

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

Tuesday, March 1, 2016
10:00 a.m.

2800 N. Lincoln Blvd.
Oklahoma City, OK 73105

1. Call to Order
2. Roll Call
3. Declaration of a Quorum
4. Introduction of Guests
5. Consideration and Proposed Action on Minutes of Regular Board Meeting of January 25, 2016
6. Public Comment
7. Consideration and Proposed Action on Division Reports
 - I. A. Administrative Services – Bryan Painter
Summary of present financial condition of the agency and monthly activities in the following areas: Finance, Human Resources, Fleet Management, Data Processing and Agriculture Law Enforcement Investigators.
 - B. Laboratory Services – Tanna Kilpatrick
Summary of analytical activities, customer contacts, and other pertinent information related to laboratory operations.
 - C. Forestry Services – George Geissler
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 – Kevin Grant
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 – Wilbert Hundl, Jr.
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 – Jamey Allen
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, Plasticulture, Farm to School), International Marketing, Market News and Rural Economic Development.
 - I. Agricultural Environmental Management Services – Jeremy Seiger
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. 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 and Commercial Pet Breeders, 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.
 - L. Food Safety Services – Stan Stromberg
Addresses the inspection of meat, poultry, egg, and milk processing facilities to determine compliance with regulatory standards.
- II. Ag Communications and Outreach Update – Blayne Arthur
8. Consideration and Proposed Action on Claims

9. Consideration and Proposed Action on Purchases/Contracts

One-Net Internet Service for CW offices- FY17 - \$9,960.

Telephone Service for CW, and FTIC and Satellite Offices – FY17 - \$15,000.

Local & long distance telephone service is essential in the operation of C&W (FRC, FTIC, Ardmore, Enid, and Burns Flat) and RF offices. Without this service C&W Area (FRC, FTIC, Ardmore, Enid, and Burns Flat) would be unable to contact landowners and RF would be unable to contact Rural Fire Departments.

Electrical Service for CW, FTIC and Satellite Offices – FY17 - \$42,000.

Electrical service is essential in the operation of CW, RF, FRC and FTIC offices.

FedEx Shipping of tree and shrub seedlings – FY17 - \$12,000.

FedEx is used (mandatory contract) to ship seedlings to landowners. Without FedEx we have no other option to ship seedlings. All shipping charges are billed to the purchaser who pays for this service.

Maintenance and Repairs for Farm Equipment – FY17 - \$16,000.

Purchasing supplies and repairs are essential in maintaining CW area's farm equipment. This is vital to maintain our aging tractors and equipment.

Seed Purchase of various tree/shrub species – FY17 - \$15,000.

Purchasing various tree and shrub species seeds to provide Oklahoma landowners seedlings for their conservation plantings. Without this money we would not be able to provide the species they need.

Oil and Lubrication Products for Equipment – FY17 - \$6,000.

Chemicals/Pesticides for FRC & FTIC – FY17 - \$15,000.

Chemicals are essential in the growing and maintaining the seedlings at FRC and FTIC. Without the use of chemicals, we could potentially have problems with insects, fungus and weeds.

Propane for CW area office & FTIC in Idabel FY17 - \$12,500.

Propane is our primary heat source in several buildings CW, RF area office & FTIC.

Water from McCurtain County Rural (Idabel) FY17 - \$6,000.

Bags to Ship Seedlings - FY17 - \$9,700.

Boxes to Ship Containerized Seedlings FY17 - \$6,700.

Fertilizer for FRC and FTIC FY17 - \$17,000.

Fertilizer/soil amendments are essential for seedlings nutrition and maintaining soil pH balance. Without this there would be a reduction in saleable seedlings and seedling quality.

NODA – Support Services (Enid) FY17 - \$1,800.

NODA – Office Rent (Enid)	FY17 - \$1,500.
TriPower – Office Rent (Ardmore)	FY17 - \$1,800.
Postage Meter at CW Headquarters	FY17 - \$7,000.
Contract with OARC for Rural Fire Coordinators -	FY17 - \$700,000.
<p>Coordinators to provide technical assistance and equipment placement services to new or established Rural Fire Departments within their districts to assure the capability of meeting local fire protection needs. Without this contract Forestry inventory needs, to the federal government, could not be met. Fire department assistance to established or new departments would not be available.</p>	
Oklahoma Tax Commission for Titles and Tire Fee	FY 17 - \$10,000.
<p>Purchase of title, tire and inspection fees on Firefighter Property Program vehicles. This allows OFS to pass the title to fire departments after the vehicle is put into service. Without this funding OFS could not pass title to the fire department. OFS would need additional personnel to track and inventory these vehicles.</p>	
Revolving Equipment Fund	FY17 - \$200,000.
<p>Purchase firefighting equipment and clothing for resale to Rural Fire Departments. This allows fire departments to purchase items from OFS at a bulk discounted price. Without this program Rural Fire Departments would have to pay a higher price for these items. Some VFD's might not be able to purchase them at all.</p>	
Purchase firefighting equipment for OFS	FY17 - \$50,000.
<p>OFS firefighting equipment and clothing is purchased from GSA and DOD E-Mall at the federal pricing which allow OFS to save funds. If OFS is not allowed to make these purchases OFS employee's safety could be at risk.</p>	
Rural Fire 80/20 Reimbursement Pass-Thru Grants	FY17 - \$200,000.
<p>80/20 reimbursable pass-thru grants are available to rural fire departments serving communities under 10,000 in population. Grants allow fire departments to purchase equipment, or build, remodel and expand a fire station. Funding limits per application are \$30,000 of state appropriated funds for construction and \$20,000 for fire equipment. Without this program less fire station construction would occur and equipment purchased.</p>	
Operational Fire Department Grants	FY17 - \$3,870,000
<p>This grant is divided equally among the certified fire departments (Rural Fire Defense). At present, each department (out of 857 Oklahoma departments so far) is estimated to receive approximately \$4,289.96. Per Oklahoma State Statutes, Title 19, Chapter 21, Section 901.56. Without this grant, many fire departments would not have the funding to operate.</p>	

Contract for Firewise Coordinator

FY17 - \$68,000.

To provide services to Oklahoma communities teaching them application of fire preparedness and practices. This contract provides personnel, travel, supplies and other resources necessary for the implementation and completion of this project. This project is Federally Funded. Without this program Oklahoma Communities would not practice safe fire preparedness. Federal Grant

Purchase Equipment for the G130 & G131 Training

FY16 - \$100,000.

Purchase of PPE, Tools, and A/V Equipment for the Wildland Cross Walk Training also known as G130 & G131 Training. These purchases will be made through DOD E-Mall and State contracts. Purchases are made to equip firefighters with the appropriate wildland gear after they attend OFS G130 & G131 training. By purchasing this equipment, it enables the firefighter to be properly outfitted with the appropriate fire gear to fight wildland fires. Without this program, firefighters may be risking their lives to protect Oklahoma Communities, by not being properly clothed. Federal Grant

Purchase Equipment for the G130 & G131 Training

FY17 - \$200,000.

Purchase of PPE, Tools, and A/V Equipment for the Wildland Cross Walk Training also known as G130 & G131 Training. These purchases will be made through DOD E-Mall and State contracts. Purchases are made to equip firefighters with the appropriate wildland gear after they attend OFS G130 & G131 training. By purchasing this equipment, it enables the firefighter to be properly outfitted with the appropriate fire gear to fight wildland fires. Without this program, firefighters may be risking their lives to protect Oklahoma Communities, by not being properly clothed. Federal Grant

Settlement Agreement between OFS and USFS

FY15 - \$400,882.53

Due to clerical error the invoice from the United States Forest Service for aerial fire suppression was not processed and paid in FY15. Funds have been distributed into ODAFF's account from OEM to pay this invoice.

Purchase Order with the United State Forest Service

FY16 - \$600,000.

Board request to cover possible fire out-break in Oklahoma if out-of-state resources are needed. Without this approval the possibility of loss of property and lives is potential.

**Del Aviation – Southern Pine Beetle Detection
2nd year of 4 year renewal**

FY17 - \$8,000.00

Del Aviation – Additional Funding Needed For FY16

FY16 - \$60,000.00

Current Purchase Order is for 78,000. OFS has already spent 65,254.40 of the current purchase order and will need an additional 22,291.40 to cover the guaranteed base for the next 5 months. With the current fire situation, OFS is projecting they will need approximately \$60,000.00 to fly the rest of the fiscal year. Without this additional funding the loss of property and lives is potential. Federal Grant

Del Aviation

FY17 - \$116,000.00

Renewal of 3rd year of 4 year renewal.

Aerial Fire Detection Services. The base purchase order price is for \$78,000. OFS is asking for an additional \$38,000 board approval to cover a possible fire out-break in FY17. Without this service property and lives are at risk. Federal Grant

Purchase of Bambi Buckets

FY16 - \$123,000.

Purchase of one HL-5000 Bucket for the Chinooks and three 5566 Buckets. These buckets enable to Army National Guard to attack fires from the air in the State of Oklahoma. Without this purchase the property and lives are at risk. Federal Grant

Firefighting Compact Resources

FY16 - \$500,000.

Opening of the Firefighting Compact Resources between the Southern Thirteen States. By opening this compact OFS will be able to bring in additional firefighting personnel and equipment to assist with the high fire danger Oklahoma is now experiencing. Without this additional firefighting capability, OFS will not be able to assist with all the fire occurrence that might occur in the State of Oklahoma and possibly cause loss of property and lives.

FY 2016 – Annual Ag in The Classroom annual State Teachers’ Summer Conference - \$8,000.00

FY 2016 – Oklahoma Farmers Market grants funded by USDA Specialty Crop Block Grant - \$55,000.00. This project has been approved for and is funded by a USDA AMS Specialty Crop Block Grant (SCBG). With the grant award, the Market Development Division is charged to build consumer awareness about OK Grown products by educating them on the venues in which they can purchase fresh fruits and vegetables that are locally grown. As farmers markets continue to grow each year, advertising is essential to promote locally grown produce available at the markets. As the consumer base grows, we should also see an increase in revenues generated for each grower, therefore benefiting the economy. This project is funded 100% by the grant. 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 our farmers markets businesses, but also runs the risk of not being awarded future USDA AMS SCBG grants.

10. Consideration and Proposed Action on Cases Resolved by Stipulations

Agricultural Environmental Management Services

Gary Bradley, 8401 E. 400 Road, Jay, Oklahoma
Keith Boshers, P. O. Box 226, Vian, Oklahoma
Travis Stewart, P.O. Box 86, Golden, Oklahoma

Animal Industry Services

Robert Davis, Route 1 Box 160, Walters, Oklahoma

Consumer Protection Services

Armour Pest Defense, 1265 Parkway Drive, Blackfoot, Idaho
Dollar General, 100 Mission Ridge, Goodlettsville, Tennessee
EMCO Termite & Pest Control, P. O. Box 1605, Bethany, Oklahoma
Landmark Tree & Turf Services, 10901 E. 11th St., Tulsa, Oklahoma
Lawn America, Inc., 5129 S. 110th E. Ave., Tulsa, Oklahoma
Lawn Pro, P. O. Box 1543, Ardmore, Oklahoma
Marcum's Nursery, 2121 S. W. 119th, Oklahoma City, Oklahoma
Sullivan Tree Service, 4710 N.W. 47th Place, Lawton, Oklahoma
System Scale Corp., 4808 Alma HWY, Van Buren, Arkansas
Terminix, Int., 9340 Pole Road, Moore, Oklahoma
West Tree Service, 6300 Forbing Road, Little Rock, Arkansas

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

11. Consideration and Proposed Action on Permanent Rules

ANIMAL INDUSTRY

Title 35. Oklahoma Department of Agriculture, Food, and Forestry
Chapter 15. Animal Industry
Subchapter 34. Feral Swine
35:15-34-1. Purpose [AMENDED]
35:15-34-2. Definitions [AMENDED]
35:15-34-3. Importation and transportation of feral swine [AMENDED]
35:15-34-5. Transporter license [AMENDED]
35:15-34-5.1. 24 hour permit [NEW]
35:15-34-6. Sporting facilities [AMENDED]
35:15-34-7. Handling facilities [AMENDED]
35:15-34-10. Carcass disposal [AMENDED]
35:15-34-13. License fees [AMENDED]
35:15-34-19. Feral swine free zone [NEW]

CONSUMER PROTECTION

Title 35. Oklahoma Department of Agriculture, Food, and Forestry
Chapter 30. Consumer Protection
Subchapter 17. Combined Pesticide
Part 1. Commercial and Non-Commercial Categories of Pesticide Application
35:30-17-1. License Categories [AMENDED]
35:30-17-2. Consultant license [AMENDED]
Part 3. Certification, Conduct of Examinations, and Recertification
35:30-17-4. Examination of applicants for certification [AMENDED]
35:30-17-6. Recertification [AMENDED]
Part 5. Prerequisites for Licensing

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
35:30-17-17.3 Pesticide and device labeling [NEW]
Part 11. Standards for Application of Pesticide
35:30-17-24. Approved chemicals and equipment [AMENDED]
35:30-17-24.1. Restricted use areas [AMENDED]
Part 15. Minimum Standards for Termite Work for Existing Structures
35:30-17-69.2. Exceptions to minimum standards [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]

MARKET DEVELOPMENT

Title 35. Oklahoma Department of Agriculture, Food, and Forestry
Chapter 40. Market Development
Subchapter 5. Agriculture Enhancement and Diversification Program
Part 1. Definitions
35:40-5-1. Definitions [AMENDED]
Part 3. Applicant Eligibility
35:40-5-31. Applicant eligibility [AMENDED]
Part 5. Evaluation and Funding Criteria
35:40-5-51. Evaluation and funding criteria [AMENDED]
Part 7. Procedure for Loan or Grant Requests
35:40-5-71. Applications for loan or grant requests [AMENDED]
Part 9. Supplemental Program Information
35:40-5-91. Supplemental program information [AMENDED]
Part 11. Terms of Loans or Grants
35:40-5-111. Terms of loans or grants [AMENDED]
Part 19. Disbursements
35:40-5-191 Disbursements [AMENDED]
Part 23. Agriculture Event Grants [NEW]
35:40-5-121. Agriculture Event Grants [NEW]
Subchapter 19. Oklahoma Viticulture and Enology Center Development Revolving Fund
[NEW]
35:40-19-1. Purpose [NEW]
35:40-19-2. Definitions [RESERVED]
35:40-19-3. Eligibility [NEW]
35:40-19-4. Evaluation [NEW]
35:40-19-5. Submission of applications [NEW]
35:40-19-6. Supplemental program information [NEW]
35:40-19-7. Disbursements [NEW]

12. Consideration and Proposed Action on Agriculture Enhancement and Diversification Board Recommendation to determine the following delinquent loan as uncollectable:

Funk Enterprises
Business dissolved

Ol' Santa Fe
Statute of Limitations

13. Old Business

14. New Business – Next Board meeting is scheduled for Tuesday, April 12, 2016, in Oklahoma City

15. Adjournment



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

Oklahoma City, Oklahoma
January 25, 2016

The Oklahoma State Board of Agriculture met in regular session at 10:00 a.m., January 25, 2016, in the Board Room of the Agriculture Building, Oklahoma City, Oklahoma. Written notice of this meeting was filed with the Secretary of State. A notice was posted at the Agriculture Building 24 hours prior to the meeting setting forth thereon the date, time, place and agenda for the meeting and an agenda was posted on the agency website.

Members Present: Jim Reese
 Jay Franklin
 Ed Hurliman
 Joe Farris
 Karen Krehbiel

Others Present: Blayne Arthur, Deputy Commissioner
 Kandi Batts, Executive Secretary
 Bryan Painter, Director, Administration and Communications
 Tanna Kilpatrick, Director, Laboratory Services
 Scott Huff, Forestry Services
 Kenny Naylor, Director, Consumer Protection Services
 Dr. Rod Hall, Director, Animal Industry Services
 Kevin Grant, Director, Wildlife Services
 Wilbert Hundl, Director, Agricultural Statistics
 Jamey Allen, Director, Market Development Services
 Jeremy Seiger, Director, Agricultural Environmental
 Management Services
 Teena Gunter, Director, Office of General Counsel
 Stan Stromberg, Director, Food Safety Services
 Bennett Abbott
 Nancy Hurliman
 Harvey Schroeder, Oklahoma Cotton Counsel
 Marla Peek, Farm Bureau
 Hannah Nemecek, Farm Bureau
 Cynthia Santos, e-Capitol
 Ashton Mese, Governor's Office
 Haley Nabors, Dow AgroSciences

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

Ms. Jamey Allen introduced the guests.

A motion was made by Ms. Krehbiel, seconded by Mr. Franklin, to approve the minutes of the regular meeting of December 8, 2015, as presented.

The vote was as follows:

Farris	Aye
Franklin	Aye
Hurliman	Aye
Krehbiel	Aye
Reese	Aye

The motion carried.

Public Comment was made by Marla Peek with Farm Bureau. Ms. Peek thanked the Board Members for pulling back the Consumer Protection section. Farm Bureau made comments on the EPA's proposed certified pesticide applicator rules and had concerns about the requirements that might make the Oklahoma Department of Agriculture, Food, and Forestry feel like a lot of work to take on, at a cost. Secretary Reese stated that the Department also submitted comments at the last hour and asked them to delay or not implement those rules from the Department and will need to share with Farm Bureau.

A motion was made by Mr. Reese, seconded by Mr. Farris, to take Agenda Item 11 Proposed Action on Permanent Rules as the next agenda item.

The vote was as follows:

Farris	Aye
Franklin	Aye
Hurliman	Aye
Krehbiel	Aye
Reese	Aye

The motion carried.

A motion was made by Mr. Reese, seconded by Mr. Franklin, to table the Consumer Protection section chapter 30, until regular scheduled Board meeting.

The vote was as follows:

Farris	Aye
Franklin	Aye
Hurliman	Aye
Krehbiel	Aye
Reese	Aye

The motion carried.

A motion was made by Mr. Franklin, seconded by Hurliman, to strike “including but not limited to owners of livestock and veterinarians” in the amended proposed rules for Animal Industry, chapter 15, subchapter 3, 35:15-3-2(h).

The vote was as follows:

Farris	Aye
Franklin	Aye
Hurliman	Aye
Krehbiel	Aye
Reese	Aye

The motion carried.

A motion was made by Mr. Reese, seconded by Mr. Franklin, motion to strike the duplicate “status decreased” in chapter 15, subchapter 47, part 3, 35:15-47-6(d).

The vote was as follows:

Farris	Aye
Franklin	Aye
Hurliman	Aye
Krehbiel	Aye
Reese	Aye

The motion carried.

A motion was made by Mr. Farris, seconded by Ms. Krehbiel, to adopt as amended the Animal Industry section.

ANIMAL INDUSTRY

Title 35. Oklahoma Department of Agriculture, Food, and Forestry
Chapter 15. Animal Industry
Subchapter 1. General Provisions
35:15-1-2. Definitions [AMENDED]
35:15-1-6. Animals in Disaster Purpose [NEW]
Subchapter 3. Animal Health Reportable Diseases
35:15-3-2. Oklahoma reportable disease list [AMENDED]
Subchapter 5. Biological Products and Laboratories
35:15-5-1. Biological products [AMENDED]
35:15-5-2. Laboratories [AMENDED]
Subchapter 11. Importation of Livestock, Poultry, and Pets
Part 11. Poultry and Other Avian Species
35:15-11-41. Poultry and other avian species importation [AMENDED]
Subchapter 15. Equine Infectious Anemia (EIA)
Part 11. Requirements for Equidae Entering Oklahoma
35:15-15-111. General requirements for Equidae entering Oklahoma [AMENDED]
Subchapter 16. Contagious Equine Metritis
35:15-16-1. Incorporation by reference [AMENDED]
Subchapter 17. Bovine and Bison Brucellosis

Part 11. Entry Permit and Retest Requirements
 35:15-17-80. Rodeo bulls [REVOKED]
 Subchapter 19. Poultry Regulations
 35:15-19-5. Live bird imports from Avian Influenza quarantined states [AMENDED]
 Subchapter 22. Swine Pseudorabies and Brucellosis
 Part 1. General Provisions
 35:15-22-3. Change of ownership requirements [AMENDED]
 Part 3. Requirements for Swine Entering Oklahoma
 35:15-22-33. Entry requirements for transitional production swine [AMENDED]
 Part 5. Requirements for a Validated/Qualified Herd
 35:15-22-51. Validated/qualified herd establishment [AMENDED]
 Part 7. Requirements for Swine Exhibitions
 35:15-22-71. Exhibition requirements [AMENDED]
 Subchapter 36. Scrapie
 35:15-36-1. Incorporation by reference of federal regulations [AMENDED]
 35:15-36-2. Deleted regulations [AMENDED]
 Subchapter 38. Bovine Trichomoniasis
 35:15-38-2. Import requirements for bulls [AMENDED]
 35:15-38-2.1. Intrastate change of ownership requirements for bulls [AMENDED]
 35:15-38-3.1. Exposed female cattle [NEW]
 Subchapter 44. Farmed Cervidae
 35:15-44-19. Entry and export requirements [AMENDED]
 35:15-44-20. Animal identification requirements [AMENDED]
 Subchapter 47. Chronic Wasting Disease (CWD) In Cervids
 Part 3. Herd Certification Standards
 35:15-47-6. Minimum requirements for herd certification [AMENDED]

The vote was as follows:

Farris	Aye
Franklin	Aye
Hurliman	Aye
Krehbiel	Aye
Reese	Aye

The motion carried.

A motion was made by Mr. Franklin, seconded by Mr. Reese, to table Market Development section chapter 40, until regular scheduled Board meeting.

The vote was as follows:

Farris	Aye
Franklin	Aye
Hurliman	Aye
Krehbiel	Aye
Reese	Aye

The motion carried.

A motion was made by Mr. Franklin, seconded by Mr. Reese, to correct overstrike "of" in the Animal Industry section, chapter 50 Aquaculture, subchapter 1, part 1, 35:50-1-2.

The vote was as follows:

Farris	Aye
Franklin	Aye
Hurliman	Aye
Krehbiel	Aye
Reese	Aye

The motion carried.

A motion was made by Mr. Franklin, seconded by Mr. Hurliman, to move to strike the word "facility" from chapter 55 Commercial Pet Breeders and Animal Shelters, subchapter 3, 35:55-3-6.1(a) (2).

The vote was as follows:

Farris	Aye
Franklin	Aye
Hurliman	Aye
Krehbiel	Aye
Reese	Aye

The motion carried.

A motion was made by Mr. Franklin, seconded by Ms. Krehbiel, to approve the following Proposed Permanent Rules as amended and contained on pages 19 through 33.

CONSUMER PROTECTION

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]

CONSUMER PROTECTION

Title 35. Oklahoma Department of Agriculture, Food, and Forestry
Chapter 13. Fuel Alcohol
35:13-1-1. Incorporation by reference of federal distilled spirits for fuel use regulations
[AMENDED]
35:13-1-2. Deleted regulations [AMENDED]

AEMS

Title 35. Oklahoma Department of Agriculture, Food, and Forestry
Chapter 17. Water Quality
Subchapter 5. Registered Poultry Feeding Operations
35:17-5-2. Definitions [AMENDED]
35:17-5-3. Registration, Nutrient Management Plan (NMP) required [AMENDED]
35:17-5-4. Soil and litter tests required [AMENDED]
35:17-5-5. Nutrient Management Plan [AMENDED]
35:17-5-7. Record keeping [AMENDED]
35:17-5-10.1. Violation points system [REVOKED]
Subchapter 7. Poultry Waste Applicators Certification
35:17-7-4. Private poultry waste applicators certificate [AMENDED]
35:17-7-8. Education requirements [AMENDED]
Subchapter 9. Agricultural Compost Facilities
35:17-9-1. Purpose and applicability [AMENDED]
35:17-9-6. Leachate and storm water control [AMENDED]
35:17-9-9. Closure of licensed compost facility retention structures [NEW]
35:17-4-22. Variances [NEW]

FOOD SAFETY

Title 35. Oklahoma Department of Agriculture, Food, and Forestry
Chapter 37. Food Safety
Subchapter 3. Meat Inspection
Part 1. General Provisions
35:37-3-1. Incorporation by reference of federal meat inspection regulations [AMENDED]
Subchapter 5. Poultry Products Inspection
Part 1. General Provisions
35:37-5-1. Definitions and incorporation by reference of federal poultry inspection regulations
[AMENDED]
35:37-5-2. Deleted regulations and exemptions [AMENDED]

AEMS

Title 35. Oklahoma Department of Agriculture, Food, and Forestry
Chapter 44. Agriculture Pollutant Discharge Elimination System
Subchapter 1. Agriculture Environmental Permitting and AgPDES
Part 1. General Provisions
35:44-1-3. Date of federal regulations incorporated [AMENDED]
Subchapter 3. Permit Conditions and Requirements
35:44-3-3. Date of federal regulations incorporated [AMENDED]

ANIMAL INDUSTRY

Title 35. Oklahoma Department of Agriculture, Food, and Forestry
Chapter 50. Aquaculture
Subchapter 1. Private Commercial Production
Part 1. General Provisions
35:50-1-2. Definitions [AMENDED]
Part 3. Licensing, Reporting, and Records
35:50-1-37. Technical services [REVOKED]

OFFICE OF GENERAL COUNSEL

Title 35. Oklahoma Department of Agriculture, Food, and Forestry
Chapter 55. Commercial Pet Breeders and Animal Shelters
Subchapter 3. Standards of Care
35:55-3-1. Incorporation by reference [AMENDED]
35:55-3-6.1 Canine Brucellosis [NEW]

The vote was as follows:

Farris	Aye
Franklin	Aye
Hurliman	Aye
Krehbiel	Aye
Reese	Aye

The motion carried.

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

The vote was as follows:

Farris	Aye
Franklin	Aye
Hurliman	Aye
Krehbiel	Aye
Reese	Aye

The motion carried.

A motion was made by Ms. Krehbiel, seconded by Mr. Franklin, to approve the claims as submitted.

The vote was as follows:

Farris	Aye
Franklin	Aye
Hurliman	Aye
Krehbiel	Aye
Reese	Aye

The motion carried.

A motion was made by Mr. Hurliman, seconded by Mr. Farris, to approve the purchases/contracts as submitted and contained on pages 11 and 12.

The vote was as follows:

Farris	Aye
Franklin	Aye
Hurliman	Aye
Krehbiel	Aye
Reese	Aye

The motion carried.

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

Agricultural Environmental Management Services

Cherry Ranch, 441154 East. 210 Road, Vinita, Oklahoma
Danny Fountain, 28871 South 604 Road, Bunch, Oklahoma
Kenny Miller, 146 Jewell Lane, Hatfield, Arkansas
Steven Shaw, 17063 Rhino Road, Spiro, Oklahoma
Steven Shaw, 17063 Rhino Road, Spiro, Oklahoma
Gary Steelman, 17390 West Lane, Hodgen, Oklahoma

Consumer Protection Services

Apache Farmers Coop, P. O. Box 177, Fort Cobb, Oklahoma
Dollar General Corp., 100 Mission Ridge, Goodlettsville, Tennessee
Finnigan Pest Control, 107 N. Hoff, El Reno, Oklahoma
Oklahoma Landscape, 2660 N. Florence Ave., Tulsa, Oklahoma
Superior Eagles of Oklahoma Inc., P. O. Box 271133, Oklahoma City, Oklahoma
Superior Termite & Pest Control, 205 S. 85th E. Ave., Tulsa, Oklahoma
Superior Termite & Pest Control, 205 S. 85th E. Ave., Tulsa, Oklahoma
Superior Termite & Pest Control, 205 S. 85th E. Ave., Tulsa, Oklahoma
Unibridge Systems, Route 1 Box 8, Knowles, Oklahoma

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

The vote was as follows:

Farris	Aye
Franklin	Aye
Hurliman	Aye
Krehbiel	Aye
Reese	Aye

The motion carried.

A motion was made by Mr. Franklin, and seconded by Mr. Farris, to approve Proposed Action on Boll Weevil Eradication Status as submitted and contained on pages 15 through 17.

The vote was as follows:

Farris	Aye
Franklin	Aye
Hurliman	Aye
Krehbiel	Aye
Reese	Aye

The motion carried.

A motion was made by Mr. Hurliman, and seconded by Ms. Krehbiel, to approve Proposed Action on Proposed Uncontested CAFO Application License.

Lost Trail Dairy I, LLC, Cimarron County, Oklahoma

The vote was as follows:

Farris	Aye
Franklin	Aye
Hurliman	Aye
Krehbiel	Aye
Reese	Aye

The motion carried.

A motion was made by Mr. Franklin, and seconded by Mr. Farris, to approve Proposed Action on Proposed Uncontested CAFO Application License.

Lost Trail Dairy II, LLC, Cimarron County, Oklahoma

The vote was as follows:

Farris	Aye
Franklin	Aye
Hurliman	Aye
Krehbiel	Aye
Reese	Aye

The motion carried.

New Business: The next Board of Agriculture meeting will be held at 10:00 a.m. on March 1, 2016.

There was no Old Business presented for the Board to take action upon.

In the previous Board meeting, Sugarcane Aphid was mentioned and Mr. Reese indicated that the Sorghum Checkoff put together a booklet about the "Defense Against the Sugarcane Aphid" and shared a section about its biology. The booklet was mailed to each Board member.

Mr. Franklin moved, Mr. Hurliman seconded, that the meeting be adjourned 12:03 p.m.

By _____
President

ATTEST: _____
Executive Secretary

JANUARY 25, 2016 BOARD MEETING

PURCHASES/CONTRACTS

Forestry Services

Purchase winter PPE for East Central area wildland firefighters, \$10,000

- FY16, One time Federal funding
- Winter personal protective equipment is a necessary piece of nomex (fire retardant) clothing that keeps the firefighters safe in extreme conditions when they are fighting fire. Without this clothing it would cause working in unsafe conditions and personnel being stressed from the cold while performing their duties.

Urban Forestry Council Grant, \$15,000

- FY2016, Federal funding
- This is a statewide urban forestry educational activities grant. This longstanding partners provides the citizens of Oklahoma with information and educational opportunities related to tree care, selection, planning, etc.

Oklahoma Gardening Grant, \$10,000

- FY16 Federal funding
- This is a longstanding education and outreach grant sponsoring the popular Oklahoma Gardening program produced by OSU. This grant supports tree related educational programming.

Renew contract with the Oklahoma Department of Corrections for inmate labor at Forest Regeneration Center in Goldsby, \$3,000

- FY17
- Inmate labor provides field labor for the state forest regeneration program.

Contract for aerial pesticide application on orchards at Forest Tree Improvement Center in Idabel, \$8,000

- FY17
- Pesticide application controls insects/disease on the various pine seed orchards located at the FTIC. These orchards provide seed for our Forest Regeneration Program.

Fumigation to control insect and disease pathogens and nut grass in seed beds at Forest Regeneration Center, \$50,000

- FY17
- Fumigation is necessary to control insects, weeds and disease in the seedling beds located at the FRC.

Agreement with Weyerhaeuser to grow tree seedlings for distribution by OFS, \$65,000

- FY17
- The contract with Weyerhaeuser to grow loblolly pine is part of seedling production for the Forest Regeneration Center

Renewal of agreement/membership in Western Gulf Forest Tree Improvement Cooperative, \$19,600

- FY17
- The agreement with Western Gulf Forest Tree Improvement is essential is essential to provide for continued guidance and development of the tree improvement program. This allows for the sharing of genetic research and materials between states in the region.

Renewal of agreement/membership in Auburn Nursery Cooperative, \$10,800

- FY17, Federal funding
- Essential for OFS to maintain agreement with Auburn Nursery Cooperative in order to use certain chemicals under their license when fumigating fields. If FRC had to purchase the license to use to be able to use those chemicals it would costs more than the membership.

Laboratory Services

Request for approval for the pickup and disposal of laboratory hazardous waste. Total cost not to exceed \$5,619.79.

Market Development

FY 2016 – Made in Oklahoma Emerging Committee to assist new Made In Oklahoma Coalition members in transitioning into the mainstream retail grocery and foodservice marketplace by participating in trade shows and other events that will introduce them to the industry - \$5,000.00

FY 2016 – ODAFF and the Oklahoma State Fair have joined together to offer Made in Oklahoma companies a unique opportunity to showcase and sell their products in a Made in Oklahoma Store during the 11-day run of the Oklahoma State Fair. - \$25,000.00

FY 2016 - Made in Oklahoma Bags for re-sale to MIO program participants. - \$7,000.00

FY 2016 - Printing, packaging, and mailing Agritourism **Jelly Trail** promotional packets to forty-seven farms. Funded by USDA Specialty Crop Block Grant. - \$20,000.00.

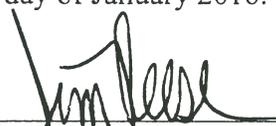
**BEFORE THE STATE BOARD OF AGRICULTURE
STATE OF OKLAHOMA**

APPROVAL OF CASES

ON THIS 25th day of January 2016, 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 25th day of January 2016.



Jim Reese
President
State Board of Agriculture

**Exhibit A
Board of Agriculture
January 25, 2016**

Cases Resolved By Stipulation

<u>Name</u>	<u>File No.</u>	<u>Division</u>	<u>Amount</u>
Cherry Ranch	OGC-15-669	AEMS	\$2,200.00
Danny Fountain	OGC-15-518	AEMS	\$200.00
Kenny Miller	OGC-15-505	AEMS	\$200.00
Steven Shaw	OGC-15-572	AMES	\$100.00
Steven Shaw	OGC-15-240	AMES	\$100.00
Gary Steelman	OGC-15-500	AMES	\$200.00
Apache Farmers Coop	OGC-15-667	CPS	\$750.00
Dollar General	OGC-15-806	CPS	\$1,050.00
Dollar General	OGC-15-773	CPS	\$1,050.00
Dollar General	OGC-15-767	CPS	\$2,000.00
Dollar General	OGC-15-672	CPS	\$675.00
Finnigan Pest Control	OGC-15-488	CPS	\$500.00
Oklahoma Landscape	OGC-15-664	CPS	\$850.00
Superior Eagle of Oklahoma, Inc.	OGC-15-491	CPS	\$500.00
Superior Termite & Pest Control	OGC-15-684	CPS	\$750.00
Superior Termite & Pest Control	OGC-15-688	CPS	\$750.00
Superior Termite & Pest Control	OGC-15-689	CPS	\$750.00
Unibridge Systems	OGC-15-711 & 713	CPS	\$750.00

BEFORE THE STATE BOARD OF AGRICULTURE
STATE OF OKLAHOMA



BOLL WEEVIL ERADICATION STATUS

On January 6, 2015, the Oklahoma Boll Weevil Eradication Organization voted to recommend the change in boll weevil eradication status from “Functionally Eradicated” to “Eradicated” to the Oklahoma Department of Agriculture, Food, and Forestry and the State Board of Agriculture based on acceptable documentation and pursuant to OAC 35:30-14-2. Based on documentation provided by the Oklahoma Boll Weevil Eradication Organization, the State Board of Agriculture hereby determines that the boll weevil eradication status for the State of Oklahoma shall be changed to “Eradicated.”

IT IS SO STATED by the State Board of Agriculture on this 25th day of January, 2016

Jim Reese, President
State Board of Agriculture

Oklahoma Boll Weevil Eradication Organization
Regular Board Meeting Minutes
January 6, 2015

OBWEO Altus Office
704 S Veterans Dr
Altus, OK 73521

Chairman Mr. Dan Vinyard called the meeting to order at 9:30 am.

Directors present: Phil Bohl, District #1
Garlon Riley, District #2
Jimmy Smith, District #3
Brad McKinley, District #4
Dan Vinyard, District #5

Others present: John Henderson, Amanda Montgomery, Brenda Osborne, Brenda Decker, Cindy Dugan
& John Lamb OBWEO
Mike Johnson, NCC

Mr. Riley made a motion to approve November 4, 2014 Regular Board Meeting Minutes. Mr. Bohl seconded the motion with voting as follows:

Ayes: Mr. Bohl, Mr. McKinley, Mr. Smith, Mr. Vinyard & Mr. Riley

Nays: None

Mr. McKinley made a motion to approve the November and December 2014 Financial Report as prepared and presented by Mrs. Amanda Montgomery. Mr. Riley seconded the motion with voting as follows:

Ayes: Mr. Bohl, Mr. McKinley, Mr. Smith, Mr. Vinyard & Mr. Riley

Nays: None

Mr. Bohl made a motion to change from Functionally Eradicated status to Eradicated. Mr. McKinley seconded the motion with voting as follows:

Ayes: Mr. Bohl, Mr. McKinley, Mr. Smith, Mr. Vinyard & Mr. Riley

Nays: None

Mr. McKinley made a motion for Mr. Henderson coordinate with USDA to trap pink boll worm in Kansas. Mr. Riley seconded the motion with voting as follows:

Ayes: Mr. Bohl, Mr. McKinley, Mr. Smith, Mr. Vinyard & Mr. Riley

Nays: None

Mr. Bohl made a motion to enter into Executive session at 10:22 am. Mr. Smith seconded the motion with voting as follows:

Ayes: Mr. Bohl, Mr. McKinley, Mr. Smith, Mr. Vinyard & Mr. Riley

Nays: None

Executive Session was exited at 11:00 am.

The next regular board meeting is scheduled for Tuesday March 3, 2015 at 9:30 am. It will be held at the Altus Office.

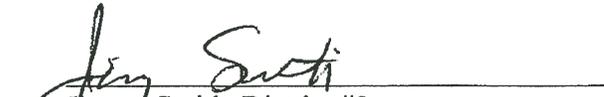
Mr. Bohl made a motion to adjourn the meeting. Mr. McKinley seconded the motion. The meeting was adjourned at 11:05 am.



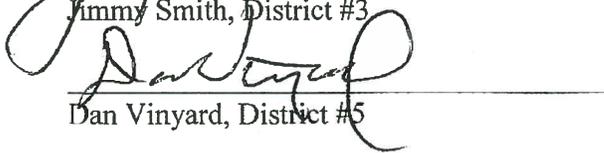
Phil Bohl, District #1



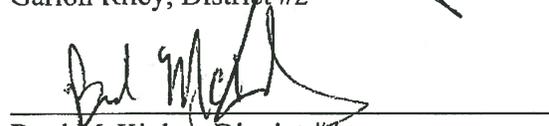
Garlon Riley, District #2



Jimmy Smith, District #3



Dan Vinyard, District #5



Brad McKinley, District #4

Uncontested Concentrated Animal Feeding Operation License

Agricultural Environmental Management Services

Uncontested Concentrated Animal Feeding Operation License for Lost Trail Dairy I, LLC. Cimarron County, Oklahoma. Legal description is the part of the N ½ of Section 15, Township 2N, Range 4E, C.M. (approximately 8 miles southwest of Boise City). Total maximum capacity of 3,850 dairy cattle or 5210 animal units.

Uncontested Concentrated Animal Feeding Operation License for Lost Trail Dairy II, LLC. Cimarron County, Oklahoma. Legal description is part of the S ½ of Section 3, Township 2N, Range 4E, C.M. (approximately 7 miles southwest of Boise City). Total maximum capacity of 2400 dairy cattle or 3360 animal units.

**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" (~~2015~~ 2016 Edition).
- (2) Handbook 130 "Uniform Laws and Regulations" (~~2015~~ 2016 Edition), excluding Section G "Uniform Engine Fuels and Automotive Lubricants Regulation."
- (3) Handbook 133 "Checking the Net Contents of Packaged Goods" (~~2015~~ 2016 Edition).
- (4) Handbook 105-1 "Specifications and Tolerances for Field Standard Weights" (1990 Edition).
- (5) Handbook 105-2 "Specifications and Tolerances for Field Standard Measuring Flasks" (1996 Edition).
- (6) Handbook 105-3 "Specifications and Tolerances for Graduated Neck Type Volumetric Field Standards" (2004 Edition).
- (7) Publication 14 (2009 Edition).
- (8) Publication 12 (1991 Edition).
- (9) Federal Grain Inspection Service Moisture Handbook (2006 Edition).

**TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY
CHAPTER 13. FUEL ALCOHOL**

35:13-1-1. Incorporation by reference of federal distilled spirits for fuel use regulations

The Distilled Spirits for Fuel Use regulations found in Title 27 of the Code of Federal Regulations (CFR) (~~2014~~ 2015 Revision), Part 19.661 et seq. for the United States Department of the Treasury, Alcohol and Tobacco Tax and Trade Bureau, as promulgated and amended in the Federal Register, are hereby adopted in their entirety with the exception of the deleted regulations specified in 35:13-1-2.

