amount of the license renewal fee, and after the 1st day of February shall also result in an additional One Hundred Dollar (\$100) penalty which shall be paid prior to license renewal.
- (b) The issuance and annual registration fees for each pesticide and device label shall be as follows:
- (1) Pesticide - Two Hundred Ten Dollars (\$210.00) each.
  - (2) Device - Two Hundred Ten Dollars (\$210.00) each.
  - (3) Failure to remit the registration fees for pesticides and devices by the 15th of the month following the month of expiration shall result in a penalty of twice the amount of the renewal fee.
- (c) The annual permit fee for a restricted use pesticide dealer shall be Fifty Dollars (\$50.00) for each location. Failure to remit the permit fee by the 15th of the month following the month of expiration shall result in a penalty of twice the amount of the renewal fee.
- (d) The fee for each written examination or practical conducted for the combined pesticide program shall be as follows:
- (1) Written examination - Fifty Dollars (\$50.00).
  - (2) Practical conducted - Fifty Dollars (\$50.00).
- (e) Applicator certification fees shall be as follows:
- (1) Re-certification procedure - Fifty Dollars (\$50.00) for each.
  - (2) Reciprocal certification procedure - One Hundred Dollars (\$100.00) for each.

- (f) Identification card fees shall be as follows:
- (1) Service technician - Twenty Dollars (\$20.00) each.
  - (2) Certified applicator - No charge.
  - (3) Duplicate issue or transfers - Ten Dollars (\$10.00) each.
- (g) The annual permit fee for pesticide producing facilities, including facilities that produce pesticidal devices, shall be One Hundred Dollars (\$100.00) for each location.
- (1) All permits for pesticide producer establishments shall be issued for a period of one (1) year and shall be renewed annually.
  - (2) All permits shall expire on June 30 each year and may be renewed without penalty upon filing of a properly completed application not later than the fifteenth day of the month first following the date of expiration.
  - (3) If the application is not received by that date, a penalty of twice the amount of the renewal fee shall be charged for renewal of the permit.
- (h) All fees and monies collected under this program shall be paid to the Oklahoma Department of Agriculture, Food, and Forestry.

**35:30-17-1.3. Commercial and non-commercial pesticide business applicator license renewal**

- (a) Each license for commercial and non-commercial pesticide application for companies with names beginning with a number or with the letters A, B, C, D, E, F, G, H, I, J, K, and L shall expire on the 30th day of September following issuance or renewal, and may be renewed for the ensuing calendar year, without penalty or reexamination if a properly completed application is filed with the Board not later than the 1st day of October of each year. If the application is not received by October 1, a penalty of twice the amount of the renewal fee shall be charged for renewal of the license. If the application is not received by November 1, an additional penalty of One Hundred Dollars (\$100.00) shall be paid by the applicant prior to license renewal.
- (b) Each license for commercial and non-commercial pesticide application for companies with names beginning with the letters M, N, O, P, Q, R, S, T, U, V, W, X, Y, and Z shall expire on the 31st day of December following issuance or renewal, and may be renewed for the ensuing calendar year, without penalty or reexamination if a properly completed application is filed with the Board not later than the 1st day of January of each year. If the application is not received by January 1, a penalty of twice the amount of the renewal fee shall be charged for renewal of the license. If the application is not received by February 1, an additional penalty of One Hundred Dollars (\$100.00) shall be paid by the applicant prior to license renewal.

**35:30-17-2. Consultant license**

- (a) Any person who makes a pesticide or device recommendation for hire or compensation but does not purchase or apply the pesticide or device, or any person evaluating a pest situation or prescribing a mitigation plan of the identified pest using a pesticide or device shall be commercially licensed as a consultant in the category in which the recommendation is made.
- (b) Any person recommending a pesticide or device that is incidental to their primary duty or duties and does not receive compensation for the recommendation shall be exempt from the requirement to obtain a consultant license. This exemption shall include, but not be limited to:
- (1) a sales clerk employed by a pesticide dealer that routinely recommends pesticides and devices but does not receive compensation for the recommendation; or



(2) an architect that recommends a building be pretreated for termites using a licensed business, certified applicator, and a properly registered pesticide but does not receive compensation for the recommendation.

### **35:30-17-2.1. Sales apprenticeship**

(a) This apprenticeship may only be obtained after satisfactory completion of coursework prescribed by the Board and is valid until December 31<sup>st</sup> of each year.

(b) This apprenticeship allows a person to only inform potential customers about the company's pest control services.

(c) The apprentice shall identify themselves to the property owner and they cannot inspect a property for pests or make any pesticide use recommendations.

(d) Prior to entering into a contract, all service terms, including the cancelation policy, shall be clearly conveyed to the customer and a copy of the contract shall be provided to the customer at the time the contract is signed.

(e) A service technician may act as a sales apprentice.

(f) An apprenticeship certification and card will cost One Hundred Dollar (\$100) and shall be paid prior to beginning work.

## **PART 3. CERTIFICATION, CONDUCT OF EXAMINATIONS, AND RECERTIFICATION**

### **35:30-17-6. Recertification**

(a) Each certified applicator shall seek recertification every five (5) years.

(b) Within twelve (12) months of expiration, a certified applicator shall either pass a Phase II examination or earn a specified number of Continuing Education Units (CEU) approved by the Department to successfully complete recertification. If a certified applicant elects to re-examine and does not pass a Phase II examination within twelve (12) months of expiration, the applicant shall be required to re-take the Phase I and Phase II examinations and a practical examination, when applicable. If a certified applicant elects to earn CEU for recertification, approximately one (1) hour of education shall be the equivalent of one CEU. The CEU requirements for each category are as follows:

(1) 1a - Agricultural Plant:

(A) Total in five years - 20 CEU

(B) Maximum in any one year - 10 CEU

(2) 1b - Agricultural Animal:

(A) Total in five years - 5 CEU

(B) Maximum in any one year - 2 CEU

(3) 2 - Forest:

(A) Total in five years - 10 CEU

(B) Maximum in any one year - 5 CEU

(4) 3a - Ornamental and Turf Outdoor:

(A) Total in five years - 20 CEU

(B) Maximum in any one year - 10 CEU

(5) 3b - Interiorscape:

(A) Total in five years - 10 CEU

- (B) Maximum in any one year - 5 CEU
- (6) 3c - Nursery/Greenhouse:
  - (A) Total in five years - 15 CEU
  - (B) Maximum in any one year - 7 CEU
- (7) 4 - Seed Treatment:
  - (A) Total in five years - 5 CEU
  - (B) Maximum in any one year 2 CEU
- (8) 5 - Aquatic:
  - (A) Total in five years - 5 CEU
  - (B) Maximum in any one year 2 CEU
- (9) 6 - Right-of-Way:
  - (A) Total in five years - 15 CEU
  - (B) Maximum in any one year 7 CEU
- (10) 7a - General Pest:
  - (A) Total in five years - 20 CEU
  - (B) Maximum in one year - 10 CEU
- (11) 7b - Structural Pest:
  - (A) Total in five years - 20 CEU
  - (B) Maximum in one year - 10 CEU
- (12) 7c - Fumigation:
  - (A) Total in five years - 10 CEU
  - (B) Maximum in one year - 5 CEU
- (13) 7d - Food Processing:
  - (A) Total in five years - 15 CEU
  - (B) Maximum in one year - 7 CEU
- (14) 8 - Public Health:
  - (A) Total in five years - 15 CEU
  - (B) Maximum in one year - 7 CEU
- (15) 9 - Regulatory:
  - (A) Total in five years - 10 CEU
  - (B) Maximum in one year - 5 CEU
- (16) 10 - Demonstration & Research in app. Category:
  - (A) Total in five years - 20 CEU
  - (B) Maximum in one year - 10 CEU
- (17) 11a - Bird & Vertebrate Animal Pest:
  - (A) Total in five years - 5 CEU
  - (B) Maximum in one year - 2 CEU
- (18) 11b - Predatory Animal
  - (A) Total in five years - 5 CEU
  - (B) Maximum in one year - 2 CEU
- (19) 12 - Timber Treating (all subcategories):
  - (A) Total in five years - 5 CEU
  - (B) Maximum in one year - 2 CEU
- (20) 13 - Antimicrobial:
  - (A) Total in five years - 5 CEU

- (B) Maximum in any one year - 2 CEU
- (21) 14 - Specialty Category:
  - (A) Total in five years - 5 CEU
  - (B) Maximum in any one year - 2 CEU
- (22) 15 - Aerial:
  - (A) Total in five years - 5 CEU
  - (B) Maximum in any one year - 2 CEU
- (23) 16 - Private Applicator:
  - (A) Total in five years - 20 CEU
  - (B) Maximum in any one year - 10 CEU
- (c) No more than one-half (1/2) of the total credit units shall be accepted for any one Calendar year.
  - (1) Credit units shall be obtained in at least three (3) of the five (5) years, in any combination, so that the total number obtained equals or exceeds the five (5) year requirement.
  - (2) The continuing education units may be prorated for any applicator whose recertification period is less than five (5) years.
  - (3) The Department may allow a CEU to be credited to more than one category.
  - (4) The course number associated with each continuing education course shall count only once towards the total CEUs per certification cycle.
- (d) The CEU shall be structured to provide the following information over the five (5) year period:
  - (1) Laws and rules;
  - (2) Pesticides (formulations, registration, labeling and label comprehension, handling and storage, toxicity, and hazards);
  - (3) Application equipment and calibration;
  - (4) Pests and IPM;
  - (5) Identification of hazardous areas;
  - (6) Drift prevention;
  - (7) Endangered species;
  - (8) Groundwater; and
  - (9) Worker protection.
- (e) Any person may request approval of an education program as CEU.
  - (1) The request for approval shall include the following:
    - (A) A list of proposed topics including a description of the content and their relative value for meeting the standards of continuing certification;
    - (B) A list of speakers and their qualifications; and
    - (C) Method used to verify attendance and evaluate the progress of participants.
  - (2) The Department and the Oklahoma State University Pesticide Coordinator shall review the request for approval to determine if it meets the criteria of CEU.
    - (A) If the education program is approved for CEU, the person requesting approval shall be notified of the number of assigned CEU.
    - (B) Awarded CEUs shall not be valid for more than five (5) years after the date of approval. After five (5) years, courses shall be resubmitted for review and approval.