35:13-1-2. Deleted regulations

The following sections of the Code of Federal Regulations governing distilled spirits for fuel use of the United States Department of the Treasury, Alcohol and Tobacco Tax and Trade Bureau incorporated by reference under 35:13-1-1 are deleted and are not rules of the Oklahoma Department of Agriculture, Food, and Forestry: 27 CFR §§ 19.669, 19.670, 19.699, and 19.700 (~~2014~~ 2015 Revision).

**TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY
CHAPTER 17. WATER QUALITY**

SUBCHAPTER 5. REGISTERED POULTRY FEEDING OPERATIONS

35:17-5-2. Definitions

In addition to the terms contained and defined in the Oklahoma Registered Poultry Feeding Operations Act, the following words or terms when used in this subchapter shall have the following meaning unless the context clearly indicates otherwise:

~~"Animal Waste Management Plan" or "AWMP" means a written plan that includes a combination of conservation and management practices designed to protect the natural resources of the State as required by the State Department of Agriculture pursuant to the provisions of Section 10-9.7 at Title 2 of the Oklahoma Statutes. The plan shall be prepared by the USDA NRCS or an entity approved by the State Department of Agriculture.~~

"Discharge" means any release by pumping, pouring, emptying, or dumping of poultry waste directly or through a manmade conveyance into waters of the State.

"Nutrient Management Plan" means a written plan that includes a combination of conservation and management practices designed to protect the natural resources of the state as required by the Oklahoma Department of Agriculture, Food and Forestry pursuant to the provisions of Section 10-9.7 of Title 2 of the Oklahoma Statutes and shall also include a certified nutrient management plan and animal waste management plan.

"Runoff" means any release by leaking, escaping, seeping, or leaching of poultry waste into waters of the State.

"USDA NRCS" means the United States Department of Agriculture Natural Resources Conservation Service.

"Waste facility" means any structure or combination of structures utilized to control poultry waste until it can be utilized in an authorized manner. These structures shall include all treatment and storage structures but not be limited to pits, burial sites, barns, or roof covered structures which house poultry, composters, poultry waste storage sites, or retention structures, and all appurtenances or additions.

35:17-5-3. Registration, Nutrient Management Plan (NMP) and ~~Animal Waste Management Plan (AWMP)~~ required

(a) Registration.

- (1) Every poultry feeding operation in operation on July 1, 1998 shall register by January 1, 1999. All registrations shall be received by the State Department of Agriculture prior to January 1, 1999.
- (2) Every poultry feeding operation shall be required to reregister annually by January 1 to operate.
- (3) Any poultry feeding operation that has a valid license pursuant to the Oklahoma Concentrated Animal Feeding Operations Act shall not be required to register pursuant to the Oklahoma Registered Poultry Feeding Operations Act.
- (4) The owner or operator of a poultry feeding operation not classified as a poultry feeding operation may register if the owner elects to come under the provisions of the Oklahoma Registered Poultry Feeding Operations Act and the rules of the State Board of Agriculture.
- (5) It shall be unlawful for any person to construct or operate a new poultry feeding operation without first registering with the State Board of Agriculture.

(b) Nutrient Management Plan and ~~Animal Waste Management Plan.~~

- (1) Every poultry feeding operation shall obtain or apply for an approved NMP ~~and AWMP~~ addressing both nitrogen and phosphorus ~~by January 1, 1999.~~
- (2) All new operators of poultry feeding operations shall obtain or apply for an NMP ~~and AWMP~~ prior to construction of the facility.

- (3) The NMP and AWMP shall be prepared by USDA NRCS or an entity approved by the State Department of Agriculture.
- (4) Plans shall be reviewed and updated at least every six (6) years from the date the NMP and AWMP was obtained. Plans shall also be reviewed and updated in the following circumstances:
- (A) When a change in the waste utilization standards occurs and upon notification by the State Department of Agriculture.
 - (B) Upon recommendation of the State Department of Agriculture.
- (5) Plans shall be updated prior to the expansion of a facility.
- ~~(6) All poultry feeding operations with an existing NMP and AWMP not based on a soil test and current USDA NRCS phosphorus standards shall update the plan or apply for an update by January 1, 1999 and the plan shall address both nitrogen and phosphorus.~~
- (7) ~~(6)~~ Implementation of the NMP and AWMP shall occur within ninety (90) days of receipt of the NMP and AWMP unless otherwise determined by the State Department of Agriculture. In no event shall the poultry feeding operation land apply poultry waste in excess of the current USDA NRCS Waste Utilization Standards, unless the State Department of Agriculture approves other standards.
- ~~(8) (7)~~ Beginning on January 1, 2013, registered Registered poultry feeding operations may voluntarily submit to the Oklahoma Department of Agriculture, Food, and Forestry an annual assessment of one hundred dollars (\$100.00) for the purpose of securing the ODAFF service of drafting NMP and AWMP for their registered poultry feeding operation(s). ODAFF shall revise plans for poultry operations that pay the voluntary assessment every six years and/or when the poultry operation adds or subtracts poultry litter land application fields or when their carcass disposal method changes. ODAFF will assign a priority of drafting new or revised NMP and AWMP to operations that pay ODAFF the annual voluntary assessment over operations that do not pay the voluntary assessment. ODAFF may assign additional priority to operations based on the receipt date of the voluntary annual assessments.

35:17-5-4. Soil and litter tests required

All soil and poultry waste analysis data shall be dated prior to land application.

35:17-5-5. Nutrient Management Plan and Animal Waste Management Plan requirements

- (a) The NMP and AWMP shall contain, at a minimum, the following:
- (1) A description of poultry waste handling procedures and availability of equipment and type of equipment to be used.
 - (2) The calculations and assumptions used for determining land application rates.
 - (3) All nutrient analysis data, including soil and poultry waste testing.
 - (4) Legal description of lands to be used by an operation for land application.
 - (5) Soils map with description and type or series.
 - (6) Land application rates of poultry waste shall be based on the available nitrogen and phosphorus content of the poultry waste and soil test results.
 - (7) The procedures documented in the NMP and AWMP shall ensure that the handling and utilization of poultry waste complies with the following requirements:
 - (A) Adequate poultry waste storage shall be provided. Poultry waste shall not be stored without adequate protection from rainfall and runoff. All new poultry feeding operations shall make provisions for storage of poultry waste prior to operating. Exceptions to storage requirements for poultry waste in emergency situations shall be granted on a case by case basis. Exceptions shall include but not be limited to allowing a contract poultry grower to take such actions as are necessary to meet requirements imposed on a grower by an integrator. However, in all situations growers shall be required to take all actions feasible to prevent pollution from stored poultry waste.

- (B) Poultry waste shall not be applied to land when the ground is saturated or during rainfall events. Poultry waste shall not be applied to land when the ground is frozen or snow covered except in conformance with the NMP ~~and AWMP~~.
 - (C) Poultry waste shall only be applied to suitable land at appropriate times and rates as specified by the NMP ~~and AWMP~~. Runoff of poultry waste from the application site is prohibited.
 - (D) All practices necessary to minimize movement of poultry waste to watercourses shall be utilized and documented in the NMP ~~and AWMP~~.
 - (E) Edge of field, grassed strips shall separate water courses from runoff which may be carrying eroded soil and poultry waste.
 - (F) Poultry waste application shall be prohibited on land subject to excessive erosion.
 - (G) Land application rates of poultry waste shall provide controls for runoff as appropriate for site conditions.
- (b) The NMP ~~and AWMP~~ shall also include a method for the disposal of carcasses. The NMP ~~and AWMP~~ shall include provisions for disposal of carcasses associated with normal mortality and shall include provisions for emergency disposal when a major disease outbreak or other emergency results in deaths significantly higher than normal mortality rates. Accepted methods of carcass disposal include:
- (1) Rendering
 - (A) Disposal of all carcasses shall occur within a reasonable period of time as approved by the State Department of Agriculture.
 - (B) Storage facilities shall be sealed or have lids and maintained so as to prevent pests and odors.
 - (2) Burial shall only be allowed as a method of carcass disposal if no reasonable alternative exists and specific measures and practices are identified which will be utilized to protect the ground and surface waters of the State.
 - (3) Composting by methods as approved in the NMP ~~and AWMP~~.
 - (4) Incineration shall only be used as a method of carcass disposal if the poultry feeding operation has a valid air quality permit from the Oklahoma Department of Environmental Quality, Air Quality Division, if required.
- (c) Storage and land application of poultry waste shall not cause a discharge or runoff of significant pollutants to waters of the State or cause a water quality violation to waters of the State.
- (d) The operator shall notify the State Department of Agriculture within twenty-four (24) hours of a discharge.

35:17-5-7. Record keeping

- (a) The following records shall be maintained for a ~~period~~ minimum of six (6) years and shall be available at all times to the State Department of Agriculture:
- (1) Poultry waste application records, rates, and dates of application.
 - (2) If the poultry waste is sold or given to other persons, the poultry feeding operation shall maintain a log of:
 - (A) Date of removal from the poultry feeding operation.
 - (B) Name of recipient the poultry waste is sold or given to.
 - (C) Amount in wet tons, dry tons, or cubic yards of poultry waste removed from the poultry feeding operation.
 - (D) Poultry feeding operations located in a nutrient limited watershed or nutrient vulnerable groundwaters as defined by the Oklahoma Water Resources Board shall make available to the recipient any nutrient sample analysis from that year. Poultry feeding operations located in non-nutrient limited watersheds or non-nutrient vulnerable groundwaters shall make available to the recipient the most recent nutrient sample analysis.

(b) Education certifications shall be maintained for a period of five (5) years and shall be available at all times to the State Department of Agriculture.

(c) Soil and poultry waste analysis data shall be retained by the poultry feeding operation for as long as the site is in operation no less than six (6) years.

35:17-5-10.1. Violation points system [REVOKED]

—In addition to the State Department of Agriculture's enforcement authority, the following violation points system shall be utilized to assess points prior to designating a poultry feeding operation as a concentrated animal feeding operation subject to the Oklahoma Concentrated Animal Feeding Operations Act pursuant to Section 9-201 et seq. of Title 2 of the Oklahoma Statutes.

(1) When any poultry feeding operation accrues a total of fifteen (15) or more points in any two (2) year time period, that poultry feeding operation shall be designated a concentrated animal feeding operation and shall comply with all aspects of the Oklahoma Concentrated Animal Feeding Operations Act.

(2) Points shall accrue based on the following violations of the Oklahoma Registered Poultry Feeding Operations Act:

(A) Knowingly making any false statement, representation, or certification in, omitting material data from, or tampering with any application for registration shall be a significant violation and accrue three (3) to five (5) points.

(B) Constructing or operating a new poultry feeding operation without first registering with the State Board of Agriculture shall accrue two (2) to five (5) points.

(C) Failure to register a poultry feeding operation by January 1, 1999 which was in operation on July 1, 1998 shall accrue two (2) to five (5) points.

(D) Failure by a poultry feeding operation to annually reregister with the State Board of Agriculture shall accrue one (1) to three (3) points.

(E) Increasing the capacity of a poultry feeding operation in excess of ten percent (10%) of the facility's original licensed capacity prior to reregistering with the State Board of Agriculture shall accrue one (1) to two (2) points.

(F) Failure of a poultry feeding operation to send written notification to the State Department of Agriculture upon changing integrators shall accrue one (1) point.

(G) Failure by the operator of a poultry feeding operation to attend the required hours of educational courses on poultry waste handling and management specified by the Oklahoma Registered Poultry Feeding Operations Act shall accrue two (2) to four (4) points.

(H) Failure by a poultry feeding operation to utilize or comply with Best Management Practices or the NMP and AWMP and the failure results in actual harm to natural resources of the state, ground or surface water quantity or quality, public health, or the environment shall be a significant violation and accrue three (3) to five (5) points.

(I) Failure by a poultry feeding operation to utilize or comply with Best Management Practices or the NMP and AWMP and the failure results in potential harm to natural resources of the state, ground or surface water quantity or quality, public health, or the environment shall accrue one (1) to three (3) points.

(J) Failure by a poultry feeding operation to keep all records as required by the Oklahoma Registered Poultry Feeding Operations Act and rules promulgated thereunder shall accrue one (1) to three (3) points.

(K) Failure by a poultry feeding operation to properly dispose of carcasses or failure to follow the carcass disposal plan as outlined in the NMP and AWMP shall accrue two (2) to four (4) points.

(L) Failure to allow inspections of the poultry feeding operation facility or records for purposes of routine inspections, complaint investigations, or any other type of inspection shall be a significant violation and accrue three (3) to five (5) points.

~~(M) Knowingly making any false statement, representation, or certification form, notice, or report, or knowingly rendering inaccurate any monitoring device or method required to be maintained shall be a significant violation and accrue three (3) to five (5) points.~~

~~(N) Any other violation of the Oklahoma Registered Poultry Feeding Operations Act or any rule promulgated thereunder shall accrue one (1) to five (5) points, depending upon the severity of the violation as determined by the State Board of Agriculture.~~

~~(O) If a violation is deemed to be willful or intentional, up to an additional five (5) points may be added to the total points per violation by the State Board of Agriculture and the violation shall be deemed significant.~~

~~(3) All violations which are assessed four (4) or five (5) points shall only accrue points upon approval by the State Board of Agriculture. All other violations shall accrue points upon approval by the Water Quality Services Division of the State Department of Agriculture. Assessment of points by the Water Quality Services Division may be appealed in writing to the Division Director. If the accumulated number of points reaches a total of fifteen (15) points, the owner may appeal to the State Board of Agriculture.~~

~~(4) In the event that a violation is not corrected within sixty (60) days, an additional accrual of assessed points may occur.~~

~~(5) Even if the violation points do not add up to a total of fifteen (15) points, the State Board of Agriculture may deem a violation that results in serious harm to be so significant as to warrant immediate designation as a concentrated animal feeding operation and subject to the Oklahoma Concentrated Animal Feeding Operations Act.~~

~~(6) Any poultry feeding operation designated as a concentrated animal feeding operation shall be so designated for a minimum of one (1) year and the registration as a poultry feeding operation shall be suspended. At the State Department of Agriculture's discretion, the poultry feeding operation may reinstate the registration and the designation as a concentrated animal feeding operation may be removed so long as the poultry feeding operation complies with all conditions which the State Department of Agriculture imposes on the poultry feeding operation.~~

~~(7) Conditions for removal from the designation as a concentrated animal feeding operation shall at a minimum include compliance during the entire designation with all aspects of the Oklahoma Concentrated Animal Feeding Operations Act and its attendant rules, and correction of all conditions which caused the designation as a concentrated animal feeding operation.~~

SUBCHAPTER 7. POULTRY WASTE APPLICATORS CERTIFICATION

35:17-7-4. Private poultry waste applicators certificate

(a) Any person who land applies poultry waste as a private poultry waste applicator shall obtain a valid applicator's certificate issued by the Board.

~~(b) All existing private poultry waste applicators shall apply for a private poultry waste applicator's certificate prior to January 1, 2001. All new private poultry waste applicators shall apply for a private poultry waste applicator's certificate prior to land applying poultry waste in Oklahoma. Education requirements shall be completed within one year of obtaining the private poultry waste applicator's certificate.~~

(c) A certified private poultry waste applicator may allow employees and other applicators over which direct control is exercised by the certified private poultry waste applicator to land apply poultry waste without obtaining a private poultry waste applicators certificate so long as the following conditions exist:

(1) The land application is supervised by the certified private poultry waste applicator;

(2) The certified private poultry waste applicator is the responsible person for all aspects of the land application; and

(3) The certified private poultry waste applicator is responsible for ensuring employees and other applicators are properly trained regarding poultry waste handling and application.

(d) Every certified private poultry waste applicator shall file an annual report as required by Section 10-9-18 of Title 2 of the Oklahoma Statutes pursuant to 2 O.S. § 10-9-18.

35:17-7-8. Education requirements

(a) All certified poultry waste applicators shall attend educational courses on poultry waste handling provided by Oklahoma Cooperative Extension Service.

(b) All poultry waste applicators shall obtain an initial nine (9) hours of education in the first year and two hours of continuing education every year until the applicator has received a total of nineteen (19) hours of training. Any applicator may attend more hours than are required, however, those hours shall not be carried forward. Upon receiving the nineteen (19) required hours, the applicator ~~will graduate from the program but~~ then shall be required to receive two (2) hours of continuing education every three (3) years.

(c) The Oklahoma Cooperative Extension Service shall develop the educational training course to aid in certification.

(1) Curricula for the training course shall include the Oklahoma Cooperative Extension Service Waste Management Facts series and record books or their current equivalent.

(2) Courses for poultry waste management shall include the following topics:

(A) Environmental process relevant to protecting water quality in poultry production;

(B) Basic handling systems to manage poultry waste from all types of poultry operations;

(C) Nutrient management, including sampling procedures, application rate determination, equipment calibration, and record keeping systems;

(D) Relevant laws and rules applicable to poultry waste management in the State of Oklahoma; and

(E) Any other related subject as determined by Oklahoma Cooperative Extension Service in consultation with the Department.

(d) At the completion of each course, the certified poultry waste applicator shall receive a certification verifying completion. The certificates shall be kept on site for five (5) years.

(e) Failure to obtain the prerequisite and annual training and education as provided in this subsection shall be deemed a violation of the Oklahoma Poultry Waste Applicators Certification Act.

(f) All applicators shall obtain the required education no later than December 31st of each calendar year.

(g) Any certified poultry waste applicator ~~who~~ that has completed education requirements of the Oklahoma Registered Poultry Feeding Operations Act shall be deemed to be in compliance with the education requirements of this section.

SUBCHAPTER 9. AGRICULTURAL COMPOST FACILITIES

35:17-9-1. Purpose and applicability

This subchapter applies to any person who owns or operates any compost facility using source materials within the Department's areas of environmental jurisdiction pursuant to 2 O.S. § 2-4(A)(16). These rules shall not apply to any compost facility located on a facility permitted or licensed as a concentrated animal feeding operation or a registered poultry feeding operation so long as any portion of the source materials is from the concentrated animal feeding operation or registered poultry feeding operation, nor to any compost facility permitted or required to be permitted by the Oklahoma Department of Environmental Quality.

35:17-9-6. Leachate and storm water control

(a) The owner or operator shall provide a total retention storage structure that is of sufficient size to contain all leachate and contaminated storm water, the 100 year/24 hour storm event, and maintain one foot of free board.

(b) The owner or operator shall construct a permanent marker that identifies the levels of the 100 year/24 hour storm event volume, the one foot of free board, and the bottom of spillway.

(c) The owner or operator shall provide a drainage system for storm water that prevents erosion at the facility.

(d) The owner or operator shall prevent contact between uncontaminated storm water and source material, composting amendment, composting mix, and final product isolating the material from surface drainage through the use of covers, ditches, dikes, berms, terraces, or other control structures.

35:17-9-9. Closure of licensed compost facility retention structures

(a) The owner of a leachate retention structure shall notify the Department if the owner intends to permanently cease operations of the structure for any reason, including but not limited to, compliance with orders of the Board of Agriculture. A leachate retention structure that temporarily ceases operations but otherwise remains in full compliance with its license shall not be considered permanently closed.

(b) Closure requirements of leachate retention structures shall be based on site specific conditions, as follows:

(1) The owner shall notify the Department in writing whenever a leachate retention structure is abandoned or permanently ceases operations for any reason. The Department shall consider a leachate retention structure is abandoned or has permanently ceased operations if:

(A) The leachate retention structure is closed by order of the Department; or

(B) The owner is unable to furnish documents showing receipt of compost material into the leachate retention structure during the previous twenty-four (24) months and the owner is not maintaining the retention structure in compliance with the applicable rules or plans approved by the Department.

(2) Liquid contents of a leachate retention structure may be pumped out and land applied according to Department rules.

(3) Solids from the leachate retention structure shall be removed and disposed of in an environmentally safe manner.

(4) Sludge from the bottom of the leachate retention structure shall be removed without compromising the integrity of the liner. Sludge may be land applied according to Department rules.

(5) The owner shall grid sample soil from the bottom of the leachate retention structure and have the samples analyzed in a State certified laboratory for nitrate-nitrogen, total phosphorous, and electrical conductance.

(6) The owner shall develop a plan, subject to Department approval, regarding soil removal, if necessary, based on the grid sample data.

(7) If soil is to be removed from the bottom of the leachate retention structure, it shall be managed in an environmentally safe manner approved by the Department. Management options may include, but are not limited to, land application, disposal, and reuse.

(8) The Department may require monitoring wells if evidence indicates that contamination has migrated to the groundwater based on site specific conditions.

(9) An owner may seek an exemption from the closure obligations of this subsection or transfer the responsibility for a leachate waste retention structure to another party. A written request and approval by the Department are required for an owner to be exempt from closure obligations of this subsection or to transfer the responsibility for a leachate waste retention structure to any other party.

35:17-4-22. Variances

Variances from these rules shall only be granted on a case by case basis and the granting of a variance shall not act as a precedent for any other case, whether similar or not. In each case where a variance is granted, the decision shall be thoroughly documented.

**TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY
CHAPTER 37. FOOD SAFETY**

SUBCHAPTER 3. MEAT INSPECTION

PART 1. GENERAL PROVISIONS

35:37-3-1. Incorporation by reference of federal meat inspection regulations

The Mandatory Meat Inspection Regulations found in Title 9 of the Code of Federal Regulations (CFR) (~~2014~~ 2015 Revision), Parts 301 to 391; 416; 417; 418; 424; 430; 441; 442 and 500 for the United States Department of Agriculture (USDA) as promulgated and amended in the Federal Register, are hereby adopted in their entirety with the exception of the deleted regulations specified in 35:37-3-3. Whenever an official mark, form, certificate or seal is designated by federal regulations, the appropriate Oklahoma Department of Agriculture, Food, and Forestry form, certificate or seal shall be substituted.

SUBCHAPTER 5. POULTRY PRODUCTS INSPECTION

PART 1. GENERAL PROVISIONS

35:37-5-1. Definitions and incorporation by reference of federal poultry inspection regulations

(a) The Mandatory Poultry Inspection Regulations found in Title 9 of the Code of Federal Regulations (CFR) (~~2014~~ 2015 Revision), Parts 381; 416; 417; 418; 424; 430; 441; 442; and 500 for the United States Department of Agriculture (USDA) as promulgated and amended in the Federal Register, are hereby adopted in their entirety with the exception of the deleted regulations specified in 35:37-5-2. Whenever an official mark, form, certificate or seal is designated by federal regulations, the appropriate Oklahoma Department of Agriculture, Food, and Forestry mark, form, certificate or seal shall be substituted.

(b) All words and terms defined or used in the federal regulations incorporated by reference by the Department shall mean the state equivalent or counterpart to those words or terms.

(c) The following terms, when used in this subchapter, shall have the following meaning unless the context clearly indicates otherwise:

(1) "**Act**" means the Oklahoma Poultry Products Inspection Act.

(2) "**Director**" means the Director of Meat Inspection.

(3) "**Poultry**" means any domesticated bird, whether live or dead, including chickens, turkeys, ducks, geese, guineas, ratites, or squabs (also known as young pigeons from one to about thirty (30) days of age).

(4) "**Poultry product**" means any poultry carcass, part, or product made wholly or in part from any poultry carcass or part that can be used as human food, except those exempted from definition as a poultry product in Title 9 of the Code of Federal Regulations (CFR), Part 381.15. This term shall not include detached ova.

(5) "**Poultry byproduct**" means the skin, fat, gizzard, heart, or liver, or any combination of any poultry for cooked, smoked sausage.

35:37-5-2. Deleted regulations and exemptions

(a) The following sections of the Federal regulations governing the mandatory poultry inspection (9 CFR Parts 381; 416; 417; 418; 424; 441; 442; and 500), (~~2014~~ 2015 Revision) of the USDA incorporated by reference under 35:15-27-1 are deleted and are not rules of the Oklahoma Department of Agriculture, Food, and Forestry: 381.6; 381.10(a)(2), (5), (6), and (7); 381.10(b); 381.10(d)(2)(i); 381.13(b); 381.16; 381.17; 381.20; 381.21; 381.37; 381.38; 381.39; 381.96; 381.101; 381.103 through

381.112; 381.123(b)(1) and (4); 381.132(c); 381.133; 381.179; 381.185; 381.186; and 381.195 through 381.225.

(b) The provisions of this Act and rules do not apply to poultry producers who slaughter their own poultry raised on their farm, and each of the following apply:

- (1) The producers slaughter no more than two hundred and fifty (250) turkeys or their equivalent with a ratio of four (4) birds of other species, excluding ratites, to one (1) turkey during a calendar year;
- (2) The producers do not engage in buying or selling poultry products other than those produced from poultry raised on their own farms;
- (3) The poultry and poultry products do not move in commerce. Poultry producers are prohibited from selling or donating uninspected poultry products to retail stores, brokers, meat markets, schools, orphanages, restaurants, nursing homes, and other similar establishments and are prohibited from sales or donation of uninspected poultry through any type of retail market or similar establishment owned or operated by the poultry producer;
- (4) The producers submit a certificate of registration to the Board;
- (5) The poultry is healthy, the poultry is slaughtered and processed under sanitary standards, practices, and procedures that result in the preparation of poultry products that are sound, clean, and fit for human food, and each carcass, part, or poultry product bears a label that lists the customer's name, the producer's name, and the following statement, "This poultry product has not been inspected and passed;"
- (6) The poultry is sold directly to the household consumer and transported by either the household consumer or the poultry producer without third-party intervention or intervening transfer or storage, and is maintained in a safe and unadulterated condition during transportation; and
- (7) The poultry producers, allow an authorized agent of the Board access to their facilities and an opportunity to examine records at all reasonable times upon notice.

**TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY
CHAPTER 44. AGRICULTURE POLLUTANT DISCHARGE ELIMINATION SYSTEM**

SUBCHAPTER 1. AGRICULTURE ENVIRONMENTAL PERMITTING AND AGPDES

PART 1. GENERAL PROVISIONS

35:44-1-3. Date of federal regulations incorporated

When reference is made to 40 CFR it means, unless otherwise specified, ~~the volume of 40 CFR as published on July 1, 2014~~ Title 40 of the Code of Federal Regulations (2015 Revision).

SUBCHAPTER 3. PERMIT CONDITIONS AND REQUIREMENTS

35:44-3-3. Date of federal regulations incorporated

When reference is made to 40 CFR it means, unless otherwise specified, ~~the volume of 40 CFR as published on July 1, 2014~~ Title 40 of the Code of Federal Regulations (2015 Revision).

**TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY
CHAPTER 50. AQUACULTURE**

SUBCHAPTER 1. PRIVATE COMMERCIAL PRODUCTION

PART 1. GENERAL PROVISIONS

35:50-1-2. Definitions

"**Aquaculture operation**" means a private commercial producer of eatfish, minnows, fingerlings, fish, frogs, or other an aquatic species for intrastate or interstate commerce.

"**Aquatic species**" means any species of finfish, mollusk, crustacean, or other aquatic invertebrates, amphibians, or reptiles. Aquatic species do not include species that are sold for retail aquarium use.

"**BMP**" means Best Management Practices.

"**Fingerling**" means a sexually immature fish for a majority of fish species.

"**Operator**" means the individual who has responsibility for the day to day operations of the facility. The operator may also be the owner.

"**Owner**" means the individual who has financial responsibility for the aquaculture operation and whose name appears as owner on all legal documents.

PART 3. LICENSING, REPORTING, AND RECORDS

35:50-1-37. Technical services [REVOKED]

~~At the owner's request the Department may provide technical assistance recommendations to owners of licensed aquaculture operations at the rate of thirty dollars (\$30.00) per hour. In addition, any costs for supplies, mileage, or other expenses shall be paid by the owner.~~

**TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY
CHAPTER 55. COMMERCIAL PET BREEDERS AND ANIMAL SHELTERS**

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 (consignments to carriers and intermediate handlers)
- (13) 3.14 (primary enclosures used to transport live dogs and cats)
- (14) 3.15 (primary conveyances [motor vehicle, rail, air, and marine])
- (15) 3.16 (food and water requirements)
- (16) 3.17 (care in transit)
- (17) 3.18 (terminal facilities)
- (18) 3.19 (handling)

(b) When reference is made to a federal entity, it shall mean the state counterpart.

(c) When reference is made to 9 C.F.R. it means, unless otherwise specified, the volume of 9 C.F.R. as published on July 1, ~~2014~~(2015).

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) 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.

**JANUARY 2016 ACTIVITY REPORT
FOR THE MARCH 2016 BOARD MEETING
ADMINISTRATIVE SERVICES**

FINANCE

Finance Activities

The P-Card total for the month of January was \$153,595.56 which was more than December by \$492.44. Notice was received from the Office of Enterprise Management Services that appropriations for FY-16 would be reduced beginning in January. A budget revision was completed to reduce the agency budget by \$680,203. The reductions were primarily in salary and benefit expense, agency fuel costs, travel and testing. Financial information has been prepared and provided to legislative staff as requested.

Expenses

During the month of January, Finance processed 173 vouchers to vendors totaling \$1,870,366.42 which was \$830,634.08 greater than the month of December. January payrolls were \$1,843,774.30.

Revenue

Revenue for the month of January totaled \$1,286,760 which is 22% less than the budgeted amount of \$1,649,966. Revenue for Consumer Protection was above estimates. Revenue for Legal, Forestry, Wildlife and Lab was below estimates and other divisions were at or near estimates.

HUMAN RESOURCES

Personnel, Time/Leave, Benefits and Training Sections

Personnel transactions during the month of January, 2016 included: three new hires (Forestry & Animal Industry/2), one promotion (Forestry), one completion of probation (Forestry); three resignations (Market Development (2) & Ag Laboratory (1)); and one retirement (Administration/Investigations).

Insurance/Benefits/Workers Compensation:

One employee remains off work receiving disability payments (Forestry). One employee remains off work receiving workers compensation benefits (Forestry). There were no on-the-job injuries or personal accidents reported to the Human Resources Office for January.

INFORMATION TECHNOLOGY

Oklahoma Wildlands Tailgate – (Forestry)
Video transfer – (Animal)
OAA Brochure – (Market Development)
Logo artwork for clip – (Animal)
Plasticulture Conference – (Market Development)
AIS Field Staff map – (Animal Industry)
Save The Date cards – (Market Development)
NOAA info for Facebook – (Administrative Services)
Shortleaf Pine press-ready – (Forestry)
VS Term Field Staff map – (Animal Industry)
JD Herd Certificate (fillable) – (Animal Industry)
Investigative Badge – (Administrative Services)
2015 ODAFF Accomplishments – (Executive Office)
Bovine Johne's Disease map – (Animal Industry)
Bovine Trichomoniasis Positive Bulls map – (Animal Industry)
Board Agenda – (Executive Office)
ERC Registry Board Minutes – (Executive Office)
Honeybees Map – (Consumer Protection Services)
AAA Defensive Driving Certificates - Gerald Kelly
Plasticulture Program – (Market Development)
Badging System sign – (Administrative Services)
OMES Phones posters - Lynda Reading (OMES)
Website changes: staff, documents and page edits.

INVESTIGATIVE SERVICES

Once again, ODAFF Special Agents continued to stay busy working cases and filing charges on Cattle and Equipment Thefts. Other state and local law enforcement agencies also called for Investigative Services' assistance in combating crimes against agriculture producers. The following investigations took place in the month of January with a total of twenty-nine (29) head of cattle reported stolen during this reporting period.

Special Agents opened twelve (12) new investigations with six (6) concerning cattle theft. The remaining six (6) cases included three (3) cases of farm equipment theft; two (2) cases of animal cruelty and one (1) case of Aerial Hunting Violations. Special Agents closed twenty-one (21) investigations.

The breakdown of the new cases for the current reporting period is as follows:

Cattle Theft Investigations

LeFlore County	3 head
McIntosh County	11 head
Osage County	5 head
Pittsburg County	1 head
Woods County	9 head

Others

- Beckham County – Aerial Hunting Violations
- McCurtain County – Farm Equipment Theft
- Muskogee County – Animal Cruelty
- Osage County – Farm Equipment Theft, Trailer
- Osage County– Animal Cruelty
- Woodward County – Farm Equipment Theft

Some of the significant cases investigated during the current reporting period are described below.

Special Agents currently have presented investigations to the Oklahoma Multi-County Grand Jury for prosecutions that will be revealed when the Attorney General unseals the indictments. The investigations presented range from Cattle Theft to Agriculture Equipment Thefts.

Special Agent Cornett presented an investigation to the Attorney General regarding the theft of over 100 head of cattle that were stolen from Dewey, Woods and Kingfisher County. The investigation identified seven suspects ranging from the age of 16 years old to adults. The suspects were stealing cattle in all three counties and selling them at livestock markets in Northwest Oklahoma and West Texas. Two of the suspects were identified as convicted criminals from Texas. The Attorney General will be filing numerous felony charges against these suspects to include Conspiracy. This investigation has made a significant impact on cattle rustling in NW Oklahoma. Once the suspects are formally charged, I will be meeting with the media to conduct a press release relating to this investigation.

Special Agent Michael Hooper conducted an investigation regarding illegal aerial hunting taking place in Beckham County. The Sheriff of Beckham County contacted this office stating he had a local resident who had been using his helicopter to conduct aerial hunting in Beckham County and not following the rules and law as described in the Aerial Hunting Act. The investigation identified the owner of the helicopter in Sayre, Oklahoma. The owner of the aircraft did have a current yearly permit that had been issued to him by this agency authorizing Aerial Hunting. However, the owner did admit they had failed to obtain the 24-hour Notice to conduct the hunts and also had failed to report their quarterly reports disclosing their hunt activity. After the investigation concluded, the following violations were found to have occurred:

1. Two violations of O.S. 29-4 107.2v2F - 24-Hour Notice Prior to Management of Depredating Animals by Use of Aircraft.
Three violations of O.S. 29-4107.2v2G – Quarterly Reporting
2. Two violations of O.S. 29-4-107.2v2I – Special Permit from Oklahoma Department Of Wildlife Conservation (The illegal hunts occurred during deer hunting season)

This investigation was presented to the Oklahoma Department of Agriculture Legal Division and is currently being prosecuted administratively by Attorney Lee Dooley.

Special Agent Eddie Davenport concluded an investigation where thirteen (13) head of cattle had been stolen in Pontotoc County by a juvenile from Garvin County. The cattle were located in Garvin County and returned back to the owner in Pontotoc County. Special Agent Davenport presented felony charges in Garvin County against the juvenile for being in possession of the stolen cattle. The successful conclusion of this investigation caught a cattle thief and the owner did not sustain a loss.

On January 6, Chief Flowers underwent surgery in Oklahoma City, having a complete knee replacement. The price I paid for the years of playing football during my high school and college days. During my four week absence, Special Agent Eddie Davenport was appointed to “Acting Chief Agent” and ran this unit with the utmost professionalism. Special Agent Davenport is a classic example of the professionalism of Special Agents we have in the Law Enforcement section of the Oklahoma Department of Agriculture and I commend him for a job well done. Chief Flowers returned back to work on February 8th for full duty.

Investigative Services CY2016 Activities

	January	<u>YTD</u>
Investigations		
Cattle	6	6
Fire	0	0
Property	3	3
Timber	0	0
Other	<u>3</u>	<u>3</u>
Total Investigations Opened	12	12
Completed Pending Additional Information	11	11
No Crime	7	7
No Prosecution Required	1	1
Presented to District Attorney for Prosecution	2	2
Referred for Administrative Action	0	0
Total Investigations Completed	21	21
Counts Filed	8	8
Value of losses	\$63,428.00	\$63,428.00
Recovered losses	\$46,350.00	\$46,350.00
Number of cattle reported stolen	29	29

OKLAHOMA DEPARTMENT OF AGRICULTURE,
FOOD, AND FORESTRY



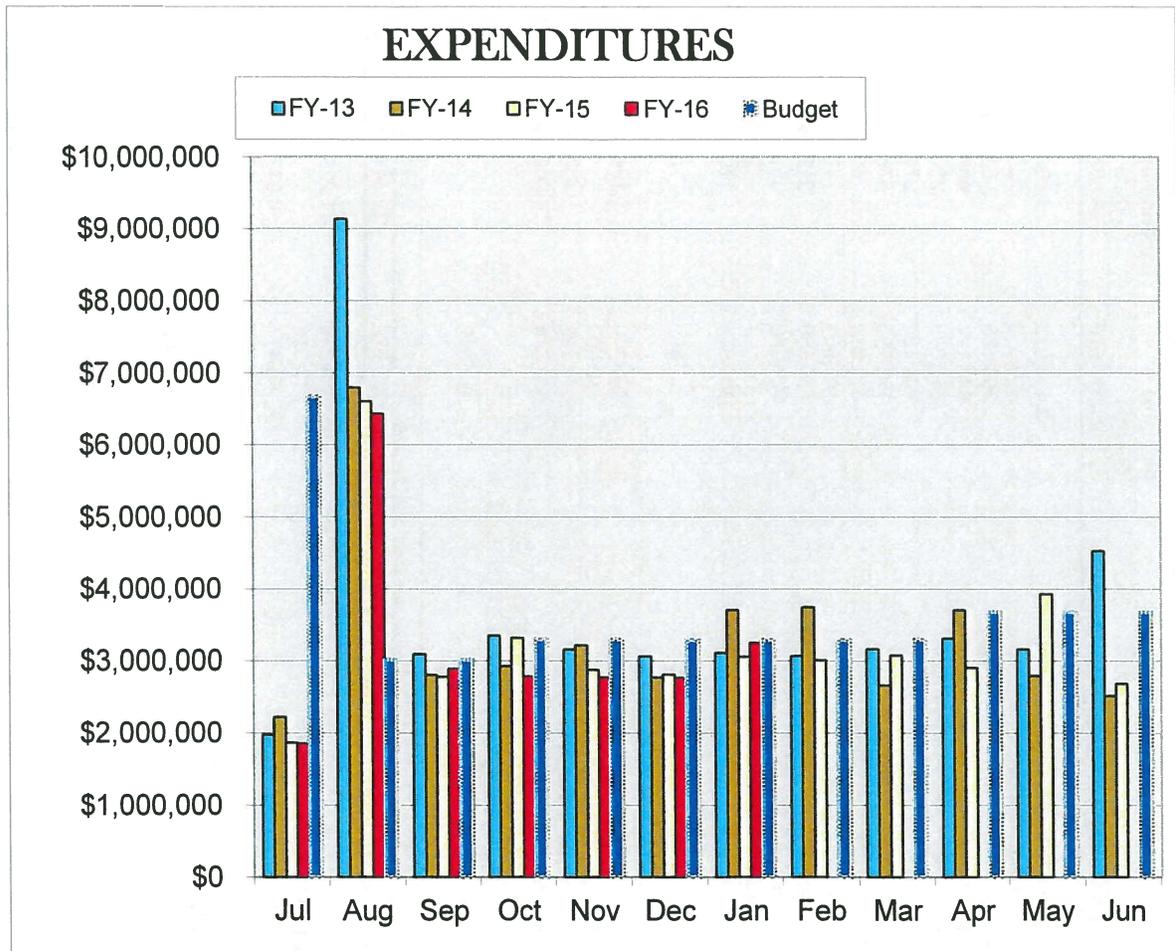
Reported Statistics as of January 31, 2016
(Comparisons to 2015 are for the same time frame)

• Number of cattle reported stolen thru January 31st, 2016	29
• Recovery percent on cattle 2016*	69%
• Number of cattle stolen through January 31st, 2015	75
• Percent decrease from 2015 to 2016	33%
• Number of criminal investigations we have opened in 2016	12
• Number of criminal investigations we have closed in 2016	21
• Number of felony charges we have filed in 2016	8
• Arsons investigated in 2016	0
• Timber thefts investigated 2016	0
• Value of losses reported up to January 31, 2016	\$63,428.00
• Value of losses reported up to January 31, 2015	\$147,425.00
• Percent decrease from January 2015 to January 2016	43%

*Recovery includes cattle located, but not returned to victim. Restitution should be made to victim.