- (C) The person requesting approval may appeal the number of assigned CEU to a three- person review committee with a representative from each of the following:
- (i) Oklahoma State University;
  - (ii) the Department; and
  - (iii) certified applicators.
- (3) Individuals seeking course approval for CEUs shall electronically submit course information and other required information for CEU approval through a website.

## **PART 5. PREREQUISITES FOR LICENSING**

### **35:30-17-10. Application insurance requirements**

- (a) The Board shall not issue an ~~applicator's~~ business license until the applicant or agent has furnished evidence of financial responsibility. A liability insurance policy or certification shall protect persons who may suffer legal damages as a result of the pesticide operations of the applicant. The policy need not apply to damages or injury to agricultural crops, plants, or land being worked on by the applicant.
- (b) With the exception of ~~the aerial pesticide category applicators~~, pesticide businesses ~~applicators~~ obtaining liability insurance pursuant to this section shall file a certificate of insurance with the Department, verifying insurance in an amount of not less than \$50,000 bodily injury, \$100,000 bodily injury per occurrence, and \$50,000 property damage. The provisions of this section with regard to "per occurrence" are specifically intended to be interpreted per occurrence, rather than per claimant. The insurance obtained pursuant to this section shall insure against liability for damage, loss, or injury, including chemical drift or trespass, suffered by any person or persons, resulting from the application of any pesticide. A current certificate of insurance shall be filed with each initial and subsequent renewal registration.
- (c) Aerial pesticide businesses ~~applicators~~ obtaining liability insurance pursuant to this section shall file a certificate of insurance with the Department, verifying insurance in an amount of not less than \$100,000 bodily injury, \$300,000 bodily injury per occurrence, and \$100,000 property damage. The provisions of this section with regard to "per occurrence" are specifically intended to be interpreted per occurrence, rather than per claimant. The insurance obtained pursuant to this section shall insure against liability for damage, loss, or injury, including chemical drift or trespass, suffered by any person or persons, resulting from the application of any pesticide. A current certificate of insurance must be filed with each initial and subsequent renewal registration.
- (d) Liability insurance shall be maintained at all times during the licensed period. The Board shall be notified by the insurer fifteen (15) days prior to any applicant's request for a reduction or cancellation of the liability insurance. The total and the aggregate of the insurer for all claims shall be limited to the face amount of the liability insurance policy. The Board may accept a liability insurance policy with a deductible clause in an amount not exceeding \$5,000 for all applicators. If the applicant has not satisfied the requirement of the deductible amount in any prior legal claim, the deductible clause shall not be accepted by the Board unless the applicant has furnished the Board with additional liability insurance which satisfies the amount of the deductible.
- (e) The Department may approve a liability self-insurance policy with a deductible clause that exceeds the requirements of subsection (d) of this section if the applicant has:

- (1) Been continuously engaged in business for not less than three (3) years immediately preceding the application;
  - (2) At least one hundred (100) employees (all states included); and
  - (3) At least One Million Dollars (\$1,000,000.00) in net assets.
- (f) An applicant may request a waiver of some or all of the requirements of subsection (e) subject to a security deposit or other insurance requirements as determined by the Department.
- (g) If the furnished liability insurance becomes unsatisfactory, the applicant shall upon notice immediately provide new liability insurance. Upon failure to do so, the Board shall cancel the license and give notice. It shall be unlawful to engage in the business of applying pesticides until the insurance is brought into compliance and the license is reinstated by the Board.
- (h) Application of a pesticide specifically excluded on the insurance policy shall be considered working without a license.

### **35:30-17-11. Application for license required**

- (a) Prior to issuance of any license, an applicant shall properly complete a license application.
- (b) An application for license shall be considered properly filed when the Board has received the following:
- (1) An application completed and signed prior to January 1 of the license year.
  - (2) Cash, check, or money order in the proper amount.
  - (3) Certificate of insurance.
- (c) A commercial pesticide business applicator operating under more than one business identity or name from a single business location shall be licensed separately for each business identity or name, including but not limited to any trade name, "d/b/a", website, alias, or other designation used in commerce for the purpose of offering services regulated by this subchapter.
- (d) The application shall also list the natural person or legal entity lawfully permitted to do business in the State of Oklahoma using or operating under the licensed name.
- (e) The Department shall issue a stop sale order and initiate license revocation proceedings against any person or legal entity that is not lawfully permitted to do business in the State of Oklahoma or is not permitted to do business in the State of Oklahoma under the business identity or name provided in the application.
- (f) A commercial pesticide business applicator with a single business identity or name but operating from more than one business location shall be licensed at each separate business location.
- (g) If the name selected by an applicant for a license to act, operate, or do business or advertise as a commercial or noncommercial applicator in the State of Oklahoma is the same or so near the same as that of another licensee already doing business in the state as to cause confusion in the minds of the people or is likely to deceive the public, the Department may require the applicant to apply for a license under a different name that is distinguishable from the names of existing licensees. Any determination made pursuant to this rule shall be at the sole discretion of the Department.
- (h) Each business location licensed shall have a minimum of one certified applicator at that location who is certified in each licensed category for which application is made.
- (i) A franchised business shall have a separate license and a separate certified applicator at each business location.

(j) Established time periods for the issuance, renewal or denial of all certifications and licenses required by law shall be as follows:

(1) The Department shall review a new application within fifteen (15) working days from the date received.

(2) Any renewal application for certification or license received prior to the renewal date established by the Board shall be considered valid until a final determination is made.

(3) Following review, if it is determined that the requirements have been met, the appropriate certification or license shall be issued within ten (10) working days of the determination date.

(4) Following review, if it is determined that the requirements have not been met, the appropriate certification or license shall be denied. Notification of the denial shall be made in writing to the applicant within ten (10) working days of the determination. The notification shall state the reasons for the denial and identify steps necessary to meet the requirements for issuance.

(k) All applicators working for a company shall be listed on the company's license prior to making any applications.

## **PART 6. PESTICIDAL PRODUCT PRODUCING ESTABLISHMENTS**

### **35:30-17-13. Incorporation by reference of federal pesticide producing establishment regulations**

(a) The Registration of Pesticide and Active Ingredient Producing Establishments, Submission of Pesticide Reports and Books and Records of Pesticide Production and Distribution Regulations found in Title 40 of the Code of Federal Regulations (CFR) ( ~~2023~~2026 Revision), Part 167 et seq. and Part 169 et seq. for the United States Environmental Protection Agency (EPA) as promulgated and amended in the Federal Register, are hereby adopted in their entirety with the exception of 40 CFR § 167.90.

(b) All words or terms defined or used in the Federal regulations incorporated by reference shall mean the state equivalent or counterpart to those words or terms.

## **PART 8. PESTICIDE REGISTRATIONS AND PERMITS**

### **35:30-17-17.1. Registration and renewal options.**

Registrants shall renew a pesticide or device registration using one of the following methods:

(1) Registrants may electronically renew the registration for a pesticide or device ~~at the website, [www.kellysolutions.com/renewals](http://www.kellysolutions.com/renewals)~~. Revised labels, material safety data sheets and uniform product codes may also be submitted during the electronic renewal process.

(2) Registrants may renew the pesticide or device registration by paying the annual registration fee and submitting a registration application directly to the Department on a form approved by the Department. Revised labels, material safety data sheets and uniform product codes may also be submitted during the renewal process. The registrant shall include an electronic copy of the existing or revised pesticide or device label in pdf format.

## **PART 9. MINIMUM STANDARDS FOR CONTRACTS AND KEEPING OF RECORDS**

### **35:30-17-20. Contract contents**

(a) Contracts shall be issued for the commercial application of pesticides in the Structural Pest Category. Information on the contracts shall include:

- (1) Specific information from 2 O. S. Sections 3-81(11) and 3-83, and OAC 35:30-17-21.
- (2) Minimum standards for termite work for existing structures and preconstruction applications. Any minimum requirements that will not be met shall be explained in the contract.

(b) Visible termite damaged material, whether structural or superficial, that will not be replaced or repaired at the time of the original contract shall be in the contract in a clear statement, e.g. "No replacements of damaged material due to termites or other wood destroying organisms are to be made."

(c) "Replaced" means to remove all visible damaged material and bring the area back to sound condition using new materials. The use of putty, paint, or similar materials shall not constitute replacement.

(d) "Repaired" means to bring the area back to sound condition.

(e) Prior to entering into a contract, all service terms, including the cancelation policy, shall be clearly conveyed to the customer and a copy of the contract shall be provided to the customer at the time the contract is signed.

### **35:30-17-21. Records required for pesticide applications and restricted use pesticide sales**

(a) Commercial and non-commercial applicators shall keep accurate records pertaining to pesticide activities, which, at a minimum, show:

- (1) Start and stop time of application.
- (2) Total amount of pesticide used.
- (3) Name and address of the commercial or non-commercial company.
- (4) Name, certification number, and certification expiration date of the certified applicator who made or supervised the application and name of the non-certified applicator under direct supervision, if any.
- (5) Name and address of person for whom applied.
- (6) Legal description of the land where applied. The legal description may be a street address if properly marked, but shall not be a Post Office Box address.
- (7) Date of application.
- (8) Application rate.
- (9) Dilution rate for mixing.
- (10) Total quantity tank mix used.
- (11) Complete trade name of pesticide product used.
- (12) EPA registration number of pesticide product used.
- (13) Name of adjuvants used when the label requires specific adjuvants.
- (14) Name of drifting agents used when the label requires specific drifting agents.
- (15) Target pest for the application.
- (16) Site where the pesticide was applied.
- (17) Size of the area treated.
- (18) Restricted Entry Interval as stated on the product label.