Oklahoma Department of Agriculture, Food and Forestry

Month	FY-13	FY-14	FY-15	FY-16	Budget
Jul	\$1,979,187	\$2,220,555	\$1,867,496	\$1,852,155	\$6,670,850
Aug	\$9,138,638	\$6,796,827	\$6,602,372	\$6,431,931	\$3,014,849
Sep	\$3,094,659	\$2,804,803	\$2,781,517	\$2,890,264	\$3,014,850
Oct	\$3,352,549	\$2,925,866	\$3,321,539	\$2,784,862	\$3,300,186
Nov	\$3,159,637	\$3,220,599	\$2,879,162	\$2,771,274	\$3,300,186
Dec	\$3,061,697	\$2,771,725	\$2,813,011	\$2,767,650	\$3,287,520
Jan	\$3,113,844	\$3,703,936	\$3,060,535	\$3,251,330	\$3,287,520
Feb	\$3,066,305	\$3,745,078	\$3,010,608		\$3,287,520
Mar	\$3,164,353	\$2,658,516	\$3,075,539		\$3,300,186
Apr	\$3,311,822	\$3,705,000	\$2,905,297		\$3,678,897
May	\$3,159,810	\$2,793,960	\$3,928,913		\$3,678,898
Jun	\$4,525,205	\$2,515,877	\$2,682,672		\$3,678,897
TOTAL	\$44,127,705	\$39,862,742	\$38,928,661	\$22,749,466	\$43,500,359



January 31, 2016		2016		2016		2016		2016	
Obj. Code	Agency	Available Budget	Expenditures To Date	Balance	Exp. %	Encumbrances	Available Budget	Total %	Total %
	Salaries & Benefits	24,011,576	13,304,430	10,708,131	55.4%	10,609,894	98,237	99.6%	99.6%
15	Professional Services	2,418,013	1,009,458	1,408,555	41.7%	1,231,571	176,985	92.7%	92.7%
21	Travel-Reimbursements	239,323	86,675	152,648	36.2%	1,170	151,479	36.7%	36.7%
22	Travel-Agency Direct	204,565	81,613	122,952	39.9%	10,842	112,109	45.2%	45.2%
31	Miscellaneous Admin	847,121	460,638	386,483	4	188,607	197,877	76.6%	76.6%
32	Rent Expense	612,009	334,072	277,937	54.6%	207,845	70,092	88.5%	88.5%
33	Maintenance & Repair	760,432	270,669	489,763	-	449,146	40,866	94.7%	94.7%
34	Specialized Sup & Mat'l's	1,192,193	376,645	815,548	31.6%	563,524	252,024	78.9%	78.9%
35	Production, Safety and Su	419,212	69,392	349,820	16.6%	-	349,820	16.6%	16.6%
36	General Operating Expen	161,551	45,735	115,816	28.3%	-	115,816	28.3%	28.3%
37	Shop Expense	439,550	212,665	226,885	48.4%	112,757	114,128	74.0%	74.0%
41	Office Furniture & Equip	691,240	353,965	337,275	51.2%	254,994	82,281	88.1%	88.1%
42	Library Equip & Rental	-	2,110	(2,110)	0.0%	254	(2,110)	0.0%	0.0%
43	Lease Purchases	307,643	179,458	128,185	58.3%	128,184	0	100.0%	100.0%
45	Land & Right of Way	-	-	-	0.0%	-	-	0.0%	0.0%
46	Bldgs & Other Structures	500	-	500	0.0%	-	500	0.0%	0.0%
47	Const, Mfce, Rep. - Hways, Bri	-	-	-	0.0%	-	-	0.0%	0.0%
48	Bond Indebtedness	1,800,170	1,194,917	605,253	66.4%	605,253	-	100.0%	100.0%
53	Refunds, Idemnities, Res	10,000	-	10,000	0.0%	-	10,000	0.0%	0.0%
54	Program Reimbursements	2,041,488	496,865	1,544,623	24.3%	467,033	1,077,590	47.2%	47.2%
55	Pmts to Local Gov't Subd	7,562,874	4,269,804	3,293,070	56.5%	1,225,077	2,067,994	72.7%	72.7%
59	Inter & Intra Agency Pay	-	-	-	0.0%	-	-	0.0%	0.0%
61	Loans, Taxes and Other	-	-	-	0.0%	-	-	0.0%	0.0%
64	Merchandise for Resale	317,312	355	316,957	0.1%	307,620	9,337	97.1%	97.1%
98	Encumbrances - Object	-	-	-	0.0%	1,168,309	(1,168,309)	0.0%	0.0%
	Operating totals	20,025,196	9,445,036	10,580,160	47.2%	6,922,185	2,559,962	81.7%	81.7%
	Total	44,036,772	22,749,466	21,287,306	51.7%	18,629,453	2,655,829	94.0%	94.0%
19601	General Revenue	21,993,214	11,238,181	10,755,033	51.1%	9,920,983	834,050	96.2%	96.2%
205	Rural Fire Defense Equip	317,312	355	316,957	0.1%	307,620	9,337	97.1%	97.1%
210	Agriculture Revolving Fund	17,175,477	8,917,087	8,258,390	51.9%	7,780,622	477,767	97.2%	97.2%
225	Enhancement & Diversific	762,232	18,106	744,126	2.4%	21,419	722,707	5.2%	5.2%
230	Pet Overpopulation Fund	17,500	-	17,500	0.0%	-	17,500	0.0%	0.0%
235	Animal Friendly Rev Fund	17,500	-	17,500	0.0%	-	17,500	0.0%	0.0%
240	Unwanted Pesticide Disp	154,568	-	154,568	0.0%	154,569	(1)	100.0%	100.0%
245	Rural Fire Revolving Fund	714,721	629,259	85,462	88.0%	85,462	-	100.0%	100.0%
250	RF Equip Grant Rev Fund	-	-	-	0.0%	-	-	0.0%	0.0%
255	Ag Evidence Law Enforcement Fund	3,150	-	3,150	0.0%	-	1,125	0.0%	0.0%
256	Viticulture and Enology Development	355,230	-	355,230	-	-	355,230	0.0%	0.0%
285	Milk & Milk Products Insp	495,000	135,707	359,293	27.4%	349,184	10,108	98.0%	98.0%
286	Agriculture Revolving Fund	30,868	406	30,462	1.3%	9,594	20,868	32.4%	32.4%
57601	Cash Appropriations	2,000,000	1,810,363	189,637	90.5%	-	189,637	90.5%	90.5%
	Total	44,036,772	22,749,465	21,287,307	51.7%	18,629,453	2,655,829	94.0%	94.0%

Activity Obj. Code	January 31, 2016 01 - Administration	Available Budget	Expenditures To Date	Balance	FY2016		Available Budget	Total %
					Exp. %	Encumbrances		
	Salaries & Benefits	2,039,448	1,191,978	847,470	58.4%	883,005	(35,535)	101.7%
15	Professional Services	90,000	87,599	2,401	97.3%	74,229	(71,828)	179.8%
21	Travel-Reimbursements	21,575	7,343	14,232	34.0%	1,170	13,062	39.5%
22	Travel-Agency Direct	48,175	20,378	27,797	42.3%	10,842	16,955	64.8%
31	Miscellaneous Admin	327,500	178,844	148,656	54.6%	113,284	35,373	89.2%
32	Rent Expense	360,000	208,053	151,947	57.8%	145,640	6,307	98.2%
33	Maintenance & Repair	500,602	142,761	357,841	28.5%	266,575	91,266	81.8%
34	Specialized Sup & Mat'l's	1,149,055	373,361	775,694	32.5%	490,195	285,499	75.2%
35	Production, Safety and Su	5,500	6,182	(682)	112.4%	-	(682)	112.4%
36	General Operating Expen	30,298	19,686	10,612	65.0%	-	10,612	65.0%
37	Shop Expense	31,500	9,880	21,621	31.4%	58,148	(36,528)	216.0%
41	Office Furniture & Equip	103,500	130,172	(26,672)	125.8%	77,057	(103,729)	200.2%
42	Library Equip & Rental	-	-	-	0.0%	-	-	0.0%
46	Bldgs & Other Structures	-	-	-	0.0%	-	-	0.0%
53	Refunds, Idemities, Res	10,000	-	10,000	0.0%	-	10,000	0.0%
54	Program Reimbursements	-	-	-	0.0%	50,000	(50,000)	0.0%
55	Pmts to Local Gov't Subd	886,250	321,102	565,148	36.2%	538,758	26,390	97.0%
59	Inter & Intra Agency Pay	-	-	-	0.0%	-	-	0.0%
61	Loans, Taxes and Other	-	-	-	0.0%	-	-	0.0%
64	Merchandise for Resale	-	-	-	0.0%	-	-	0.0%
98	Encumbrances - Object	-	-	-	0.0%	73,598	(73,598)	0.0%
	Operating totals	3,563,955	1,505,360	2,058,595	42.2%	1,899,496	159,099	95.5%
	Total	5,603,403	2,697,338	2,906,065	48.1%	2,782,501	123,563	97.8%
19312		-	-	-				
19313		-	-	-				
19601	General Revenue	4,358,756	1,899,717	2,459,039	43.6%	2,398,555	60,484	98.6%
210	Agriculture Revolving Fund	1,241,497	797,621	443,876	64.2%	381,921	61,954	95.0%
255	Ag. Evidence Law Enforce	3,150	-	3,150	0.0%	-	1,125	0.0%
	Total	5,603,403	2,697,338	2,906,065	48.1%	2,782,501	123,563	97.8%

January 31, 2016		FY2016				
05 Office of General Counsel		Exp.				
Activity	Available Budget	To Date	Balance	Encumbrances	Available Budget	Total %
Obj. Code	626,317	360,717	265,600	265,600	1	100.0%
Salaries & Benefits						
15 Professional Services	12,894	3,592	9,302	5,000	4,302	66.6%
21 Travel-Reimbursements	2,375	883	1,493		1,493	37.2%
22 Travel-Agency Direct	2,480	1,464	1,016		1,016	59.0%
31 Miscellaneous Admin	4,320	2,801	1,519		1,519	64.8%
32 Rent Expense	-	-	-		-	0.0%
33 Maintenance & Repair	-	-	-		-	0.0%
34 Specialized Sup & Mat'l's	-	-	-		-	0.0%
35 Production, Safety and Su	-	-	-		-	0.0%
36 General Operating Expen	220		220		220	0.0%
37 Shop Expense	-	-	-		-	0.0%
41 Office Furniture & Equip	-	50	(50)		(50)	0.0%
42 Library Equip & Rental	-	-	-		-	0.0%
46 Bldgs & Other Structures	-	-	-		-	0.0%
48 Bond Indebtedness & Exp	-	-	-		-	0.0%
53 Refunds, Idemnitites, Res	-	-	-		-	0.0%
54 Program Reimbursements	-	-	-		-	0.0%
55 Pmts to Local Gov't Subd	-	-	-		-	0.0%
59 Inter & Intra Agency Pay	-	-	-		-	0.0%
61 Loans, Taxes and Other	-	-	-		-	0.0%
64 Merchandise for Resale	-	-	-		-	0.0%
98 Encumbrances - Object	-	-	-	7,142	(7,142)	0.0%
Operating totals	22,289	8,790	13,499	12,142	1,357	0.0%
Total	648,606	369,507	279,099	277,743	1,357	99.8%
19601 General Revenue	485,868	221,841	264,027	264,027	0	100.0%
210 Agriculture Revolving Fund	162,738	147,666	15,072	13,716	1,356	99.2%
Total	648,606	369,507	279,099	277,743	1,357	99.8%

January 31, 2016		07 Agri Environmental Mgmt Services		FY2016		FY2016		
Activity	Obj. Code	Available Budget	Expenditures To Date	Balance	Exp. %	Encumbrances	Available Budget	Total %
		1,253,242	699,725	553,517	55.8%	559,717	(6,200)	100.5%
	Salaries & Benefits							
	15 Professional Services	155,602	47,069	108,533	30.2%	43,320	65,212	58.1%
	21 Travel-Reimbursements	15,000	2,706	12,294	18.0%	-	12,294	18.0%
	22 Travel-Agency Direct	3,000	393	2,607	0.0%	-	2,607	0.0%
	31 Miscellaneous Admin	12,000	5,536	6,464	46.1%	63	6,401	46.7%
	32 Rent Expense	1,800	-	1,800	0.0%	-	1,800	0.0%
	33 Maintenance & Repair	-	-	-	0.0%	68	(68)	0.0%
	34 Specialized Sup & Mat'l's	-	111	(111)	0.0%	-	(111)	0.0%
	35 Production, Safety and Su	-	(336)	336	0.0%	-	336	0.0%
	36 General Operating Expen	7,050	530	6,520	7.5%	-	6,520	7.5%
	37 Shop Expense	-	19	(19)	0.0%	-	(19)	0.0%
	41 Office Furniture & Equip	3,000	61	2,939	0.0%	-	2,939	0.0%
	42 Library Equip & Rental	-	127	(127)	0.0%	-	(127)	0.0%
	46 Bldgs & Other Structures	-	-	-	0.0%	-	-	0.0%
	53 Refunds, Idemities, Res	-	-	-	0.0%	-	-	0.0%
	54 Program Reimbursements	-	-	-	0.0%	-	-	0.0%
	55 Pmts to Local Gov't Subd	54,000	22,500	31,500	41.7%	31,500	-	100.0%
	59 Inter & Intra Agency Pay	-	-	-	0.0%	-	-	0.0%
	61 Loans, Taxes and Other	-	-	-	0.0%	-	-	0.0%
	64 Merchandise for Resale	-	-	-	0.0%	-	-	0.0%
	98 Encumbrances - Object	-	-	-	0.0%	67,229	(67,229)	0.0%
	Operating totals	251,452	78,718	172,735	31.3%	142,180	30,554	87.8%
	Total	1,504,694	778,442	726,252	51.7%	701,897	24,354	98.4%
19601	General Revenue	1,281,611	716,440	565,171	55.9%	547,762	17,409	98.6%
210	Agriculture Revolving Fund	223,083	62,002	161,081	27.8%	154,135	6,945	96.9%
	Total	1,504,694	778,442	726,252	51.7%	701,897	24,354	98.4%

Activity Obj. Code	January 31, 2016 09 - Ag Stats	Available Budget	Expenditures To Date	Balance	FY2016 Exp. %	Encumbrances	Available Budget	Total %
	Salaries & Benefits							
15	Professional Services	15,000	5,263	9,737	35.1%	5,800	3,938	73.7%
21	Travel-Reimbursements	-	-	-	0.0%	-	-	0.0%
22	Travel-Agency Direct	-	-	-	0.0%	-	-	0.0%
31	Miscellaneous Admin	19,891	5,436	14,455	27.3%	9,314	5,141	74.2%
32	Rent Expense	-	-	-	0.0%	-	-	0.0%
33	Maintenance & Repair	1,000	-	1,000	0.0%	-	1,000	0.0%
34	Specialized Sup & Mat'ls	-	-	-	0.0%	-	-	0.0%
35	Production, Safety and Su	-	-	-	0.0%	-	-	0.0%
36	General Operating Expen	-	905	(905)	0.0%	-	(905)	0.0%
37	Shop Expense	-	-	-	0.0%	-	-	0.0%
41	Office Furniture & Equip	-	-	-	0.0%	-	-	0.0%
42	Library Equip & Rental	-	-	-	0.0%	-	-	0.0%
46	Bldgs & Other Structures	-	-	-	0.0%	-	-	0.0%
48	Bond Indebtedness	-	-	-	0.0%	-	-	0.0%
53	Refunds, Idemities, Res	-	-	-	0.0%	-	-	0.0%
54	Program Reimbursements	-	-	-	0.0%	-	-	0.0%
55	Pmts to Local Gov't Subd	-	-	-	0.0%	-	-	0.0%
59	Inter & Intra Agency Pay	-	-	-	0.0%	-	-	0.0%
61	Loans, Taxes and Other	-	-	-	0.0%	-	-	0.0%
64	Merchandise for Resale	-	-	-	0.0%	-	-	0.0%
98	Encumbrances - Object	-	-	-	0.0%	7,100	(7,100)	0.0%
	Operating totals	35,891	11,604	24,287	32.3%	22,213	2,074	94.2%
	Total	123,166	15,439	107,727	12.5%	103,653	4,074	96.7%
19601	General Revenue	27,219	3,535	23,684	13.0%	23,684	-	100.0%
210	Agriculture Revolving Fund	95,947	11,904	84,043	12.4%	79,696	4,347	95.5%
	Total	123,166	15,439	107,727	12.5%	103,380	4,347	96.5%

Activity Obj Code	January 31, 2016		FY2016		FY2016 Exp. %	Encumbrances	Available Budget	Total %
	Available Budget	Expenditures To Date	Balance	Exp. %				
11 - Forestry	8,267,643	4,573,448	3,693,946	55.3%	3,583,348	110,597	98.7%	
Salaries & Benefits								
15 Professional Services	193,375	128,231	65,144	66.3%	56,002	9,142	95.3%	
21 Travel-Reimbursements	55,298	21,924	33,374	39.6%	-	33,374	39.6%	
22 Travel-Agency Direct	46,505	16,095	30,410	34.6%	-	30,410	34.6%	
31 Miscellaneous Admin	250,900	148,194	102,706	59.1%	32,131	70,575	71.9%	
32 Rent Expense	87,414	78,368	9,046	89.7%	31,731	(22,685)	126.0%	
33 Maintenance & Repair	106,780	93,084	13,696	87.2%	170,959	(157,013)	247.3%	
34 Specialized Sup & Mat'ls	1,385	1,501	(116)	108.4%	-	(116)	108.4%	
35 Production, Safety and Su	409,052	62,701	346,351	15.3%	-	346,351	15.3%	
36 General Operating Expen	19,705	16,241	3,464	82.4%	-	3,464	82.4%	
37 Shop Expense	127,641	62,671	64,970	49.1%	35,135	29,835	76.6%	
41 Office Furniture & Equip	525,429	181,906	343,523	34.6%	177,937	165,586	68.5%	
42 Library Equip & Rental	-	1,983	(1,983)	0.0%	254	(1,983)	0.0%	
45 Land & Right of Way	-	-	-	0.0%	-	-	0.0%	
46 Bldgs & Other Structures	-	-	-	0.0%	-	-	0.0%	
47 Const, Mtce, Rep. - Hways,	-	-	-	0.0%	-	-	0.0%	
53 Refunds, Idemnities, Res	-	-	-	0.0%	-	-	0.0%	
54 Program Reimbursements	630,208	7,262	622,946	1.2%	30,300	592,646	6.0%	
55 Pmts to Local Gov't Subd	4,761,875	3,908,096	853,779	82.1%	633,400	220,379	95.4%	
61 Loans, Taxes and Other	-	-	-	0.0%	-	-	0.0%	
64 Merchandise for Resale	317,312	355	316,957	0.1%	307,620	9,337	97.1%	
98 Encumbrances - Object	-	-	-	0.0%	298,830	(298,830)	0.0%	
Operating totals	7,532,879	4,728,612	2,804,517	62.8%	1,774,044	1,030,473	86.3%	
Total	15,800,522	9,302,059	6,498,463	58.9%	5,357,392	1,141,071	92.8%	
19601 General Revenue	6,530,730	3,502,970	3,027,760	53.6%	2,343,355	684,405	89.5%	
205 Rural Fire Defense Equip	317,312	355	316,957	0.1%	307,620	9,337	97.1%	
210 Agriculture Revolving Fund	6,237,759	3,359,112	2,878,647	53.9%	2,620,955	257,692	95.9%	
245 RF Emergency Fund	714,721	629,259	85,462	88.0%	85,462	-	100.0%	
250 RF Equip Grant Rev Fund	-	-	-	0.0%	-	-	0.0%	
57601 Cash Appropriation	2,000,000	1,810,363	189,637	-	-	189,637	-	
Total	15,800,522	9,302,059	6,498,463	58.9%	5,357,392	1,141,071	92.8%	

Activity Obj code	January 31, 2016 21 - Animal Industry	Available Budget	Expenditures To Date	Balance	FY2016 Exp. %	Encumbrances	Available Budget	Total %
	Salaries & Benefits	-						
15	Professional Services	86,000	47,852	38,149	55.6%	9,120	29,028	66.2%
21	Travel-Reimbursements	7,000	10,804	(3,804)	154.3%	-	(3,804)	154.3%
22	Travel-Agency Direct	17,000	11,360	5,640	66.8%	-	5,640	66.8%
31	Miscellaneous Admin	20,000	10,809	9,191	54.0%	-	9,191	54.0%
32	Rent Expense	2,500	-	2,500	0.0%	2,397	103	95.9%
33	Maintenance & Repair	500	352	148	0.0%	-	148	0.0%
34	Specialized Sup & Mat's	500	-	500	0.0%	-	500	0.0%
35	Production, Safety and Su	500	-	500	0.0%	-	500	0.0%
36	General Operating Expen	1,000	387	613	38.7%	-	613	38.7%
37	Shop Expense	59,600	39,921	19,679	67.0%	-	19,679	67.0%
41	Office Furniture & Equip	1,000	65	935	6.5%	-	935	6.5%
42	Library Equip & Rental	-	-	-	0.0%	-	-	0.0%
46	Bldgs & Other Structures	500	-	500	0.0%	-	500	0.0%
53	Refunds, Idemities, Res	-	-	-	0.0%	-	-	0.0%
54	Program Reimbursements	35,000	-	35,000	0.0%	-	35,000	0.0%
55	Pmts to Local Gov't Subd	-	-	-	0.0%	-	-	0.0%
59	Inter & Intra Agency Pay	-	-	-	0.0%	-	-	0.0%
61	Loans, Taxes and Other	-	-	-	0.0%	-	-	0.0%
64	Merchandise for Resale	-	-	-	0.0%	-	-	0.0%
98	Encumbrances - Object	-	-	-	0.0%	60,292	(60,292)	0.0%
	Operating totals	231,100	121,549	109,551	52.6%	71,809	37,742	83.7%
	Total	1,938,811	1,121,668	817,143	57.9%	779,222	37,920	98.0%
19601	General Revenue	1,257,610	546,375	711,235	43.4%	708,519	2,716	99.8%
210	Agriculture Revolving Fund	646,201	575,293	70,908	89.0%	70,703	205	100.0%
230	Pet Overpopulation Fund	17,500	-	17,500	0.0%	-	17,500	0.0%
235	Animal Friendly Rev Fund	17,500	-	17,500	0.0%	-	17,500	0.0%
	Total	1,938,811	1,121,668	817,143	57.9%	779,222	37,920	98.0%

Activity Obj. Code	January 31, 2016 31 Market Development	Available Budget	Expenditures To Date	Balance	FY2016		Available Budget	Total %
					Exp. %	Encumbrances		
	Salaries & Benefits	1,313,069	693,416	619,653	52.8%	574,911	44,742	96.6%
15	Professional Services	65,250	26,886	38,364	41.2%	115,935	(77,571)	218.9%
21	Travel-Reimbursements	22,825	6,244	16,581	27.4%	-	16,581	27.4%
22	Travel-Agency Direct	32,205	6,216	25,989	19.3%	-	25,989	19.3%
31	Miscellaneous Admin	148,995	90,283	58,712	60.6%	31,401	27,311	81.7%
32	Rent Expense	60,695	4,912	55,783	8.1%	-	55,783	8.1%
33	Maintenance & Repair	200	-	200	0.0%	-	200	0.0%
34	Specialized Sup & Mat'ls	-	-	-	0.0%	-	-	0.0%
35	Production, Safety and Su	-	-	-	0.0%	-	-	0.0%
36	General Operating Expen	24,150	1,999	22,151	8.3%	-	22,151	8.3%
37	Shop Expense	3,000	1,636	1,364	54.5%	-	1,364	54.5%
41	Office Furniture & Equip	600	821	(221)	136.8%	-	(221)	136.8%
42	Library Equip & Rental	-	-	-	0.0%	-	-	0.0%
46	Bldgs & Other Structures	-	-	-	0.0%	-	-	0.0%
53	Refunds, Idemities, Res	-	-	-	0.0%	-	-	0.0%
54	Program Reimbursements	1,333,980	489,603	844,377	36.7%	386,733	457,644	65.7%
55	Pmts to Local Gov't Subd	762,232	18,106	744,126	0.0%	21,419	722,707	0.0%
59	Inter & Intra Agency Pay	-	-	-	0.0%	-	-	0.0%
61	Loans, Taxes and Other	-	-	-	0.0%	-	-	0.0%
64	Merchandise for Resale	-	-	-	0.0%	-	-	0.0%
98	Encumbrances - Object	-	-	-	0.0%	76,609	(76,609)	0.0%
	Operating totals	2,454,132	646,706	1,807,426	26.4%	632,097	1,175,329	52.1%
	Total	3,767,201	1,340,122	2,427,079	35.6%	1,207,008	1,220,071	67.6%
19601	General Revenue	1,317,881	627,160	690,721	47.6%	637,324	53,396	95.9%
210	Agriculture Revolving Fund	1,300,990	694,450	606,540	53.4%	538,671	67,869	94.8%
225	Enhancement & Diversific	762,232	18,106	744,126	2.4%	21,419	722,707	5.2%
256	Viticulture and Enology Dev	355,230	-	355,230	0.0%	-	355,230	0.0%
286	Agriculture Revolving Fund	30,868	406	30,462	1.3%	9,594	20,868	32.4%
	Total	3,767,201	1,340,122	2,427,079	35.6%	1,207,008	1,220,071	67.6%

Activity Obj. Code	January 31, 2016 41 Consumer Prot	Available Budget	Expenditures To Date	Balance	FY2016 Exp. %	Encumbrances	Available Budget	Total %
	Salaries & Benefits	2,841,549	1,639,500	1,202,049	57.7%	1,198,562	3,487	99.9%
15	Professional Services	892,892	302,727	590,165	33.9%	392,156	198,009	77.8%
21	Travel-Reimbursements	29,000	12,123	16,877	41.8%	-	16,877	41.8%
22	Travel-Agency Direct	39,000	14,748	24,252	37.8%	-	24,252	37.8%
31	Miscellaneous Admin	41,105	10,471	30,634	25.5%	-	30,634	25.5%
32	Rent Expense	11,000	5,065	5,935	46.0%	5,065	870	92.1%
33	Maintenance & Repair	4,500	6	4,494	0.1%	-	4,494	0.1%
34	Specialized Sup & Mat'l's	-	-	-	0.0%	-	-	0.0%
35	Production, Safety and Su	2,660	-	2,660	0.0%	-	2,660	0.0%
36	General Operating Expen	7,300	1,876	5,424	25.7%	-	5,424	25.7%
37	Shop Expense	28,000	5,664	22,336	20.2%	-	22,336	20.2%
41	Office Furniture & Equip	6,518	48	6,470	0.7%	-	6,470	0.7%
42	Library Equip & Rental	-	-	-	0.0%	-	-	0.0%
46	Bldgs & Other Structures	-	-	-	0.0%	-	-	0.0%
53	Refunds, Idemities, Res	-	-	-	0.0%	-	-	0.0%
54	Program Reimbursements	-	-	-	0.0%	-	-	0.0%
55	Pmts to Local Gov't Subd	-	-	-	20.0%	-	-	0.0%
59	Inter & Intra Agency Pay	-	-	-	0.0%	-	-	0.0%
61	Loans, Taxes and Other	-	-	-	0.0%	-	-	0.0%
64	Merchandise for Resale	-	-	-	0.0%	-	-	0.0%
98	Encumbrances - Object	-	-	-	0.0%	-	-	0.0%
	Operating totals	1,061,975	352,728	709,247	33.2%	247,133	(247,133)	0.0%
				644,354		64,892		93.9%
	Total	3,903,524	1,992,228	1,911,296	51.0%	1,842,916	68,380	98.2%
19601	General Revenue	1,007,736	1,007,736	0	100.0%	0	0	100.0%
210	Agriculture Revolving Fund	2,741,220	984,493	1,756,727	35.9%	1,688,347	68,380	97.5%
240	Unwanted Pesticide Disp	154,568	-	154,568	0.0%	154,569	(1)	100.0%
	Total	3,903,524	1,992,228	1,911,296	51.0%	1,842,916	68,380	98.2%

Activity Obj. Code	January 31, 2016 51 Wildlife Services	Available Budget	Expenditures To Date	Balance	FY2016		Encumbrances	Available Budget	Total %
					Exp. %	Balance			
	Salaries & Benefits	852,748	380,280	472,468	44.6%	445,982	26,486	96.9%	
15	Professional Services	8,000	16,762	(8,762)	0.0%	-	(8,762)	0.0%	
21	Travel-Reimbursements	10,000	133	9,868	0.0%	-	9,868	0.0%	
22	Travel-Agency Direct	-	875	(875)	0.0%	-	(875)	0.0%	
31	Miscellaneous Admin	-	212	(212)	0.0%	-	(212)	0.0%	
32	Rent Expense	-	2,575	(2,575)	0.0%	4,925	(7,500)	0.0%	
33	Maintenance & Repair	-	-	-	0.0%	-	-	0.0%	
34	Specialized Sup & Mat'ls	41,253	1,671	39,582	0.0%	73,329	(33,747)	0.0%	
35	Production, Safety and Su	-	-	-	0.0%	-	-	0.0%	
36	General Operating Expen	29,293	-	29,293	0.0%	-	29,293	0.0%	
37	Shop Expense	-	-	-	0.0%	-	-	0.0%	
41	Office Furniture & Equip	15,322	-	15,322	0.0%	-	15,322	0.0%	
42	Library Equip & Rental	-	-	-	0.0%	-	-	0.0%	
46	Bldgs & Other Structures	-	-	-	0.0%	-	-	0.0%	
48	Bond Indebtedness	-	-	-	0.0%	-	-	0.0%	
53	Refunds, Idemities, Res	-	-	-	0.0%	-	-	0.0%	
54	Program Reimbursements	-	-	-	0.0%	-	-	0.0%	
55	Pmts to Local Gov't Subd	1,098,517	-	1,098,517	0.0%	1,098,517	-	0.0%	
59	Inter & Intra Agency Pay	-	-	-	0.0%	-	-	0.0%	
61	Loans, Taxes and Other	-	-	-	0.0%	-	-	0.0%	
64	Merchandise for Resale	-	-	-	0.0%	-	-	0.0%	
98	Encumbrances - Object	-	-	-	0.0%	25,152	(25,152)	0.0%	
	Operating totals	1,202,385	22,227	1,180,158	1.8%	1,201,923	(21,766)	101.8%	
	Total	2,055,133	402,507	1,652,626	19.6%	1,647,906	4,720	99.8%	
19601	General Revenue	703,345	366,751	336,594	52.1%	336,489	105	100.0%	
210	Agriculture Revolving Fund	1,351,788	35,756	1,316,032	2.6%	1,311,416	4,616	99.7%	
	Total	2,055,133	402,507	1,652,626	19.6%	1,647,906	4,720	99.8%	

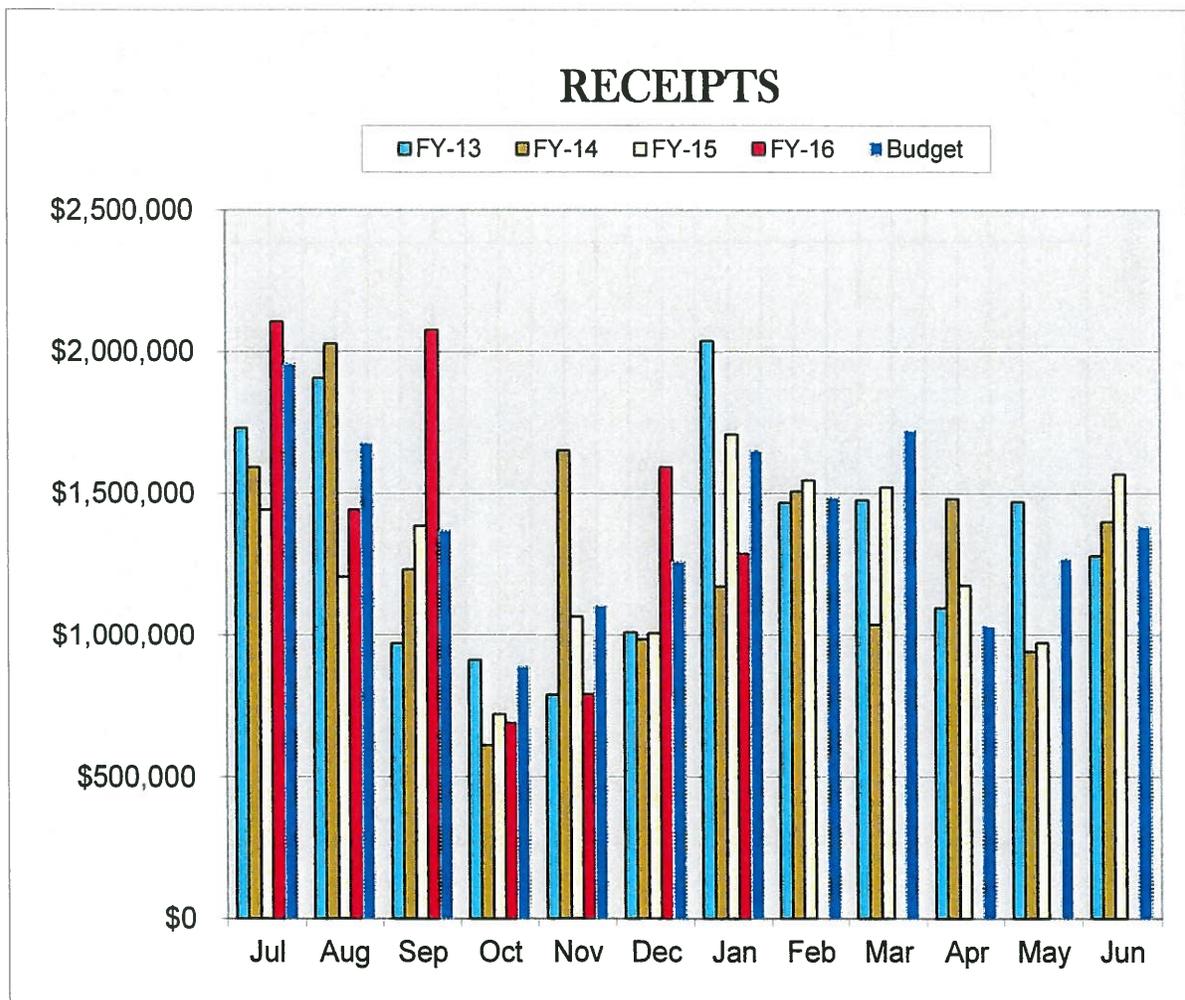
January 31, 2016		FY2016						
Activity	Obj. Code	Available Budget	Expenditures To Date	Balance	Exp. %	Encumbrances	Available Budget	Total %
	61 Food Safety	2,868,280	1,588,625	1,279,655	55.4%	1,328,934	(49,279)	101.7%
	Salaries & Benefits							
15	Professional Services	30,000	22,137	7,863	73.8%	24,341	(16,479)	154.9%
21	Travel-Reimbursements	70,000	24,516	45,484	35.0%	-	45,484	35.0%
22	Travel-Agency Direct	14,000	9,610	4,390	68.6%	-	4,390	68.6%
31	Miscellaneous Admin	12,000	5,309	6,691	44.2%	-	6,691	44.2%
32	Rent Expense	100	-	100	0.0%	-	100	0.0%
33	Maintenance & Repair	400	-	400	0.0%	-	400	0.0%
34	Specialized Sup & Mat'ls	-	-	-	0.0%	-	-	0.0%
35	Production, Safety and Su	1,500	62	1,438	4.1%	-	1,438	4.1%
36	General Operating Expen	1,500	582	918	38.8%	-	918	38.8%
37	Shop Expense	1,000	85	915	8.5%	-	915	8.5%
41	Office Furniture & Equip	3,700	-	3,700	0.0%	-	3,700	0.0%
54	Program Reimbursements	42,300	-	42,300	0.0%	-	42,300	0.0%
61	Loans, Taxes and Other	-	-	-	0.0%	-	-	0.0%
98	Encumbrances - Object	-	-	-	0.0%	14,575	(14,575)	0.0%
	Operating totals	176,500	62,300	114,200	35.3%	38,916	75,284	57.3%
	Total	3,044,780	1,650,925	1,393,855	54.2%	1,367,850	26,005	99.1%
19601	General Revenue	1,441,296	506,455	934,841	35.1%	919,429	15,412	98.9%
210	Agriculture Revolving Fund	1,108,484	1,008,762	99,722	91.0%	99,236	485	100.0%
285	Milk & Milk Products Insp	495,000	135,707	359,293	27.4%	349,184	10,108	98.0%
	Total	3,044,780	1,650,925	1,393,855	54.2%	1,367,850	26,005	99.1%

Activity Obj. Code	January 31, 2016		FY2016		Available Budget	Exp. %	Encumbrances	Available Budget	Total %
	67 Ag Lab	Available Budget	Expenditures To Date	Balance					
	Salaries & Benefits	2,154,294	1,172,788	981,506	982,390	54.4%	(884)	100.0%	
15	Professional Services	25,000	21,008	3,992		84.0%	3,992	84.0%	
21	Travel-Reimbursements	6,250	-	6,250		0.0%	6,250	0.0%	
22	Travel-Agency Direct	2,200	473	1,727		21.5%	1,727	21.5%	
31	Miscellaneous Admin	10,410	2,742	7,668	2,414	26.3%	5,254	49.5%	
32	Rent Expense	8,500	1,842	6,658	4,458	21.7%	2,199	74.1%	
33	Maintenance & Repair	57,150	20,536	36,614	11,545	35.9%	25,069	56.1%	
34	Specialized Sup & Mat'l's	-	-	-	-	0.0%	-	0.0%	
35	Production, Safety and Su	-	783	(783)		0.0%	(783)	0.0%	
36	General Operating Expen	10,826	842	9,984		7.8%	9,984	7.8%	
37	Shop Expense	188,809	92,790	96,019	19,474	49.1%	76,545	59.5%	
41	Office Furniture & Equip	9,942	2,623	7,319		0.0%	7,319	0.0%	
42	Library Equip & Rental	-	-	-		0.0%	-	0.0%	
43	Lease Purchases	307,643	179,458	128,185	128,184	58.3%	0	100.0%	
46	Bldgs & Other Structures	-	-	-		0.0%	-	0.0%	
48	Bond Indebtedness	1,800,170	1,194,917	605,253	605,253	66.4%	-	100.0%	
53	Refunds, Idemnities, Res	-	-	-		0.0%	-	0.0%	
54	Program Reimbursements	-	-	-		0.0%	-	0.0%	
55	Pmts to Local Gov't Subd	-	-	-		0.0%	-	0.0%	
59	Inter & Intra Agency Pay	-	-	-		0.0%	-	0.0%	
61	Loans, Taxes and Other	-	-	-		0.0%	-	0.0%	
64	Merchandise for Resale	-	-	-		0.0%	-	0.0%	
98	Encumbrances - Object	-	-	-	136,670	0.0%	(136,670)	0.0%	
	Operating totals	2,426,900	1,518,016	908,884	907,999	62.5%	885	100.0%	
	Total	4,581,194	2,690,804	1,890,390	1,890,389	58.7%	1	100.0%	
19601	General Revenue	3,082,039	1,538,867	1,543,172	1,543,172	49.9%	0	100.0%	
210	Agriculture Revolving Fund	1,499,155	1,151,938	347,217	347,217	76.8%	0	100.0%	
	Total	4,581,194	2,690,804	1,890,390	1,890,389	58.7%	1	100.0%	

January 31, 2016		08810 - Information Technology		2016		2016		2016	
Sub Act	Obj. Code	Available Budget	Expenditures To Date	Balance	Exp. %	Encumbrances	Available Budget	Total %	Total %
	15 Professional Services	844,000	300,334	543,666	35.6%	505,666	38,000	95.5%	95.5%
	21 Travel-Reimbursements	-	-	-	0.0%	-	-	0.0%	0.0%
	22 Travel-Agency Direct	-	-	-	0.0%	-	-	0.0%	0.0%
	31 Miscellaneous Admin	-	-	-	0.0%	-	-	0.0%	0.0%
	32 Rent Expense	80,000	33,257	46,743	41.6%	13,629	33,114	58.6%	58.6%
	33 Maintenance & Repair	89,300	13,930	75,370	15.6%	-	75,370	15.6%	15.6%
	34 Specialized Sup & Mat'l's	-	-	-	0.0%	-	-	0.0%	0.0%
	35 Production, Safety and Su	-	-	-	0.0%	-	-	0.0%	0.0%
	36 General Operating Expen	30,209	2,688	27,521	8.9%	-	27,521	0.0%	0.0%
	41 Office Furniture & Equip	22,229	38,218	(15,989)	171.9%	-	(15,989)	0.0%	0.0%
	98 Encumbrances - Object	-	-	-	0.0%	153,478	(153,478)	0.0%	0.0%
	Operating	1,065,738	388,425	677,313	68.6%	672,774	4,539	99.6%	99.6%
	Total	1,065,738	388,425	677,313	36.4%	672,774	4,540	99.6%	99.6%
19601	General Revenue	499,123	300,334	198,789	60.2%	198,666	123	100.0%	100.0%
210	Agriculture Revolving Fund	566,615	88,091	478,524	15.5%	474,107	4,417	99.2%	99.2%
	Total	1,065,738	388,425	677,313	36.4%	672,774	4,540	99.6%	99.6%