- (19) A copy of the pesticide product label or labeling that is attached to the container or included in the shipping case.
  - (20) Copies of any contracts issued.
  - (21) Copies of any wood infestation reports issued.
  - (22) All GPS data recorded of the application, if available.
  - (23) Other information as required by the Board.
- (b) Private applicators of restricted use pesticides shall keep accurate records pertaining to applications, which, at a minimum, show:
- (1) Start and stop time of application.
  - (2) Total amount of pesticide used.
  - (3) Name and address of the private applicator.
  - (4) Name, certification number, and certification expiration date of the certified applicator who made or supervised the application and name of the non-certified applicator under direct supervision, if any.
  - (5) Legal description of the land where applied. The legal description may be a street address if properly marked, but shall not be a Post Office Box address.
  - (6) Date of application.
  - (7) Application rate.
  - (8) Dilution rate for mixing.
  - (9) Total quantity tank mix used.
  - (10) Complete trade name of pesticide product used.
  - (11) EPA registration number of pesticide product used.
  - (12) Name of adjuvants used when the label requires specific adjuvants.
  - (13) Name of drifting agents used when the label requires specific drifting agents.
  - (14) Target pest for the application.
  - (15) Site where the pesticide was applied.
  - (16) Size of the area treated.
  - (17) Restricted Entry Interval as stated on the product label.
  - (18) A copy of the pesticide product label or labeling that is attached to the container or included in the shipping case.
  - (19) All GPS data recorded of the application, if available.
  - (20) Other information as required by the Board.
- (c) Restricted use pesticide dealers shall keep accurate records of restricted use pesticide sales, which, at a minimum show:
- (1) Complete brand name of the pesticide.
  - (2) EPA registration number of the pesticide.
  - (3) Date the pesticide was sold.
  - (4) Total amount of restricted use pesticide sold.
  - (5) Name and address of the residence or principal place of business of any person to whom the restricted use pesticide was distributed or sold for application by a certified applicator.
  - (6) Name, address, license or certification number, and certification expiration date, or copy of the applicator's card of a certified or private applicator.
  - (7) The category(ies) in which the applicator is certified relevant to the pesticide(s) sold.
  - (8) Other information as required by the Board.

(d) Failure to allow inspection of records by the Board, to provide copies of records to the Board when requested in person, or to provide a summary of records to the Board within seven (7) working days when requested by mail or in person shall be a violation of this section.

(e) Records retained pursuant to this section shall be easily accessible for inspection by authorized agents of the Board during reasonable business hours.

(f) Commercial and non-commercial applicators shall maintain records retained pursuant to this section at their principle place of business. A commercial or non-commercial applicator's principle place of business shall not be located in a closed gated community or at a residence unless the applicator submits a plan of access to the principle place of business and that plan is approved by the Board.

(g) Proof of training for a service technician making termite application shall be recorded by the licensee and available for review by the Department. The training records shall include the following information:

- (1) Name;
- (2) Date of training; and
- (3) Service technician number.

## **PART 10. MINIMUM STANDARDS FOR PESTICIDES**

### **35:30-17-22. Restricted use pesticide**

(a)— Any pesticide classified for restricted use by the U.S. Environmental Protection Agency, either by regulation (40 CFR 162.31) or through the registration process, shall also be classified as restricted use for 2 O.S. Section 3-81 et al.

(b) Restricted use pesticides can only be sold to stores with a restricted use pesticide dealer permit or to individuals who are certified in the category for which the restricted use pesticide may be applied.

## **PART 11. STANDARDS FOR APPLICATION OF PESTICIDE**

### **35:30-17-24. Approved chemicals and equipment**

(a) Only chemicals which are properly labeled as pesticide products and registered with the Department shall be approved for use as provided for in 2 O.S., Section 3-85.

(b) Any use inconsistent with the pesticide product labeling, registered with the Department is prohibited unless prior written approval for the use has been obtained from the Board. Approval may be obtained by application with reference to:

- (1) Section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act as Amended, application procedures.
- (2) Section 24(c) of the Federal Insecticide, Fungicide, and Rodenticide Act as Amended, application procedures.
- (3) Section 2(ee) of the Federal Insecticide, Fungicide, and Rodenticide Act as Amended, for commercial and noncommercial pesticide applications.

(c) To protect public health and the environment, failure to follow precautionary and recommended language included in the pesticide product label may be considered a use inconsistent with the label.

(d) Every applicator of pesticides shall employ an appropriate method to prevent the backflow of spray materials during filling, mixing, and/or application operations. The method shall include, but not be limited to, the employment of a check valve or similar in-line device, or positive mechanical method, such as an air gap, designed to insure that backflow shall not occur.

(e) No person shall use a mist blower or other type of air blasting or misting equipment for the application of hormone type herbicides within the State except where the following specific conditions exist:

(1) Forest nursery and timber production areas where the control of undesirable vegetation with a hormone type herbicide is necessary and the area cannot be covered by any other type of ground application equipment.

(2) Range, pasture, and crop areas where control of undesirable vegetation with a hormone type herbicide is necessary and a specific type of terrain feature such as a gully precludes the use of any other type of ground application equipment.

(3) Unmanned aerial applicators using hormone type herbicides shall be a certified applicator, private applicator, or service technician.

(f) Application of a hormone type herbicide under one of the exceptions given in paragraph (e) of this Section is subject to the following restrictions:

(1) At no time during the application shall the outlet point above horizontal.

(2) At no time shall an application be performed in a wind speed over 10 MPH.

(3) The person making the application shall keep records as required by law.

(4) Unmanned aerial applications cannot be made more than 15 ft above the application site unless otherwise allowed by the label.

### **35:30-17-24.1. Restricted use areas**

(a) Applications of products containing 2,4-D esters or dicamba as an active ingredient to agricultural lands shall not be made in Greer, Harmon, and Kiowa counties between 12:01 a.m. of May 1 of each calendar year through 11:59 p.m. of October 15 of each calendar year except in accordance with the provisions of this section.

(b) Applications of products containing 2,4-D, dicamba, picloram, triclopyr, or clopyralid as an active ingredient to agricultural lands shall not be made in Jackson and Tillman counties between 12:01 a.m. of May 1 of each calendar year through 11:59 p.m. of October 15 of each calendar year except in accordance with the provisions of this section.

(c) Any person intending to apply any of the herbicides listed in subsection (a) or (b) in the counties and during the times prohibited ~~shall adhere to the following procedure:~~ shall keep records in accordance with O.A.C. 35:30-17-21.

~~(1) The person shall notify the Department of the intent to apply herbicides listed in subsection (a) or (b) prior to the application on a form provided by the Department.~~

~~(2) The person shall file a report with the Department on a form provided by the Department no later than seven (7) working days after the last application date provided in the original notification of the herbicide use.~~

(d) Failure to comply with this section shall be a violation.

(e) All records and notifications required by this section shall be in addition to any records required to be maintained by a commercial applicator pursuant to other rules.

(f) The provisions of this section shall not apply to applications of 2,4-DB.

**35:30-17-25. Pesticide application by certified applicators, noncertified applicators, service technicians, and private applicators**

- (a) A certified applicator shall be on site to use any pesticide when required by the label or labeling.
- (b) A certified applicator shall be on site to supervise any pesticide application by a non-service technician.
- (c) A service technician shall be on site to make the actual application of any pesticide unless a certified applicator is present at the job site.
- (d) A certified applicator may be a service technician in other categories for a licensed company without completing the service technician's examination.
- (e) Certified applicators, noncertified applicators, service technicians, and private applicators shall be a minimum of eighteen (18) years of age to purchase restricted use pesticides and to make pesticide applications.
- (f) **"Noncertified applicator"** means a person who has not met the exam qualifications of a certified applicator.
- (g) **"Nonservice technician"** means a person who has not met the exam qualifications of a service technician.
- (h) A noncertified applicator shall receive approved safety training from a certified applicator or qualified trainer prior to application of a restricted use pesticide as outlined in the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), 40 CFR Section 171.201.
  - (1) Employers of noncertified applicators shall keep the following records for a minimum of two (2) years:
    - (A) The printed name and signature of the noncertified applicator;
    - (B) The name of the person who provided the approved training;
    - (C) The date the training was completed; and
    - (D) The title or description of the training.
  - (2) The provisions of this subsection shall not apply to a noncertified applicator making an application of restricted use pesticide on a family farm.
  - (3) For the purposes of this section a "noncertified applicator" shall mean an applicator who is not a certified applicator, service technician, or private applicator.
- (i) A certified applicator, private applicator, or service technician shall be on site during unmanned aerial applications.

**PART 21. STANDARDS FOR DISPOSAL OF PESTICIDE AND PESTICIDE CONTAINERS**

**35:30-17-89.1. Incorporation by reference of federal pesticide management and disposal regulations**

- (a) The Labeling Requirements for Pesticides and Devices, Container Labeling and Pesticide Management and Disposal regulations found in Title 40 of the Code of Federal Regulations (CFR) (20252026 Revision), Part 156.140 et seq. and Part 165 et seq. for the United States Environmental Protection Agency (EPA) as promulgated and amended in the Federal Register, are hereby adopted in their entirety.
- (b) All words or terms defined or used in the federal regulations incorporated by reference shall mean the state equivalent or counterpart to those words or terms.

**35:30-17-93. Handling pesticide containers by commercial applicators, non-commercial applicators, private applicators, and restricted use pesticide dealers**

The following procedure governs the handling of pesticide containers ~~other than~~ except bulk pesticide containers ~~by commercial applicators~~:

(1) Full or partially full containers:

- (A) Pesticide containers shall be stored in a secure and locked enclosure.
- (B) Pesticide containers shall be free of leaks.
- (C) The storage area shall be maintained in good condition without unnecessary debris.
- (D) Storage areas shall be identified by signs.

(2) Empty containers. Empty containers shall be stored in a secured area and kept for no more than ninety (90) days following use.

(3) Metal, glass, and plastic containers:-

(A) All metal, glass, and plastic containers shall be triple-rinsed or pressure rinsed immediately after the pesticide is removed by the following or equivalent procedures:

- (i) Using water or a detergent as a rinse capable of removing the pesticide, each container shall be filled with rinse equal to approximately ten percent (10%) of the volume of pesticides originally in the container.
- (ii) The rinse shall be agitated thoroughly on all interior surfaces of the container. Agitation shall be accomplished by use of agitation equipment approved by the Department or by manual agitation of the rinse.
- (iii) The rinsing procedure shall be repeated three times.
- (iv) If the rinsate containing the rinse can be used in subsequent applications of the pesticide without reducing the effectiveness of the pesticide, the rinsate may be placed in the containment tank specified for that pesticide. If the rinsate is not classified as a controlled industrial waste upon disposal, it shall be placed in an approved surface impoundment.

(B) Upon completion of the triple-rinsing or pressure rinsing procedures, containers shall be disposed of as follows:

- (i) Disposal in any permitted solid waste facility or sanitary landfill so long as all metal and plastic containers are pierced in each end;
- (ii) Return, if possible, to the pesticide sales agent or the pesticide manufacturer pursuant to prior agreement; or
- (iii) Resale to a third party for recycling or reconditioning.

(C) All pesticides shall be removed from paper and plastic bags to the maximum extent possible when the pesticide is initially mixed for application. Paper and plastic containers shall be disposed of as follows:

- (i) Cut all sides of the container and open the container fully, without folds or crevices, on a flat surface. Shake any pesticides remaining in the opened container into the pesticide mix.
- (ii) After cutting and flattening the pesticide containers, dispose of containers in a solid waste facility or sanitary landfill.

## **SUBCHAPTER 30. SOIL AMENDMENT**

### **35:30-30-2. Registration and fees**

(a) Each soil amendment product shall be registered with the Board prior to distribution on a registration document supplied by the Board. Registrants shall register or renew soil amendment products using one of the following methods:

(1) Registrants may electronically register or renew the registration for soil amendment products ~~at the website, [www.kellysolutions.com/renewals](http://www.kellysolutions.com/renewals)~~, and pay any applicable fees online. Product labels, revised product labels, efficacy data, and uniform product codes when available shall be submitted during the electronic process.

(2) Registrants may register or renew the registration for soil amendment products by submitting a registration application or renewal application directly to the Department on a form approved by the Department. Any applicable fees shall accompany the applications. Product labels, revised product labels, efficacy data, and uniform product codes when available shall be submitted with the applications. Product labels, revised product labels, and efficacy data shall be submitted in pdf format.

(b) All registrations expire on December 31st of the year registered.

(c) No product name shall be registered that misrepresents the product's primary component or component formulation.

(d) Each product name shall refer to a specific formulation; different product names may refer to the same specific formulation. Products for which formulations change or are modified beyond the ranges reported in the registration document shall either be reregistered with a name that distinguishes them from the previous formulation, or production and distribution of the previous formulation shall cease.

(e) Reregistered products shall be accompanied by a new registration document for that formulation.

(f) Each product registration document shall be accompanied by a label or facsimile of a label for that product as named. If the same product is sold in more than one size, only one label sample shall be submitted.

(g) The Board shall not issue and may revoke any soil amendment registration if the Board determines the registration is for the primary purpose of disposal of the product or substance.

(h) The registration fee shall be One Hundred Dollars (\$100.00) for each product.

(i) If the Board finds that any soil amendment product is not registered, a penalty of One Hundred Dollars (\$100.00) per product shall be assessed. The penalty shall be added to the registration fee and payment shall be made within thirty (30) days after receipt of notice.

## **SUBCHAPTER 37. NURSERY STOCK SALES**

### **35:30-37-10. Prohibited sales of aquatic plants**

A person shall not knowingly propagate, sell, or offer for sale any aquatic plant pest. "Aquatic plant pest" shall include, but not be limited to, any aquatic plant species listed as a noxious aquatic plant in OAC 800:20-3-2 (a) and ~~(b)~~ the following:

(a) Azolla pinnata - Mosquito Fern (aka - Water Velvet, Water Fern)

(b) Caulerpa taxifolia - Caulerpa (aka - Mediterranean Clone of Caulerpa)

- (c) Eichhornia azure - Anchored Water Hyacinth (aka - Rooted Water Hyacinth, Blue Water Hyacinth, Saw-petal Water Hyacinth)
- (d) Hydrilla verticillata - Hydrilla (aka - Florida Elodea, Star Vine, Oxygen Plant, Oxygen Weed)
- (e) Hygrophila polysperma - Hygro (aka - Miramar Weed, Green Hygro, Oriental Ludwigia, East Indian Hygrophila)
- (f) Ipomoea aquatica - Water Spinach (aka - Swamp Morning Glory, Chinese Water Spinach, Water Bindweed, Aquatic Morning Glory)
- (g) Lagarosiphon major - African Elodea (aka - Oxygen Weed)
- (h) Limnophila species - Ambulia (aka - Asian Marshweed, Limno, Red Ambulia, Indian Ambulia)
- (i) Lythrum salicaria - Purple Loosestrife (aka - Loosestrife)
- (j) Marsilea quadrifolia - Marsilea (aka - European Waterclover, Four-leaf Clover Fern, Water Fern, Water Clover, Hairy Pepperwort)
- (k) Marsilea mutica - Australian Waterclover (aka - Varigated Water-clover, Nardoo) (12)  
Marsilea minuta - Waterclover
- (l) Melaleuca quinquenervia - Paperbark Tree (aka - Melaleuca, Cajeput, Punk)
- (m) Monochoria hastata - Cat's Claw (aka - Monochoria)
- (n) Ottellia alismoides - Duck Lettuce
- (o) Sagittaria sagittifolia - Japanese Arrowhead (aka - Hawaiian Arrowhead, Common Arrowhead, Chinese Arrowhead)
- (p) Salvinia spp. - all giant and common salvinia species - (aka - Salvinia, Butterfly Fern, Water Fern, Water Moss, Water Velvet, Karibaweed, Koi Kandy, Water Spangles, Floating Fern, South American Pond Fern)
- (q) Alternanthera spp. - Alligatorweed and congeneric species (aka - Alligator-weed, Chaff Flower, lilacina, roseafolia)
- (r) Solanum tampicense - Wetland Nightshade
- (s) Sparganium erectum - Exotic Bur-reed
- (t) Glossostigma diandrum - Mud Mat

## RULE IMPACT STATEMENT

### TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY CHAPTER 30. CONSUMER PROTECTION

(A) **PURPOSE AND LEGAL BASIS OF THE PROPOSED RULE:**

The proposed rule amendments updates language to add businesses for licenses and certifications; adds renewal dates for non-commercial licenses; adds a sales apprenticeship certification; adds a restriction for repeat CEUs per certification cycle; adds requirement for all applicators to be listed on a company's license prior to applications; updates references to federal code; removes the reference for the Kelly system; adds requirements for contracts to include a cancellation policy; adds a requirement that limits sales of restricted use pesticide being sold to licensed dealers or licensed individuals; adds requirements for unmanned aerial applications and applicators; adds additional types of applicators to the requirements for handling pesticide containers; and adds plants to the prohibited aquatic plants list pursuant to Okla. Const., Art. 6, § 31; 2 O.S. § 2-4(A)(2); State Board of Agriculture; 2 O.S. § 3-81 et seq.; 2 O.S. § 8-85.1 et seq.; and 2 O.S. § 3-32.1 et seq.

(B) **CLASSIFICATION:**

This rule amendment is classified as a *nonmajor rule amendment* with no significant financial impact.

(C) **PURPOSE OF PROPOSED AMENDMENT:**

The purpose is to update language to add businesses for licenses and certifications; add renewal dates for non-commercial licenses; add a sales apprenticeship certification; add a restriction for repeat CEUs per certification cycle; add requirement for all applicators to be listed on a company's license prior to applications; update references to federal code; remove the references for the Kelly system; add requirements for contracts to include a cancellation policy; add a requirement that limits sales of restricted use pesticide being sold to licensed dealers or licensed individuals; add requirements for unmanned aerial applications and applicators; add additional types of applicators to the requirements for handling pesticide containers; and add plants to the prohibited aquatic plants list.

(D) **CLASSES OF PERSONS WHO MOST LIKELY WILL BE AFFECTED BY THE PROPOSED RULE AND ANY INFORMATION ON COST IMPACTS RECEIVED BY THE AGENCY FROM ANY PRIVATE OR PUBLIC ENTITIES:**

The proposed rule amendments affect consumers and persons regulated by the Department's combined pesticide. No cost impacts have been received.

(E) **PERSONS WHO WILL BENEFIT FROM THE PROPOSED RULE:**

Taxpayers and persons regulated by the Department's combined pesticide will benefit from the proposed rule amendments.

(F) **DETERMINATION OF PROBABLE ECONOMIC IMPACT:**



The proposed amendment is revenue neutral. A small number of entities or individuals may experience costs for obtaining a sales apprentice license. No state agency, political subdivision, majority of entities or individuals will experience costs or revenues as a result of implementation.

(G) **METHODOLOGY OF PROBABLE ECONOMIC IMPACT:**

No additional cost to the Department is anticipated by the proposed rules. Economic determinations were based on internal agency review.

(H) **DETERMINATION OF WHETHER IMPLEMENTATION WILL HAVE ANY ECONOMIC IMPACT ON ANY POLITICAL SUBDIVISION OR REQUIRE THEIR COOPERATION IN IMPLEMENTING OR ENFORCING THE PROPOSED RULE:**

No effect on any political subdivision is anticipated by the proposed rule amendments.

(I) **DETERMINATION OF WHETHER IMPLEMENTATION OF THE PROPOSED RULE WILL HAVE AN ADVERSE EFFECT ON SMALL BUSINESS AS PROVIDED BY THE OKLAHOMA SMALL BUSINESS REGULATORY FLEXIBILITY ACT:**

The proposed rule amendments will have no adverse effect on small business.

(J) **DETERMINATION OF WHETHER THERE ARE LESS COSTLY METHODS OR NON-REGULATORY METHODS FOR ACHIEVING THE PURPOSE OF THE PROPOSED RULES:**

The Department is unaware of any non-regulatory methods to achieve the purpose of the proposed rule amendments. No measures were necessary to minimize compliance costs, as no costs are imposed by the rule.

(K) **DETERMINATION OF THE EFFECT OF THE PROPOSED RULE ON THE PUBLIC HEALTH, SAFETY, AND ENVIRONMENT:**

The proposed rule amendments will not detrimentally affect the public health, safety, and environment.

(L) **DETERMINATION OF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY, AND ENVIRONMENT:**

The Department is not aware of any detrimental effect the proposed rules will have on public health, safety, and environment.

(M) **DATE RULE IMPACT STATEMENT WAS PREPARED:**

This rule impact statement was prepared on September 16, 2025. Amended December 2, 2025.

**TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND  
FORESTRY**

**CHAPTER 50. AQUACULTURE**

**SUBCHAPTER 1. PRIVATE COMMERCIAL PRODUCTION**

**PART 5. UNLICENSED IMPORTERS AND SELLERS OF LIVE AQUACULTURE  
PRODUCTS**

**35:50-1-45. Unlicensed importers**

Any entity selling live aquaculture species within the state of Oklahoma that does not possess a valid license for commercial production of aquatic species issued by the Oklahoma Department of Agriculture, Food and Forestry along with an Oklahoma address subject to regular inspections shall pay an import fee for each shipment of aquaculture species.