Oklahoma Department of Agriculture, Food and Forestry

Month	FY-13	FY-14	FY-15	FY-16	Budget
Jul	\$1,730,870	\$1,592,336	\$1,442,051	\$2,106,215	\$1,956,098
Aug	\$1,906,132	\$2,027,552	\$1,205,826	\$1,441,813	\$1,677,169
Sep	\$971,659	\$1,231,521	\$1,386,258	\$2,076,921	\$1,369,183
Oct	\$913,178	\$611,932	\$721,534	\$689,950	\$889,360
Nov	\$790,327	\$1,651,257	\$1,064,400	\$791,140	\$1,103,295
Dec	\$1,009,610	\$984,813	\$1,006,604	\$1,591,538	\$1,260,191
Jan	\$2,038,601	\$1,172,161	\$1,708,626	\$1,286,760	\$1,649,966
Feb	\$1,466,736	\$1,507,507	\$1,545,448		\$1,484,798
Mar	\$1,476,106	\$1,036,753	\$1,521,189		\$1,720,597
Apr	\$1,095,145	\$1,480,202	\$1,174,650		\$1,030,930
May	\$1,470,483	\$941,825	\$971,991		\$1,268,265
Jun	\$1,279,152	\$1,399,898	\$1,567,551		\$1,382,212
TOTAL	\$16,147,999	\$15,637,758	\$15,316,128	\$9,984,336	\$16,792,064



OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD AND FORESTRY
PROGRAM REVENUE SUMMARY
JANUARY 2016

DIVISION	PERIOD RECEIPTS	YEAR TO DATE REVENUE
ADMINISTRATIVE SERVICES	17,922.04	71,277.30
GENERAL COUNSEL	800.00	21,603.34
AG ENVIRONMENTAL MGT SERVICES	21,740.00	170,285.03
AGRICULTURAL STATISTICS	-	-
FORESTRY SERVICES	79,387.98	2,406,487.25
ANIMAL INDUSTRY SERVICES	8,060.00	830,635.39
MARKET DEVELOPMENT	2,574.55	318,938.05
CONSUMER PROTECTION SERVICES	853,542.19	4,223,441.25
WILDLIFE SERVICES	4,825.00	347,667.50
FOOD SAFETY	170,976.28	1,113,351.25
AGRICULTURAL LABORATORIES	126,931.64	489,920.24
TOTAL DIVISIONS (SEE RECEIPTS GRAPH)	1,286,759.68	9,993,606.60
APPROPRIATED FUNDS	1,776,084.00	13,112,790.00
COMMODITY STORAGE INDEMNITY	15,766.14	105,244.32
AGENCY TOTAL	3,078,609.82	23,211,640.92

OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD AND FORESTRY

MONTHLY REVENUE STATUS REPORT

Description	Account		Agency Code	Dept	Oper Unit	JANUARY	YEAR TO DATE
	Account	Sub-Account					
LVSTK DEALER/BUY LICENSE	420519	01	420519 01	0100001	0101	-	-
FINES-FORFEITS-PENALTIES	433199	01	433199 01	0100001	0101	-	-
LVSTK AUCTION MKT FEE	433199	03	433199 03	0100001	0101	400.00	1,675.00
EASTERN RED CEDAR CAR TAGS			441105 03	0100001	0173	131.00	1,880.00
OTHER RENTS	443103	01	443103 01	0100001	0101	-	-
ADM COSTS FROM STATISTICS	443103	02	443103 02	0100001	0101	-	-
INSURANCE REIM-PROP DAM	451101	01	451101 01	0100001	0107	-	10,675.43
AG WATER PLAN	452075	18	452075 18	0100001	0161	-	-
BUFFER ZONE HOMELAND SECURITY	455201	42	455201 42	0100001	0133	-	-
DOJ EQUITABLE SHARING	455201	81	455201 81	0100001	0109	-	-
DONATIONS	456101	01	456101 01	0100001	0117	-	-
REF OF MONEY PREVIOUSLY DISBURSED	458101	01	458101 01	0100001	0101	2,782.89	34,837.39
SAFETY TRAINING	458101	02	458101 02	0100001	0125	-	-
REIMB UPS PLT TRUNKS	458101	20	458101 20	0100001	0136	-	520.00
AIR TRAVEL REBATE	459191	01	459191 01	0100001	0117	-	-
SALES OF SERVICES	473199	01	473199 01	0100001	0101	-	-
SEIZED PROP FED JUDGEMENT	481159	01	481159 01	0100001	0101	-	-
SALE OF SURPLUS VEHICLES	483605	02	483605 02	0100001	0107	14,608.15	21,689.48
				0100001 Total		17,922.04	71,277.30
PET BREEDERS LICENSES	428103	01	428103 01	0500001	0532	800.00	21,303.34
FINES-FORFEITS-PENALTIES	433199	05	433199 05	0500001	0501	-	300.00
REF OF MONEY PREVIOUSLY DISBURSED	458101	37	458101 37	0500001	0501	-	-
RECOVERED LEGAL EXPENSES	458101	54	458101 54	0500001	0501	-	-
SALES OF SERVICES	473199	06	473199 06	0500001	0520	-	-
				0500001 Total		800.00	21,603.34
AEMS LMFO LAB COSTS	420515	16	420515 16	0700001	0751	-	-
AEMS COMPOSTING PERMIT	420522	07	420522 07	0700001	0716	-	800.00
SWINE ANNUAL INSPECTIONS	420522	17	420522 17	0700001	0736	-	150.00
COMM PLTRY WASTE APPL	420522	50	420522 50	0700001	0724	650.00	4,495.00
PRVT PLTRY WASTE APPPL	420522	51	420522 51	0700001	0724	-	125.00
CATTLE ANNUAL INSPECTIONS	420522	57	420522 57	0700001	0746	-	990.00

<u>Description</u>	<u>Sub- Account</u>	<u>Agency Code</u>	<u>Dept</u>	<u>Oper Unit</u>	<u>JANUARY</u>	<u>YEAR TO DATE</u>
WQ SWINE ANIM UNIT FEE	420542 01	420542 01	0700001	0731		2,199.80
WQ POULTRY RENEWAL REG	420542 02	420542 02	0700001	0722	490.00	5,600.00
PDES PERMITTING FEE	420542 05	420542 05	0700001	0705	17,580.00	46,906.00
FINES-FORFEITS-PENALTIES	433199 07	433199 07	0700001	0712	3,000.00	12,700.00
POULTRY FEDERATION	454101 04	454101 04	0700001	0704	20.00	135.00
AEMS P-2 GRANT	455201 04	455201 04	0700001	0702		-
NUTRIENT MGT SVC COMP PLA	455201 43	455201 43	0700001	0703		36,000.00
NRCS CNMP GRANT	455201 96	455201 96	0700001	0724		-
ES/WMT PVT CONTACTORS	456101 04	456101 04	0700001	0728		-
REF OF MONEY PREVIOUSLY DISBURSED	458101 38	458101 38	0700001	0701		-
EUCHE SPAVINAW AEMS	459191 02	459191 02	0700001	0706		60,184.23
SALES OF SERVICES	473199 07	473199 07	0700001	0701		-
			0700001 Total		21,740.00	170,285.03
WHEAT VARIETY SURVEY	452075 02	452075 02	0900001	0908		-
OSU CUSTOM RATES	452075 03	452075 03	0900001	0906		-
CATTLEMAN'S NEWSLETTER	452075 07	452075 07	0900001	0901		-
WHEAT NEWSLETTER	452075 08	452075 08	0900001	0907		-
STAT MISC SURVEYS	452075 13	452075 13	0900001	0911		-
OK BEEF NEWSLETTER	452075 17	452075 17	0900001	0912		-
STAT TELECOMMUNICATION	455101 01	455101 01	0900001	0901		-
REF OF MONEY PREVIOUSLY DISBURSED	458101 39	458101 39	0900001	0901		-
SALES OF SERVICES	473199 09	473199 09	0900001	0901		-
OK AGRI STAT BULLETIN	474135 02	474135 02	0900001	0901		-
FEDERAL SUBSCRIPTIONS	474135 10	474135 10	0900001	0909		-
			0900001 Total		149.00	120.00
REGISTRATION BOARD OF FORESTERS	425821 01	425821 01	1100001	1101		1,070.00
FINES-FORFEITS-PENALTIES	433199 11	433199 11	1100001	1113		90.00
RENT OF EQUIPMENT	443105 01	443105 01	1100001	1177		-
INSURANCE REIM-PROP DAM	451101 11	451101 11	1100001	1101		-
FOREST HERITAGE CENTER	452075 05	452075 05	1100001	1103		-
UFA PASS THRU	455201 05	455201 05	1100001	1118	1,081.00	15,817.00
CANADIAN RIVER RIPARIAN	455201 09	455201 09	1100001	1149		-
FIREWISE	455201 16	455201 16	1100001	1115		118,806.00

<u>Description</u>	<u>Account</u>	<u>Sub- Account</u>	<u>Agency Code</u>	<u>Dept</u>	<u>Oper Unit</u>	<u>JANUARY</u>	<u>YEAR TO DATE</u>
SFA-FIRE BASE	455201	18	455201 18	1100001	1114		289,874.00
URBAN BASE CPG	455201	22	455201 22	1100001	1111		160,188.00
NFP FH E RED CEDAR	455201	23	455201 23	1100001	1116	98.00	27,565.00
CFHP BASE CPG	455201	24	455201 24	1100001	1130		56,474.00
TITLE II VFA	455201	25	455201 25	1100001	1134		133,851.00
NFP FIRE PREPAREDNESS	455201	27	455201 27	1100001	1117		101,157.00
ONE MESSAGE MANY VOICES	455201	28	455201 28	1100001	1158		4,065.00
PRESC BURN STEVENS	455201	29	455201 29	1100001	1108		13,243.00
NRCS ENVIR QUALITY	455201	30	455201 30	1100001	1119		36,363.63
CRP	455201	32	455201 32	1100001	1152		304.00
FED-REIMB-AERIAL FIRE	455201	33	455201 33	1100001	1112		-
BIA-FIRE SUPPRESSION	455201	35	455201 35	1100001	1112		79,972.35
FOREST STEWARDSHIP	455201	36	455201 36	1100001	1177		157,411.00
T.R.E.E.S.	455201	37	455201 37	1100001	1159		-
FIRE SWRA	455201	40	455201 40	1100001	1133		-
NRCS CONSERVATION STEWARDSHIP PGM	455201	47	455201 47	1100001	1109		532.65
PRESC FIRE SMOKE MGMT	455201	49	455201 49	1100001	1176		-
SO PINE BEETLE PREV	455201	50	455201 50	1100001	1187		25,474.00
SHORTLEAF PINE INITIATIVE	455201	53	455201 53	1100001	1166		72,869.00
FIREWOOD EDUC	455201	54	455201 54	1100001	1167		57,425.00
POST FIRE STRIKE TMS	455201	56	455201 56	1100001	1168		-
CROSS TIMBERS CONS	455201	60	455201 60	1100001	1179		43,330.00
USFS-FIRE SUPPRESSION	455201	62	455201 62	1100001	1112	46,152.00	46,152.00
THREE STATE WQ PROJ	455201	63	455201 63	1100001	1182		2,297.00
FOREST INVENTORY & ANALYSIS	455201	64	455201 64	1100001	1148		267,281.00
NFP_VFA	455201	66	455201 66	1100001	1129		80,477.00
UF DISASTER PREP	455201	69	455201 69	1100001	1184		9,422.00
FOREST LEGACY	455201	70	455201 70	1100001	1121		382.00
BUREAU OF RECLAMATION	455201	71	455201 71	1100001	1171	196.84	45,799.79
DROUGHT ASSESSMENT	455201	74	455201 74	1100001	1185		14,463.00
CFH MONITORING	455201	82	455201 82	1100001	1125	888.00	55,464.00
FOREST UTIL/MKTG @ MARGINS	455201	88	455201 88	1100001	1131	-	111.00
AGROFORESTRY WESTERN OK	455201	89	455201 89	1100001	1132		35,450.00
CWPP PASS THRU	455201	97	455201 97	1100001	1161		63,128.00

<u>Description</u>	<u>Account</u>	<u>Sub-Account</u>	<u>Agency Code</u>	<u>Dept</u>	<u>Oper Unit</u>	<u>JANUARY</u>	<u>YEAR TO DATE</u>
IDC CANADIAN RIVER RIPARIAN	455202	04	455202 04	1100001	1149		1,514.00
IDC UFA PASS THRU	455202	05	455202 05	1100001	1118		-
IDC FIREWISE	455202	10	455202 10	1100001	1115		16,378.00
IDC NRCS CONSERVN STEWARD PGM	455202	11	455202 11	1100001	1109		53.26
IDC NFP FIRE PREPAREDNESS	455202	12	455202 12	1100001	1117		1,050.00
IDC-SFA-FIRE BASE	455202	13	455202 13	1100001	1114		54,091.00
IDC NRCS ENVIR QUALITY	455202	14	455202 14	1100001	1119		3,636.37
IDC-URBAN BASE CPG	455202	17	455202 17	1100001	1111		26,633.00
IDC CFHP BASE CPG	455202	19	455202 19	1100001	1130		10,534.00
IDC TITLE II VFA	455202	20	455202 20	1100001	1134		3,445.00
IDC ONE MESSAGE ,MANY VOICES	455202	23	455202 23	1100001	1158		745.00
IDC SWRA	455202	24	455202 24	1100001	1133		-
IDC PRES BURN STEVENS	455202	25	455202 25	1100001	1108		-
IDC NFP FH E RED CEDAR	455202	26	455202 26	1100001	1116	17.00	4,053.00
IDC-CRP	455202	27	455202 27	1100001	1152		55.00
IDC-FOREST STEWARDHIP	455202	28	455202 28	1100001	1177		29,637.00
CRP	455201	32	455201 32	1100001	1152		-
IDC NFP_VFA	455202	34	455202 34	1100001	1129		15,152.00
IDC PRESC FIRE SMOKE MGMT	455202	35	455202 35	1100001	1176		-
IDC CROSS TIMBERS CONS	455202	36	455202 36	1100001	1179		7,357.00
IDC T.R.E.E.S.	455202	37	455202 37	1100001	1159		-
IDC THREE STATE WQ PROJ	455202	38	455202 38	1100001	1182		410.00
IDC UF DISASTER PREP	455202	40	455202 40	1100001	1184		1,773.00
IDC DROUGHT ASSESSMENT	455202	42	455202 42	1100001	1185		2,688.00
IDC FOREST INVENTORY & ANALYSIS	455202	48	455202 48	1100001	1148		42,731.00
IDC SO PINE BEETLE PREV	455202	50	455202 50	1100001	1187		-
IDC SHORTLEAF PINE INITIATIVE	455202	53	455202 53	1100001	1166		12,811.00
IDC FIREWOOD EDUC	455202	54	455202 54	1100001	1167		10,342.00
IDC POST FIRE STRIKE TMS	455202	56	455202 56	1100001	1168		-
IDC FOREST LEGACY	455202	63	455202 63	1100001	1121		70.00
IDC CFH MONITORING	455202	67	455202 67	1100001	1125	157.00	10,415.00
FOREST UTIL/MKTG @ MARGINS	455202	88	455202 88	1100001	1131		21.00
AGROFORESTRY WESTERN OK	455202	89	455202 89	1100001	1132		6,394.00
IDC CWPP PASS THRU	455202	97	455202 97	1100001	1161		7,743.00

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ODOT PASS THRU	455601	01	455601 01	1100001	1145	-	-
EMERGENCY RESPONSE	455601	05	455601 05	1100001	1194	2,770.94	2,770.94
FORESTRY 319 BMP	455601	06	455601 06	1100001	1153	-	-
ODOT	455601	19	455601 19	1100001	1144	6,310.00	6,310.00
EMERGENCY RESPONSE ADM ALLOWANCE	455602	05	455602 05	1100001	1194	-	-
IDC FORESTRY 319 BMP	455602	06	455602 06	1100001	1153	-	-
IDC ODOT	455602	19	455602 19	1100001	1144	1,190.00	1,190.00
DONATIONS TO FIREWISE PGM	456101	02	456101 02	1100001	1115	-	-
DONATIONS/GRANTS PRIVATE	456101	11	456101 11	1100001	1101	10.00	1,537.51
REF OF ODOT GRANTS	458101	04	458101 04	1100001	1145	-	-
REIMB. SEEDLINGS FREIGHT	458101	21	458101 21	1100001	1140	1,240.40	3,346.35
REF OF MONEY PREVIOUSLY DISBURSED	458101	40	458101 40	1100001	1101	187.86	4,668.93
FORESTRY COMPACT RESPONSE	458103	01	458103 01	1100001	1147	-	-
FOR REFUND FROM FED SUBGRANTEES	459199	02	459199 02	1100001	1101	25,641.10	76,452.17
SALE OF SEEDLINGS	471122	02	471122 02	1100001	1140	-	-
SALE-TIMBER/SCHOOL LAND COMM	471122	03	471122 03	1100001	1146	-	-
REIMBURSABLE PRESCRIBED BURN	473105	01	473105 01	1100001	1165	341.78	7,121.31
REIMBURSED FOREST MGT PLANS	473199	08	473199 08	1100001	1169	-	-
SALES OF SERVICES	473199	11	473199 11	1100001	1177	-	-
SALE OF TREE BOOKS	474135	03	474135 03	1100001	1101	148.00	2,451.40
RESALE OF RFD EQUIPMENT	474135	07	474135 07	1100001	1136	2,650.00	8,315.25
ADM FEE-RFD EQUIPMENT	474135	08	474135 08	1100001	1136	-	-
URBAN FORESTRY CAR TAGS	474135	17	474135 17	1100001	1111	280.00	2,800.00
SALE OF USED PROPERTY	483605	01	483605 01	1100001	1101	-	-
MISC INCOME	489199	01	483605 02	1100001	1101	150.00	2,513.34
MAINT & REPAIR/RESIDENCE	489199	02	489199 02	1100001	1101	79,387.98	2,406,487.25
EIA PROFICIENCY TESTS	420515	15	420515 15	1100001 Total	2150	-	-
FERAL SWINE HANDLING LIC	420522	08	420522 08	2100001	2164	125.00	3,090.00
BIOLGICS	420522	18	420522 18	2100001	2108	200.00	1,800.00
EIA LAB LICENSE	420522	40	420522 40	2100001	2150	5,750.00	6,000.00
AQUACULTURE LICENSE	420522	55	420522 55	2100001	2165	174.00	265.50
FARMED CERVAE LICENSE	420522	60	420522 60	2100001	2137	200.00	1,600.00
FLOCK FEES	420541	02	420541 02	2100001	2130	160.00	1,042.00

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POULTRY TESTER SUPPLIES	420541	03	420541 03	2100001	2130	20.00	1,521.50
POULTRY TESTER PERMIT	420541	05	420541 05	2100001	2130		30.00
PULLORUM TESTING	420541	07	420541 07	2100001	2101		-
POULTRY SCHOOL FEE	420541	09	420541 09	2100001	2130		5.00
FINES-FORFEITS-PENALTIES	433199	21	433199 21	2100001	2101		2,300.00
INSURANCE REIM-PROP DAM	451101	21	451101 21	2100001	2101		-
AVIAN FLU LOW PATH	455201	45	455201 45	2100001	2103		207,545.00
CLASSICAL SWINE FEVER	455201	46	455201 46	2100001	2102		-
EQUINE, CERVIDS/SM RUMINAN	455201	68	455201 68	2100001	2135		198,440.00
AQUACULTURE	455201	80	455201 80	2100001	3165		-
SWINE HEALTH PROGRAM	455201	84	455201 84	2100001	2168		20,789.00
FOREIGN ANIMAL DISEASE	455201	85	455201 85	2100001	2175		-
SECD	455201	86	455201 86	2100001	2109		43,448.75
TISSUE RESIDUE TRACEBACK	455201	87	455201 87	2100001	2149		-
ANIMAL DISEASE TRACEABILITY	455201	93	455201 93	2100001	2105		228,383.00
IDC TRACEABILITY	455202	93	455202 93	2100001	2105		41,617.00
HOMELAND SECURITY	455601	08	455601 08	2100001	2129		-
PRVT DON PET OVERPROP FUND	456101	21	456101 21	2100001	2183	320.00	2,468.00
CWD TEST FEES	458101	22	458101 22	2100001	2122		300.00
REF OF MONEY PREVIOUSLY DISBURSED	458101	41	458101 41	2100001	2101		57,297.64
SALES OF SERVICES	473199	21	473199 21	2100001	2101		-
AIS_HEALTH CERTIFICATES	474135	09	474135 09	2100001	2101	791.00	8,593.00
ANIMAL FRIENDLY TAGS	474135	16	474135 16	2100001	2101	320.00	4,100.00
			2100001 Total			8,060.00	830,635.39
AG ENHANCEMENT/DIVERSIFICATION INTEREST			44110502	3100001	3168	1,337.71	8,619.11
SPEC CROP GRANT 1482	455201	03	455201 03	3100001	3116	-	29,234.88
SPEC CROP GRANT 0044	455201	10	455201_10	3100001	3119		190,000.00
SPECIALTY CROP GRANT (1691)	455201	44	455201 44	3100001	3117		7,000.00
SPECIALTY CROP (1249)	455201	59	455201 59	3100001	3111		-
AG ENHANCEMENT/DIV FED	455201	73	455201 73	3100001	3168		-
SPECIALTY CROP PGM	455201	98	455201 98	3100001	3107		-
AIRC FROM OSU	455601	09	455601 09	3100001	3109		-
STEP COMMERCE GRANTS/SBA	455601	13	455601 13	3100001	3113		-
AEDB - THRU CONSERVATION	455601	26	455601 26	3100001	3168		-

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AGRITOURISM	456001	09	456001 09	3100001	3118		-
PRIVATE DONATIONS	456101	31	456101 31	3100001	3102		-
OKC FAIR	458101	07	458101 07	3100001	3114		-
TULSA FAIR	458101	08	458101 08	3100001	3115		19,225.00
FARMERS MARKET BOXES	458101	34	458101 34	3100001	3105		1,605.19
REF OF MONEY PREVIOUSLY DISBURSED	458101	42	458101 42	3100001	3101	190.84	1,311.49
AG ENHANCEMENT/DIVERSIFICATION LOAN PMTS	458101	47	458101 47	3100001	3168	450.00	54,824.38
TULSA HOME AND GARDEN SHOW	458101	50	458101 50	3100001	3140		-
OKC HOME & GARDEN SHOW	458101	51	458101 51	3100001	3141		-
MIO MEDIA CMPAIGN	458101	52	458101 52	3100001	3106		-
AED REFUNDS POST FUND 225	458101	68	458101 68	3100001	3168		-
MADE IN OK BAGS/STICKERS	474135	11	474135 11	3100001	3106	50.00	725.00
AG IN THE CLASSROOM CAR TAGS	474135	13	474135 13	3100001	3102	336.00	2,928.00
PLASTICULTURE CONF REG FEE	478105	02	478105 02	3100001	3112	210.00	210.00
MKT NEWS MESSAGING SYSTEM	479199	08	479199 08	3100001	3110		3,000.00
MISC INCOME	489199	01	489199 01	3100001	3101	2,574.55	255.00
				3100001 Total			
SCRAP METAL DEALERS	420515	07	420515 07	4100001	4107	200.00	318,938.05
RETAIL SEED LIC	420522	01	420522 01	4100001	4145	75.00	11,682.00
APPLICATOR LAW LIC	420522	02	420522 02	4100001	4154	67,880.00	40,125.00
APPLICATOR LAW TEST FEE	420522	03	420522 03	4100001	4154	13,800.00	346,719.63
WHOLESALE SEED LIC	420522	04	420522 04	4100001	4145		95,180.00
RESTRICTED USE DEALER LIC	420522	05	420522 05	4100001	4150	6,840.00	22,103.00
NRSY LAW-INSCT,PST,PLNT	420522	06	420522 06	4100001	4135	5,954.34	15,890.00
SEED INSPECTIONS	420522	09	420522 09	4100001	4145	47,574.21	73,925.34
PEST LAW FIELD	420522	10	420522 10	4100001	4150	81,890.00	72,770.16
SOIL AMENDMENT FEES	420522	13	420522 13	4100001	4175	18,600.00	1,067,170.00
SEED PENALTY	420522	14	420522 14	4100001	4145		58,100.00
FEED TONNAGE INSP FEE	420522	16	420522 16	4100001	4147	131,900.56	192.89
FERTILIZER PENALTIES	420522	19	420522 19	4100001	4170	36.96	440,791.66
APIARY LAW	420522	20	420522 20	4100001	4138	870.00	10,353.83
LIME VENDOR LINCENSE	420522	21	420522 21	4100001	4173	375.00	1,660.00
LIME INSP. FEE	420522	22	420522 22	4100001	4173	9,299.30	2,101.00
FEED TONNAGE PENALTY	420522	23	420522 23	4100001	4147	50.00	19,134.01
							3,581.81

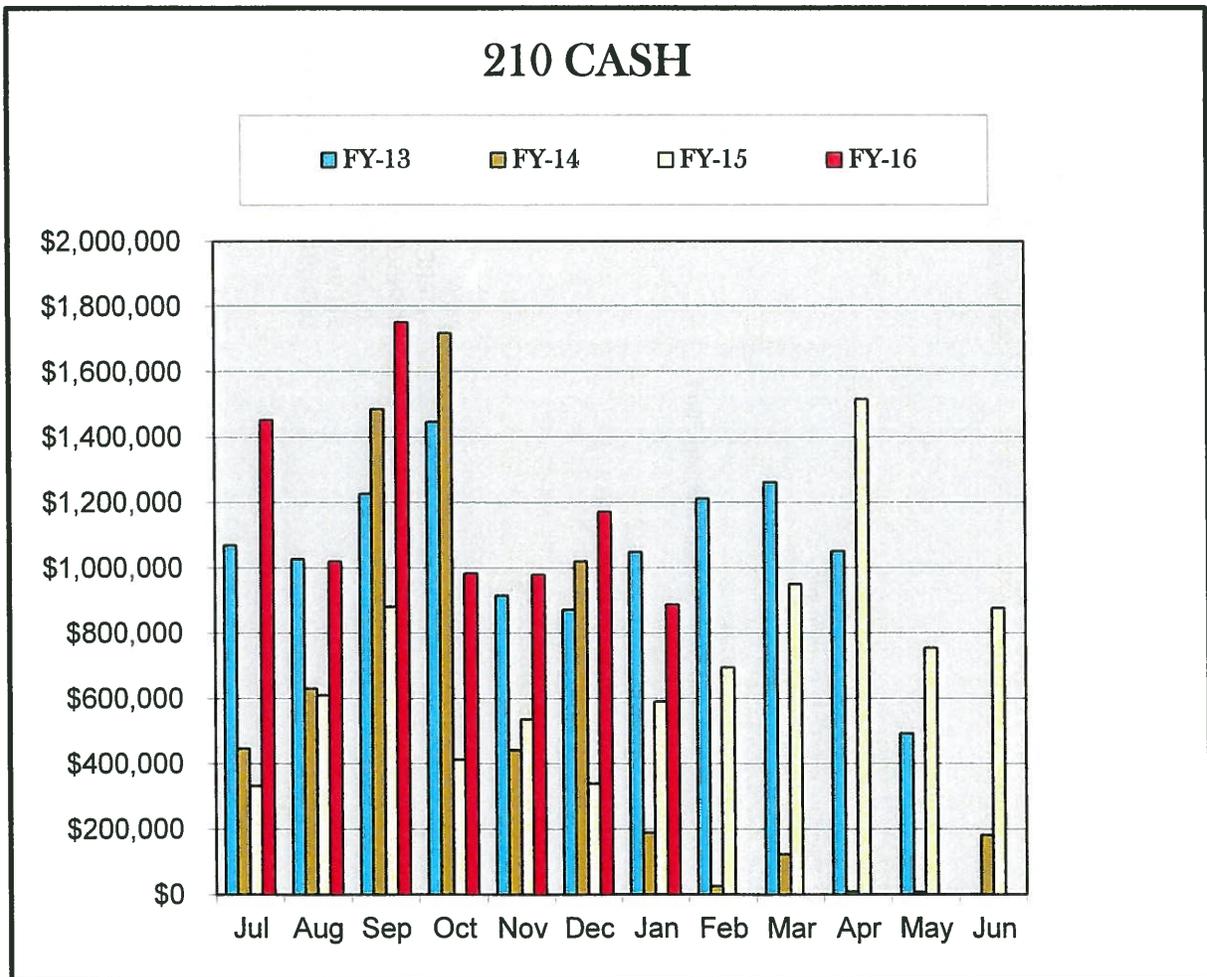
<u>Description</u>	<u>Account</u>	<u>Sub-Account</u>	<u>Agency Code</u>	<u>Dept</u>	<u>Oper Unit</u>	<u>JANUARY</u>	<u>YEAR TO DATE</u>
FERTILIZER LICENSE	420522	24	420522 24	4100001	4170	19,800.00	82,850.00
PHYTOSANITARY USDA ADMIN	420522	30	420522 30	4100001	4141	144.00	1,332.00
WAREHOUSE INPS (EXAMS)	420522	31	420522 31	4100001	4108	115.78	15,516.28
WAREHOUSE LIC	420522	32	420522 32	4100001	4108	-	-
WAREHOUSE RECEIPTS	420522	33	420522 33	4100001	4108	-	-
FUEL ALCOHOL PROGRAM	420522	34	420522 34	4100001	4104	50.00	100.00
WEIGHTS&MEAS (SCALE TEST)	420522	37	420522 37	4100001	4115	-	-
W & M REPAIRMANS LIC	420522	38	420522 38	4100001	4130	355.00	19,120.00
WEED FREE FORAGE	420522	39	420522 39	4100001	4133	-	25.00
LIVESTOCK SCALE TEST FEE	420522	43	420522 43	4100001	4115	-	2,400.00
RANCH SCALE TEST FEE	420522	44	420522 44	4100001	4115	-	1,000.00
FEED LICENSE	420522	47	420522 47	4100001	4147	160.00	22,332.11
FEED LICENSE PENALTY	420522	48	420522 48	4100001	4147	50.00	3,230.00
FERTILIZER TON ABOVE BASE	420522	52	420522 52	4100001	4170	236,881.18	736,263.89
PHYTOSANITARY	420522	53	420522 53	4100001	4141	2,213.00	36,390.00
FERTILIZER REGISTRATION	420522	56	420522 56	4100001	4170	4,150.00	234,350.00
PROPER PESTICIDE DISP FEE	420522	58	420522 58	4100001	4150	5,330.00	69,160.00
PEST/DEVICE PROD PERMIT	420522	59	420522 59	4100001	4150	-	1,900.00
GENERAL USE PEST DEALER	420522	61	420522 61	4100001	4150	-	-
FINES-FORFEITS-PENALTIES	433199	41	433199 41	4100001	4101	9,875.00	250,900.00
INSURANCE REIM-PROP DAM	451101	41	451101 41	4100001	4101	-	-
SOYBEAN COMM AUDITS	452075	10	452075 10	4100001	4108	-	-
OWC CHECK OFF AUDITS	452075	11	452075 11	4100001	4108	1,980.00	2,750.00
SORGHUM AUDIT REPORTS	452075	14	452075 14	4100001	4108	-	550.00
OILSEED COMMISSION AUDITS	452075	19	452075 19	4100001	4108	-	990.00
COOL COUNTRY OF ORIGIN	455201	02	455201 02	4100001	4105	-	19,200.00
EPA-PEST ENFORCE	455201	10	455201 10	4100001	4150	94,967.00	94,967.00
EPA-PEST CERT	455201	11	455201 11	4100001	4154	27,648.00	27,648.00
IMPORT FIRE ANT	455201	12	455201 12	4100001	4143	-	50,575.00
EPA-WP IMP	455201	14	455201 14	4100001	4152	35,076.00	96,325.00
PEST SURVEY	455201	17	455201 17	4100001	4134	-	21,111.00
PEST RECORD PGM	455201	51	455201 51	4100001	4162	-	-
FDA-BSE INSPECTION	455201	61	455201 61	4100001	4147	-	99,400.14

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HONEY BEE SURVEY	455201	76	455201 76	4100001	4106	-	-
IDC-PEST ENFORCE	455202	02	455202 02	4100001	4150	16,800.00	16,800.00
IDC-PEST CERT	455202	03	455202 03	4100001	4154	4,891.00	4,891.00
PEST RECORD IDC	455202	06	455202 06	4100001	4162	-	-
IDC-IMPRT FIRE ANT	455202	07	455202 07	4100001	4143	9,539.00	9,539.00
IDC-WP IMP	455202	09	455202 09	4100001	4152	6,205.00	17,539.00
IDC HONEY BEE SURVEY	455202	76	455202 76	4100001	4106	-	-
REF OF MONEY PREVIOUSLY DISBURSED	458101	43	458101 43	4100001	4101	1,505.86	2,806.50
SALES OF SERVICES	473199	41	473199 41	4100001	4101	-	-
OCSI-ADMINISTRATIVE FEE	479199	01	479199 01	4100001	4108	-	-
				4100001 Total		853,542.19	4,223,441.25
OCSI-NEW	420543	01	420543 01	4200001	4202	-	-
OCSI-PENALTIES	420543	03	420543 03	4200001	4204	-	-
OCSI-REINSURANCE	420543	05	420543 05	4200001	4208	2,700.00	2,700.00
OCSI-ELEVATOR SEIZURES	420543	06	420543 06	4200001	4205	-	-
OCSI-RECOVERED COST	420543	07	420543 07	4200001	4206	-	-
OCSI-INTEREST	441105	01	441105 01	4200001	4203	15,766.14	102,544.32
				4200001 Total		15,766.14	105,244.32
PERMIT TO MG ANIM BY AIR	420522	42	420522 42	5100001	5101	1,200.00	1,800.00
FINES-FORFEITS-PENALTIES	433199	51	433199 51	5100001	5101	-	-
RENT FROM EQUIPMENT	443105	02	443105 02	5100001	5101	-	-
INSURANCE REIM-PROP DAM	451101	51	451101 51	5100001	5101	-	-
PAYMENTS BY LOCAL GOVERNMENT	454101	01	454101 01	5100001	5101	150,400.00	150,400.00
WILDLIFE SVC AID COUNTY	454101	03	454101 03	5100001	5101	3,625.00	134,237.50
DONATIONS/GRANTS/PRIVATE	456101	51	456101 51	5100001	5101	-	-
REF OF MONEY PREVIOUSLY DISBURSED	458101	44	458101 44	5100001	5101	-	-
SALES OF SERVICES	473199	51	473199 51	5100001	5101	-	-
AERIAL HOG	473199	55	473199 55	5100001	5105	61,230.00	61,230.00
				5100001 Total		4,825.00	347,667.50
MEAT INSPECTION OVERTIME	420532	01	420532 01	6100001	6108	1,870.50	7,526.52
MEAT INSPECTIONS FINES	433199	61	433199 61	6100001	6101	1,963.51	1,963.51
USDA MEAT INSPECTION PROGRAM	455201	01	455201 01	6100001	6101	83,801.68	501,534.25
NAT'L ORGANIC FEDERAL FUNDS	455201	72	455201 72	6100001	6153	-	-
FARM SAFETY			455201 77	6100001	6113	-	-

<u>Description</u>	<u>Account</u>	<u>Sub- Account</u>	<u>Agency Code</u>	<u>Dept</u>	<u>Oper Unit</u>	<u>JANUARY</u>	<u>YEAR TO DATE</u>
IDC-MEAT INSPECTION PROGRAM	455202	01	455202 01	6100001	6101	14,956.58	90,786.01
REF OF MONEY PREV DISP 61	458101	49	458101 49	6100001	6101		397.69
				6100001 Total		100,628.76	602,207.98
ORGANIC FOOD ACT	420522	25	420522 25	6100002	6153	2,050.00	16,899.60
EGG LABELS	420522	26	420522 26	6100002	6151		-
EGG DEALERS LICENSE	420522	27	420522 27	6100002	6151	1,976.00	11,000.04
EGG -MONTHLY INSPECTION FEES	420522	29	420522 29	6100002	6151	18,922.46	125,630.32
SHELL EGG SURVEILLANCE	455201	06	455201 06	6100002	6151		1,956.28
POULTRY & EGG GRADING	455201	07	455201 07	6100002	6110		154,258.19
GRADING/VERFY RED MEAT	455201	31	455201 31	6100002	6115		27,181.91
				6100002 Total		22,948.46	336,926.34
DAIRY TANK INSPECTION FEES	420522	41	420522 41	6100003	6146	10.00	1,510.00
DAIRY MILK INPECTIONS FEES	420522	46	420522 46	6100003	6146	47,389.06	172,706.93
				6100003 Total		47,399.06	174,216.93
SEROLOGY TESTING	420515	04	420515 04	6700001	6704	85,376.00	148,118.72
CALIBRA OF WEIGHTS	420515	05	420515 05	6700001	6715	35,932.64	155,634.92
SEED ANALYSIS FEES	420515	06	420515 06	6700001	6716	772.00	23,519.00
DAIRY/FOOD SAFETY	420515	09	420515 09	6700001	6717	1,260.00	12,216.00
GENERAL CHEMISTRY TESTING	420515	10	420515 10	6700001	6712	92.00	977.00
MEAT TESTING	420515	11	420515 11	6700001	6707	300.00	3,720.00
PESTICIDE TESTING	420515	12	420515 12	6700001	6710		275.00
INORGANIC TESTING	420515	14	420515 14	6700001	6711	3,040.00	144,881.00
FOOD SAFTEY TASK FORCE	455101	05	455101 05	6700001	6701		-
INSURANCE REIM-PROP DAM	455101	67	455101 67	6700001	6701		-
FDA FLAP GRANT	455201	34	455201 34	6700001	6703		-
EPA FUNDS	455201	48	455201 48	6700001	6709		-
REF OF MONEY PREVIOUSLY DISBURSED	458101	45	458101 45	6700001	6701		84.60
Lab Fax Reimbursement	458101	48	458101 48	6700001	6720	159.00	494.00
				6700001 Total		126,931.64	489,920.24
Grand Total						1,302,525.82	10,098,850.92

Oklahoma Department of Agriculture, Food and Forestry

Month	FY-13	FY-14	FY-15	FY-16
Jul	\$1,068,616	\$446,641	\$331,678	\$1,452,657
Aug	\$1,025,988	\$629,830	\$610,014	\$1,019,089
Sep	\$1,226,169	\$1,485,947	\$880,249	\$1,751,408
Oct	\$1,446,526	\$1,717,773	\$411,655	\$981,836
Nov	\$914,205	\$441,599	\$536,687	\$977,878
Dec	\$871,625	\$1,019,728	\$338,462	\$1,170,814
Jan	\$1,047,692	\$188,706	\$590,310	\$886,552
Feb	\$1,212,010	\$24,594	\$694,581	
Mar	\$1,261,945	\$122,762	\$949,964	
Apr	\$1,050,624	\$7,894	\$1,516,063	
May	\$492,534	\$6,854	\$754,088	
Jun	\$62	\$181,649	\$876,543	
AVERAGE	\$968,166	\$522,831	\$707,524	\$1,177,176



FEBRUARY BOARD REPORT

COMMODITY STORAGE INDEMNITY
INVESTMENT REPORT
AS OF JANUARY 31, 2016

Investments with Office of State Treasurer:
Cash Management Account:
Regular Long Term Investments:
Salvage Funds:

10,119,195.55
0.00
0.00

\$10,119,195.55

Total Invested in Grain Storage Indemnity Fund:

FY-2016 RECEIPTS

	<u>CURRENT MONTH</u>	<u>YTD</u>
NEW INTEREST	-	-
REINSURANCE	15,766.14	102,544.32
RECOVERED COSTS	-	2,700.00
ELEVATOR SALVAGE	-	-
MATURED LONG TERM INVEST	-	-
	-----	-----
TOTALS	\$15,766.14	\$105,244.32
	=====	=====

FEBUARY 2016 BOARD REPORT
AGRICULTURE LABORATORY SERVICES
(January 2016 Activities)

QUALITY ASSURANCE SECTION: (Brenda Snodgrass, Assistant Laboratory Director)

The 2016 USDA Meat Chemistry Check Sample program was discontinued from the Laboratory's proficiency programs. The Laboratory has temporarily halted meat chemistry testing for USDA monitoring (MPI Program).

In January 2016, 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.