- (1) The fee shall be \$100 (one hundred dollars).
- (2) Each import shipment shall be documented on an official certificate of veterinary inspection.
- (3) Certificates of Veterinary Inspection and import fees shall be submitted electronically to Animal Industry Services of ODAFF.

## RULE IMPACT STATEMENT

### TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY CHAPTER 50. AQUACULTURE

(A) **PURPOSE AND LEGAL BASIS OF THE PROPOSED RULE:**

The proposed rule establishes requirements for unlicensed importers pursuant to Okla. Const., Art. 6, § 31; State Board of Agriculture; 2 O.S. § 2-4(A)(2) and (20); 2 O.S. § 6-311 et seq.; and SB 777.

(B) **CLASSIFICATION:**

This rule amendment is classified as a *nonmajor rule amendment* with no significant financial impact.

(C) **PURPOSE OF PROPOSED AMENDMENT:**

The purpose is to establish requirements for unlicensed importers.

(D) **CLASSES OF PERSONS WHO MOST LIKELY WILL BE AFFECTED BY THE PROPOSED RULE AND ANY INFORMATION ON COST IMPACTS RECEIVED BY THE AGENCY FROM ANY PRIVATE OR PUBLIC ENTITIES:**

The proposed rules affect persons regulated by the Department's Aquaculture programs. No cost impacts have been received to date.

(E) **PERSONS WHO WILL BENEFIT FROM THE PROPOSED RULE:**

Persons who rely on the Department's Aquaculture program will benefit from the proposed rules. Taxpayers will benefit from the rules as it creates requirements for unlicensed importers.

(F) **DETERMINATION OF PROBABLE ECONOMIC IMPACT:**

The proposed amendment creates a fee for unlicensed importers in the State of Oklahoma. An entity will be required to pay the fee if they do not have a valid license. No state agency, political subdivision, or individual will experience costs or revenues as a result of implementation.

(G) **METHODOLOGY OF PROBABLE ECONOMIC IMPACT:**

No additional cost to the Department is anticipated by the proposed rules. Economic determinations were based on internal agency review.

(H) **DETERMINATION OF WHETHER IMPLEMENTATION WILL HAVE ANY ECONOMIC IMPACT ON ANY POLITICAL SUBDIVISION OR REQUIRE THEIR COOPERATION IN IMPLEMENTING OR ENFORCING THE PROPOSED RULE:**

No effect on any political subdivision is anticipated by the proposed rules.

- (I) **DETERMINATION OF WHETHER IMPLEMENTATION OF THE PROPOSED RULE WILL HAVE AN ADVERSE EFFECT ON SMALL BUSINESS AS PROVIDED BY THE OKLAHOMA SMALL BUSINESS REGULATORY FLEXIBILITY ACT:**  
The new fee is not anticipated to have a significant impact on persons participating in the Aquaculture program.
- (J) **DETERMINATION OF WHETHER THERE ARE LESS COSTLY METHODS OR NON-REGULATORY METHODS FOR ACHIEVING THE PURPOSE OF THE PROPOSED RULES:**  
The Department is unaware of any non-regulatory methods to achieve the purpose of the proposed rules. No measures were necessary to minimize compliance costs, as no costs are imposed by the rule.
- (K) **DETERMINATION OF THE EFFECT OF THE PROPOSED RULE ON THE PUBLIC HEALTH, SAFETY, AND ENVIRONMENT:**  
The proposed rules will not affect the public health, safety, and environment.
- (L) **DETERMINATION OF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY, AND ENVIRONMENT:**  
The Department is not aware of any detrimental effect the proposed rules will have on public health, safety, and environment.
- (M) **DATE RULE IMPACT STATEMENT WAS PREPARED:**  
This rule impact statement was prepared on September 23, 2025. Amended December 2, 2025.

## TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, & FORESTRY

### CHAPTER 55. COMMERCIAL PET BREEDERS AND ANIMAL SHELTERS

#### 35:55-1-2. Definitions

The following words or terms, when used in this Chapter, shall have the following meaning, unless the context clearly indicates otherwise:

— **"Adult animal"** means an intact female animal twelve (12) months of age or older;

— **"Animal"** means a dog or a cat;

— **"Animal shelter"** means any facility that maintains ten or more dogs and cats operated by or under contract for the state, a county, a municipal corporation, or any other political subdivision of the state for the purpose of impounding or harboring seized, stray, homeless, abandoned or unwanted dogs or cats; and any facility that maintains ten or more dogs and cats operated, owned, or maintained by any person or organization for such purpose, but not including any facility that does not house or harbor dogs or cats on the premises and only operates through a system of fostering in private homes;

— **"Animal shelter license"** means a license issued to any applicant that qualifies and is licensed as an animal shelter operator;

— **"Animal shelter operator"** means any individual, entity, association, trust, or corporation that operates a facility that maintains ten or more dogs and cats for the purpose of impounding or harboring seized, stray, homeless, abandoned or unwanted dogs or cats, but not including any facility that does not house or harbor dogs or cats on the premises and only operates through a system of fostering in private homes;

— **"Board"** means the State Board of Agriculture;

— **"Cat"** means a mammal that is wholly or partly of the species *Felis domesticus*;

— **"Commercial breeder"** and **"commercial pet breeder"** mean any individual, entity, association, trust, or corporation who possesses eleven or more intact female animals for the use of breeding or dealing in animals for direct or indirect sale or for exchange in return for consideration;

— **"Commercial pet breeder license"** means a license issued to any person that qualifies and is licensed as a commercial pet breeder;

— **"Department"** means the Oklahoma Department of Agriculture, Food, and Forestry;

— **"Dog"** means a mammal that is wholly or partly of the species *Canis familiaris*;

— **"Facility"** means the premises used by one or more animal shelter operators or commercial breeders. The term includes all buildings, property, and confinement areas in a single location used to conduct the animal shelter commercial breeding business;

— **"Family member"** means the parent, spouse, child, or sibling of an individual;

— **"Humane society"** means a nonprofit organization exempt from federal income taxation as an organization described in Section 501(c)(3), Internal Revenue Code of 1986, as amended, that has as a principal purpose the prevention of animal cruelty or the sheltering of, caring for, and providing of homes for lost, stray, and abandoned animals;

— **"Inspector"** means an authorized agent of the Board or any other qualified person authorized by the Department to conduct inspections;

— **"Intact female animal"** means a female animal, nine (9) months of age or older, and not spayed;

— **"Kitten"** means a cat less than twelve (12) months old;

~~———"Local animal control authority" means a municipal or county animal control office with authority over the premises in which an animal is kept or, in an area that does not have an animal control office, the county sheriff;~~

~~———"Marketing" means the solicitation for sale of animals;~~

~~———"Juvenile" means a puppy or kitten;~~

~~———"Necessary veterinary care" means at least one personal visual inspection annually by a veterinarian licensed in Oklahoma, guidance from a licensed veterinarian on preventative care, an exercise plan is approved by a licensed veterinarian, normal and prudent attention to skin, coat, and nails, prompt treatment of any illness or injury, and where needed, humane euthanasia by a licensed veterinarian using lawful techniques deemed acceptable by the American Veterinary Medical Association. If, during the course of a routine personal visual inspection, the licensed veterinarian detects signs of disease or injury in an animal, then a physical examination of the animal shall be conducted by the licensed veterinarian.~~

~~———"Noncommercial breeder" means any individual, entity, association, trust, or corporation who possesses ten or fewer intact female animals for the use of breeding or dealing in animals for direct or indirect sale or for exchange in return for consideration;~~

~~———"Owner" means a person who owns ten percent (10%) or more of the ownership interest in a commercial pet breeder facility, directly or indirectly, in an entity.~~

~~———"Person" means any individual, association, trust, corporation, limited liability company, partnership, or other entity;~~

~~———"Pet" means a dog or cat, including a puppy or kitten;~~

~~———"Possess" means to have custody of or control over, but shall not include custody or control over an animal by a person who is not a resident of Oklahoma and is in Oklahoma for the sole purpose of attending a competitive show or event held in Oklahoma;~~

~~———"Puppy" means a dog less than twelve (12) months old;~~

~~———"Recipient" means a purchaser, adopter, or any other person who receives a pet.~~

~~———"Veterinarian" means a person currently licensed to practice veterinary medicine in Oklahoma.~~

### **35:55-1-3. License required**

~~(a) A person shall not act, offer to act, or hold himself or herself out as a commercial pet breeder or operate an animal shelter in this state unless the person holds a license obtained pursuant to the Commercial Pet Breeders and Animal Shelter Licensing Act for each facility that the person owns or operates in this state.~~

~~(b) It shall be unlawful for any person to act as a commercial pet breeder licensee, or to hold himself or herself out as such, unless the person shall have been licensed to do so under the Commercial Pet Breeders and Animal Shelter Licensing Act.~~

~~(c) The commercial pet breeder license shall begin on July 1 and expire on June 30 of each calendar year; each commercial pet breeder shall renew the license prior to June 30 of each calendar year.~~

~~(d)(b) The animal shelter license shall begin on January 1 and expire on December 31 of each calendar year; each animal shelter operator shall renew the license prior to December 31 of each calendar year.~~

~~(e)(c) Any person who intends to become a commercial pet breeder or intends to operate an animal shelter shall obtain a license prior to operation.~~

~~(f)~~(d) Any person who does not meet the definition of a commercial pet breeder or animal shelter but chooses to voluntarily obtain a license shall comply with all rules as though they do meet the definition of a commercial pet breeder or animal shelter.

~~(g)~~(e) Each commercial pet breeder and animal shelter shall have a fixed place of business with a specific physical location and shall conform to local zoning ordinances authorizing the occupancy of a commercial pet breeder or animal shelter at that location.

#### **35:55-1-4. License application**

(a) The Oklahoma Department of Agriculture, Food, and Forestry shall issue a license to each commercial pet breeder or animal shelter operator who:

- (1) Meets the requirements of the Commercial Pet Breeders and Animal Shelter Licensing Act;
- (2) Applies to the Department on the form prescribed by the Department; and
- (3) Pays the required license and prelicense inspection fees.

(b) A commercial pet breeder or animal shelter operator shall submit a separate application and obtain a separate license for each facility where breeding or shelter animals are kept. A separate license shall be issued for each facility of the commercial pet breeder or animal shelter operator, whether or not the facility has the requisite number of animals at each facility.