<u>PT Performance Log for the General Chemistry Section</u>		Monthly Proficiency: 100%
PT Samples Received:	4	CYTD Proficiency: 99%
Number of Analytes:	21	
PT Samples Reported:	6	
Number of Analytes Reported:	43	
Completed PT Reports:	1	
Number of Analytes Passed:	14	
Number of Analytes Failed:	0	

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

The Section finished the month with strong sample numbers as seed dealers throughout the state are updating their carryover seed inventories. A decent weather outlook is driving a surge in new inventories for summer crops as well.

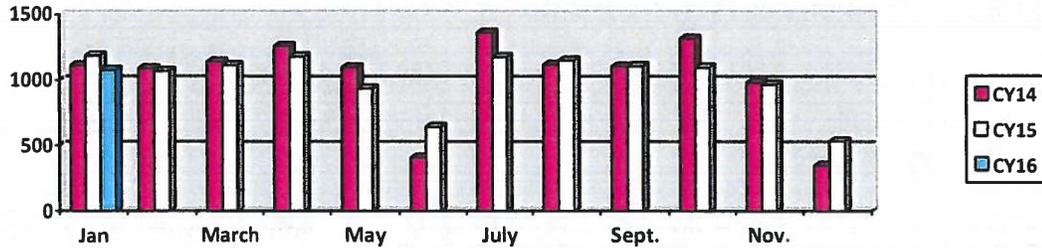
A total of 308 samples were received for both purity and germination analysis. Sixty-three percent of all samples were service tests consisting of peanuts, sorghum, corn, and bermudagrass. Overall turnaround time on samples has begun to struggle due to a smaller than normal staff.

Certification testing completed on peanut seed has thus far revealed excellent germination quality compared to years past. First count analysis performed after six days in the growth chambers has revealed that much of the seed has germinated with all required seedling structures. Total germination percentages following the final fifteen day counts are averaging in the mid to high nineties. All peanuts tested have consisted of Virginia and Spanish type samples and results are being provided for the Texas Seed Certification program.

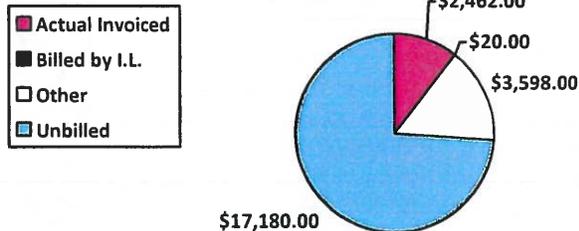
DAIRY/FOOD SAFETY SECTION: (Brian McDowell, Clinical Laboratory Scientist IV)

The month of January is a routine testing month for the Dairy Program. All of the dairy plants and 96% of the farms were tested as scheduled this month. There were not any antibiotic or aflatoxin violations this month. The Food Safety testing in January consisted of forty E. coli (STEC), forty Salmonella and six Listeria tests with no violations.

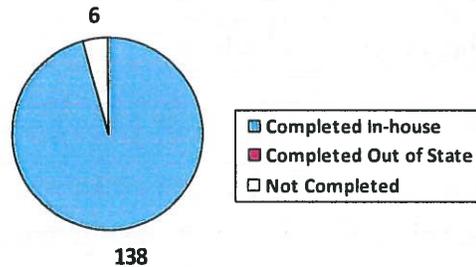
Total Determinations



Revenue Breakdown January 2016



Dairy Farm Testing January 2016



OKLAHOMA BUREAU OF STANDARDS: (Richard Gonzales, Metrologist III)

Erin Albers was scheduled to attend the Fundamentals of Metrology seminar in Washington D.C. in January but had to postpone his travel due to the winter weather that shut down all air travel during those dates. He will now be attending the training at the end of February. This training is the first part of the required training in order for him to be recognized as a signatory for the Section.

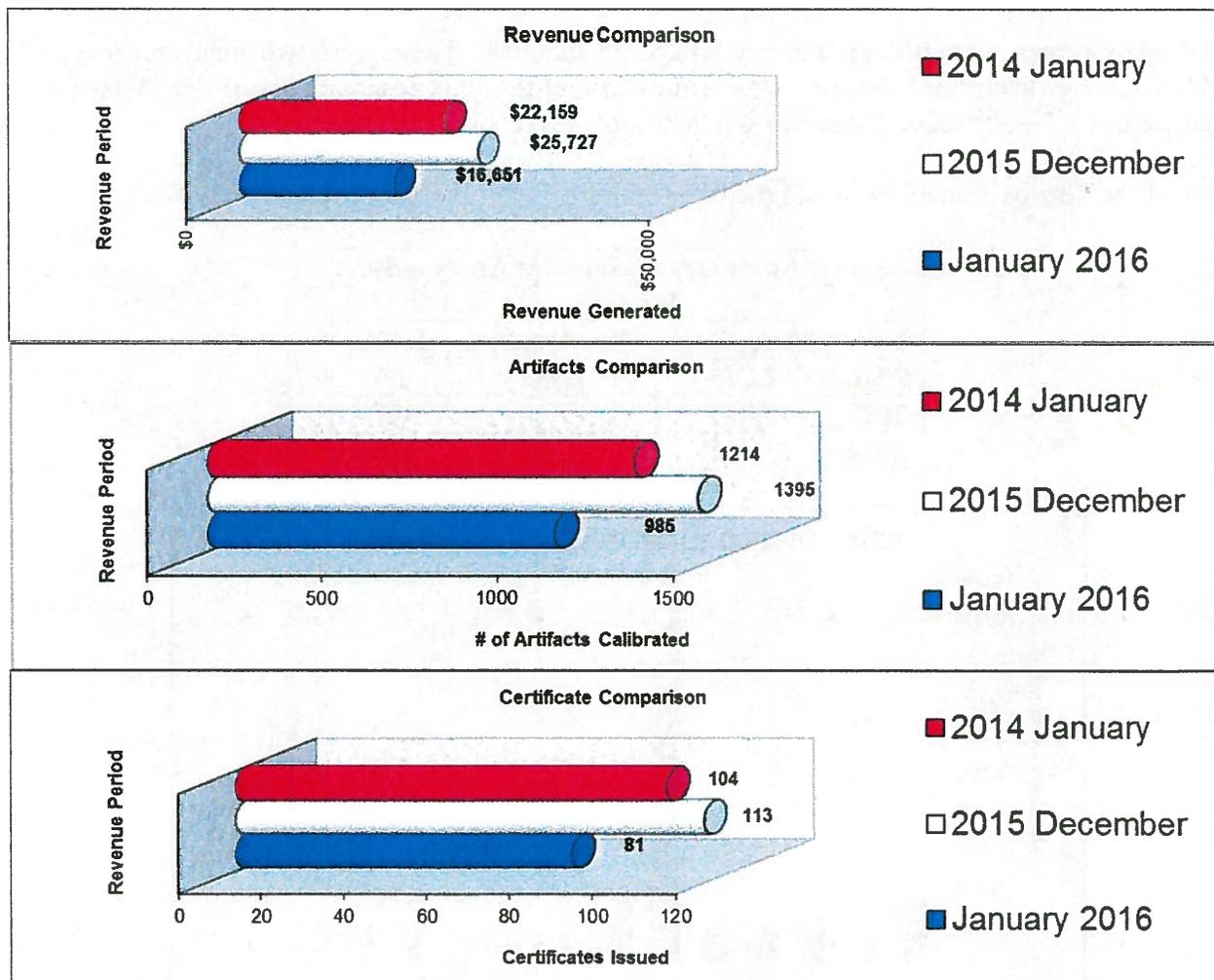
There were several standard operating procedures that went through the revision process as a result of updates from the National Institute of Standards and Technology (NIST).

There were three mass inter-laboratory comparisons conducted in January. These included a set of standards from 5 kg to 1 mg for Mass Echelon III, a set of standards from 1 kg to 1 mg for Mass Echelon II, and a 20 kg mass standard for Mass Echelon III. The results will be presented

at the next Southwest Measurement Assurance Program meeting in Austin Texas in October 2016.

The Section is preparing for a two-week period in which there will be no testing since the environmental conditions will not be held to the requirements for analysis. This is to accommodate replacement of the boiler in the Laboratory building. Construction and balancing is scheduled to occur in the last two weeks of March.

	#	Fees	% of Fees	# Standards	% of Standards
Out-of-State Customers	7	\$3,640.00	22%	85	9%
In-State Customers	20	\$13,011.00	78%	900	91%
Totals	27	\$16,651.00	100%	985	



SEROLOGY SECTION: (Pete Bourns, Clinical/Laboratory Scientist IV)

Brucellosis testing on cattle, swine, deer, buffalo, llamas, alpacas, goat samples, and other exotics submitted during January 2016 totaled 2,715 samples, of which there were 34 A.I.S. state request samples. There were 1,912 swine samples of which 1,903 were billable. There were no feral pigs, one slaughter pig, and eight A.I.S. sale-barn swine samples requested.

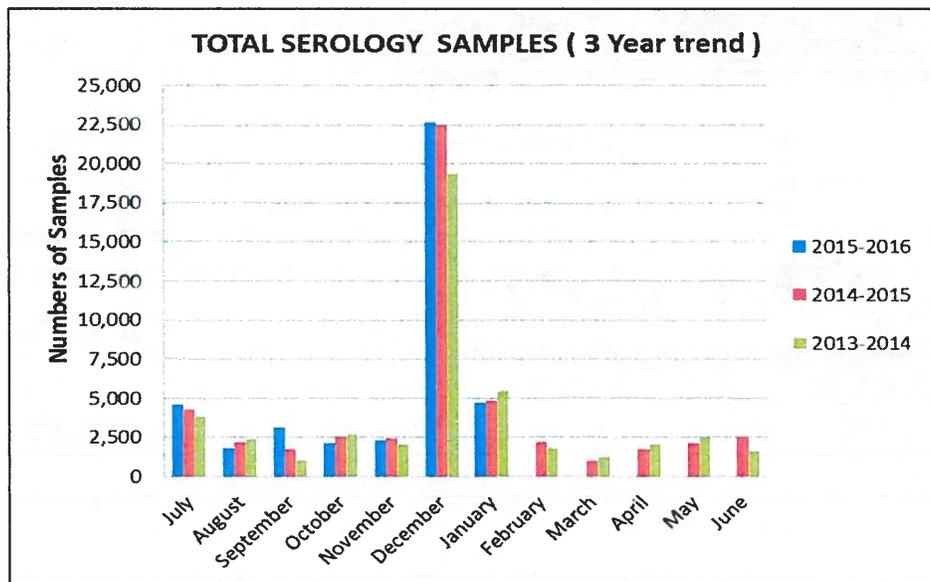
No milk samples were submitted for the Brucella Ring test this month. There were 9 screen test positive Brucellosis samples that required further confirmation testing on other Brucellosis tests and all were determined to be negative.

Pseudorabies samples submitted in January totaled 1,912 samples. There was one slaughter pig, eight stockyard pigs, no feral pigs, and no A.I.S. requested samples this month. There were twenty samples that screen tested positive, but were determined to be negative after retesting.

EIA test samples submitted for January totaled 55 samples. There were two field positives for EIA that were determined negative after confirmation testing. There were six of the 55 samples that were A.I.S. state request samples and therefore, not billable.

One of the Section’s analysts spent time cross-training in the Inorganic Section.

3-year Summary of Samples Analyzed - January			
Year	Brucellosis	Pseudorabies	E.I.A.
2016	2,715	1,912	55
2015	2,851	1,968	17
2014	3,081	2,317	51

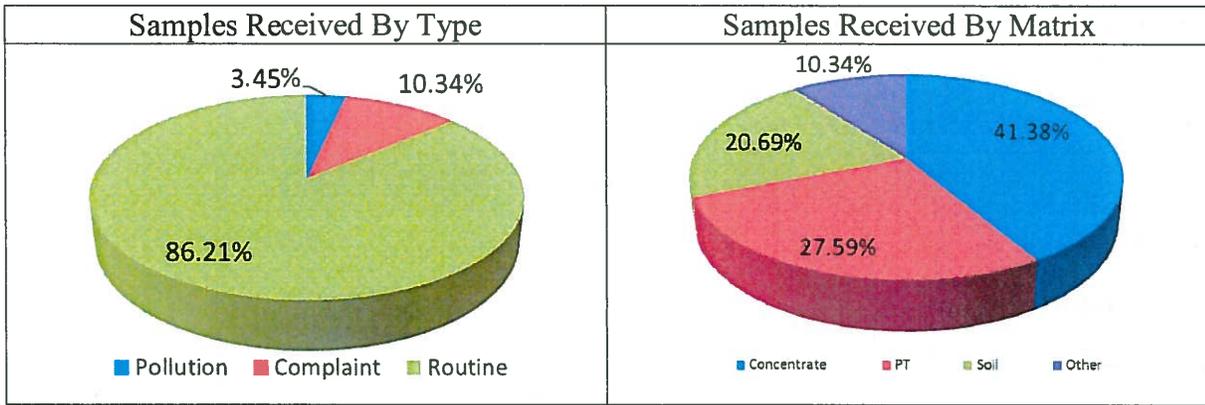


PESTICIDE SECTION: (Steven Moser, Environmental/Chemical Laboratory Scientist IV)

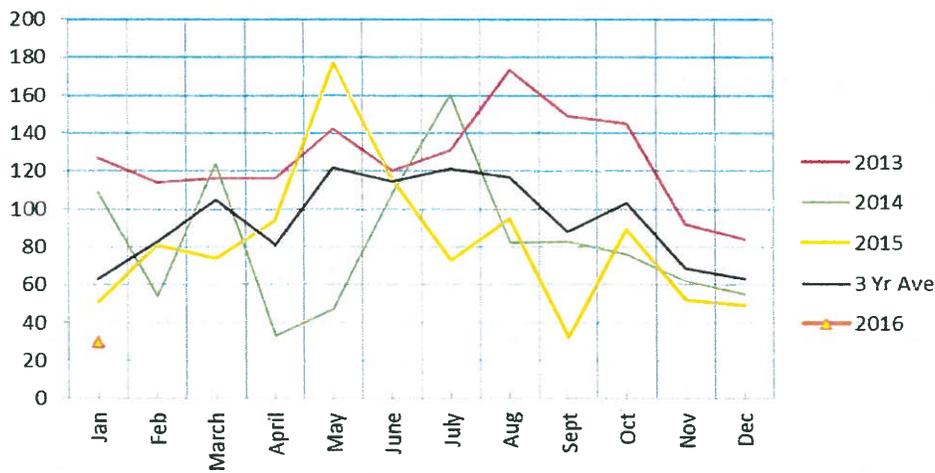
Pesticide Section by the numbers:

Matrix	Average TAT
Concentrate	224 days
Organic Act	115 days
Termiticide	79.32 days
IFA	136 days
Overall	110.50 days

	Number	Test	Det
Termiticide	50	50	50
Concentrate	13	25	25
Organic Act	6	6	6
Res Veg	5	6	17
IFA	3	3	18
PT	3	5	5
Res Swab	2	2	4
Other	2	2	2



Samples the Section received each month and the numbers for January:



The above chart shows that the number of samples received in January is slightly lower than last year and slightly below the three year average. The Section is still working on a backlog of samples that were received earlier in the calendar year.

GENERAL CHEMISTRY SECTION: (Ryan Lerch, Environmental/Chemical Laboratory Scientist IV)

A meeting was held with CPS to discuss adjusting the Section's workload. It was decided to limit feed samples to about 1900 per year and fertilizer samples to about 600 per year, which comes out to roughly a 30% reduction from the amount received last fiscal year. Also, lime sampling will be shifted to March through September rather than throughout the year so that the same amount of samples can be analyzed more efficiently.

Two of the Section's analysts spent time cross-training in the Inorganic Section.

This month, the Section analyzed the following sample of note: one sorghum sample was analyzed for aflatoxin for a concerned customer.

Overview of Section numbers for the month:

	Feed	Fertilizer	Lime	Meat	Total
Samples Received	209	17	1	2	229
Samples Completed	290	14	2	1	307
Determinations	819	60	12	4	895
Violations	86	4	3	0	93
Violation %	10.50%	6.67%	25.00%	0%	10.58%

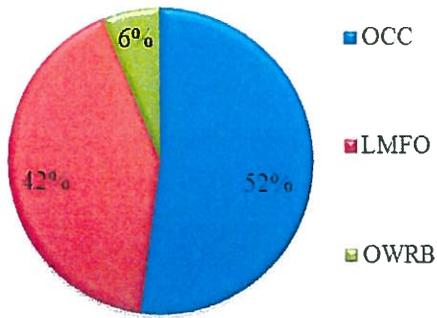
INORGANIC SECTION: (Emily Curry, Environmental/Chemical Laboratory Scientist IV)

In January 2016, the Section completed 295 samples consisting of 2,272 determinations, with the following breakdown:

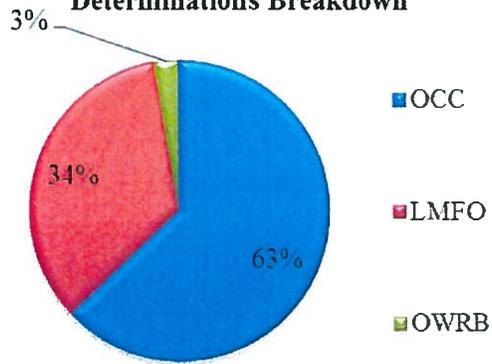
January 2016 Inorganic Breakdown

Customer	Samples	Determinations
OCC	154	1,431
LMFO	123	783
OWRB	18	58
Total	295	2,272

January 2016
Sample Breakdown



January 2016
Determinations Breakdown



The Section prepared for the installation of a new acid scrubbing hood, which ended up being postponed until February.

Respectfully Submitted,

Tanna Kilpatrick
Director, Laboratory Services Division

**LABORATORY SERVICES DIVISION
REVENUE GENERATION FOR FY16**
Reflects Billed Services for the Month

Revenue Code	Function Description	FY15 Total	FY16 Budget	Jul-15	Aug-15	Sep-15	Oct-15	Nov-15	Dec-15	Jan-15	Feb-15	Mar-15	Apr-15	May-15	Jun-15	Total
580	General Chemistry Testing	\$ 3,300.00	\$ 1,000.00	\$ 243.00	\$ -	\$ 155.00	\$ 90.00	\$ 297.00	\$ 184.00	\$ 75.00						\$ 1,054.00
453	Seed Testing Fees	\$ 40,500.00	\$ 35,000.00	\$ 3,880.00	\$ 8,316.00	\$ 7,641.00	\$ 1,070.00	\$ 734.00	\$ 1,441.00	\$ 688.00						\$ 23,780.00
582	Pesticide Testing	\$ 2,170.00	\$ 600.00	\$ -	\$ -	\$ 275.00	\$ -	\$ 350.00	\$ -	\$ -						\$ 625.00
584	Inorganic Testing	\$ 207,200.00	\$ 357,000.00	\$ 35,782.00	\$ 31,882.00	\$ 20,748.00	\$ 24,351.00	\$ 9,082.00	\$ 38,074.00	\$ 37,789.00						\$ 197,848.00
452	Bureau of Standards	\$ 242,000.00	\$ 300,000.00	\$ 18,383.00	\$ 18,848.00	\$ 17,070.00	\$ 24,270.00	\$ 26,877.00	\$ 25,727.00	\$ 18,651.00						\$ 147,834.00
451	Serology Testing	\$ 150,500.00	\$ 250,200.00	\$ 18,033.00	\$ 8,054.00	\$ 11,779.00	\$ 11,261.00	\$ 10,189.00	\$ 123,500.00	\$ 25,534.00						\$ 204,350.00
448	Dairy/Food Safety	\$ 17,500.00	\$ 33,100.00	\$ 2,685.00	\$ 2,382.00	\$ 2,480.00	\$ 2,384.00	\$ 1,202.00	\$ 2,333.00	\$ 2,782.00						\$ 18,188.00
310	Fax Fees	\$ 1,200.00	\$ 1,200.00	\$ 81.00	\$ 134.00	\$ 65.00	\$ 55.00	\$ 52.00	\$ 317.00	\$ 130.00						\$ 834.00
	Other Sources	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -						\$ -
	Total	\$ 664,370.00	\$ 978,000.00	\$ 77,087.00	\$ 67,614.00	\$ 60,193.00	\$ 63,461.00	\$ 48,763.00	\$ 191,586.00	\$ 83,589.00						\$ 582,303.00
Agency Testing Not Billed																
	CPS		\$ 56,208.00	\$ 32,022.00	\$ 39,784.00	\$ 38,845.00	\$ 46,277.00	\$ 65,405.00	\$ 65,405.00	\$ 30,285.00						\$ 308,818.00
	AMS		\$ 30.00	\$ 37.50	\$ 490.00	\$ 850.00	\$ 2,015.00	\$ 170.00	\$ 170.00	\$ 329.00						\$ 3,821.50
	Food Safety		\$ 11,479.00	\$ 12,361.00	\$ 12,021.00	\$ 10,282.00	\$ 16,410.00	\$ 7,280.00	\$ 7,280.00	\$ 17,240.00						\$ 87,083.00
	Total		\$ 67,717.00	\$ 44,420.50	\$ 52,305.00	\$ 49,777.00	\$ 64,702.00	\$ 72,865.00	\$ 72,865.00	\$ 47,834.00						\$ 399,820.50

**BOARD REPORT
 AGRICULTURAL LABORATORY SERVICES
 JANUARY 2016 ACTIVITIES**

FEED SAMPLES	209
FEED DETERMINATIONS	819
POSSIBLE VIOLATIONS	86
FERTILIZER SAMPLES	17
FERTILIZER DETERMINATIONS	60
POSSIBLE VIOLATIONS	4
LIME SAMPLES	1
LIME DETERMINATIONS	139
POSSIBLE VIOLATIONS	3
PESTICIDE SAMPLES	84
PESTICIDE DETERMINATIONS	127
POSSIBLE VIOLATIONS	0
MEAT SAMPLES	2
MEAT DETERMINATIONS	4
VIOLATIONS	0
INORGANIC LAB SAMPLES	295
DETERMINATIONS	2272
STATE-FEDERAL VET. LAB. SAMPLES	4682
STATE-FEDERAL VET. LAB. DETERMINATIONS	5338
NUMBER POSITIVES	1
SEED SAMPLES	41
SEED DETERMINATIONS	126
POSSIBLE VIOLATIONS	0
BUREAU OF STANDARDS CERTIFICATES	81
NUMBER OF STANDARDS CALIBRATED	985
FEE CHARGES	\$16,651.00
DAIRY SAMPLES	353
DAIRY DETERMINATIONS	1075
POSSIBLE VIOLATIONS	21
TOTAL SAMPLES	5765
TOTAL DETERMINATIONS	10945
TOTAL POSSIBLE VIOLATIONS	115





March 2016

OKLAHOMA FORESTRY SERVICES BOARD REPORT

Conserving, enhancing and protecting the forest resources of Oklahoma for present and future generations

We are in the process of changing our board report format to better reflect the priorities of the National Cohesive Wildland Fire Management Strategy which include Resilient Landscapes, Fire Adapted Communities, and Safe and Effective Wildfire Response.

RESILIENT LANDSCAPES

Landowner assistance programs

Stewardship Monitoring. In support of our federal reporting requirements, 25 Stewardship Plans have been selected for monitoring this year. Monitoring is done to provide an indication that the Forest Stewardship Program is achieving its primary goal of long-term stewardship on non-industrial private forest lands. Foresters will visit with the landowner of these plans to determine if they are being implemented on the property. This action acts as a way to estimate the total acres that are being actively managed within this program.

We continue to emphasize Forest Management. Our Northeast Area alone made over 28 landowner visits in the months of January/February to discuss various silvicultural activities such as tree selection, TSI, stewardship planning, forest health, prescribed burning and fireline estimates.

Expiring Stewardship Plans. Staff Forester Dieter Rudolph and Forest GIS Specialist Ryan Baldrachi went through the list of current Forest Stewardship Plans and flagged those that will be expiring within the next 14 months. These plans need revising every 10 years, or sooner, to keep them viable within the Forest Stewardship Program. This list will be distributed to the foresters in early March. Once distributed, the foresters will work with landowners to see if they would like to remain in the program. If they choose stay in the program, OFS Foresters will then work to revise their plans, with updates on landowner objectives, current forest condition and future stewardship recommendations.

Southern Pine Beetle Cost Share. Currently Oklahoma Forestry Services is aiding nine landowners, spanning 600 acres, with the prevention of southern pine beetle. This native pest targets overstocked pine stands so the program encourages landowners to thin their pine stands, thus reducing the ideal habitat for the beetle.

GIS Committee Meeting. Dieter Rudolph and Ryan Baldrachi attended a committee meeting for the GIS Specialists from the states of the southern region. This meeting served as a way for Ryan to meet his counterparts in the other states and build working communication channels among the GIS Specialists. The meeting also served as an opportunity to share information and practices being performed across the region. As a result, Oklahoma Forestry Services has new tools and opportunities to optimize its use of the technology currently possessed to better benefit the landowners and forests across Oklahoma.

Nursery and Tree Improvement

Forest Regeneration Center. The State Nursery will finish lifting seedlings this month. Currently, all of our loblolly, shortleaf and Virginia pine seedlings have been harvested. All that remains are a few hardwood species and some 2-0 pines. We have been busy shipping seedlings out and hope to finish shipping most of our orders by the middle of March.

Truck Sales. We changed our truck sale procedures this year and reduced the number of locations to seven. We are using them as promotional opportunities for education and to gain landowner contacts.

Forest Tree Improvement Center. We have delivered most of our seedlings out of our cooler at FTIC to Oklahoma landowners. We are now getting ready to plant next year's seedlings in our greenhouse. More work will be done to rogue our orchard and prepare to plant our new "advancing front" of genetic superior families.

Water Quality

Water Quality Forester. We had three applicants for our Water Quality Forester. We interviewed on February 17th and we have offered one candidate the position. Hopefully we will have this position filled soon.

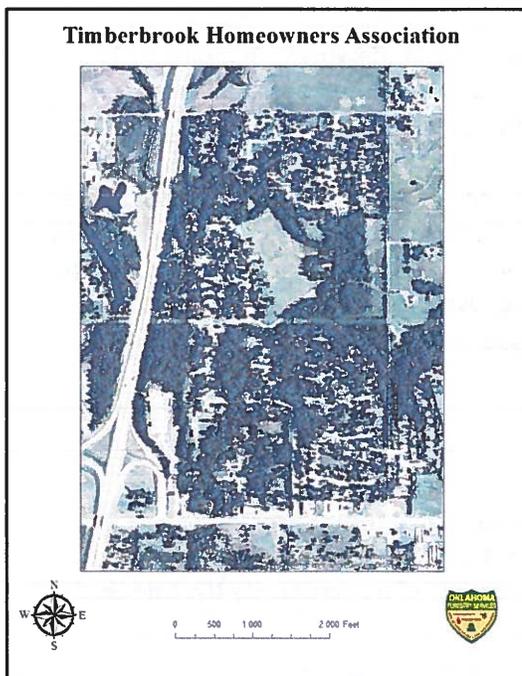
BMP Revision. Our Forestry BMP Guidelines is all but done. We hope to be able to go to print in March.

Forest Health

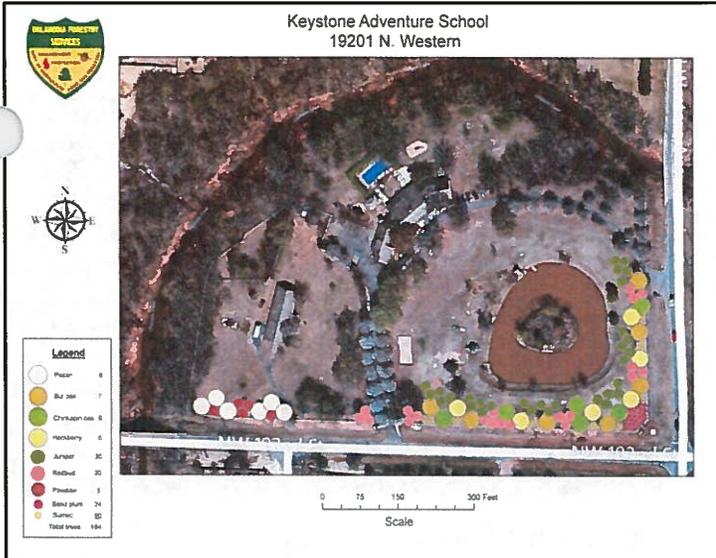
Redcedar Control Project. Dieter Rudolph met with Laura Goodman and Chris Stansberry of OSU to begin an invasive species control project on the OSU Range Research Station. The focus of the project is a 45 acre tract of Cross Timbers that currently has a high concentration of eastern redcedar along the boundaries and more encroaching into the interior. Along with the cedar eradication, the remaining hardwood trees will be thinned to open up the stand, like a savannah. The end result will be a parcel of land that is healthy, free of eastern redcedar, and appropriate for agroforestry practices. The area will be used as a demonstration site, both to the public as well as natural resource professionals. It will be used to demonstrate the benefits of reducing eastern redcedar, how to maintain a healthy stand and how it can be managed for agricultural use.

Urban & Community Forestry

Timberbrook Neighborhood On February 11 District Forester Page Belcher and Urban Forestry Coordinator Mark Bays with Pete Travis and others with the Timberbrook Neighborhood Association in eastern Broken Arrow to discuss management objectives for a series of natural riparian waterways within the



common areas of the neighborhood. The common area represents more than 40 acres of natural forests within the 300 acres of woodlands and open space the neighborhood is located in. Soil erosion, flooding, stand density, species diversity, invasive species, forest health and safety issues were all discussed. Pictured left is a map of the boundaries of the neighborhood. In the photo above, Page talks with association members in an area where they are considering constructing a trail.



Keystone School Planting. On January 20, Mark Bays met with DEQ Assistant Division Director Fenton Road and others at the Keystone Adventure School in Edmond to mark where native Oklahoma trees will be planted along the south and eastern property boundary to increase the tree canopy and diversify the trees on the grounds. Pictured left is the planting plan developed.

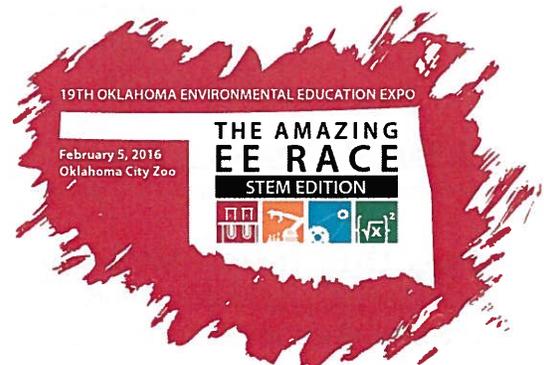
Oklahoma City Park Tree Inventory. Mark Bays attended the Oklahoma City Council meeting February 16 where discussion was heard of the city's intention to contract for a 100% inventory in their city parks. Following the discussion the City Council voted to move forward with the project and Mark will provide technical advice throughout the process.



Educational Activities

Fire Prevention Program at Mustang Pre-K School. Oklahoma Forestry Services Stewardship Coordinator, Dieter Rudolph and Education Coordinator, Jeri Irby presented a fire prevention program to over 200 Mustang Pre-K students on February 21st. The students were introduced to Smokey Bear and taught how to prevent wildfires as well as what to do when they see a fire. Smokey gave high fives to each of the students and posed for pictures with Mrs. Murray's classroom.

2016 Oklahoma Environmental Education Expo. Jeri Irby attended the 2016 Oklahoma Environmental Education at the Oklahoma City Zoo on February 5th promoting Forestry Education to conference participants. The conference was themed, "The Amazing EE Race: STEM Edition". Participants attended sessions that focused on Environmental Education lessons that had a STEM focus. The keynote address was by Tiffany Neill, Science and Health Curriculum Coordinator and Levi Patrick, Secondary Math Coordinator for the OK State Department of Education who will address common misconceptions of teaching STEM.



FIRE ADAPTED COMMUNITIES

Prescribed Fire. The prescribed fire program continues to grow and when weather conditions are suitable we are busy with as many projects as possible. Hazardous fuels mitigation, forest health and ecological diversity are the driving objectives. The potential for this program is immense, but limited by a need for additional staffing and equipment to fully implement its effectiveness. The picture is an example of establishing a fireline around an area to contain the prescribed fire.



SAFE AND EFFECTIVE WILDFIRE RESPONSE

Discussion – January’s wildfire activity started out slow due to a favorable El Nino weather pattern that brought rain and snow across the majority of Oklahoma. However, a dry weather finished out the month and fire activity increased significantly.

Burn Bans – No Burn Bans were in effect during the month of January

Oklahoma Forestry Services January 2016 Wildfire Statistics

Inside the Protection Area			Avg. Size	Structures Threatened		Structures Damaged/Lost		Fire Duty	False Alarms
Admin. Area	# Fires	# Acres	Acres	#	Value	#	Value	Days	#
Southeast	21	601	28.6	12	\$617,000	1	\$20,000	2	4
East Central	20	1,676	83.8	9	\$183,500	0	\$0	8	4
Northeast	35	737	21.0	28	\$2,722,000	3	90,000	2	5
Totals	76	3,014	39.6	49	\$3,522,500	4	\$110,000	--	--

Oklahoma Forestry Services Wildfire History – January

	No. Fires	No. Acres
5-year Average	146	9,605
10-year Average	174	9,967
Record High	444 (2009)	20,633 (2011)
Record Low	3 (1979)	59 (1979)

Outside the Protection Area. In January, Forestry Services personnel responded outside of the Fire Protection to three fires that burned 767 acres. No structures were threatened or lost on any of these incidents.

Large Fires. The table below summarizes fires which required the submission of an ICS-209 Incident Status Summary Report to the National Interagency Fire Center in Boise, ID. Criteria for submission are wildfires that exceed 100+ acres in timber or 300+ acres in grass or are of state significance such as loss of life or significant loss of value.

Administrative Area	Number of Fires > 100 Acres	Total Acres	Largest Fire	
			Acres	County
Southeast	2	435	275	Pushmataha
East Central	5	1,645	760	Latimer
Northeast	4	1,015	747	Creek

Respectfully submitted,



George Geissler, Director, Oklahoma Forestry Services



MARCH 1, 2016 BOARD MEETING

CONSUMER PROTECTION SERVICES DIVISION

REPORT FOR JANUARY/FEBRUARY 2016

Environmental Resource and Horticulture Section

Environmental Resource Program

On January 12, 2016, the Department received a call from the Dacoma Farmers Coop stating that one of their self-propelled fertilizer applicators carrying approximately 12 tons of urea fertilizer had been hit by a train around 8 a.m. that morning in rural Dacoma. The coop said that the driver of the applicator had driven out to a field to spread the fertilizer, but upon arrival of the field it was too wet and he turned around to return to the coop. When in route back to the coop the applicator was struck by an oncoming train, knocking off the fertilizer spreader from the applicator and spilling approximately 6 of the 12 tons of fertilizer along the railroad crossing.

Due to the wet conditions faced that day, the Coop wanted to let the ground freeze overnight before starting the cleanup process. ODAFF was on site the next morning to oversee the cleanup efforts of the dry fertilizer. The excavated soil around the site was land applied onto a local field at agronomic rates to properly dispose of the impacted soil. Unfortunately, the driver of the applicator passed away January 15, 2016, from the injuries of the accident.

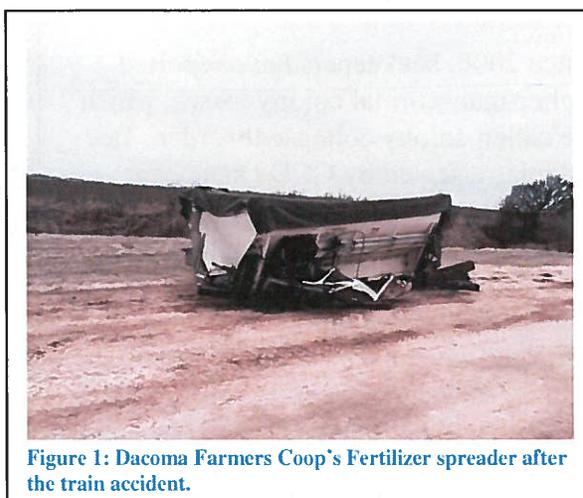


Figure 1: Dacoma Farmers Coop's Fertilizer spreader after the train accident.

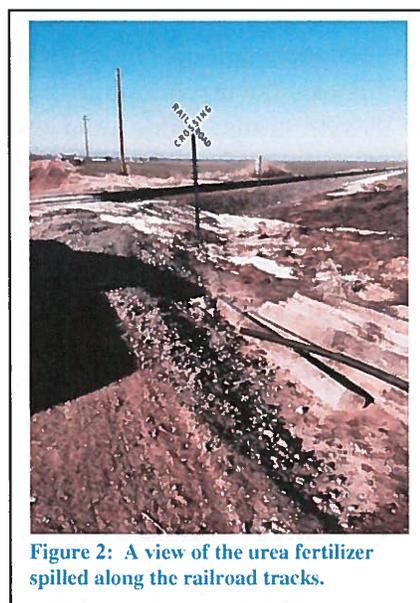


Figure 2: A view of the urea fertilizer spilled along the railroad tracks.

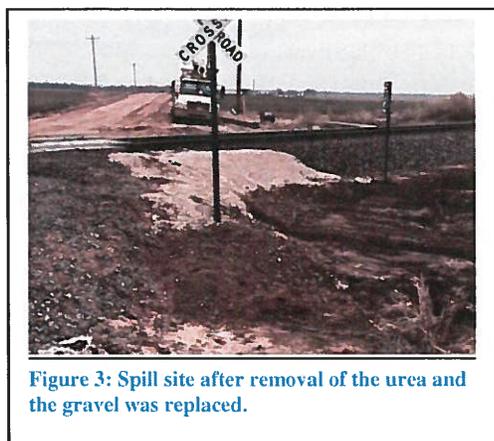


Figure 3: Spill site after removal of the urea and the gravel was replaced.

Migratory Bee Inspection

Migratory Bee Inspection Colony Collapse Disorder

Dr. Don Molnar, Apiary Program Manager and apiary inspector Jayce Prock traveled to Valliant, Oklahoma on January 14th to inspect several thousand hives of bees for symptoms of Colony Collapse Disorder (CCD).

Since 2006, beekeepers have reported higher-than-normal colony losses, which are called colony collapse disorder. Bee colonies affected by CCD can appear healthy, but then the adult bees disappear from the colonies.

Collapsed Colonies contain few adult bees with few or no dead bees around the colony; they contain capped brood, food stores that are not taken by neighboring bees or colony pests. Collapsing colonies do not have enough bees to maintain colony brood, they have a workforce that consists of younger adult bees, a queen and are reluctant to eat food provided by the beekeeper

In past decades, colonies have died in connection with symptoms similar to those of CCD. These historic occurrences may not share a common cause with modern-day CCD, but they do share its symptoms. Additional stresses were added to the hives in the 1980's with the arrival of new pathogens and pests. Then in the 1990's another stressor was added with the arrival of varroa and tracheal mites into the United States.

The cause of CCD has not been determined, and every realistic cause remains a possibility. Scientists are looking in four general categories for the cause/causes of CCD:

- 1. Pathogens:** Among others, scientists are considering *Nosema* (a pathogenic gut fungi), Israeli Acute Paralysis Virus, and possibly unknown pathogens as possible culprits in CCD. ARS research has indicated that no one pathogen of any class directly correlates with the majority of CCD incidents. Rather, a higher total pathogen load of viruses and bacteria correlates more directly with CCD than any one specific pathogen.
- 2. Parasites:** Varroa mites are often found in honey bee colonies that are affected by CCD. It is not known if the varroa mites are directly involved or if the viruses that varroa mites transmit (similar to the way mosquitoes transmit the malaria virus) are a factor in causing CCD.



Figure 4: Ingalls Honey Inc. bee hives in their bee yard. Normally there are 4-2 story hives to a pallet. As can be seen many pallets have one or two complete hives. Stacked in the yard are supers with honey removed from the weak hives to be taken to storage.

3. **Management stressors:** Among the management stressors that are possible contributors to CCD are poor nutrition due to apiary overcrowding and increased migratory stress brought on by the honey bees being transported to multiple locations across the country.
4. **Environmental stressors:** Such stressors include the impact of pollen/nectar scarcity, lack of diversity in nectar/pollen, availability of only pollen/nectar with low nutritional value, and limited access to water or access only to contaminated water. Stressors also include accidental or intentional exposure to pesticides at lethal or sub-lethal levels.

Results of Our Inspection

The bees inspected on January 14th belong to migratory beekeepers from Iowa who brought 10,000 to 15,000 colonies of bees to Choctaw and McCurtain counties of Oklahoma for over wintering and early spring build up. They also take 5 to 6 thousand hives to California in late January and early February for almond pollination.

At each apiary we inspected we encountered from 45 to 55% of the hives with symptoms that are similar to those listed above for Colony Collapse Disorder.

Plant Protection Program

Oklahoma Nursery & Landscape Association January Meet-the-Member

The ONLA January 2016 board of directors meeting was held in conjunction with a meet-the-member day at High Caliper Growing Systems in North Oklahoma City on January 17th. High Caliper was founded as Root Control, Inc. in 1984 by Ralph Reiger who owned The Tree Farm in Guthrie, Oklahoma. When Ralph began to have problems finding people to dig and ball and burlap his field grown trees, he sought help from Oklahoma State University. They formed the first ROOT CONTROL BAGS and began to use and sell them at The Tree Farm. The root control bags provided a much improved plant by pruning the roots as the plant grows, resulting in a more fibrous root structure, therefore a healthier plant.

Ken Reiger, Ralph's son, is the present CEO of this local business with around 45 employees. High Caliper Growing System manufactures these soft sided containers in different sizes and purposes: in-ground root control bags, above-ground fabric containers, big bag beds, pot pruner fabric container sleeves, and tree collar holding systems.



Figure 5: Smart pot root control pot.



Figure 6: Big Bag Bed root control bag for raised garden beds.

The ONLA meet-the-member gatherings are an opportunity for ONLA members and their employees to become acquainted and network with different aspects of the green industry production practices, products, and processes.

Systems Approach to Nursery Certification (SANC) Subcommittee Workshop

The SANC subcommittee groups met in Orlando, Florida January 26-28th to assess the progress of the SANC initiative and review the current status of subcommittee and industry activities. Participants included members from the Steering Committee, Training Committee, Education and Outreach Subcommittee, Draft-Agreements Subcommittee, Evaluation Subcommittee, and Pilot Program Subcommittee. All 8 of the pilot nurseries selected to participate in Phase I of SANC have completed their initial pest risk assessment and are in different phases of completing their pest risk analysis plan. Each nursery participated in follow-up surveys to evaluate the communication, provide feedback on their risk assessment and pest management plan, and the general relationship between the entities involved in the process.

The Critical Control Points (CCP) at each pilot nursery identified as hazards include: plants and plant materials, potting media, containers, production practices, and water. Assigning individual responsibilities for managing each CCP has been the greatest challenge for the pilot nurseries. Most nurseries operate with designated roles, (i.e. production manager, propagation manager, pest control manager, etc.) but the pilot nurseries realized that often these roles are not specifically assigned and often a gaping hole results when there is an overturn in personnel. Having a written pest management manual provides consistency and oversight for a nursery in the future.

The Evaluation Committee has surveyed the 8 pilot nurseries in Phase 1 and evaluated each component of their SANC process: risk assessment, pest management plan, documentation and records, staff and training plan, management plan, and audit. The survey will also seek information on interaction and communication, feedback on the risk assessment process, and the general relationship between the entities involved in the process. The committee has surveyed the 8 state departments of agriculture involved in Phase 1 to consider their process and implementation experiences from the regulatory point of view. Responses to surveys from each component of SANC inspector trainings and multi-state workshops will also aid the committee to measure the processes and implement practices and procedures to continue into Phase II or further SANC programs.

Nurseries in the Phase I Pilot may be reimbursed up to \$8,000 and each state department will receive \$2,000 for their participation.

Field Activity for January

Grower Inspections	Dealer Inspections	Phytosanitary Inspections
37	155	19

Federal Phytosanitary Certificates Issued in January

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

13 Federal Phytosanitary Certificates issued @ \$106.00 each

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

7 Federal Phytosanitary Certificates issued @ \$61.00 each

Country	Product	Amount
Canada	Canna rhizomes	1,500 bulbs
Canada	Mouseear cress seed	1 gram
France	Barrel clover seed	2 grams
Japan	Sesame seed	2,515,040 pounds
Mexico	Sesame seed	82,904 pounds
Netherlands	Blackeyed beans	20,000 kilograms
Republic of Korea	Mouseear cress seed	1 gram
Republic of Korea	Sorghum seed	20,000 kilograms
Spain	Barrel clover seed	1 gram
United Kingdom	Barrel clover seed	4 grams

State Phytosanitary Certificates Issued in January

37 State Phytosanitary Certificates issued @ \$20.00 each

Product	State	Amount
Nursery plants	Arizona	5 plants
Nursery plants	California	9 plants
Nursery plants	Nevada	2 plants
Nursery plants	New Mexico	5,712 plant
Nursery plants	Oregon	1 plants
Nursery plants	Washington	2 plant
Cotton seed	California	55 rail cars
Canna rhizomes	Mississippi	341,750 bulbs
Posts	California	1,000 posts

2015 Cooperative Agricultural Pest Survey (CAPS)

The 2015 CAPS surveys have come to a close. All suspect samples have been sent to USDA and OSU taxonomic identifiers for identification. Survey locations and relevant survey data has also been entered into USDA approved databases. Final reporting for all surveys is currently in progress and will be submitted to USDA for closeout in March.

EMERALD ASH BORER SURVEY

There was 201 emerald ash borer traps set by 7 inspectors from CPS and Forestry. Suspect samples were sent to USDA for identification and data was entered into IPHIS database.

WOOD COMMODITY SURVEY

The Wood Commodity Survey included setting 160 oak traps and 36 pine traps at areas of high risk that could serve as a pathway for oak and pine wood-boring and defoliating pests. Samples were submitted to Eric LaGasa with the Washing Department of Agriculture and to Jim LaBonte with the Oregon Department of Agriculture for identification. Survey data was entered into NAPIS database.

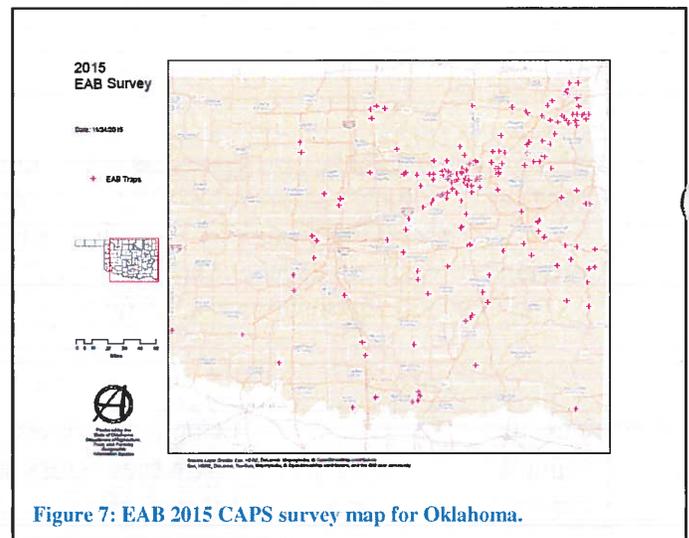


Figure 7: EAB 2015 CAPS survey map for Oklahoma.

RED IMPORTED FIRE ANT SURVEY

In Figure 8 you can see where 1,090 bait tubes were set for the IFA survey in counties adjacent to the quarantine. In addition to those counties Tulsa, Oklahoma, Cleveland, Canadian, Muskogee, Payne, and parts of Wagoner County were also surveyed. Fifteen positives were found in Oklahoma (3), Hughes (3), Payne (1), Cleveland (1), Pittsburg (6), and Latimer (1) counties. Samples were identified by OSU PDIDL Lab and data was entered into NAPIS database.

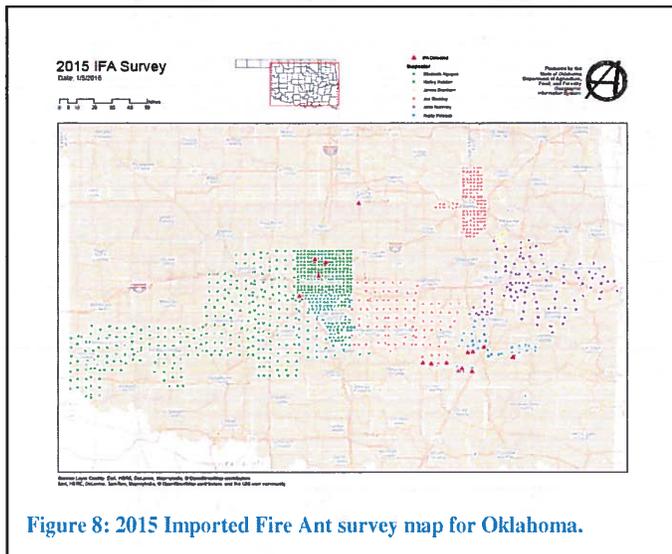


Figure 8: 2015 Imported Fire Ant survey map for Oklahoma.

KARNAL BUNT SURVEY

Thirty samples were taken for Karnal Bunt testing this year. Originally, 54 samples had been projected, however not all grain elevators chose to participate. Samples were submitted to Dr. Bob Hunger at OSU for testing with all samples verified as negative. Data was entered into IPHIS database.

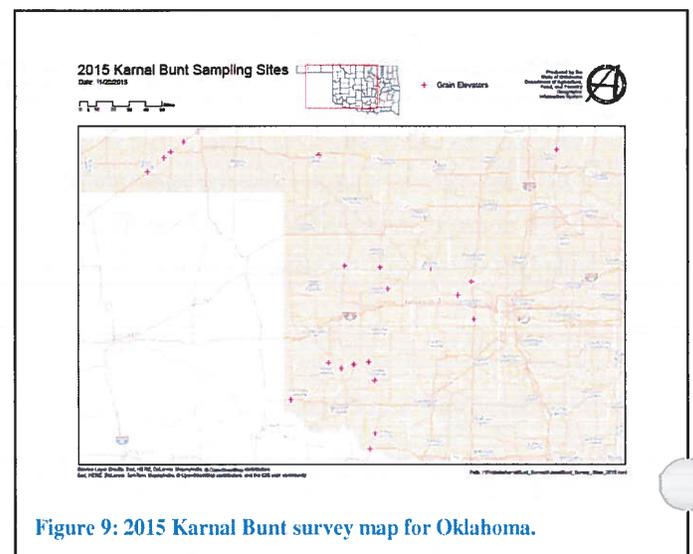


Figure 9: 2015 Karnal Bunt survey map for Oklahoma.

ASIAN DEFOLIATOR SURVEY

Asian Defoliator Survey, which was a survey grant funded by the farm bill, included setting 180 red delta traps at military bases, distribution centers/warehouses, and airports. Samples were sent to Eric LaGasa with the Washington Department of Agriculture for identification. Survey data was entered into NAPIS database.

GIS Program

Here are the major GIS accomplishments for January 2016:

- Worked on developing a mobile-mapping GPS application for Avian Influenza preparedness for AIS.
- Drew special map for annual survey for Imported Fire Ants for CPS.
- Worked on developing new method to enable remote users to send GPS data to ODAFF for CPS.
- Updated nursery inspector territories map for CPS.
- Updated fire dispatch map for Forestry.
- Assisted Forestry staff with fire reporting database issues.
- Represented ODAFF at GI council monthly meeting and GIS data sharing workgroup meeting.
- Worked on installing GIS computer.

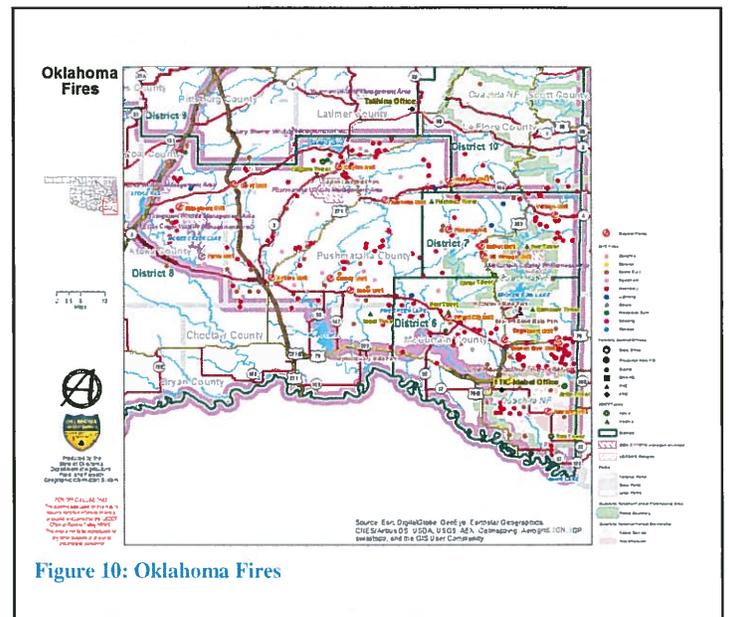


Figure 10: Oklahoma Fires

AGRICULTURE RESOURCES SECTION

Fertilizer and Ag Lime License Renewals

Currently 119 companies have not renewed their fertilizer license; these renewals are now past due and have a late fee of \$50.00 added to the \$50.00 renewal fee. 567 companies used the Kelly Registration System (KRS) to renew their fertilizer license online. Non-renewed ag lime vendor licenses total 7 companies. KRS was used by 12 companies to renew their ag lime vendor license.

Fertilizer and Ag Lime Tonnage Reports

January fertilizer inspection fees totaled \$236,881.18. Fertilizer tonnage reports and inspection fees have not been received from 68 companies. The reports and inspection fees were due

January 31, 2016, and now have a 10% late fee or \$10.00 minimum whichever is larger added to their total. 51 companies utilized KRS to report their fertilizer tonnage and pay inspection fees online. Ag lime inspection fees for January totaled \$9,299.30. Ag lime tonnage reports and inspection fees have not been received from 10 companies. KRS was used by 7 companies to report and pay their ag lime tonnage and inspection fees.

Soil Amendment Registration Renewals

At the present time there are 9 companies who have not renewed their 18 soil amendment products.

Fertilizer Program Performance

REPORTING PERIOD JANUARY 1, 2016 THROUGH FEBRUARY 5, 2016						
Item	Number	Notice of Deficiency	Letter of Warning	Stop Sale	Samples Deficient	Misc
Fertilizer Samples	59				1	
Lime Samples	1					
Dry Fertilizer Facility Inspections	17	3				
Liquid Fertilizer Facility Inspections	18	5				
Turf Applicator Inspections						
Ammonium Nitrate Audits	14					
Anhydrous Ammonia Dealers						
Anhydrous Ammonia Storage Tank Inspections						
Anhydrous Ammonia Nurse Tank Inspections						
Pre Site Facility Inspections	1					

Feed Program Performance

During this reporting period there were a total of 287 official feed samples analyzed, with 801 feed determinations made from these samples. These determinations resulted in the issuance of 72 violations for feeds or feed ingredients that did not meet established tolerances based on their guaranteed analysis. The majority of these violations were issued for products deficient in crude protein. Violations were also issued for feed products that did not meet their guarantees for non-protein nitrogen, crude fat, crude fiber, Phosphorus, and salt. Twelve stop sale orders were issued for feed products with severe deviations from their guaranteed analysis. Six of these stop sales were issued for products deficient in crude protein, and four were issued for products with deviations in their active drug ingredient levels. The remaining two stop sales were issued for products with excessive non-protein nitrogen and crude fiber content.

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 December 2015 – January 2016

Nutritional Guarantee	Number of Label Violations		
	December ¹	January ²	Two Month Total
Crude Protein	40	51	91
Non-protein Nitrogen	2	3	5
Crude Fat	2	11	13
Crude Fiber	3	4	7
Calcium	2	0	2
Phosphorus	0	2	2
Salt	3	1	4
Magnesium	0	0	0
Potassium	0	0	0
Copper	0	0	0
Zinc	1	0	1
Vitamin A	1	0	1
Medicated Feed	0	0	0
Total	54	72	126

¹371 feed samples analyzed with 1,730 determinations; ²287 feed samples analyzed with 801 determinations

Table 2. Feed Stop Sale Summary December 2015 – January 2016

Nutritional Guarantee	Number of Stop Sales		
	December ¹	January ²	Two Month Total
Crude Protein	4	6	10
Non-protein Nitrogen	1	1	2
Crude Fat	3	0	3
Crude Fiber	1	1	2
Calcium	1	0	1
Phosphorus	0	0	0
Salt	1	0	1
Magnesium	0	0	0
Potassium	0	0	0
Copper	0	0	0
Zinc	2	0	2
Vitamin A	8	0	8
Medicated Feed	3	4	7
Total	24	12	36

¹371 feed samples analyzed with 1,730 determinations; ²287 feed samples analyzed with 801 determinations

Weights & Measures Program

The large capacity scale technicians inspected 83 vehicle scales and 37 platform scales. There were 17 scales rejected for repairs.

Weights & Measures inspectors checked a total of 1,476 small scales during this period, 70 were rejected. There were 19 random pack inspections and 135 standard pack inspections, 27 received letters of warning. Additionally, 160 price verification inspections were conducted with letters of warning issued on 2 of those inspections. Eight letters of warning were sent to scale companies for not properly servicing the scales. Three scrap metal business received letters of warning for operating without a license.

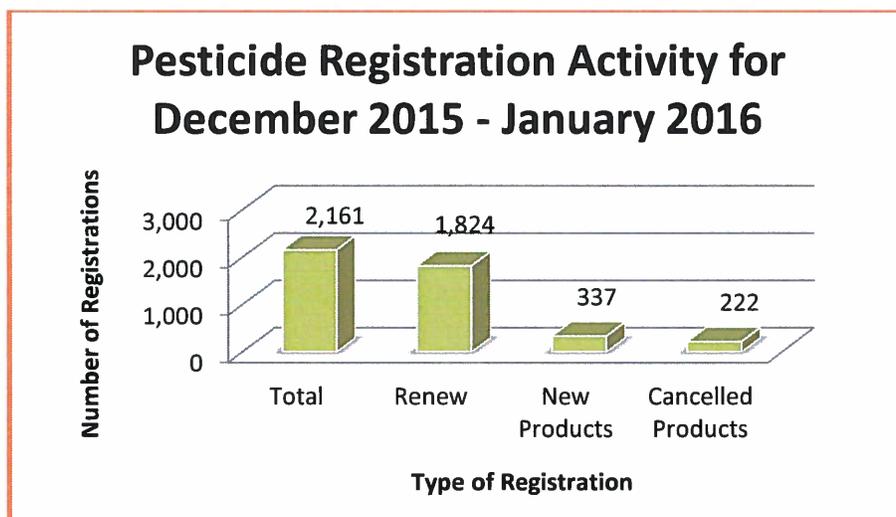
The weights & measures staff issued 1 scale company license, 3 device technicians and 3 apprentice technician licenses.

Scale Technicians will begin testing ranch scales February 22, 2016, for a fee of \$200 per indicator. Anyone wishing to have a scale tested can contact our office to get placed on the schedule.

Pesticide Program

Pesticide Registration Activity

Pesticide registrations for December 2015 – January 2016 are presented in the following chart. A total of 2161 products were registered, of the products registered 1824 were renewals and 337 were new. There were 222 products cancelled.



Pesticide Samples

Pesticide samples taken for December 2015 – January 2016 are presented in the following chart. A total of 19 Residue, 25 Documentary, 32 Concentrate, and 3 Tank Mix samples were taken.

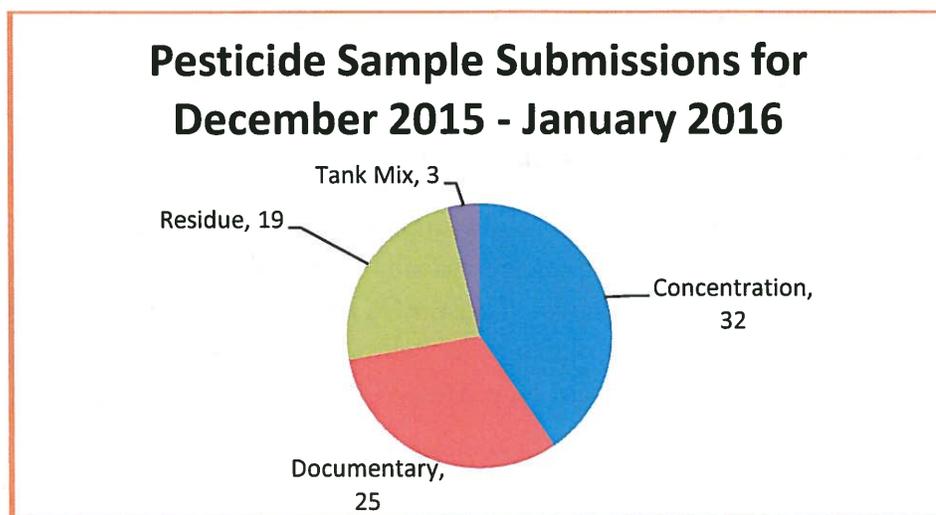


Table 3. Inspection Count for December 2015 -January 2016*

Inspection Type	Number of Inspections		
	December	January	Two Month Total
Experimental Use Permit	0	0	0
Marketplace	42	74	116
Pesticide Applicator Facility	20	31	51
Pesticide Service Inspection	0	0	0
Restricted Use Pesticide Dealer	4	12	16
Container Containment Inspection	0	0	0
Producer Establishment	2	2	4
Use	37	54	91
Termite	1	1	2
Wood	1	1	2
Pre-treat	3	1	4
Drift Investigation	0	1	1
Pesticide Label	2	66	68
Worker Protection	1	13	14
Total	113	256	369

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

Along with the above inspections CPS pesticide inspectors also took 22 nonagricultural use samples, 1 agricultural use sample, 16 market place samples and 32 pesticide producing establishment samples for a two month total of 70 samples. The inspectors also participated in 23 certification and training activities. These activities include inspector training, CEU meetings, test sessions, pesticide applicator training and speaking at meetings.

Certification & Training Activities

Oklahoma Agriculture Aviation Association Annual Conference

The 2016 annual conference for the Oklahoma Agricultural Aviation Association (OAAA) was held January 18-20, 2016, at the Embassy Suites in Norman. Approximately, 125 individuals attended the conference. CPS Inspectors Jeremy McReynolds and Carlos Williams also attended to verify attendance of applicators so they could receive continuing education units for recertification in Oklahoma, Arkansas, Kansas, New Mexico, Washington and Texas.

TURFGRASS AND LANDSCAPE MAINTENANCE PROGRAM

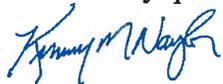
Mike Vandeventer spoke at a 1-day turf grass and landscape management workshop in Madill, Oklahoma on January 21, 2016. It was designed to benefit turf grass and landscape managers in lawn, parks, grounds, athletic field and golf course care. The course emphasized sound research-based fundamentals in turf and landscape management for Oklahoma. Topics covered include turf weed control, wildlife damage, pest identification, bed bug prevention and control, termite control, crepe myrtle scale and spray systems.

There were about 50 pesticide applicators present at this meeting. Mike discussed how applicators may interact with the Departments pesticide inspectors and addressed EPA’s proposed changes to the federal certification and training regulations.

Pesticide Complaint Summary

PESTICIDE COMPLAINTS	January 5, 2016 – February 10, 2016			
	RECEIVED	CLOSED	WARNINGS ISSUED	NO ACTION
CONSUMER GENERATED	4	5	3	2
ROUTINE INSPECTION	9	19	14	5
MUSK THISTLE	0	0	0	0
WORKER PROTECTION	0	0	0	0
CASES REFERRED TO OGC:	17			

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
March 1, 2016
Activities January 9, 2016 – February 12, 2016

Animal Disease Traceability:

During this time period, we continued to tag cattle with UHF tags at Xcel Feeders and utilized the AniGate system to read the tags. We were presented with a poorer than expected read outcome during one of the read events and it was discovered an antenna had failed. We suspect cold weather and the previous ice storm was a factor. AniTrace replaced the failed antenna and during the next read event, read accuracy was 100%. The AniGate system has a timer associated with a read event and in less than 30 seconds, 70 + head of cattle can be read accurately from a distance.

At the dairy heifer ranch in Fletcher, we continue to find ways to utilize the UHF tags and equipment to add value to herd management programs and for the producer.

Dr. Gorczyca was asked to represent Oklahoma at the National Animal Identification Coordinator Symposium in Albuquerque, NM March 21-25. She will be discussing ADT successes seen in OK with how official identification is captured from the livestock markets, strides in promoting electronic documentation, and the use of electronic identification devices and how all of the data created is uploaded into a database that has the capability of sharing information in real time improving our ability to accurately and efficiently trace animals during a disease event. Dr. Gorczyca's work in our ADT program has attracted enough attention that USDA is paying for her to attend this symposium.

During this time period, the ADT Cooperative Agreement work plan and financial budget for FY 2016-2017 was submitted to USDA. We are expecting to receive the same amount of funding (\$270,000.00) to be used towards ADT as was awarded last fiscal year, once the work plan and budget have been approved.

On January 28, Dr. Gorczyca gave a presentation at OVMA's annual veterinary conference over the new mCVI mobile app to create Certificates of Veterinary Inspection. This session was well attended and well received by the participating veterinarians and their staff members.

During this time period, we had a producer request NUES tags to use for official identification on dairy steers for interstate movement. When requested, AIS will provide NUES tags to producers and we have an MOU in place with OSU Extension Services to distribute these tags if/when the demand increases.

We continue to participate in compliance traces initiated by Texas Animal Health Commission.

Emergency Management:

On February 1, a meeting was held between AIS, Forestry, and David Wheelock to discuss how each of the divisions will work cooperatively during a Highly Pathogenic Avian Influenza incident using the Collector app that Forestry currently uses for wildland fire response. David has worked to develop an app with specific map layers to be used to collect data in the field applicable to HPAI backyard surveillance. An agreement was reached that the divisions will work cooperatively utilizing resources and personnel in the face of an outbreak should it occur within the state. We anticipate that, once deployed and tested, our field staff will be able to utilize the app for a number of other uses.

During this time frame, Dr. Gorczyca was contacted by Kelly Barton, Kansas State Animal Response Team Director concerning a funding opportunity for an animal response team in Oklahoma to send a representative to the National Alliance of State Animal and Agriculture Emergency Programs (NASAAEP) Summit in College Station, TX, May 16-20. Dr. Gorczyca reached out to the Oklahoma Large Animal First Responder Team (OLAFR) as she felt like it would be a great opportunity for the team to network and obtain training to expand the capabilities of the team as it responds to incidents involving large animals. Dr. Clayton McCook, an OLAFR board of directors, accepted the invitation and will be sending a representative to the Summit.

Equine Programs:

There were no new cases for Equine Infectious Anemia, Piroplasmosis, or Contagious Equine Metritis.

Sunland Park Racetrack in southeastern New Mexico is experiencing an outbreak of the neuropathogenic strain of Equine Herpes Virus. The index horse became weak and uncoordinated on January 16 and was euthanized. Unfortunately the NM State Officials were not notified in a timely manner and this allowed the disease to spread before quarantines could be set. As of this writing, more horses continue to be infected, with the total positive horses at 70. 15 barns on the racetrack are quarantined, and racing has been stopped since January 22.

The acting State Veterinarian notified me that seven horses from the racetrack in New Mexico had left prior to the quarantine being put in place to come to the Heritage Place sale on January 21-23. Dr. Herrin was able to contact Heritage Place and determine that all the horses except one were sold to purchasers in other states. The horse that stayed in Oklahoma was located and monitored. Thankfully she showed no symptoms of the disease.

On February 8 Dr. Herrin and I met with Oklahoma Horse Racing Commission Veterinarian Rudy Garrison and Remington Park Track Veterinarian John Chancey to discuss ways to prevent EHV-1 from becoming a problem at Oklahoma racetracks.

Farmed Cervidae Programs:

Dr. Roach attended the Whitetails of Oklahoma's annual convention in Broken Arrow. They had a very good member turnout and had many out-of-state deer farmers in

attendance. Their president bragged on our agency and state for having the most “deer friendly” regulations in the nation. Our office has been told this many times over the last couple years. To underscore this, Dr. Roach was recently contacted to assist state animal health officials in West Virginia regarding the establishment of new farmed cervidae laws and policies within that state.

Dr. Gorczyca assisted the Oklahoma City Zoo by performing their annual Chronic Wasting Disease inventory. The CWD annual inventory is a requirement of the CWD Herd Certification Plan and ensures that all animals are accounted for and have correctly listed identification. The Oklahoma City Zoo is one of few zoos in the nation that maintains CWD status on all their cervid species. This allows them to easily and more readily move their cervids interstate from zoo to zoo and sell the offspring to other facilities.

Two notices of violations and administrative penalties have been requested on farmed cervidae producers who did not renew their facility license and failed to disperse their herd within the 120 day grace period allotted beyond the June 30 expiration date of their license.

Dr. Roach completed a large open records request for the American Cervid Alliance regarding the number of captive deer, elk, and bison tested for tuberculosis and brucellosis in Oklahoma in the last 10 years.

Feral Swine:

Dr. Roach and I, along with other ODAFF officials, met with officials from the Oklahoma Department of Wildlife twice during this period to better understand each agency’s role and jurisdiction with regards to feral swine hunting, trapping, transportation, and licensed facilities.

Robert Davis paid a \$500 administrative penalty for illegal transport and maintaining feral swine. He addressed the matter appropriately and has since applied and been issued licensure.

Dr. Roach received a complaint from a member of the Oklahoma Feral Swine Control Association regarding the potential illegal transport of feral swine by three Texas residents and one Oklahoma resident. This matter is still under investigation, and all the members of the Feral Swine Control Association have been notified to contact ODAFF immediately if they have more details or are contacted by these individuals to purchase/sell feral swine. Thanks to the Oklahoma Feral Swine Control Association for their assistance and cooperation.

Foreign Animal Disease:

A case of Highly Pathogenic Avian Influenza was identified in southwestern Indiana in mid January. The State, Federal, and Industry partners did a good job depopulating the 10 associated flocks and stepping up biosecurity to stop any further spread. This strain was not the same strain as the one that caused the severe problems last spring and summer in the upper Midwest.

On February 1 a veterinarian reported some severe oral lesions in a breeding stallion. Dr. Stone investigated the case, took samples, and forwarded them to the National Veterinary Services Laboratory. Thankfully, no reportable diseases were found.

On February 8 a veterinarian reported some strange oral lesions in a small goat herd. Dr. Stone investigated the case and thankfully a reportable disease was not found.

The Vesicular Stomatitis Virus outbreak is almost over. As of this writing only one premises in Colorado remains under quarantine.

Livestock Market Audits:

Jeff Scott, Livestock Market Auditor, has been off work due to some back surgery. We will give an summary of the Market Audit activities during the next Board Report.

Outreach:

I completed and submitted the nominations for the seven areas Oklahoma is allotted for the Veterinary Medical Loan Repayment Program. A committee will review the nominations, and if they are accepted veterinarians will be able to apply to work in these shortage areas in exchange for up to \$75,000 payment on their student loans over a three year period.

The FDA Veterinary Feed Directive is a subject that most livestock producers have now heard of. It will change the way most producers can access antibiotics to use in or on livestock feed. We have been getting questions from veterinarians as well as producers and have been trying to help them understand the rules that go into effect at the end of 2016.

On January 13 we hosted our monthly Veterinary Medical Officer meeting where State and Federal veterinarians get together to discuss current and new programs, issues and cases.

On January 14 intern Kaitlin Agel and I attended the Senior Advisory Council meeting hosted by the Oklahoma State Department of Health. Senior members of Oklahoma Homeland Security, Emergency Management, and other agencies meet to discuss new programs and ongoing risks and issues.

Joe Simons Bucking Stock Sale was held the second week of January at the Lazy E Arena in Guthrie. This is one of the largest bucking stock sales in the United States. Our inspectors are there to verify that the bulls and horses have the proper testing and movement documentation.

On January 23 I cooperated with USDA Veterinary Services personnel to present National Veterinary Accreditation Program training the 4th year veterinary students at OSU CVHS.

The Oklahoma Veterinary Medical Association annual convention and trade show was in Tulsa January 28 – 30. On the 28th AIS hosted a day of meetings on regulatory issues and our programs. USDA Veterinary Services assisted us. We had 140 veterinarians and their staff in attendance. The next two days we had a booth in the exhibit hall and had the opportunity to meet veterinarians and staff, answer questions, and discuss issues. Additionally, Dr. Roach served as the OVMA's Food Animal Chair at this year's convention. He arranged speakers and moderators for the food animal section of the convention.

Each year, the Oklahoma City Zoo performs tuberculosis testing in its pygmy goat herd that is located within the children's zoo exhibit. Due to the public health implications an animal infected with tuberculosis would have, the zoo routinely tests these animals during their annual wellness exams to provide assurance to the public that the animals are free of the zoonotic disease. As a service to the zoo, a VMO is on hand to facilitate any necessary comparative testing if a responder is found during initial testing. On February 1, Dr. Gorczyca along with 2 CVHS senior veterinary students was on hand to perform the necessary testing. The confirmatory testing was not required as there were not any responders during this year's testing.

4th year veterinary student Kaitlin Agel did a brief externship with us from January 4 through 18. 4th year student Cyrena Neill Kaitlin is with us from February 1 through February 29, and 4th year student Amanda Hall is with us from February 8 through February 29. All three are in a pilot program at the veterinary school that will allow them to graduate with a DVM degree and at the same time complete a Masters of Public Health degree. I am assisting them with their practicums for their MPH degree.

Poultry Programs:

We responded to 10 sick bird/dead bird cases in the time period represented (total of 137 cases for 2015). No reportable diseases were discovered in these cases.

Rabies in Livestock:

We had no cases of livestock rabies reported during this time period.

Sheep and Goat Programs:

Nothing unusual occurred in the Sheep and Goat programs during this time period.

Swine Programs:

The remaining show swine from the previously brucellosis-infected herd have been tested a third time with all negative results. Accordingly, the quarantine on this property has been lifted. A herd plan remains in place, however, that will ensure additional testing, biosecurity measures, and feral swine prevention. Indemnity for the herd owner has been paid for the infected animals that were destroyed.

Miscellaneous:

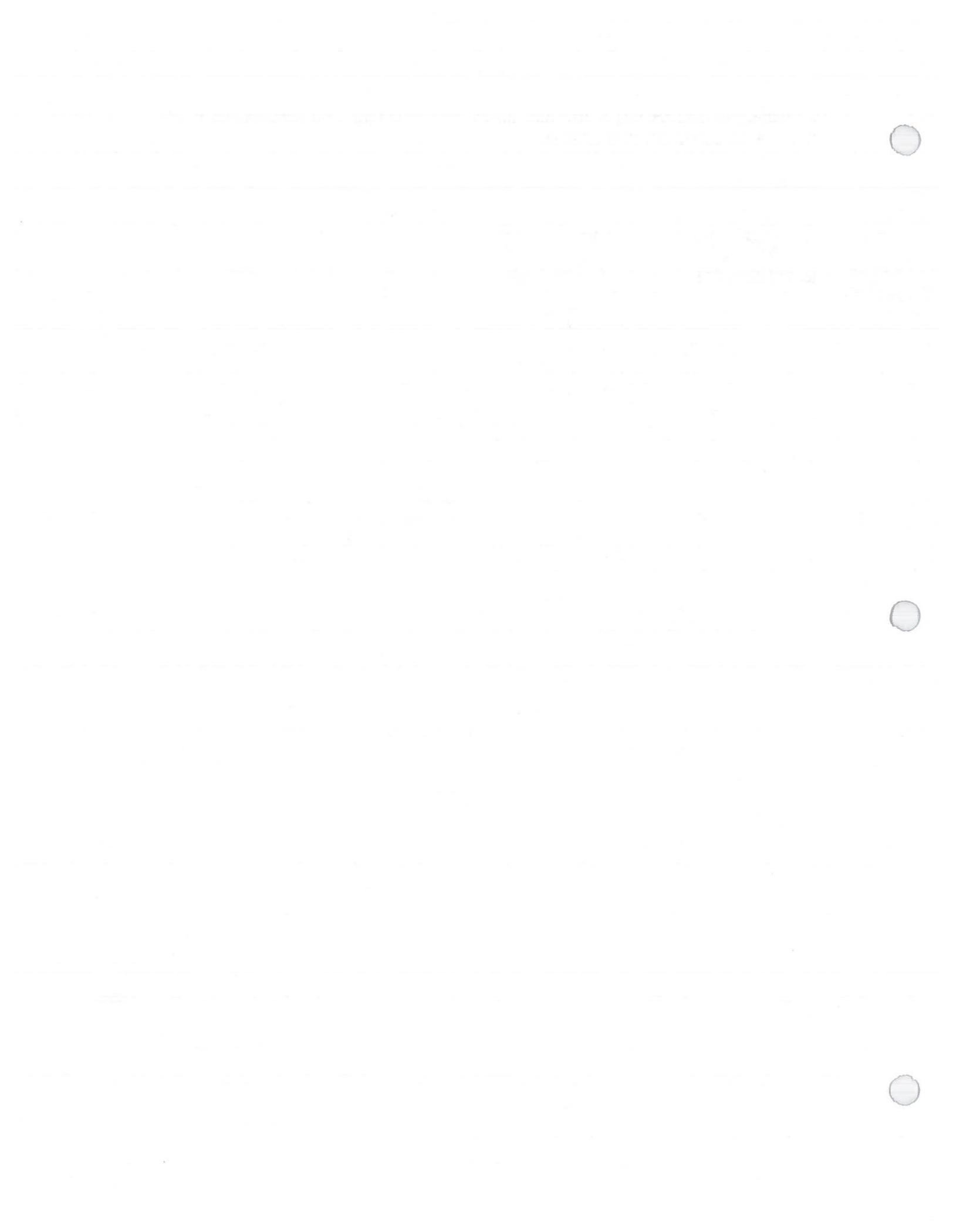
Dr. Roach completed his recertification testing for CPR. He has been certified by the American Red Cross for CPR and First Aid since 2002. I'm very proud of Dr. Roach for

his willingness to keep this certification up, as every time I jog up the stairs to the third floor I think a heart attack is imminent.

Respectfully,

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

Rod Hall, DVM



Oklahoma Department of Agriculture, Food, and Forestry
Wildlife Services Division
March 2016 Board Report for January - February 2016 Activities

Introduction

WS responds to complaints from the public involving problems with wildlife throughout Oklahoma. WS Specialists conduct operational control programs for many of the complaints they receive to resolve these wildlife damage problems. During this period, these projects were conducted on an estimated 1.5 million acres of land under agreement. Additionally, WS helped 217 persons and entities with technical assistance which involved providing information to cooperators so they can resolve problems themselves. Cooperators reported and WS Specialists verified wildlife damage of \$961,479 during this period. Beaver damages accounted for losses totaling \$127,706. Coyotes were responsible for a number of damage requests, primarily to livestock, with losses totaling \$48,790. Feral hog damages accounted for losses totaling \$783,483.

Providing Wildlife Services

Coyote Damage Management

On January 23rd, WS was contacted by a Pawnee County rancher regarding a coyote problem. A WS Specialist inspected the remains of the most recent calf killed, and verified that coyotes had indeed killed the calf. M-44s were used to quickly remove a pair of coyotes from the calving pasture, and work is ongoing to prevent future losses. Value of the calves was estimated at \$667.

A landowner in Wagoner County reported losing two calves valued at \$1,332 to coyote predation. The WS Specialist verified that coyotes caused the damages, and used foothold and neck snares to capture 17 problem coyotes. No further losses have been reported. Work is complete at this time.

On January 8th, an Osage County rancher contacted WS and requested help with coyotes that had killed a calf on his property. A WS Coordinator responded to the request verifying that coyotes were responsible for the loss, valued at \$405. Using aerial methods, eight problem coyotes were removed from the pasture, with no further losses reported.

On January 4th, a Hughes County rancher contacted WS for assistance with coyote control. The rancher reported that coyotes were responsible for killing a calf valued at \$500. A Wildlife Specialist responded to the request and confirmed coyotes were responsible for the predation. Control efforts were successful in quickly removing six coyotes from the immediate area. Control efforts are continuing at this time, with no further losses reported to date.

On January 8th, a Pittsburg County rancher contacted WS for assistance with coyote control. The rancher reported that coyotes were responsible for killing a calf valued at \$800. Control efforts were successful in removing five coyotes from the immediate area. Control efforts are continuing at this time, with no further losses reported to date.

On January 4th, a Pontotoc County sheep producer contacted WS to request assistance with coyote control. The rancher reported that coyotes had killed two sheep. A Wildlife Specialist responded to the request and confirmed coyotes were responsible for the predation. M-44s were set to remove three coyotes from the pasture. No further losses have been reported to date.