(c) If a single facility is shared by more than one person, each person shall be required to become individually licensed if the requisite number of animals are housed at the facility, unless all animals are combined on a single license.

(d) An applicant applying for a license shall submit a completed license application signed under oath containing the following information:

- (1) Name, mailing address, telephone number, and email address, if any, of the applicant;
- (2) Name, if different, physical address and telephone number of the facility, including driving directions from the nearest municipality;
- (3) Name, address, telephone number, and email address, if any, of the operator of the facility, if different from the owner;
- (4) If the applicant is an entity, association, trust, or corporation, the name and address of each member with an ownership of ten percent (10%) or more in the facility;
- (5) If the applicant is an entity, the name, address, telephone number, and email address, if any, of the Oklahoma registered agent;
- (6) The sales tax identification number of the commercial pet breeder, unless the commercial pet breeder only sells animals wholesale or the tax exempt identification number of the animal shelter;
- (7) A list of the date, subject matter, and court or government entity for any individual required to be disclosed by this section for each of the following:
  - (A) Has ever been convicted of, or entered a plea of guilty or no contest, to any felony, or any crime involving animal cruelty, abuse, or neglect;
  - (B) Has ever received any adverse ruling from any court of competent jurisdiction or any administrative tribunal involving honesty, fraud, misrepresentation, breach of fiduciary duty, gross negligence, or incompetence in a matter related to commercial pet breeding, or cruelty to animals;

- (C) Has ever had an application for a license, registration, certificate, or endorsement related to pet breeding or animal care denied or rejected by any state or federal licensing authority in Oklahoma or another state;
  - (D) Whether any commercial pet breeder licensing board, kennel regulation board, animal shelter licensing authority, or similar agency or organization has ever revoked or suspended a license, registration, certificate, or endorsement;
  - (E) Has ever surrendered a license, registration, certificate, or endorsement to the Board or any state or federal commercial pet breeder or kennel licensing authority or animal shelter licensing authority, whether located in Oklahoma or elsewhere;
  - (8) Affidavit of Lawful Presence in the United States of America, as provided under 56 O.S. § 71;
  - (9) A notarized statement swearing that the information submitted on the application is true and correct;
  - (10) State the total number of animals owned by the commercial pet breeder on the date of application and identify how many of the animals are intact female animals, males, and juveniles or state the capacity of the animal shelter;
  - (11) The date of commencement of operations at that location; ~~and~~
  - (12) An outline, map, or numbering sequence that outlines and identifies clearly the current and or planned kennels, housing and exercise areas; and
  - (13) Any other relevant information required by the Board.
- (e) If an applicant submits an incomplete application or the Department requests additional information, the Department shall notify the applicant that the application is incomplete and identify the information on the application that is incomplete or needs additional information. The applicant shall submit additional information within twenty (20) working days to supplement and complete the application. If the applicant does not respond to the request for additional information in a timely manner, the application shall be denied.
- (f) An application may be withdrawn from consideration by the applicant at any time.
- (g) Any commercial pet breeder or animal shelter operator whose application is denied due to failure to submit information in a timely manner or who withdrew the application may submit a new application and appropriate fees.
- (h) Any license commercial pet breeder that intends to expand their operation's capacity to a higher level of license category shall submit notice to the Department within ten (10) days of the expansion.
- (1) The notification shall be submitted on the application form prescribed by the Department.
  - (2) Payment shall be included with the application to pay the increase in license category due to the expansion and a prelicense inspection fee.

### **35:55-1-5. Grounds for denial, suspension, or revocation of a license**

~~—The Oklahoma Department of Agriculture, Food, and Forestry may deny a license, or renewal thereof, or revoke a license of any applicant, commercial pet breeder, or animal shelter operator who fails to meet the standards of animal care or fails to follow the application process adopted by the Department, or if the person:~~

- ~~(1) Is convicted of a crime involving animal cruelty;~~



- ~~(2) Is convicted of violating the Commercial Pet Breeders and Animal Shelter Licensing Act more than three times;~~
- ~~(3) Is convicted of a type of felony specified by subparagraphs a through pp of paragraph 2 of Section 571 of Title 57 of the Oklahoma Statutes;~~
- ~~(4) Is convicted of a felony punishable under the Oklahoma Racketeer-Influenced and Corrupt Organizations Act; or~~
- ~~(5) Has held or applied for a United States Department of Agriculture license pursuant to the Animal Welfare Act and whose license was suspended or revoked, or whose application was refused due to the improper care of animals.~~

### **35:55-1-6. Inspections**

~~(a) The Oklahoma Department of Agriculture, Food, and Forestry may contract with a local veterinarian licensed by the state, other state agency or any other qualified person to conduct or assist in an initial prelicense inspection and annual inspections.~~

~~(b) The Department shall arrange for an inspection at a facility prior to issuance of an initial license for that facility.~~

~~(1) The Department shall not issue a license to any person until the Department receives an initial prelicense inspection report from the inspector in a format approved by the Department certifying that the facility meets the requirements of the Commercial Pet Breeders and Animal Shelter Licensing Act.~~

~~(2) Prior to the initial prelicense inspection, each applicant shall pay to the Department a nonrefundable inspection fee.~~

~~(3) Failure of the owner or operator to be present for the arranged prelicense inspection without twenty-four (24) notice shall result in a second prelicense inspection fee to be paid prior to arranging another inspection.~~

~~(b) In the event the facility cancels, reschedules, or is not present for an arranged prelicense inspection, another prelicense inspection must be arranged in the next ten (10) working days and prelicense inspection fee paid, if not rescheduled at least twenty-four (24) hours in advance, or the application may be denied.~~

~~(c) The Department, at least annually, shall arrange for the inspection of each licensed facility. The inspection shall be conducted during normal business hours and the commercial pet breeder, animal shelter operator, or a representative shall be present during the inspectionsshall inspect each licensed facility at a minimum annually.~~

~~(1) The Department shall conduct an unannounced inspection during normal working hours or if found to be unavailable during normal working hours shall arrange the annual inspection within a five (5) working day window during daylight hours as the facility is available.~~

~~(2) Failure of the commercial pet breeder, animal shelter operator, or a representative to show for an arranged inspection will result in a fine to be paid and require either an unannounced or another inspection be arranged and a prelicense fee paid no later than five (5) business days after the previously arranged inspection date.~~

~~(d) The inspector shall submit an inspection report to the Department not later than ten (10) days after the date of the inspection on a form prescribed by the Department and provide a copy of the report to the commercial breeder, animal shelter operator, or the representative.~~

~~(4)(3) The inspection report shall include an itemized list of violations, if any, and may include recommendations for correction.~~

~~(2)~~(4) A copy of the inspection report shall be sent to the commercial pet breeder or animal shelter operator who shall have thirty (30) calendar days to correct any deficiencies.

~~(3)~~(5) Following the thirty (30) calendar days to correct deficiencies, the inspector may conduct an unannounced follow-up inspection during normal business hours, or may request documentation of corrections be submitted to the Department within fourteen (14) calendar days of the request.

———(4)(d) During the prelicense or expansion prelicense inspection, if observed enclosures do not meet the requested capacity, the license or expansion shall not be approved. Prior to scheduling a follow-up inspection, ~~and~~an additional prelicense fee shall be due.

### **35:55-1-7. Changes of information**

———~~A commercial pet breeder or animal shelter operator shall notify the Oklahoma Department of Agriculture, Food, and Forestry in writing not later than ten (10) days after the date any change occurs in the address, name, management, substantial control, or ownership of the business or operation.~~

### **35:55-1-8. Fees**

The Board shall charge the following nonrefundable ~~license or renewal~~ fees:

(1) One (1) to ten (10) intact female animals: \$125.00

(2) Eleven (11) to twenty (20) intact female animals: \$200.00

(3) Twenty one (21) to fifty (50) intact female animals: \$350.00

(4) Fifty one (51) to one hundred (100) intact female animals: \$500.00

(5) One hundred and one (101) or more intact female animals: \$650.00

(6) Animal shelter: \$200.00

(7) If the commercial pet breeder or animal shelter operator submits a renewal application and fee after the expiration date, the commercial pet breeder or animal shelter operator shall pay double the renewal fee as a late charge and the filing of a late application shall be deemed a violation.

(8) Prelicense inspection fee for new or expanding: \$100.

### **35:55-1-10. Renewals**

~~(a) A commercial pet breeder or animal shelter operator who is not in violation of the Commercial Pet Breeders and Animal Shelter Licensing Act or any rule adopted under the Commercial Pet Breeders and Animal Shelter Licensing Act may renew the license by:~~

~~(1) Submitting a renewal application to the Oklahoma Department of Agriculture, Food, and Forestry on the form prescribed by the Department containing any changes to the information provided in the initial application.~~

~~(2) Complying with any other renewal requirements adopted by the Department; and~~

~~(3) Paying the required fee.~~

~~(b) Any person who fails to apply for a renewal in a manner prescribed by the Department, and whose license has expired, may not engage in activities that require a license until the license has been renewed.~~

~~(c) Not later than sixty (60) days before the expiration of the license, the Department shall send written notice of the impending license expiration to the commercial pet breeder or animal shelter operator at the last known address according to the records of the Department.~~

### **35:55-1-11. Complaints**

~~(a) On receipt of a valid written complaint alleging a violation of the Commercial Pet Breeders and Animal Shelter Licensing Act, an authorized agent of the State Board of Agriculture, a local animal control authority, or an inspector designated by the Department may investigate the alleged violation.~~

~~(b)~~ Any person may submit a written ~~and signed~~ complaint to the Department alleging a violation of the Commercial Pet Breeders and Animal Shelter Licensing Act or rules promulgated thereunder.

~~(c)~~(b) Upon receipt of a written complaint, the Department notifies the person filing the complaint in writing of its receipt and status within five (5) working days, unless complaint is submitted anonymously.

~~(d)~~(c) The party whom the complaint is filed against, if known, is notified within five (5) working days.

~~(e)~~(d) The resolution of a complaint is the completion of the appropriate administrative, jurisdictional, and legal remedies appropriate to the circumstances.

~~(f)~~(e) The complainant and commercial pet breeder or animal shelter operator shall be notified in writing within seven (7) working days after the resolution of the complaint, if known.