On January 7th, in Pontotoc County, another rancher contacted WS to request assistance with coyote control. The rancher reported that coyotes had killed four goats valued at \$800. M-44s were used to remove problem coyotes from the immediate area. No further losses have been reported to date.

A Texas County rancher requested WS assistance after coyotes wne loss of seven calves valued at \$2,839 and a goat valued at \$314. The rancher had used carcass/carrion removal, exclusion fencing, guarding animals, and penning and confinement to try to stop or reduce the losses associated with coyotes. The Specialist for Texas County responded to the request using leg-hold traps and calling to remove 17 coyotes. At this time no further losses have occurred, and the Specialist continues to monitor coyote activity around the area.

A Garfield County livestock producer requested assistance with coyotes depreddating on his livestock. The Specialist for Garfield County responded, verifying coyotes were responsible for the loss of a calf valued at \$405. This producer had also had used methods of carcass/carrion removal, and penning/confinement of livestock to try to reduce losses from coyote depreddation. After employing these methods, the producer was still having losses, so the Specialist utilized M-44 cyanide devices and calling to remove seven coyotes. Work is continuing to further reduce livestock losses.

A Dewey County livestock producer requested assistance with coyotes depreddating on his livestock. The WS Specialist responded, verifying coyotes were responsible for the loss of two calves valued at \$850. The Specialist set M-44s to remove five coyotes. Monitoring is continuing at this time.

A Harper County rancher requested assistance after losing a calf to coyotes. The WS Specialist used M-44 devices and calling/shooting to remove 10 coyotes. No further losses have occurred.

Feral Hog Damage Management

A Sequoyah County farmer contacted WS on January 4th, concerning feral swine. The farmer reported that a large group of pigs had moved onto his property after the recent

flooding, and were causing damage to his pasture and fallow fields. He was also concerned that it was also getting closer to time to start planting corn, and the hogs could cause even greater damage. A WS Troubleshooter verified hog activity, and set a corral trap, capturing 14 feral pigs on the property. Work is ongoing at this time.

On January 19th, a Creek County farmer contacted WS for assistance after feral hogs heavily rooted his grazing pasture. A WS Troubleshooter answered the request and verified feral hogs responsible for the extensive damages estimated at \$28,000. WS utilized aircraft to remove 32 hogs from property no further damages reported. Work is ongoing at this time.

An Osage County rancher contacted WS and requested help with feral swine on his property. A WS Coordinator responded to the request and verified that feral swine were present on the property and their rooting had caused estimated \$2,666 damage to the ranchers Bermuda grass pastures. Corral traps were used to catch nine hogs. Work is ongoing.

A Logan County landowner requested assistance with feral swine that were damaging 10 acres of his improved pastures valued at \$5,000. The WS Specialist responded to the request and set corral traps to remove 17 feral hogs from the area of damage. The Specialist continues to monitor feral hog activity in the area.

Fixed Wing Operations in Western Oklahoma

During the month of January, Wildlife Services conducted aerial operations for feral swine in nine counties in West District. Specialists in these counties reported that feral swine were responsible for damage to wheat, rangeland, and pastures that valued over \$165,000. The Fixed-wing aircraft was used to remove 254 feral swine from the areas associated with the damage.

Beaver Damage Management

On January 4th, a McCurtain County Commissioner contacted WS for assistance with beaver damage management. The commissioner reported that beaver had dammed up a creek which was causing flooding along a county roadway. A Wildlife Specialist responded to the request, and verified beaver were responsible for the estimated \$2,500 in damages to the area. Conibear trap methods were utilized to remove the problem beaver from the area. Management efforts are complete at this time.

On January 11th, a Pushmataha County Commissioner contacted WS for assistance with beaver control. The commissioner reported that beaver were damming up drainage culverts along a county roadway which was flooding the area. Conibear traps were successful in removing the problem beaver from the site with control efforts complete at this time. No further losses have been reported.

On January 4th, a Marshall County landowner reported that beaver had dammed up the spillway and burrowed holes into the dam of a pond located on his property. The Wildlife Specialist responded to the request and verified beaver had caused an estimated \$3,500 in burrowing damage the pond dam. Conibear trap methods were successful in capturing the problem beaver.

On January 6th, an Atoka County Commissioner contacted WS for assistance with beaver damage management. The commissioner reported that beaver had dammed up a creek which was causing flooding along a county roadway. Conibear trap methods were utilized to remove the problem beaver from the area.

On January 5th, a WS Specialist received a request from an Ottawa County pecan farmer with beaver damage concerns. The farmer reported that beaver were flooding several acres of his pecan orchard and also flooding several access roads. The Specialist captured two beaver, and work is continuing at this time. The damage to the roads and pecan orchard was valued at \$1,500. The farmer was instructed on several environmental changes that can be made to prevent future damages.

On January 2nd, an Adair County landowner called and said that he was having a beaver cutting down some trees and damming up a little creek on his property. A WS Specialist verified the damage was made by beavers and used conibear traps to remove two beavers from the creek.

In an Ottawa County, a landowner reported that beaver were responsible for flooding access roads on his property. The WS Specialist used conibear traps to remove the problem beaver. Work is continuing at this time with two beaver removed to date. The flood damage was estimated at \$1,500.

WS received a request for assistance from a Muskogee County landowner regarding beaver damage. The landowner reported that beavers has moved into a pond on his property and were cutting down trees. He also was concerned that the beavers would enlarge the burrows in the dam left behind by beavers which had been removed previously. A WS Troubleshooter responded to the request and verified that beavers were responsible for the damage to the trees around the pond. Conibear traps were used to quickly remove a large beaver from the pond, and work is ongoing to ensure that no more beavers are present.

On January 5th, a Sequoyah County rancher contacted WS to request assistance with a beaver problem. The rancher reported that beavers had begun damming up a drainage ditch on his property, causing minor flooding. A WS Troubleshooter verified that beavers were indeed responsible for the damage. Conibear traps were used to remove two beavers from the ditch.

On January 14th, a Haskell County landowner reported that beavers had built a series of large dams in the drainage system of his strip pit pond. The dams were causing a significant flooding issue to his pasture as well as a county road parallel to his property. Conibear traps were used by the Specialist to effectively remove seven problem beavers from the area.

In Okmulgee County, beavers had dammed up a drainage area on a property that was causing significant flooding to the area. A WS Specialist responded to the request and verified that beavers were responsible for the flooding damages. The Specialist utilized conibear traps to effectively capture four problem beavers from the flooding area. Work continues at this time.

An Alfalfa County landowner requested assistance after beavers were responsible for burrowing into his pond dam. The damage to the dam structure was valued at \$1,100. The Specialist responded to the request used snares and conibear traps to catch four beavers from the pond. No further damage to the pond structure has occurred.

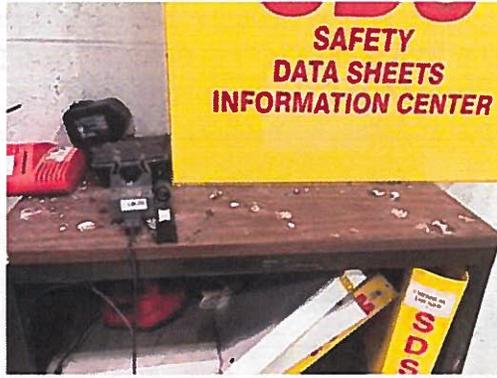
WS Assistance at Airports and Air Force Bases

Will Rogers World Airport

WS was invited to attend the Runway Safety Action Team (RSAT) meeting at Will Rogers World Airport (WRWA) hosted by the Federal Aviation Administration (FAA) in conjunction with airport management. Runway incursions remain a serious concern nationally and one important component of their ongoing efforts to improve surface safety at WRWA involves conducting a RSAT meeting at least once each year. The purpose of this RSAT meeting is to unite those individuals and organizations that are actively involved in airside operations and movement of aircraft, vehicles, equipment, and wildlife hazards on the Airport Operations Area (AOA). Participants were asked to help develop recommendations and solutions to enhance surface safety. Those recommendations will serve as the foundation for a site-specific Runway Safety Action Plan.

Representatives from WS, Will Rogers World Airport and Waste Connections (landfill) met for the quarterly meeting on bird issues. The meeting is intended to keep the airport, WS, and the landfill informed of activities that could potentially attract birds and be a threat to the flying public at WRWA.

WS is continually monitoring wildlife mitigation measures at Wiley Post and CE Page airports. WS is also working with the FAA-Mike Monroney Aeronautical Center to alleviate pigeon damage inside their hangars. The pigeons are defecating and nesting inside aircraft as well as defecating on workstations.



Pigeon damage inside FAA hangar workstations

Six coyotes were removed from the AOA. WS also removed 3 mallards and hazed 15 and had hazed over 200 Canada geese. A higher influx of European starlings have begun to appear on the AOA and WS has been removing and hazing them as well. A drainage ditch that runs North of the airfield had evidence that beaver had moved onto airport property. Allowing the beaver to stay on airport property will provide habitat that is attractive for waterfowl. WS set traps and caught one beaver. Trapping efforts will continue.

Vance Air Force Base

The waterfowl migration is in full swing in Northern Oklahoma. The numbers of geese and ducks around Vance received a lot of attention. WS is meeting with the city once a month to give input on the safest shape and location of emergency water storage that they want to build, that would not attract wildlife. More open water would be an added waterfowl attractant to the area. Vance also completed its quarterly airfield inspection this month, and WS provided input for the wildlife portion of that inspection.

Respectfully submitted,

Kevin Grant
Division Director
Wildlife Services Division

February 2016 Activity Report for March 2016 Board Meeting

Agricultural Statistics Division

General: Overall, Oklahoma experienced normal weather for the month of January. The heaviest rains were received in the West Central and Southeast districts. According to the Mesonet, there were a few winter storms in areas of the West Central and Southwest districts early in the month. Precipitation across the state averaged 0.76 of an inch, ranging from 1.60 inches in the Panhandle district to 1.30 inches in the West Central district.

Statewide temperatures averaged in the mid 30's, with the lowest recording of 4 degrees at Kenton on Monday, January 11th and the highest recording of 85 degrees at Hollis on Saturday, January 30th. Topsoil and subsoil moisture conditions were rated mostly adequate to short.

Small Grains: Conditions of small grains were rated mostly good to fair. Winter wheat grazed reached 49 percent, up 11 points from the previous year. Rye grazed reached 70 percent, down 1 point from the previous year. Oats grazed reached 25 percent, down 6 points from the previous year.

The 2016 Weekly Crop Weather report will resume on March 8, 2016.

Surveys: Surveys conducted throughout February and scheduled for March include:

Survey	Enumerated by:	Survey Dates
Bee, Annual Colony Loss	Phone	Jan 19 - Feb 2
Bee & Honey Small Operation PDI	Phone	Jan 19 - Feb 2
Bee, Cost of Pollination	Phone	Jan 25 - Feb 16
Trout Production Disposition & Income (PDI)	Phone	Jan 26 - Feb 16
Bi-monthly Cotton Ginnings	Phone	Feb 1 - Feb 2
Commercial Floriculture	Phone	Feb 3 - Feb 16
NFI Slaughter	Phone	Feb 10 - Feb 12
Hay and Grain Prices	Phone	Feb 16 - Feb 17
March Crop Production (Planting Intentions)	Phone	Feb 27 - Mar 17
Cotton Ginning	Phone	Mar 1 - Mar 2
March Hog & Pigs	Phone	Mar 4 - Mar 15
NFI Slaughter	Phone	Mar 9 - Mar 11
Off Farm Grain Stocks	Phone	Mar 14 - Mar 17
March Hay and Grain Prices	Phone	Mar 15 - Mar 17
Farm Classification Survey (NACS)	Phone	Mar 14 - May 28

Statistics: Oklahoma's January 1, 2016 inventory of **all cattle and calves** was up 300 thousand head from the January 1, 2015 inventory to settle at 4.85 million head. All cows and heifers that calved, at 1.99 million head, were up 4 percent. Bulls, at 145 thousand head, were up 4 percent from January 1, 2015. All heifers over 500 pounds, at 925 thousand head, were up 14

percent from last year. Steers over 500 pounds, at 970 thousand head, were up 11 percent from January 1, 2015. The 2015 annual calf crop for Oklahoma, at 1.77 million head, was up 1 percent from the previous year.

Oklahoma's January 1, 2016 **sheep and lamb** inventory was down 7,000 head from a year earlier and settled at 46,000 head. The largest decline in inventory came from the breeding sheep, at 37,000 head, down 5,000 from a year earlier. The **meat and other goat** inventory on January 1, 2016 decreased by 5,000 head from a year earlier; milk goat inventory was down 300 head from January 1, 2015.

2015 county estimates were released for corn, sorghum, soybeans and sunflowers on February 18, 2016. The one-page reports will be published to our website by February 29, 2016.

Information Requests: Phone calls, personal visits to our office, and requests via e-mail for information since last report totaled 16. In addition, our internet home page was hit 2,449 times in January 2016.

Released in February:

Cattle on Feed
Agricultural Prices

Relating Dates:

February 1, 2016
February 15, 2016

Release Dates:

February 19, 2016
February 29, 2016

Released in March:

Cattle on Feed
Quarterly Hogs and Pigs
Agricultural Prices
Prospective Plantings

Relating Dates:

March 1, 2016
March 1, 2016
March 15, 2016
March 1, 2016

Release Dates:

March 18, 2016
March 25, 2016
March 30, 2016
March 31, 2016

Meetings and Events:

ODAFF Plasticulture Conference
ARMS III NASDA Workshop
American Farmers & Ranchers

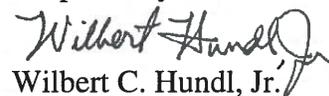
Date:

February 13, 2016
February 16-18, 2016
February 19-20, 2016

Location:

Wayne, OK
Norman, OK
Norman, OK

Respectfully Submitted,


Wilbert C. Hundl, Jr.

MARKET DEVELOPMENT SERVICES

March 1, 2016

Report to the State Board of Agriculture (mid-January – mid-February 2016)

AGRITOURISM

January consisted of reorganizing several processes and following up on some loose ends with the coordinators finished responsibilities in December. Current projects in the works include the new Agritourism map (currently in printing), the new u-pick promotion the Jelly Trails, and the producer site. Although some of these projects have new and improved timelines, all will be completed by the end of fiscal year June 30, 2016.

Staff made an inspection site visit for the Oklahoma Agritourism Association (OAA) at the Flying M Ranch in Inola. They passed inspection and we submitted paperwork for the Tourist Oriented Directional Signage (TODS). Staff attended the TODS meeting and ODOT objected to signs on both highways even though the traffic engineer had approved both locations. The tourism partners in the meeting strongly backed the Agritourism request and approved signage on both Hwy 412 and Hwy 20.

Staff attended the 31st Annual NAFDMA (North American Farmers Direct Marketing Association) in Vancouver BC Jan 31st- Feb 6th. This conference was filled with information, ideas and networking opportunities. Staff took pictures of several ideas and in conjunction with the OAA will put together a slide show and presentation for the Agritourism members. Here are just a few of the pictures on tour.



Lepp Farm Market- Great use of merchandising to make this very well organized and full service farm market feel like you are on the farm as well as use of digital signage to show off the family farm where most of the products come from and get to know the farmer. Full demonstration kitchen converts to a deli when not in class!



Honey Farm focusing on value added products and sharing the process with the public.



Fantasy Farms utilizes all of the Christmas décor to transition into an Easter event that has brought a whole other income on the farm.



Grandville Island Market is the 2nd most visited tourist attraction in Canada 2nd only to Niagara Falls. It is similar to our Pikes Market in Seattle really something to see...amazing merchandising and such fresh produce!

These are just a sampling of the days filled with ideas and networking. Some of the conversations and workshops were so insightful to hear an entire bus full of producers discuss marketing strategies, traffic flow, did they work or not and why, radios or cell phones, what type of POS systems work the best as you grow, the jump pillow versus the jump pad and how they would hold

up and how their \$10K to 20K investment would pay back or why or why not serve a la cart versus paying one price of admission. Always a great deal of valuable information shared!

Staff completed interviews with 8 candidates for the Agritourism Coordinator position. We have some top quality candidates and will conduct a second round of interviews. The interview panel was Jamey Allen, Jamie Cummings, Jason Harvey, Janet Burns and Brian Painter.

Site Visits

Woods and Waters, Flying M Ranch, The Canyon Inn,

Internet Presence

Jan 9th- Feb 12 agritourism.travelok.com

1,253 visits

1,303 page views

Facebook	Twitter	Instagram (new!)	Pinterest
4547 fans	2,705 followers	112 followers	170 followers

AG IN THE CLASSROOM

The AITC Teacher of the Year (TOY) contest had outstanding applications submitted this year.



Amber Bales, a third grade teacher at Morrison, was named the 2016 AITC TOY. AITC staff surprised her at her school on February 10. She spoke to the students after learning that she had won the contest encouraging them to persevere and not give up, telling them that she didn't win the first time that she applied but that she didn't give up and her effort had paid off. She will be recognized at Ag Day at the State Capitol on March 30. Also being recognized that day will be Zena Lewis, middle school teacher at Owasso, who is the Runner-Up TOY and Debra Deskins, elementary teacher from Edmond, who placed third.

The contest theme for 2016 was "Agriculture - From the Ground and All Around." This year the contest nearly doubled with 3,268 total entries. 128 teachers from 82 schools in 47 counties entered the contest. Each individual contest had an increase in entries this year.

AITC staff was able to duplicate the winning entries in house this year which saved the department just over \$600. These are then framed and presented to the students at their schools where they are recognized for the creativity and hard work. AITC Coordinators have started making presentations at the schools. So far a coloring contest winner at Maysville and four poster winners at Lindsay have been recognized.

Lisa Storm, 2014 Ag in the Classroom Teacher of the Year was nominated by AITC staff for the National Excellence in Agriculture award.

AITC Staff met with FFA State Advisors to plan ways that AITC and the FFA can work together to develop lessons for high school students. AITC Coordinators will present professional development workshops for the Ag-Ed teachers this summer and will also have a booth at the FFA convention.

Coordinators met with Cooking for Kids staff at OSU. The chefs that they have will work with AITC this summer to present cooking demonstrations during the summer road trips.

Staff met with Josh Hargis of Agvocates in order to plan the AITC State Summer Conference. Mr. Hargis works with special needs students and will address the teachers at the conference and share ideas to work with special needs students in their classrooms. AITC and Agvocates will work together to develop special education lessons that incorporate AITC lessons and special education standards.

Coordinator met with Dr. Ramsey at OSU to plan a weekend Ag Ed course for OSU students. This course will be held in April. Staff also met with Dr. DeVuyst to discuss partnering with OSU Collegiate Cattlewomen.

AITC staff attended staff meeting at State Department of Education. During this meeting the new state standards for Language Arts and Math were discussed. As soon as they are adopted staff will begin adding these standards to AITC lessons.

Staff attended Showstoppers Ag Show at Weatherford where students with disabilities showcased their livestock.

NEW RESOURCES - AITC teachers across Oklahoma were filmed in short vignettes teaching AITC lessons. These videos are going to be featured on the AITC website and also the AITC YouTube channel. Teachers will be able to view others teaching the lessons and learn how easily the lessons can be integrated into their curriculum. This project was funded by a USDA Specialty Crop Block Grant.

PROFESSIONAL DEVELOPMENT WORKSHOPS

- 1 teacher at White Rock school met with AITC staff for training. She was able to set up a workshop for other teachers at her school to attend.
- 17 teachers attended the SDE Teacher Residency Training in Bartlesville where they received class sets of AITC Specialty Crop magazines and the Crop-opoly game.

- 16 teachers attended the SDE Teacher Residency Training in Chickasha where they received class sets of AITC Specialty Crop magazines and the Crop-opoly game.
- 8 OSU ECE Social Studies preservice teachers attended an AITC professional development workshop and learned how to use AITC lessons in their classrooms.
- 15 teachers attended the AITC Noble Conference where they helped plan the State Summer Conference. They also toured the Noble Foundation and learned about bee keeping, microscopy, greenhouses, and the boar buster. These teachers also donated school supplies for Dover High



School which AITC staff delivered.

- 8 teachers at Chelsea middle school attended a workshop focused on school gardens. They each received the crop-opoly game.
- 7 teachers from Wheatland Reading group learned how to integrate AITC with their reading lessons.
- 40 teachers at Willard Intermediate center in Ada learned about agriculture as AITC Coordinator taught "Bovine Oversteps Boundaries" and how to use the lesson for a writing assignment. Each teacher received the crop-opoly game, as well.
- 25 preservice teachers at SWOSU learned how AITC lessons can be used to teach students to prepare and consume healthy food choices.
- 120 Ag Communication majors from across the nation listened as AITC Coordinator spoke at the National Collegiate Ag Communication Conference. They learned the importance of sharing AITC 's message using their degree.

AITC RESOURCES DELIVERED

- 3 classes at Cleveland received class sets of the Specialty Crop Ag magazines during the Bonnie Cabbage Plant awards presentation.
- 10 special education students at Chelsea received instruction to assist them with their new greenhouse. AITC staff helped them make plantable greeting cards, garden in a glove, and gave each of them pencils, bookmarks, and an Ag magazine.
- Resources were sent to the Kay County Women in Ag Conference.
- Ag Magazines and Oklahoma Commodity Maps were delivered to Debra Deskins who is teaching an AITC workshop at the OEA conference.

WEBSITE AND SOCIAL MEDIA UPDATES

Website Hits- 11,749 Unique Visits- 8,650

AITC Lesson Downloads- 1,031 Unique Downloads- 373

Smart board/Power Point/Keynote Downloads- 93 Unique Downloads- 60

Facebook Likes 2,978

Kahoots- 99 Plays by 764 players

MADE IN OKLAHOMA

Market Development staff gave a Made in Oklahoma Program presentation to the Sand Springs Retired Educators. They were very interested in learning about the variety of products made in Oklahoma and where to purchase them.

The guest speaker for February's MIO Emerging Committee meeting was Jay Roberts with the Oklahoma Grocers Association. Jay provided a lot of great information regarding the organization, how to get involved and went into detail about the specifics of their coupon program. He offered the Emerging Committee a very generous offer of one free year of membership into the Oklahoma Grocers Association for 2016.

Information was sent to over 250 Made in Oklahoma Program members regarding three different marketing opportunities taking place in the next few months. The first was regarding the Small Business Lender/Borrower Matchmaking & Resource Event taking place at the Great Plains Technology Center in Lawton on Thursday, March 31. The other two events were the Southwest Farm and Home Expo in Elk City on April 2 -3 and the Expo-Farm Expo 2016 in Woodward, April 1-3.

Staff met with the Crest Foods In-Store Demo representative in order to coordinate some Made in Oklahoma demos for the Emerging Committee members during the month of April. The Crest representative attended the Made in Oklahoma Culinary Expo and visited with a number of Emerging Committee members and is in the process of setting up in-store demos with them.

Made in Oklahoma Program Web Statistics

January – February 15, 2016

Page Views: 144

Users: 134 (New and Returning)

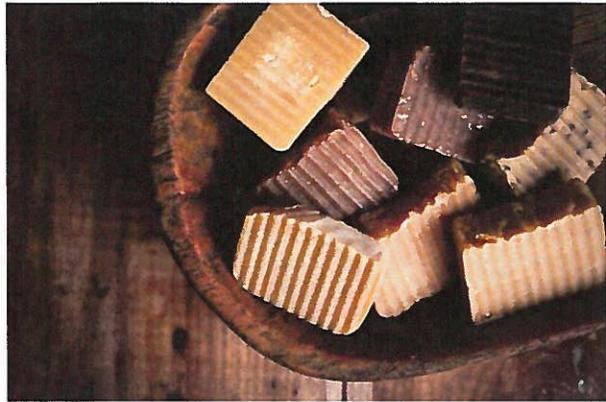
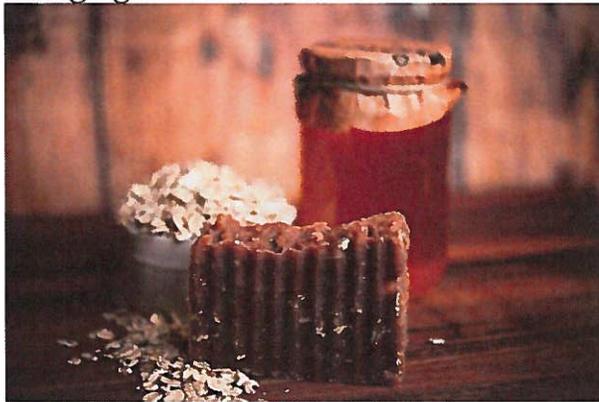
% New Sessions: 92.36%

Made in Oklahoma Program Facebook Statistics

January 5, 2016 – 1991 Likes

February 16, 2016 – 2,035 Likes

New Made in Oklahoma Program Companies
Swinging K Farm – Blanchard



All of their goat milk products are made with farm fresh goat milk from their very own happy healthy goats! They also use all natural vegetable fats, oils and butters to produce a wonderfully moisturizing bar that bubble with a great lather. <http://swingingkfarm.com/>

Cinzia's Knotty Sauce – Stillwater



They make their dough and sauce in house. Their pizzas are cooked in a brick oven. Best pizza around! <http://www.cindypizzastv.com/>

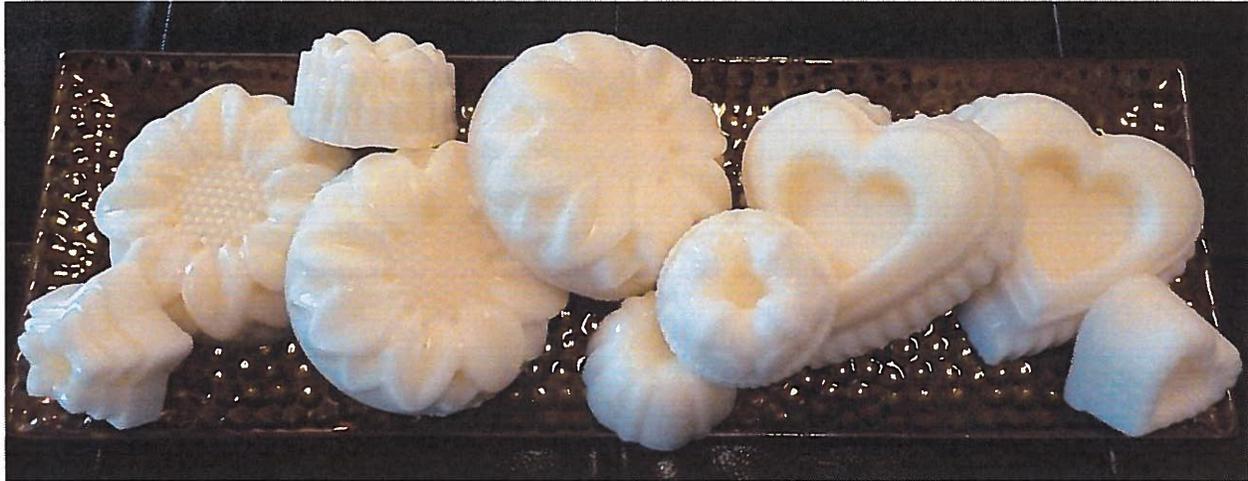
JR Okie Smokie LLC – Edmond



Back in 1997, the father/son combination of Tom Ross and Jeremy Ross of Ponca City, Oklahoma came up with an amazing recipe for some great barbecue sauce. This barbecue sauce recipe was

sworn to secrecy and was only available in fine recycled ketchup bottles with the fancy name wrote in Sharpie on the outside. Fast forward to 2015, 18 years later... After using the sauce for nearly two decades, a friend of the family, Ryan Hintergardt, got the idea to manufacture and sell the sauce along with Jeremy. The two partnered up early in 2015 and got the ball rolling. The name of JR Okie Smokie was settled on, using the J from Jeremy's name and the R from Ryan's name.

BeeLoved Naturals - Edmond



BeeLoved is passionate about creating all natural, affordable health and beauty products. They use only 100% pure essential oils in their products. <http://www.beelovednaturals.com/>

Upcoming Events:

[Greater Tulsa Home and Garden Show – March 10-13, 2016](#)

[Oklahoma Ag Day – March 30, 2016](#)

MADE IN OKLAHOMA COALITION

In 2016, the retail focus will include targeting Crest supermarkets in the first trimester, Reasor's the second and Homeland in the third. Meetings were held with Crest buyers on January 13 and February 2nd to solidify a game plan for an April promotion. A two-week promotion has been scheduled for April 13-26. Participating companies will pay between \$250 and \$500 to participate. Crest will design signage, POS and banners to include MIO and company logos for all 8 stores. They will also feature MIO products in end cap and aisle displays throughout the store including frozen, bakery and meat and shelf stable products. Thus far, 11 MIO companies have committed to participate. In-store demonstrations in several of the higher traffic stores will complement the two week promotion.

Staff assisted with the set-up of the MIO Culinary Expo on January 19, and attended the Expo on the 20th. Staff attended a morning planning meeting with other MIO coordinators on January 27; in the afternoon, staff set up for the AWG Show at the Cox Convention Center which took place on the 28th. At the AWG Show, staff met with Crest personnel to further discuss the April promotion. Staff attended a MIO photo shoot on February 2, and coordinated a combined planning session with Natalie Mikles and David Brooks on the same day to discuss the monthly recipe themes for the balance of this fiscal year.

Staff attended the Emerging Company meeting on February 3. Jay Roberts, OGA, was the featured speaker. He discussed a variety of topics including the coupon redemption program they oversee. Staff attended a meeting with Steve Raupe, Ozarka Water, on February 4. Steve is this year's MIO President. The purpose of the meeting was to discuss MIO activities that will take place the balance of this fiscal year.

The February MIO Meeting took place on the 5th. Staff prepared the agenda for the Retail Meeting, and insured the financial packet, membership dues, invoices and payables, was in order.

At the Culinary Expo, the owner of Crest met a number of Emerging MIO Companies for the first time. Crest is intentionally shifting their schematic to include more specialty products. One of the manufactures they showed considerable interest in was Bedre. It was reported at the February 2nd meeting with Crest that Bedre will be on the Crest shelves in time for Valentine's Day.



Representative from VAP in Alva at the MIO Culinary Expo



Representatives from Chef's Requested at the MIO Culinary Expo, January 20

DIVERSIFIED MARKETING

PLASTICULTURE

Plasticulture staff attended the Southern Sustainable Agriculture Working Group conference in Lexington, KY in January. This conference covered a large number of topics including organic production, specialty crops, beginning farming, farm to school, community food systems and more. Over 1,500 people attended and it was inspirational to see so many young farmers interested in becoming involved. We were especially interested in the classes that focused on using and maintaining the BCS tractors. A demonstration showing how farmers are using the BCS tractors to construct terraces on sloping lands was also very informative.

Much of the period of January through early February was spent preparing for our 10th annual Plasticulture Conference held February 12-13. We will provide more information on that conference in our next board report.

We are also planning our first meeting with the ten growers who will be participating in a strawberry field-trial funded by the Specialty Crop Grant we received last year. All the growers are experienced and have successfully completed our Plasticulture program. We expect to learn a great deal about the different strawberry varieties as well as growing practices and techniques.

FARM TO SCHOOL

Ag in the Classroom's Cheri Long is the designated the Oklahoma Farm to School State Contact. The addition of duties will be in lieu of replacing F2S coordinator.

Staff met with Debbie Hamilton, Executive Director of Child Nutrition programs and Sherri Assaleh, Administrative Coordinator for SDE's Child Nutrition program to inform SDE of the status of the F2S program and discuss options for working with regional child nutrition directors. Staff has concentrated on making F2S connections, including the USDA Food and Nutrition Service Director and the F2S Midwest Regional lead.

To fulfill the Farm to School project from the Specialty Crop Block Grant, F2S staff and AITC Staff will facilitate 2 one-day traveling workshops to link Child Nutrition Directors and Food Service Providers with local farms, farmers and farmer's markets. These workshops will include chef demonstrations on preparation of fruits and vegetables appropriate for school lunches and general agriculture education.

Staff participated in a regional F2S conference call with Iowa, Kansas, Nebraska and S Dakota State Contacts and a Webinar for 2016 Core Partner Orientation.

ECONOMIC DEVELOPMENT

Work for the 2016 Excellence in Agriculture awards kicked off in January with staff mailing out applications to statewide agriculture commodity groups in addition to sending out a press release to promote the awards. The Excellence in Agriculture awards will once again encompass the Outstanding Achievement Award in Agriculture which is presented to individuals within the agriculture industry who exemplify personal values, performance, and achievement and have high standards of conduct, leadership, innovation, and accomplishments in agriculture and is a non-posthumous award. The Outstanding Legacy in Agriculture Award which posthumously honors individuals who made significant life-long contributions to Oklahoma agriculture. The Agriculture Environmental Stewardship Award recognizes Oklahoma agriculturalists that are leaders in developing and adopting outstanding environmentally innovative agricultural practices. The final award is the Outstanding Public Service in Agriculture Award honoring individuals who have made outstanding contributions of public service to Oklahoma agriculture. The deadline for nominations is Friday, February 12th. Two selection committees comprising of six (6) individuals have been confirmed and will meet on February 18th to receive their packets of individuals up for consideration. This year's winners will be announced during a special ceremony on March 30th during Ag Day at the state capitol.

Market Development staff traveled to Tulsa to attend the 2016 Oklahoma/Arkansas Horticulture Industry Show on January 8-9. On January 8th, staff participated as a panelist for a breakout session focusing on Farmers Markets. The majority of the discussion centered on food safety issues and specific licenses certain vendors must obtain in order to participate. The next day staff spoke to attendees about loan and grant opportunities available from ODAFF. Both sessions were well attended and generated much discussion among the participants.

The January deadline for applications for loans and grants under the Agriculture Enhancement and Diversification Program was January 4, 2016. There were 2 Marketing Utilization loan applications submitted for consideration. The committee will meet on February 19th to take action on these proposals and any other business at hand.

Market Development staff worked the majority of December to compile annual and final reports for three USDA Specialty Crop Block grants. The 3 year grant agreement for project 12-25-B-1482 expired on September 27, 2015 and the final report was submitted to USDA on December 15th. USDA notified ODAFF on February 10, 2016 that reports for the 11 projects under that grant agreement had been approved and all requirements for the grant had been met. The second annual report for the 9 projects included in USDA agreement 12-25-B-1691 was submitted on December 17th and ODAFF is still awaiting feedback on this report. Fifteen (15) proposals were included in USDA agreement SCBGP-OK-0040 whose first annual report was submitted on January 7th. At this time USDA is still reviewing this report also and may have some questions regarding various project reports.

As one grant period comes to a close comes the preparation for the beginning of another. USDA notified ODAFF that Oklahoma will have \$468,000 available through the Specialty Crop Block Grant program in 2016 to fund projects that can bring advancement to the industry within Oklahoma. Currently staff is revising the application and plans to publish a Request for Proposals the first week of March.

INTERNATIONAL MARKETING

Staff scheduled a meeting with the Bulgarian Attache on January 14. The gentleman was in OK to discuss a variety of investment opportunities, including ones related to agriculture. On February 19th, staff attended the bi-monthly GIT meeting at the OK Department of Commerce. On January 25, staff met with Susan Robertson, OKIE Executive Director, and Micah Anderson, to prepare for Itzhak Esquira's upcoming visit from Israel. He will be the featured speaker at the Plasticulture Conference scheduled for February 13. He arrived on February 10, was introduced to an aquaculture initiative at Langston University, and a cut flower operation south of Stillwater on the 11th. On the 12, he was made a presentation to the Board at the Noble Foundation in Ardmore before returning to Wayne for a plasticulture demonstration in the afternoon. At OSU, Itzhak was introduced to Drs. Lynn Brandenberger and Bruce Dunn, Horticulture Specialists.

Staff is recruiting for two upcoming SUSTA projects, the International PLMA Show scheduled for mid-May in Amsterdam, and the Specialty Food Show, scheduled for the end of June in NYC. Five booth spaces are planned for the PLMA Show, and 19 spaces will be filled for the Specialty Food Show this year. A couple of OK companies are in the initial stages of registering for the Specialty Food show.

Staff worked with OKC Chef Kurt Fleischfresser on a SUSTA initiative in Berlin, Fruit Logistica. Kurt represented the Southern States at this horticulture and produce show, February 3-5. SUSTA Intern Leah Olson completed several tasks. She prepared a recruitment tool identifying all the SUSTA companies that attended the PLMA Show last fall in Chicago. The attachment is an invaluable document to be used when identifying and targeting companies for participation in upcoming SUSTA events. She also completed a power point presentation for use at the Plasticulture Conference in which Itzhak Esquira from Israel will be a featured speaker. In addition, she prepared and shipped samples of Head Country BBQ sauce to Denmark as requested by a German importer. Finally, she drafted an OK International Mission Statement and introduction for the new SUSTA website.

Heard on the Street:

At the Culinary Expo, it was learned that Woody Candy recently made another trip to Iowa to meet with HiVee buyers. Woody Candy originally met the HiVee buyers last June while attending the FMI Show with the MIO Coalition.



Itzhak Esquira with Micah Anderson, ODAFF, and Horticulture Professors at OSU

Staff assisted the six companies complete their registration for 2016 Expo ANTAD held in Guadalajara March 15th. To the 18th. . The companies signed up for this event include Clements foods from Oklahoma. All company representatives attending the SUSTA booths were provided in advance ANTAD’s Calendar of events and activities, were assisted in meeting deadlines in ordering badges, booth furnishings, equipment, and submitting directory information and logos.

Staff has been recruiting regional companies for the 2016 ExpoHore food exposition scheduled for May 31st. to June 2nd.in San Jose Costa Rica. Almost fifty show announcements and/or invitations have been mailed out and expect at least a similar number will be emailed out next week. Clements Foods has registered.

Staff has been following up with the Costa Rican ITM buyers regarding their expressed interest in Oklahoma food products. Buyers had been using incorrect email address for Shawnee Mills. The problem has been corrected. Shawnee sent samples to the freight forwarders in Miami. Likewise Griffin foods, Lopez foods and OK Foods had similar communication problems and are being assisted.

MARKET NEWS

Despite a short boost in futures strength just after the first of the year the beef industry saw sharp losses from January through early February. Fed cattle were the lone bright spot with prices finishing slightly higher. Another positive note was that demand for yearling cattle and grass calves remained generally good at the lower prices. Weather has not been a significant factor in this year’s cattle

markets so far this winter.

Wheat pasture cattle are being offered weekly at western and central Oklahoma livestock markets this week. Many operators are hoping for an early spring and demand for grass calves was very good late in this reporting period.

At Oklahoma City, 500 to 600 lb. calves were \$3.00-6.00 lower from very early January. Prices ranged from \$179.00-202.50 with a weighted average of \$190.75. Yearling steers were \$10.00-20.00 lower with prices ranging from \$146.25-161.75 and a weighted average of \$152.75.

Negotiated fed cattle trade was light but sporadic through January and early February. Prices were \$1.00-3.00 higher at the close with latest sales from \$136.00-138.00, finishing at \$136.00 in the Southern Plains. Wholesale beef prices held near steady with the estimated boxed beef cutout value of Choice carcasses estimated at \$220.60 late.

Alfalfa trade remains extremely slow on light demand and moderate to heavy offerings of all but the very best Supreme quality alfalfa. Dairy hay is now trading at \$0.80-0.90 per point of Relative Feed Value. Grinding hay demand is extremely light and a few loads were reported sold at \$40.00 per ton in Western Oklahoma the first week in February.

MARKET NEWS SERVICES

	January 4	February 9	DIFFERENCE
WHEAT: (bu)	\$3.74-4.14	\$3.66-4.06	\$0.06-0.08 lower
MILO: (cwt)	\$4.68-5.34	\$4.89-5.48	\$0.14-0.21 higher
SOYBEANS: (bu)	\$7.69-8.03	\$7.68-7.98	\$0.01-0.05 lower
CORN: (bu)	\$3.16-3.60	\$3.26-3.67	\$0.07-0.10 higher
CANOLA: (cwt)	No quotes until new crop		
COTTON: (lb)	\$0.59	\$0.60 ½	\$0.01 1/2 higher
EGGS: (doz)	Jan. 5	Feb. 4	
Large	\$1.19	\$1.86	\$0.67 higher
Medium	\$0.78	\$1.51	\$0.73 higher
Small	\$0.75	\$0.95	\$0.20 higher

OKLAHOMA NATIONAL STOCKYARDS STEER CALVES:

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

(1-04-16) \$176.00-208.50: Wtd. Avg. \$196.26

(2-08-16) \$179.00-202.50: Wtd Avg. 190.75 Mostly \$3.00-6.00 lower on comparable sales.