### **35:55-1-12. Display of license**

~~— A commercial pet breeder or animal shelter operator shall:~~

~~(1) Prominently display a copy of the license at the facility;~~

~~(2) Include the license number in each advertisement for the sale or transfer of an animal by the commercial pet breeder or animal shelter operator; and~~

~~(3) Include the license number in each contract for the sale or transfer of an animal.~~

## **SUBCHAPTER 3. STANDARDS OF CARE**

### **35:55-3-1. Incorporation by reference**

(a) The following provisions of Title 9 of the Code of Federal Regulations and the requirements contained therein pertaining to Animal Welfare, Part 3 (Standards) are, unless otherwise specified, adopted and incorporated by reference in their entirety:

(1) 3.1 (housing facilities, general)

(2) 3.2 (indoor housing facilities)

(3) 3.3 (sheltered housing facilities)

(4) 3.4 (outdoor housing facilities)

(5) 3.5 (mobile or traveling housing facilities)

(6) 3.6 (primary enclosures), except for 3.6 (c)(1)(ii) and (c)(2)

(7) 3.7 (compatible grouping)

(8) 3.8 (exercise for dogs)

(9) 3.9 (feeding)

(10) 3.11 (cleaning, sanitization, housekeeping, and pest control)

(11) 3.12 (employees)

(12) ~~3.13~~3.14 (consignments to carriers and intermediate handlers)

(13) ~~3.14~~3.15 (primary enclosures used to transport live dogs and cats)

(14) ~~3.15~~3.16 (primary conveyances [motor vehicle, rail, air, and marine])

(15) ~~3.16~~3.17 (food and water requirements)

(16) ~~3.17~~3.18 (care in transit)

(17) ~~3-183.19~~ (terminal facilities)

(18) ~~3-193.20~~ (handling)

(b) When reference is made to a federal entity, it shall mean the state counterpart.

### **35:55-3-3. Compatibility**

~~(a) A commercial pet breeder or animal shelter operator shall place only compatible animals in the same primary enclosure and at a minimum shall not place the following animals together in the same primary enclosure:~~

~~(1) Breeding female animals in heat in the same enclosure at the same time with sexually mature male animal, except for breeding purposes;~~

~~(2) Breeding females and their litters in the same enclosure at the same time with other adult dogs;~~

~~(3) Puppies or kittens under four (4) months of age with other adult animals other than their dam or foster dam, unless maintained in breeding colonies; or~~

~~(4) Animals exhibiting vicious or an aggressive disposition with any other animal.~~

~~(b) A commercial pet breeder or animal shelter operator shall not place more than six (6) adult animals simultaneously in any enclosure.~~

### **35:55-3-6.1. Canine brucellosis**

(a) A commercial pet breeder shall have a biosecurity plan in place for the detection and eradication of canine brucellosis. The biosecurity plan shall be developed in consultation with the commercial pet breeder's attending veterinarian and shall include, but not be limited to, the following:

(1) New breeding stock shall be initially quarantined prior to release into the general facility population.

(2) New breeding stock shall test negative on two consecutive brucellosis tests conducted four to six weeks apart prior to exiting the initial quarantine.

(b) If canine brucellosis is confirmed in any dog on the premises of a commercial pet breeder, the premises shall be quarantined by the State Veterinarian. The parameters of the quarantine shall be determined by the State Veterinarian in consultation with the commercial pet breeder's attending veterinarian, and may include, but not be limited to, the following:

(1) Any dog that is confirmed positive for canine brucellosis shall be humanely euthanized.

(2) All dogs six weeks of age or older shall test negative on two consecutive brucellosis tests conducted four to six weeks apart.

(3) Records of each sampling event, including identification of each euthanized dog, identification of each animal tested, laboratory sample results from an approved laboratory, and any other pertinent information, shall be provided to the Department upon request.

(4) Each dog six weeks of age or older that is tested for canine brucellosis shall be identified with an electronic form of identification.

(5) The State Veterinarian may, upon consultation with the commercial pet breeder's attending veterinarian, ~~may~~ modify the quarantine to allow for testing of fewer animals and quarantine of only a portion of the premises.

## SUBCHAPTER 7. RECORDKEEPING AND SALES

### 35:55-7-1. Records

~~(a)~~ A commercial pet breeder or animal shelter operator shall maintain a separate health record for each animal in the facility documenting the healthcare of the animal that shall include:

- ~~(1)~~ The breed, sex, color, and identifying marks of the animal; and
- ~~(2)~~ A record of all inoculations, medications, and other veterinary medical treatment received by the animal while in the possession of the commercial pet breeder or animal shelter operator.

~~(b)~~ The commercial pet breeder or animal shelter operator shall make the health records available on request to the Oklahoma Department of Agriculture, Food, and Forestry, an authorized agent of the Board, a local animal control authority, or any other inspector designated by the Department.

~~(c)~~ Commercial pet breeders or animal shelter operators shall create, maintain, and keep records of operations consisting of a list describing all pets that have been born, housed or kept in the facility at any time, and stating the disposition of all pets listed. In describing the disposition of any pet, the commercial pet breeder and animal shelter operator shall record the following:

- (1) If the animal was sold or otherwise transferred, the manner and location of the sale, transfer, or other disposition, and the recipient's name and address, if the commercial pet breeder or animal shelter operator shipped or otherwise transported the animal to the recipient;
- (2) That the pet is still on the premises, or
- (3) If the pet died while at the facility, the date of death and cause of the death.

~~(d)~~(b) Commercial pet breeders and animal shelter operators shall keep the following records of all sales or disposition of pets owned or has housed at the licensed facility:

- (1) A description of each sold or disposed pet; and
- (2) With respect to each pet list the date of transaction, the location of the transaction, whether the commercial pet breeder or animal shelter operator transported or shipped the pet for delivery, including the location of the recipient, the age of the pet, and the name and address of the recipient.

~~(e)~~(c) Commercial pet breeders and animal shelter operators shall keep at their facility records of all pets purchased or otherwise acquired at any time during the preceding two (2) years, which record shall include the date of the transaction, the name and address of the seller, and a description of each pet received, including the age of each pet at the time it was acquired by the commercial pet breeder or animal shelter operator.

~~(f)~~(d) Commercial pet breeders and animal shelter operators, if applicable, shall keep at their facility breeding records, which, for each adult female animal shall list the dates she was bred, the dates on which her puppies or kittens were born, and the number of puppies or kittens in each litter.

~~(g)~~(e) For each pet, commercial pet breeders and animal shelter operators shall keep copies of documents evidencing the information that shall be contained in the pet breeder's records, including veterinary reports, sales receipts, and shipping invoices.

~~(h)~~(f) A commercial pet breeder and animal shelter operator shall maintain all records for a minimum of two (2) years.

~~(i)~~(g) Sanitization records shall include the date of sanitization and the method used.

## RULE IMPACT STATEMENT

### TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY

#### CHAPTER 55. COMMERCIAL PET BREEDERS AND ANIMAL SHELTERS

(A) **PURPOSE AND LEGAL BASIS OF THE PROPOSED RULE:**

The proposed rule amendments remove and revoke duplicate language from statutes; add the definition of a juvenile animal; adds requirement for submission of information on kennels and housing for animals; adds requirements for rescheduling inspections if cancelled by facility; adds the ability to do unannounced inspections and penalty for failure to schedule annual inspection; and updates references to the CFR pursuant to Okla. Const., Art. 6, § 31; State Board of Agriculture; 2 O.S. § 2-4(A)(2); and 4 O.S. § 30.1 et seq.

(B) **CLASSIFICATION:**

This rule amendment is classified as a *nonmajor rule amendment* with no financial impact.

(C) **PURPOSE OF PROPOSED AMENDMENT:**

The purpose is to remove and revoke duplicate language from statutes; add the definition of a juvenile animal; add requirement for submission of information on kennels and housing for animals; add requirements for rescheduling inspections if cancelled by facility; add the ability to do unannounced inspections and a penalty for failure to schedule an annual inspection; and update references to the CFR.

(D) **CLASSES OF PERSONS WHO MOST LIKELY WILL BE AFFECTED BY THE PROPOSED RULE AND ANY INFORMATION ON COST IMPACTS RECEIVED BY THE AGENCY FROM ANY PRIVATE OR PUBLIC ENTITIES:**

The proposed rules affect persons regulated by the Department's Commercial Pet Breeders and Animal Shelters licensing program. No cost impacts have been received to date.

(E) **PERSONS WHO WILL BENEFIT FROM THE PROPOSED RULE:**

Persons who rely on the Department's Commercial Pet Breeders and Animal Shelters licensing program will benefit from the proposed rules.

(F) **DETERMINATION OF PROBABLE ECONOMIC IMPACT:**

The proposed amendment is revenue neutral. No state agency, political subdivision, entity, or individual will experience costs or revenues as a result of implementation.

(G) **METHODOLOGY OF PROBABLE ECONOMIC IMPACT:**

No additional cost to the Department is anticipated by the proposed rules. Economic determinations were based on internal agency review.

(H) **DETERMINATION OF WHETHER IMPLEMENTATION WILL HAVE ANY ECONOMIC IMPACT ON ANY POLITICAL SUBDIVISION OR REQUIRE THEIR COOPERATION IN IMPLEMENTING OR ENFORCING THE PROPOSED RULE:**

No effect on any political subdivision is anticipated by the proposed rules.

(I) **DETERMINATION OF WHETHER IMPLEMENTATION OF THE PROPOSED RULE WILL HAVE AN ADVERSE EFFECT ON SMALL BUSINESS AS PROVIDED BY THE OKLAHOMA SMALL BUSINESS REGULATORY FLEXIBILITY ACT:**

The Department does not anticipate the proposed rules will have an adverse effect on small business.

(J) **DETERMINATION OF WHETHER THERE ARE LESS COSTLY METHODS OR NON-REGULATORY METHODS FOR ACHIEVING THE PURPOSE OF THE PROPOSED RULES:**

The Department is unaware of any non-regulatory methods to achieve the purpose of the proposed rules. No measures were necessary to minimize compliance costs, as no costs are imposed by the rule.

(K) **DETERMINATION OF THE EFFECT OF THE PROPOSED RULE ON THE PUBLIC HEALTH, SAFETY, AND ENVIRONMENT:**

The proposed rules will not affect the public health, safety, and environment.

(L) **DETERMINATION OF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY, AND ENVIRONMENT:**

The Department is not aware of any detrimental effect the proposed rules will have on public health, safety, and environment.

(M) **DATE RULE IMPACT STATEMENT WAS PREPARED:**

This rule impact statement was prepared on September 26, 2025. Amended December 2, 2025.

**TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND  
FORESTRY  
CHAPTER 56. EMERGENCY DROUGHT COMMITTEE [NEW]**

**SUBCHAPTER 1. GENERAL PROVISIONS**

**35:56-1-1. Purpose**

This Chapter sets forth provisions and requirements related to the Emergency Drought Committee, created under 27A O.S. § 2251. The Secretary of Agriculture holds exclusive authority to convene meetings of the Emergency Drought Committee (EDC) under 27A O.S. § 2251. These rules establish transparent criteria for:

- (1) Determining drought conditions that prompt the Secretary of Agriculture to convene an EDC meeting
- (2) Initiating emergency drought assistance programs
- (3) Scheduling and conducting meetings
- (4) Reviewing program actions
- (5) Presenting final reports

**35:56-1-2. Primary Agency**

The Oklahoma Department of Agriculture, Food, and Forestry (ODAFF) is responsible for:

- (1) Ensuring EDC compliance with the Open Meeting Act (OMA) and Open Records Act (ORA),
- (2) Preparing, posting, and distributing EDC agendas,
- (3) Recording and maintaining meeting minutes, and
- (4) Publishing EDC information, agendas, and minutes on the ODAFF website.

**35:56-1-3. Considerations to Convene a Meeting**

The Secretary of Agriculture will consider the following factors when determining the need to convene the Emergency Drought Committee (EDC) to develop drought assistance programs:

- (a) Primary Trigger:
  - (1) U.S. Drought Monitor (USDM) Classification: If areas are classified as D2 (Severe Drought) or higher.
- (b) Secondary Consideration:
  - (1) Rapid Drought Escalation: If areas classified as D0 (Abnormally Dry) escalate rapidly to D1 (Moderate Drought) with additional supporting drought indicators suggesting further progression to D2 or higher.
- (c) Supporting Drought Indicators:
  - (1) Agricultural Impact Indicators:
    - (A) Crop Conditions and Yield Reports: Declining conditions in major crops (wheat, corn, soybeans, cotton).
    - (B) Pasture and Rangeland Conditions: Deterioration affecting livestock grazing.
    - (C) Livestock Water and Feed Availability: Decreasing pond levels and hay shortages.
    - (D) Farm Income Loss Estimates: Economic stress on producers due to yield reductions.



- (E) Irrigation Water Supply: Diminished availability from reservoirs, wells, or aquifers.
- (2) Water Resource and Infrastructure Indicators:
  - (A) Reservoir and Lake Levels: Declining water storage in key agricultural supply sources.
  - (B) Streamflow and River Conditions: Below-average flow rates affecting irrigation.
  - (C) Groundwater Depletion: Measured declines in aquifer levels (e.g., Ogallala Aquifer).
  - (D) Public and Agricultural Water Use Restrictions: Implementation of conservation measures.
- (3) Stakeholder and Local Reports:
  - (A) County and Regional Drought Committees: Reports from local agricultural organizations.
  - (B) Farmer and Rancher Input: Direct communication regarding challenges and needed assistance.
  - (C) Cooperative Extension Service Reports: Observations from agricultural advisors.

The Secretary of Agriculture may also seek expert input from the Oklahoma State Climatologist or other drought expertise.

#### **35:56-1-4. Meetings; When Convened**

Once drought factors have been reviewed and the Secretary of Agriculture determines that Oklahoma or parts of Oklahoma are experiencing continuous drought, the Secretary shall call for an initial EDC meeting.

- (a) **Initial Meeting.** At the first meeting, the EDC shall:
  - (1) Review drought indicators to assess the severity of conditions.
  - (2) Determine funding availability for an emergency drought program(s).
  - (3) Select and initiate the most appropriate emergency drought program(s) to assist landowners and producers.
  - (4) Determine what regions, counties, or areas of the state shall be eligible for the assistance provided through the approved emergency drought program.
- (b) **Ongoing Meetings.** The Secretary of Agriculture shall call:
  - (1) Quarterly meetings after emergency drought program initiation to review progress, make any program adjustments as needed, and/or discuss new or extended programming.
  - (2) Special meetings upon recommendation or request from committee members.
- (c) **Conclusion of Meetings.** The Secretary of Agriculture may cease quarterly meetings at the conclusion of an emergency drought program, after a final report has been submitted to the EDC.

#### **35:56-1-5. Emergency Drought Programs**

- (a) **Reporting Requirements:**
  - (1) Ongoing Reports: While an emergency drought program is active, the implementing agency shall provide updates at all EDC meetings.

- (2) Final Report: Upon the conclusion of an emergency drought program, the implementing agency shall submit a final report to the EDC.

**RULE IMPACT STATEMENT**  
**TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND**  
**FORESTRY**  
**CHAPTER 56. EMERGENCY DROUGHT COMMITTEE**

**(A) PURPOSE AND LEGAL BASIS OF THE PROPOSED RULE:**

The purpose of these new rules is to establish clear guidance, procedures, goals, and processes for the Emergency Drought Committee (EDC) created under 27A O.S. § 2251. These rules establish criteria for determining drought conditions that prompt the Secretary of Agriculture to convene an EDC meeting, initiating emergency drought assistance programs, scheduling and conducting meetings of the EDC, reviewing program actions, and presenting final reports. These rules ensure accountability for members of the EDC and effectiveness of the EDC programs to benefit Oklahomans in drought conditions. Additionally, these rules clarify that the Oklahoma Department of Agriculture, Food, and Forestry (ODAFF) is the primary agency responsible for ensuring that the EDC is compliant with the requirements of the Open Meetings Act and Open Records Act pursuant to Okla. Const., Art. 6, § 31; State Board of Agriculture; 2 O.S. § 2-4(A)(2) and (20); 27A O.S. 2250-52; E.O. 2022-23.

**(B) CLASSIFICATION:**

This rule amendment is classified as a *nonmajor rule amendment* with no financial impact.

**(C) PURPOSE OF PROPOSED AMENDMENT:**

The purpose is to establish clear guidance, procedures, goals, and processes for the Emergency Drought Committee (EDC) created under 27A O.S. § 2251. These rules establish criteria for determining drought conditions that prompt the Secretary of Agriculture to convene an EDC meeting, initiating emergency drought assistance programs, scheduling and conducting meetings of the EDC, reviewing program actions, and presenting final reports. These rules ensure accountability for members of the EDC and effectiveness of the EDC programs to benefit Oklahomans in drought conditions. Additionally, these rules clarify that the Oklahoma Department of Agriculture, Food, and Forestry (ODAFF) is the primary agency responsible for ensuring that the EDC is compliant with the requirements of the Open Meetings Act and Open Records Act.

**(D) CLASSES OF PERSONS WHO MOST LIKELY WILL BE AFFECTED BY THE PROPOSED RULE AND ANY INFORMATION ON COST IMPACTS RECEIVED BY THE AGENCY FROM ANY PRIVATE OR PUBLIC ENTITIES:**

These rules have been developed to clarify the operations of the Emergency Drought Committee, which was created to address the needs of producers and landowners experiencing the negative impacts of drought. These rules apply only to members of the EDC and clarify how meetings may be called by the Secretary of Agriculture, and other requirements for the EDC and the State agency that implements programs utilizing Emergency Drought Relief funding. These rules will most likely only affect State agency employees and members of the EDC. ODAFF does not foresee any adverse cost impacts to the agency, or any implementing agency of EDC programs, from private or public entities, nor for individuals participating in EDC programs, projects, and grants.

- (E) **PERSONS WHO WILL BENEFIT FROM THE PROPOSED RULE:**  
The new rules will benefit producers and landowners that are interested in EDC programs and funding to address the negative impacts of drought.
- (F) **DETERMINATION OF PROBABLE ECONOMIC IMPACT:**  
The proposed amendment is revenue neutral. No state agency, political subdivision, entity, or individual will experience costs or revenues as a result of implementation.
- (G) **METHODOLOGY OF PROBABLE ECONOMIC IMPACT:**  
No additional cost to the Department is anticipated by the proposed rules. Economic determinations were based on internal agency review.
- (H) **DETERMINATION OF WHETHER IMPLEMENTATION WILL HAVE ANY ECONOMIC IMPACT ON ANY POLITICAL SUBDIVISION OR REQUIRE THEIR COOPERATION IN IMPLEMENTING OR ENFORCING THE PROPOSED RULE:**  
No economic impact on any political subdivision or required cooperation in implementation and enforcement is expected as a result of this proposed rule.
- (I) **DETERMINATION OF WHETHER IMPLEMENTATION OF THE PROPOSED RULE WILL HAVE AN ADVERSE EFFECT ON SMALL BUSINESS AS PROVIDED BY THE OKLAHOMA SMALL BUSINESS REGULATORY FLEXIBILITY ACT:**  
Participation in any Emergency Drought Relief programs are voluntary, and implementation of the proposed rules most likely only affects state agency employees and members of the EDC. Therefore, no adverse effects or impacts on small businesses are anticipated.
- (J) **DETERMINATION OF WHETHER THERE ARE LESS COSTLY METHODS OR NON-REGULATORY METHODS FOR ACHIEVING THE PURPOSE OF THE PROPOSED RULES:**  
The purpose of the proposed rules is to clarify the operations of the EDC, which results in no cost. Non-regulatory methods such as non-regulatory guidance lack the permanence needed to guide the statutorily mandated Committee, especially in light of potential personnel changes. These rules allow for better continuation through personnel changes with no cost, non-restrictive, and limited regulation.
- (K) **DETERMINATION OF THE EFFECT OF THE PROPOSED RULE ON THE PUBLIC HEALTH, SAFETY, AND ENVIRONMENT:**  
The proposed rules will positively affect public health, safety, and the environment by clarifying the operations of the EDC, therefore making future programs to distribute Emergency Drought Relief funding more efficient.
- (L) **DETERMINATION OF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY, AND ENVIRONMENT:**

No detrimental effect on public health, safety, or the environment is anticipated by the adoption of these new rules.

(M) **DATE RULE IMPACT STATEMENT WAS PREPARED:**

This rule impact statement was prepared on September 19, 2025. Amended December 2, 2025.