Eight weekly market reports were issued in January and February. The voice messaging system was accessed 20,433 times in December and January. The system was accessed a total of 114,188 times in calendar year 2015.


 Jamey Allen, Director
 Market Development Services





**Oklahoma Department of Agriculture,
Food, and Forestry
March 1, 2016 Board Report for the
Agricultural Environmental Management
Services Division
Activities from
Jan. 1, 2016 through Feb. 7, 2016**

AEMS Agriculture Related Meetings/Conferences Attended

- On January 6, 2016, Keith Smith and Jeremy Seiger traveled to Holdenville to meet with some of the pork growers from southeast Oklahoma. This was an opportunity for Keith to introduce Jeremy to the growers and get face to face time in an effort to continue to build good working relationships. There were approximately 15-20 farms represented by their families at the meeting.
- On January 7, 2016, Grant Graves and Jeremy Seiger traveled to Stillwater to attend the winter Water Resources Advisory Board meeting. Members listened to scientists seeking research funding on specific projects for the upcoming year. The top three proposals will be awarded 25K towards their research projects.
- On January 22, 2016, AEMS representatives watched the first of a two part series webinar hosted by the Livestock and Poultry Environmental (LPE) Learning Center that discussed the construction and maintenance of manure pond liners.
- On February 2, 2016, Grant Graves attended the quarterly TMDL Workgroup meeting held at the Oklahoma DEQ office. Items of discussion and updates included new projects for the remaining fiscal year, including the Illinois River and Lake Tenkiller TMDL Model that was developed by EPA.
- On February 4, 2016, Jeremy Seiger met with Tyson representatives to discuss pork and poultry topics for their Oklahoma operations and to meet Tyson's new Vice President and General Manager.

AgPDES Activities

- Number of AgPDES CAFO Authorizations this reporting period: 2
- Number of AgPDES CPG Authorizations this reporting period: 7
- Number of AgPDES PGP Authorizations this reporting period: 0

Poultry Activities

Poultry activities, topics and meetings arranged or attended by the AEMS team included:

- Conducted 8 meetings with OSU Cooperative Extension Services County offices.
- Conducted 6 meetings with the Natural Resources Conservation Service (NRCS).
- Attended 4 poultry education classes.

Complaints and Inspections

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

13	Complaints received and investigated this reporting period.
8	Complaints closed this reporting period
Complaints Received - Breakdown	
Cattle - 3 Horse - 3 Poultry - 2 Swine - 4 Dog – 1 (Referred to Pet Breeders)	
58	All complaints received in FY 16
65	All complaints closed in FY 16
107	LMFO/CAFO inspections, plus technical assistance.
244	Poultry inspections and technical assistance.

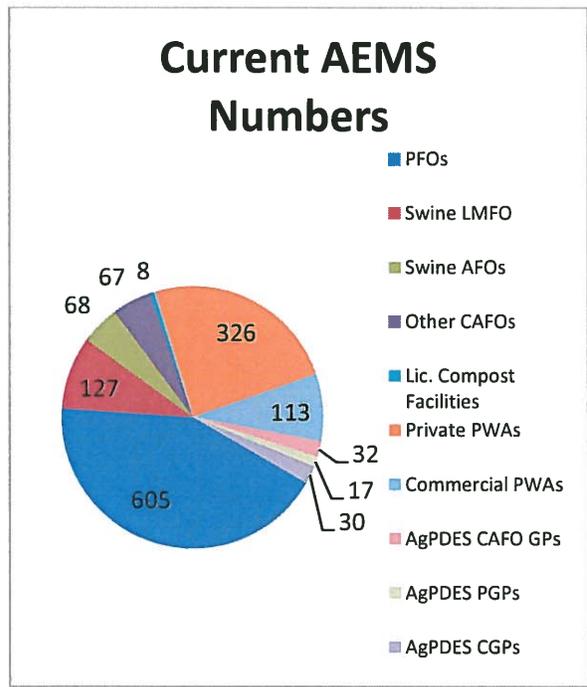
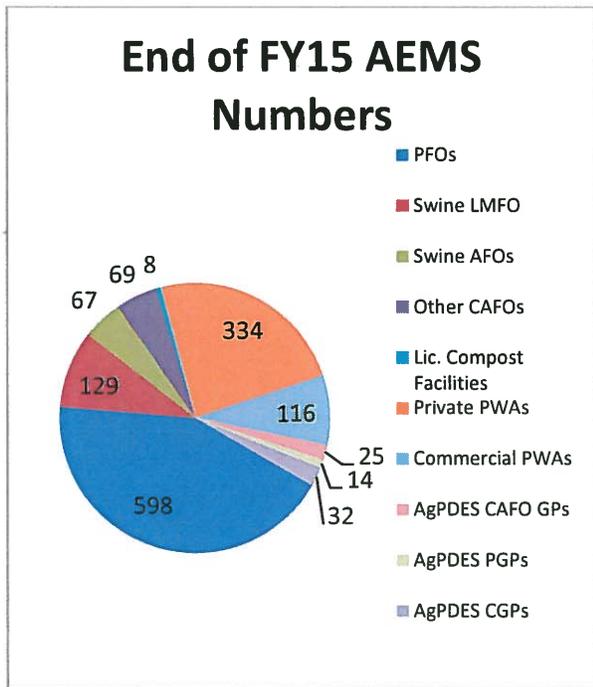
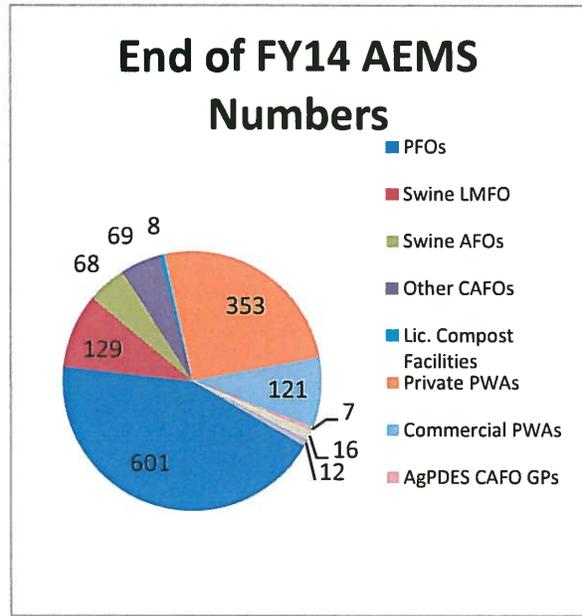
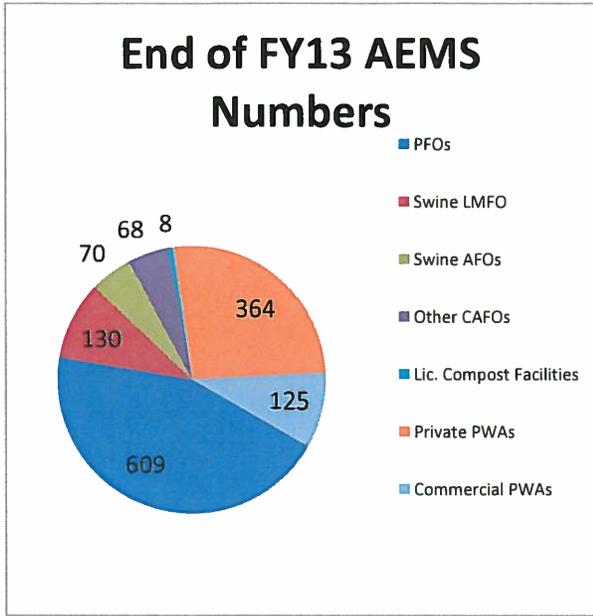
CAFO and LMFO Activities - Month and Fiscal Year 2016

	Jan. 1 st - Feb. 7 th	FY16 Total
Complaint/Compliance Follow-ups	24	166
Routine Inspections	72	413
Carcass Disposal Inspections	17	127
Water Samples Collected	1	67
Technical Assistance with Contacts	35	233
Site Visit – Contact Missed	14	96
Inspections with EPA	0	0
Soil Samples Collected	0	0
Construction Stormwater Inspection	0	0

Poultry Activities – Month and Fiscal Year 2016

	Jan. 1 st - Feb. 7 th	FY16 Total
Complaint/Compliance Follow-ups	5	102
Annual Poultry Inspections	47	185
Poultry Technical Assistance	197	1225
Soil Samples Collected	130	194
Site Visit/Review – No contact made	88	512
Construction Stormwater Inspection	0	0
Eucha-Spavinaw CNMP Written	22	88
Inspectors Attending Poultry Education Classes	2	10

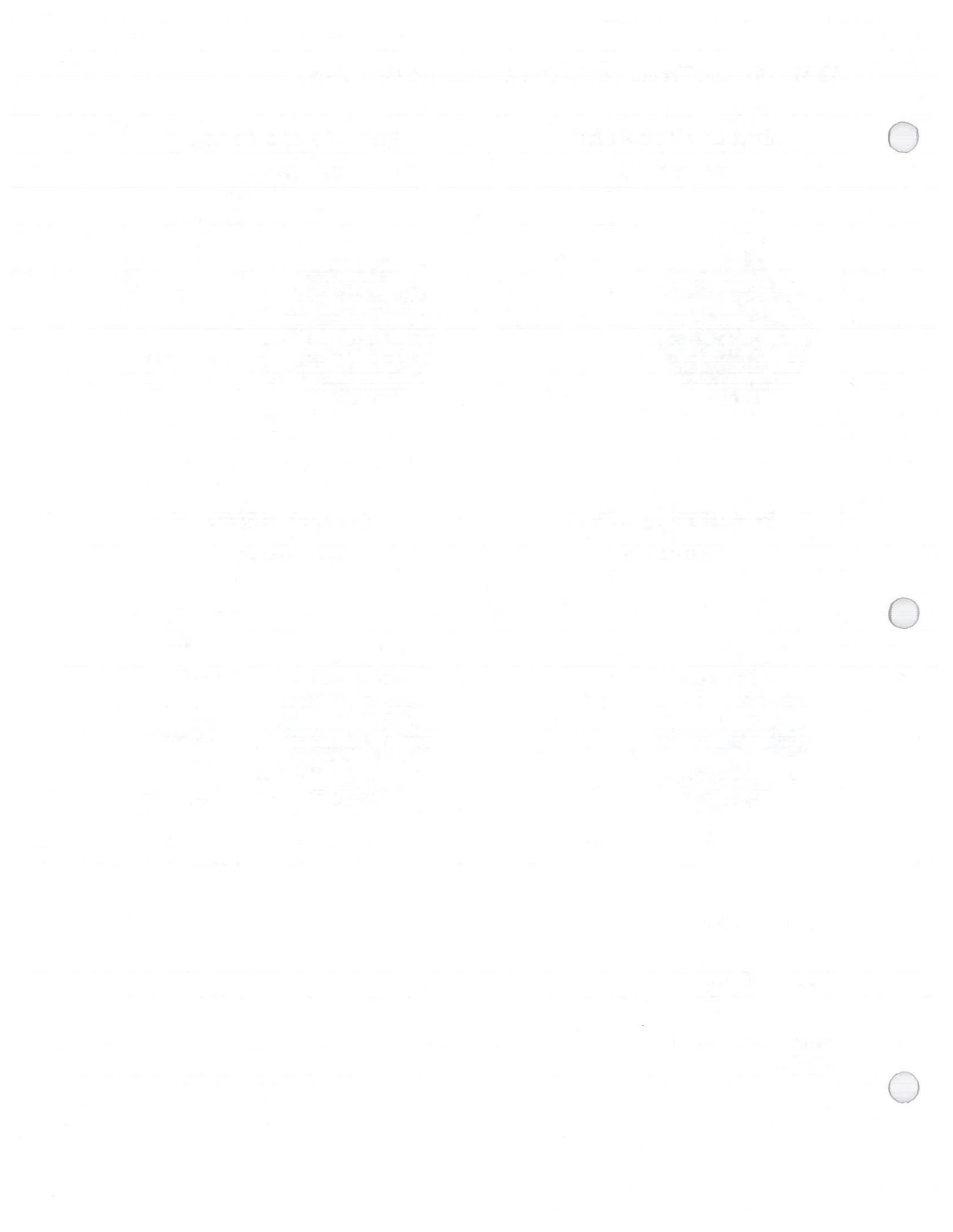
AEMS Division Trends for Licensed/Permitted Operations



Respectfully Submitted,

Jeremy L. Seiger

Jeremy Seiger, Director
AEMS Division



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

**JANUARY 9, 2016 BOARD REPORT
REGARDING FEBRUARY 12, 2016 ACTIVITIES OF THE
OFFICE OF GENERAL COUNSEL**

ACTIONS FOR BOARD CONSIDERATION:

Matter	Type of Resolution	Amount
Gary Bradley	Stipulation	\$100.00
Keith Boshers	Stipulation	\$100.00
Travis Stewart	Stipulation	\$100.00
Robert Davis	Stipulation	\$500.00
Armour Pest Defense	Stipulation	\$250.00
Dollar General	Stipulation	\$2,500.00
EMCO Termite & Pest Control	Stipulation	\$750.00
Landmark Tree & Turf Services	Stipulation	\$350.00
Lawn America, Inc.	Stipulation	\$750.00
Lawn Pro	Stipulation	\$250.00
Marcum's Nursery	Stipulation	\$250.00
Sullivan Tree Service	Stipulation	\$250.00
System Scale Corp.	Stipulation	\$500.00
Terminix, Int.	Stipulation	\$1,000.00
West Tree Service	Stipulation	\$750.00

CONTRACTS REVIEWED OR DRAFTED (35):

Forestry – (12)
Market Development – (19)
Admin – (1)
Animal Industry – (1)
Wildlife Services – (2)

ADMINISTRATIVE HEARING PROCEEDINGS:

ODAFF v. Leflore County Recycling, OGC-15-873: Initiated formal proceedings against Respondent. Status conference hearing scheduled for March 10, 2016.
ODAFF v. System Scale, OGC-15-905: Initiated formal proceedings against Respondent. Status conference hearing scheduled for March 10, 2016.
ODAFF v. Grounds Keeper of Oklahoma, OGC 15-280: Initiated formal proceedings against respondent. Due to insufficient service, hearing reset for April 14, 2016.
ODAFF v. Total Turf Solutions, OGC 15-303: Initiated formal proceedings against

Respondent. Respondent failed to appear at status conference. OGC will move for default.
ODAFF v. Turf Surfers, OGC 15-327: Initiated formal proceedings against Respondent. A status conference is scheduled for April 14, 2016.
ODAFF v. Dollar General, OGC 15-329: Initiated formal proceedings against Respondent. A status conference is scheduled for April 14, 2016.
ODAFF v. Brewer Russell, OGC 15-376: Initiated formal proceedings against Respondent. Respondent failed to appear at scheduling conference. OGC will move for default.
ODAFF v. Nghi Uy Truong, 15-510: Initiated formal proceedings against respondent. Respondent failed to appear at a scheduling conference. OGC will move for default.
ODAFF v. Freddie Huffman, OGC 15-514: Initiated formal proceedings against respondent. Respondent failed to appear at a scheduling conference. OGC will move for default.
ODAFF v. Jesse Lynch, OGC 15-545: Initiated formal proceedings against Respondent. Respondent failed to appear a scheduling conference. OGC will move for default.
ODAFF v. Jacqueline and Renay Davidson, OGC 15-776: Initiated formal proceedings against Respondent. Respondent received NOV and contacted Department. Pending resolution at this time, but this matter is scheduled for a default proceeding at the March 10, 2016 docket if resolution is not reached. Notification of the proposed default has been sent to Respondent.
ODAFF v. Ellen Dunaway, OGC 15-646: Initiated formal proceedings against Respondent. Certified Mail was returned. Currently the NOV is with Investigative Services for personal delivery with status conference set for April 14, 2016.
ODAFF v. Mr. and Mrs. Ladon Miller, OGC 15-775: Initiated formal proceedings against Respondent. Certified Mail was returned. Currently the NOV is with Investigative Services for personal delivery with status conference set for April 14, 2016.
ODAFF v. Lester Crampton-Crampton Farms, OGC 15-906: Initiated formal proceedings against Respondent. Status Conference set for April 14, 2016.
ODAFF v. Don Carmichael Produce, OGC 15-704: Initiated formal proceedings against Respondent. Certified Mail was returned. Currently the NOV is with Investigative Services for personal delivery with status conference set for April 14, 2016.
ODAFF v. Ramsey Termite & Pest Control, OGC-15-385: Initiated formal proceedings against Respondent. Respondent received NOV and contacted Department. Pending resolution at this time, but this matter is scheduled for a default proceeding at the March 10, 2016 docket if resolution is not reached. Notification of the proposed default has been sent to Respondent.
ODAFF v. Armour Pest Defense, OGC-15-129: Initiated formal proceedings against Respondent. Status conference hearing scheduled for February 11, 2015. Respondent stipulated to the allegations and paid the fine in full.
ODAFF v. EMCO, OGC-15-012: Initiated formal proceedings against Respondent. Status conference hearing scheduled for February 11, 2015. Respondent stipulated to

the allegations and paid the fine in full.

ODAFF v. Landmark Tree & Turf Service, OGC-15-832: Initiated formal proceedings against Respondent. Status conference hearing scheduled for February 11, 2015. Respondent stipulated to the allegations and paid the fine in full.

ODAFF v. Lawn Pro, OGC-15-880: Initiated formal proceedings against Respondent. Status conference hearing scheduled for February 11, 2015. Respondent stipulated to the allegations and paid the fine in full.

ODAFF v. Sullivan Tree, OGC-15-377: Initiated formal proceedings against Respondent. Status conference hearing scheduled for February 11, 2015. Respondent stipulated to the allegations and paid the fine in full.

ODAFF v. Terminix, OGC-15-655: Initiated formal proceedings against Respondent. Status conference hearing scheduled for February 11, 2015. Respondent stipulated to the allegations and paid the fine in full.

ODAFF v. Mahard Egg Farm, OGC-14-835: Initiated formal proceedings against Respondent. Status conference hearing scheduled for March 12, 2016.

ODAFF v. Mahard Egg Farm, OGC-15-771: Initiated formal proceedings against Respondent. Status conference hearing scheduled for March 12, 2016.

OTHER ACTIONS AND PROCEEDINGS:

Triple S, et al. v. ODAFF, et al., CJ-2014-6964 (Okla. Dist.): Claims against ODAFF dismissed on September 16, 2015. Claims against individual employees are ongoing. A dispute relating seized property is largely resolved but still being sorted out by the District Court in Hughes County. OGC continues to monitor the case.

City of Tulsa, Plaintiff, v. Tariq Mahmood, the Oklahoma Department of Agriculture, Food, and Forestry, et al., Defendants; District Court of Tulsa County; Case No. CJ-2014-00409: This matter is an eminent domain proceeding brought by the City of Tulsa to acquire by eminent domain certain real property owned by Defendant Tariq Mahmood in Tulsa, OK. ODAFF is named as a defendant because it holds an unpaid \$25,000.00 judgment against Mr. Mahmood which judgment was perfected as a judgment lien in 2008. Currently, the judgment remains unpaid. In March 2014, the OGC filed an answer in such proceeding asserting ODAFF's lien rights (meaning ODAFF's right to \$25,000.00 of the sales proceeds). In April 2014, Defendant Tariq Mahmood asserted that he was a different "Tariq Mahmood" than the one ODAFF holds judgment against. ODAFF has determined that this "Tariq Mahmood" is not the same "Tariq Mahmood" against which ODAFF holds judgment. ODAFF has amended its answer accordingly to no longer assert a claim to the case's proceeds. Mr. Mahmood filed a cross claim against ODAFF and St. John's Hospital for false assertion of a debt. These parties, however, did not assert that Mr. Mahmood owed them a debt. The City of Tulsa filed the original eminent domain petition, which claimed that Mahmood owed a debt to these parties. City of Tulsa attorney requested ODAFF sign a journal entry as case was nearing resolution; ODAFF signed the Journal Entry; however, Plaintiff and the Mahmoods' have been unable to completely resolve some issues, so the case is still pending. Currently, attempted contact with Mahmood's attorney regarding dismissal of ODAFF as a defendant has not been returned.

Marshall Environmental Management, Inc.; Dr. Charles L. Marshall; John

Morrison, and James O. Folsom and Associates, Inc. Liberty Occupational Health Management, Inc. and Creighton R. Thompson v. State of Oklahoma, Department of Agriculture, Food and Forestry; and Jim Reese, Commissioner; District Court of Oklahoma County Case No: CJ-2015-741: This matter relates to certain pesticide statutes and rules which the Plaintiffs have asserted are not applicable to them. Plaintiffs filed an action for Declaratory Judgment in District Court asking the Court to declare the pesticide statutes and rules at issue void for vagueness and being overbroad. The Department filed an answer to the petition. The Department's position is the statutes and rules are constitutional and have asked the Court to uphold the constitutionality of the statutes and rules. Plaintiffs provided additional documents for the Department to consider in this matter. This issue has been resolved with the Plaintiffs. The parties reached a resolution and the case was dismissed.

MEETINGS:

Date	Activity
January 12, 2016	Director's Meeting
January 13, 2016	AgPDES Meeting
January 13, 2016	Arkansas Egg Status Update
January 14, 2016	EPA Agriculture Commissioners Annual Meeting
January 15, 2016	General Counsel's Forum
January 15, 2016	OMES regarding purchasing guidelines
January 19, 2016	Director's Meeting
January 19, 2016	ODWC regarding feral swine
January 22, 2016	AgPDES Meeting
January 25, 2016	State Board of Agriculture
January 26, 2016	Director's Meeting
January 28, 2016	OGC Staff Meeting
January 29, 2016	Meeting with Helena
February 1, 2016	OGC Collections Meeting
February 1, 2016	Arkansas Egg Status Update
February 1, 2016	Arkansas Egg with EPA and DOJ
February 3, 2016	Triple S, et al. v. ODAFF, et al., CJ-2014-6964 (Okla. Dist.)
February 3, 2016	AIS Intern
February 4, 2016	Pet Breeders and Shelters Staff Meeting
February 8, 2016	ATEP L.L.C. regarding outstanding AEDB debt
February 9, 2016	Building First Aid and CPR recertification
February 9, 2016	Director's Meeting
February 9, 2016	Braum's Dairy
February 10, 2016	Building Safety Committee
February 10, 2016	House Agriculture and Rural Development Committee
February 10, 2016	AgPDES Meeting
February 11, 2016	Docket Hearing
February 11, 2016	House Wildlife Committee
February 12, 2016	Cultural Diversity Committee

RULE ACTIVITIES:

Chapter 10. Agricultural Products (Permanent FY 2016): Rules approved by the Board on January 25, 2016 and submitted to the Governor and Legislature on January 29, 2014.
Chapter 13. Fuel Alcohol (Permanent FY 2016): Rules approved by the Board on January 25, 2016 and submitted to the Governor and Legislature on January 29, 2014.
Chapter 15. Animal Industry (Permanent FY 2016): Rules approved by the Board on January 25, 2016 and submitted to the Governor and Legislature on February 2, 2014.
Chapter 15. Animal Industry (Feral Swine) (Permanent FY 2016): Public meeting scheduled for February 17, 2016 and the proposed rules are scheduled for submission to the Board for approval on March 1, 2016.
Chapter 17. Water Quality (Permanent FY 2016): Rules approved by the Board on January 25, 2016 and submitted to the Governor and Legislature on February 3, 2014.
Chapter 30. Consumer Protection (Permanent FY 2016): The proposed rules are scheduled for submission to the Board for approval on March 1, 2016.
Chapter 37. Food Safety (Permanent FY 2016): Rules approved by the Board on January 25, 2016 and submitted to the Governor and Legislature on February 3, 2014.
Chapter 40. Market Development (Permanent FY 2016): The proposed rules are scheduled for submission to the Board for approval on March 1, 2016.
Chapter 44. AgPDES (Permanent FY 2016): Rules approved by the Board on January 25, 2016 and submitted to the Governor and Legislature on February 3, 2014.
Chapter 50. Aquaculture (Permanent FY 2016): Rules approved by the Board on January 25, 2016 and submitted to the Governor and Legislature on February 3, 2014.
Chapter 55. Commercial Pet Breeders and Animal Shelters (Permanent FY 2016): Rules approved by the Board on January 25, 2016 and submitted to the Governor and Legislature on February 4, 2014.

OPEN RECORDS REQUESTS (29):

Executive – (3)
Consumer Protection Services – (3)
Forestry Services – (2)
Investigative Services –(1)
Animal Industry – (3)
Pet Breeders-(6)
Food Safety-(2)
AEMS –(9)

FARM AND RANCH CORPORATIONS REVIEWED:

(2) sets reviewed.

OTHER ACTIONS:

Public correspondence to Secretary of State for trade name
Call from public regarding livestock hit by vehicle
Call from public regarding a farm loan
Call from public regarding minimum requirements for livestock fencing
Call from public regarding the international export of Oklahoma made wood products
Call from public regarding Tax Exempt Farm ID number
Call from Farm Bureau regarding agency contacts at Secretary of State
Met with member of the public regarding a lost Tax Exempt ID number
Call from public regarding landscape designer vs. landscape architect
Call from public regarding the going rate on pasture rental for grazing
Call from public regarding schools with VO-AG programs
Call from public regarding farmers markets
Discussion with Office of Administrative Rules regarding rulemakings
Discussion with plaintiff's attorney regarding return of property to Triple S Ranch
Discussion with Attorney General regarding return of property to Triple S Ranch
Discussions with various Respondents regarding Notices of Violation
Discussions with public regarding rulemaking in Chapter 15. Animal Industry (feral swine)
Discussions with public regarding rulemaking in Chapter 30. Consumer Protection
Discussions with public regarding rulemaking in Chapter 55. Commercial Pet Breeders and Animal Shelters
Discussions with public regarding farm corporations
Discussion with public regarding claim for damages occurring at prescribed burn
Discussions with OSU regarding contracts
Discussions with public regarding aerial hunting of feral swine
Discussion with public regarding immigrant worker issue
Response to Subpoena Duces Tecum regarding former Forestry employee
Call from private attorney regarding deposition/witness subpoena of CPS field inspector for a private civil matter
Discussion with AEMS regarding NOVs
Discussion with CPS regarding NOVs
Discussion regarding Cimarron Consent Order
Meet with Crowne Plaza Hotel regarding billings
Discuss SB 1247 regarding volunteer firefighter's workers compensation
Discuss various pet breeder and shelter matters
Discuss various open records requests
Discuss Mahard enforcement with AEMS
Discuss personnel matters
Discuss poultry application issues with AEMS
Review revenue funds and statutory authority for each
Discuss various rules
Discuss water well usage reports for swine with AEMS and OWRB
Review boll weevil eradication status matters
Review and edit Pet Breeder and Shelter rules
Meet with AEMS regarding record retention

Discuss pet breeder rules with general public
Revise compost rules
Review Sorghum Commission privatization packet
Discuss various AgPDES matters with AEMS
Review shielding emails from open records requests
Discuss new ethics disclosure rule with Executive Office
Discuss chronic wasting disease issues
Review grazing rights case
Discuss pesticide general permit with AEMS
Prepare and review PMPs
Discuss various bills with Senate staff
Discuss investigative services and open records
Review OBA Journal
Sign various AgPDES permits
Discuss Governor's Executive Order regarding emails for boards and commissions
Discuss old Land O'Lakes CAFO applications
Discuss viticulture grant from Department of Commerce and extensions with Market Development
Review various bills
Discuss biweekly payroll matters with Admin
Discuss company licenses for pesticide companies
Close various pet breeder complaints
Review new pet breeder complaints
Discuss unclassified position requests with Executive Office
Discuss poultry applicator letter of warning and new case
Discuss contracts with Market Development
Discuss Cimarron Pork matters with AEMS
Discuss swine facility lagoon issues with AEMS
Discuss T Bar M matters with AEMS
Discuss and review board minutes with Executive Office
Discuss animal shelter rules with Ardmore Animal Shelter
Discuss canine brucellosis testing with pet breeder
Discuss water sampling document retention with OWRB
Discuss Seaboard monitoring wells with AEMS
Discuss inactive cattle feed yard with AEMS
Close with no action taken OGC-16-053 Total Environment no pesticide applicator's license
Close with no action taken OGC-16-064 Escott Aerial Spraying failure to furnish pesticide records
Close with no action taken OGC-16-055 OK Landscapes & Lawn no pesticide applicator license
Close with no action taken OGC-16-057 Gardens & Lawns Unlimited working without a pesticide license
Close with no action taken OGC-16-054 Integrity Pest Control working without a pesticide license

Close with no action taken OGC-16-066 Steggs Aerial Spraying failure to furnish pesticide records
Close with no action taken OGC-15-913 Midland Flyer using a pesticide inconsistent without a label
Close with no action taken OGC-15-914 Midland Flyer using a pesticide inconsistent without a label
Close with no action taken OGC-16-059 Shaun's Lawn, Fertilizing, and Weed Control pesticide application without PPE
Discuss prescribed burns with The Nature Conservancy
Discuss Seaboard/PIC settlement agreement with AEMS
Discuss pesticide retest with CPS
Discuss whistleblower provisions
Review school build fund statutes
Discuss ISIS and AgPDES with AEMS
Draft bill summary for "under oath" legislation
Draft bill summary for wheat cleanup legislation
Draft fiscal impact summaries for agriculture bills
Draft bill summary for email protection legislation
Discuss open records request for calendar items
Discuss Wheat Commission and right to farm state question
Discuss Blue Bell voluntary agreement matters with Food Safety
Discuss scrap metal enforcement with Executive Office
Review new poultry cases
Discuss CAFO AgPDES general permit with Oklahoma Pork Council
Discuss accident at grain elevator
Prepare notice for Sorghum Commission privatization hearing
Discuss deposit of publications with Department of Libraries
Close with no action taken OGC-16-081 Cotton Ag musk thistle
Close with no action taken OGC-16-080 Helena Chemical no certified applicator on site
Close with no action taken OGC-16-079 Cotton Ag pesticide drift
Discuss court order for Investigative Services case
Discuss old CAFO discharge reports with AEMS
Discuss and prepare revenue budget for 2017
Discuss and review pet breeder annual reports
Discuss and review canine brucellosis protocols for pet breeder
Discuss scrap metal issues with citizen

COMMERCIAL PET BREEDER AND ANIMAL SHELTER ACTIVITIES:

	Complaints	
	Current	Fiscal Year
Received	6	24
Closed	4	36
Investigations	3	26

Follow-up	6	44
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Shelter License		
	Current	Fiscal Year
New Applications	1	4
Renewal	2	64
Cancellation	1	5

Breeder License		
	Current	Fiscal Year
New Applications	2	7
Renewal	0	3
Cancellation	0	1

Shelter Inspection		
	Current	Fiscal Year
Pre-Inspection	0	9
Annual Inspection	1	1
Follow-up	0	1
Technical Assistance	17	65
Close-out	0	3

Breeder Inspection		
	Current	Fiscal Year
Pre-Inspection	2	12
Annual Inspection	1	13
Follow-up	0	4
Technical Assistance	8	41
Close-out	0	14

Respectfully Submitted,



Teena G. Gunter
General Counsel



FEBRUARY 2016
FOOD SAFETY SERVICES
JANUARY & FEBRUARY ACTIVITIES

POULTRY AND EGG

In Broken Bow at Tyson Foods, USDA poultry grading was performed by ODAFF inspectors on 173,063 pounds of poultry – boneless/skinless thigh meat and boneless/skinless breast meat. In Oklahoma City at King’s Command Foods, USDA grading & verification services were performed by ODAFF inspectors on 33,574 pounds of fully cooked beef burgers, 12,330 pounds of fully cooked beef crumbles, 3,819 pounds of fully cooked beef meatballs and 14,730 pounds of fully cooked salisbury steak. Department inspectors provided USDA Shell Egg grading on 87,101 dozen eggs at Mahard Egg Farms at Sulphur. ODAFF inspectors also provided USDA poultry grading services on poultry products being shipped from OK Foods in Muldrow & Heavener. Also; routine egg quality inspections under the Oklahoma egg law were conducted.

ORGANIC FOOD SECTION

Organic inspectors completed compliance and certification inspections at:

- Six organic crop producers
- Four organic processors
- One organic livestock producer
- Collected four organic samples
- Eight retail organic inspections

The organic section had 3 requests for organic crop applications, 2 requests for organic livestock applications and 3 requests for organic processing applications. Jeff Stearns attended the National Organic Program Certifier Training & Accredited Certifier Association Professional Development Training in Savannah, GA. Bryan Buchwald spoke on organic certification with a group of wheat producers from Value Added Products in Alva, OK

MEAT INSPECTION

- | | |
|-------------------|---|
| February 10, 2016 | Circuit Supervisor, Dr. Jim Walker, presented information at the Food & Agricultural Products Center regarding regulatory compliance in Meat and Poultry Inspection. |
| February 16, 2016 | Circuit Supervisor, Dr. Terry Hardage, presented information to the students enrolled in the Meat Processing and Food Safety program at Eastern Oklahoma State College. |
| February 16, 2016 | Director Stan Stromberg attended the annual Research Symposium at the Food & Agricultural Products Center |

DAIRY SERVICES

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

Dairy services staff completed and submitted 1 dairy farm BTU state survey for Dairy Farmers of America, 1 dairy farm BTU for Central Equity Cooperative, and 1 single service container manufacture certification for Parker Plastics. All received passing scores for sanitation and enforcement compliance. These passing scores are listed on FDA's Interstate Milk Shippers List and allows interstate shipment of milk and manufactured containers for Oklahoma producers.

Dairy staff conducted routine inspections at dairy plants and farms, conducted dairy plant equipment checks and collected ice cream samples, raw milk and retail milk and milk products samples for laboratory analysis. Staff also inspected milk transport tankers for American Milk Transport.

ODAFF Dairy services director Sam Carter attended an awards luncheon and meeting for the Oklahoma Cooperative Extension Services in which he along with ODAFF employees Stan Stromberg, Bryan Buchwald and Aaron Elam received the "Outstanding Group Award" for educational programs. As members of the Farm Focused Food Safety Team, along with OSU FAPC staff, presented training on the topics related to the Food Safety Modernization Act

Respectfully submitted,



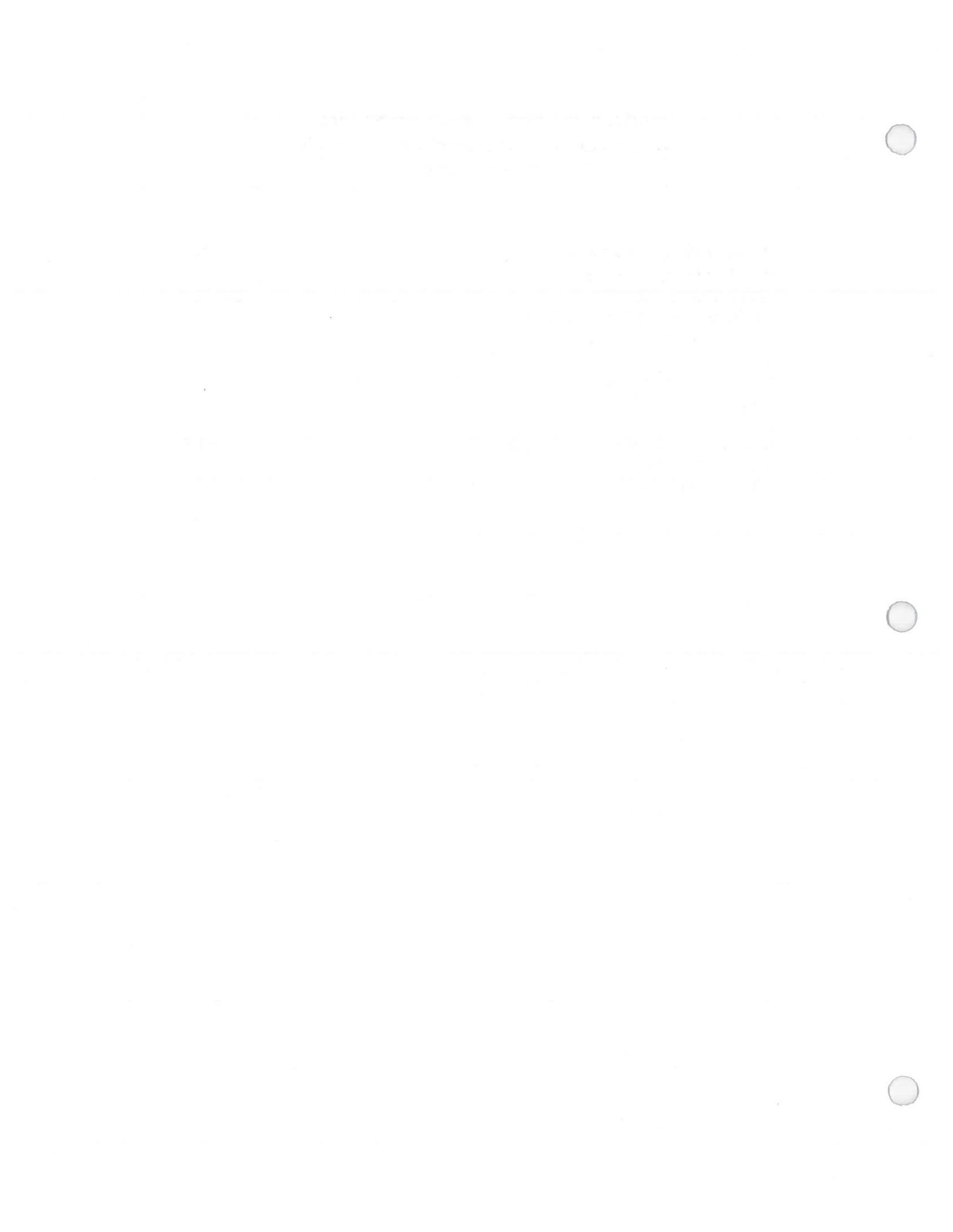
Stan Stromberg
Director

**Oklahoma Meat Inspection Services
Investigations and Compliance Activities
January 2016**

Planned Compliance Reviews.....	29
Random Compliance Reviews.....	118
Person-to-Person Contacts.....	02
Special Investigations and/or Projects.....	00
Reports of Apparent Violation.....	00
Detentions.....	00
Consumer Complaints.....	01
Verbal Warnings Issued.....	00
Letters of Warning Issued.....	00
Samples Submitted to Lab for Analysis.....	00
Accident Investigations.....	00
Administrative Procedures Act.....	00

Highlighted Activities

Compliance Program Coordinator successfully completed a continuing education course in supervisory roles and duties.



MEAT INSPECTION SERVICES

January Activities 2016

Meat Inspected (Slaughter)

	<u>This Month</u>
Number of Cattle	202
Total Beef Condemned	2,760 Lbs
Number of Swine	74
Total Pork Condemned	480 Lbs
Number of Sheep and Goats	325
Total Condemnations	0 lbs.
Number of Rabbits	0
Total Condemnations	0 lbs.
Number of Ratites	0
Total Condemnations	0 lbs.
Number of Exotic Deer	0
Total Condemnations	0 lbs.
TOTAL MEAT INSPECTED	<u>219,200 Lbs</u>

Processed Meat Inspected

Processed Red Meat	212,767
Condemned on Reinspection	0 lbs.
Poultry (Portions)	0
Condemned on Reinspection	0 lbs.
Rabbit Meat	0
Condemned on Reinspection	0 lbs.
Ratite Meat	0
Condemned on Reinspection	0 lbs.
Exotic Deer Meat	0
Condemned on Reinspection	0 lbs.
TOTAL PROCESSED MEAT INSPECTED	<u>212,767 Lbs</u>

A total of 4 meat samples were taken with 0 out of compliance.

A total of 15 water samples were taken with 0 out of compliance.



Communications Office

Jan. 16 - Feb. 19, 2016 Activities Report

PROJECTS AND MEETINGS

Ag in the Classroom Teacher of the Year

Staff photographed the Teacher of the Year presentation at Morrison Elementary for the Ag in the Classroom program. Third-grade teacher Amber Bales was honored for promoting agricultural literacy. Photos were posted on Facebook and provided to the AITC coordinators.



AFR Policy Committee

Staff prepared a handout listing 2015 ODAFF accomplishments. This was shared with members of the American Farmers & Ranchers policy committee. Staff also attended the AFR meeting and discussed policy with participants.

Website updates

Staff continued to make website updates for the Food Safety Division to make its rules and forms accessible to visitors who use screen readers and other assistive devices.

Agriculture Statistics booklet

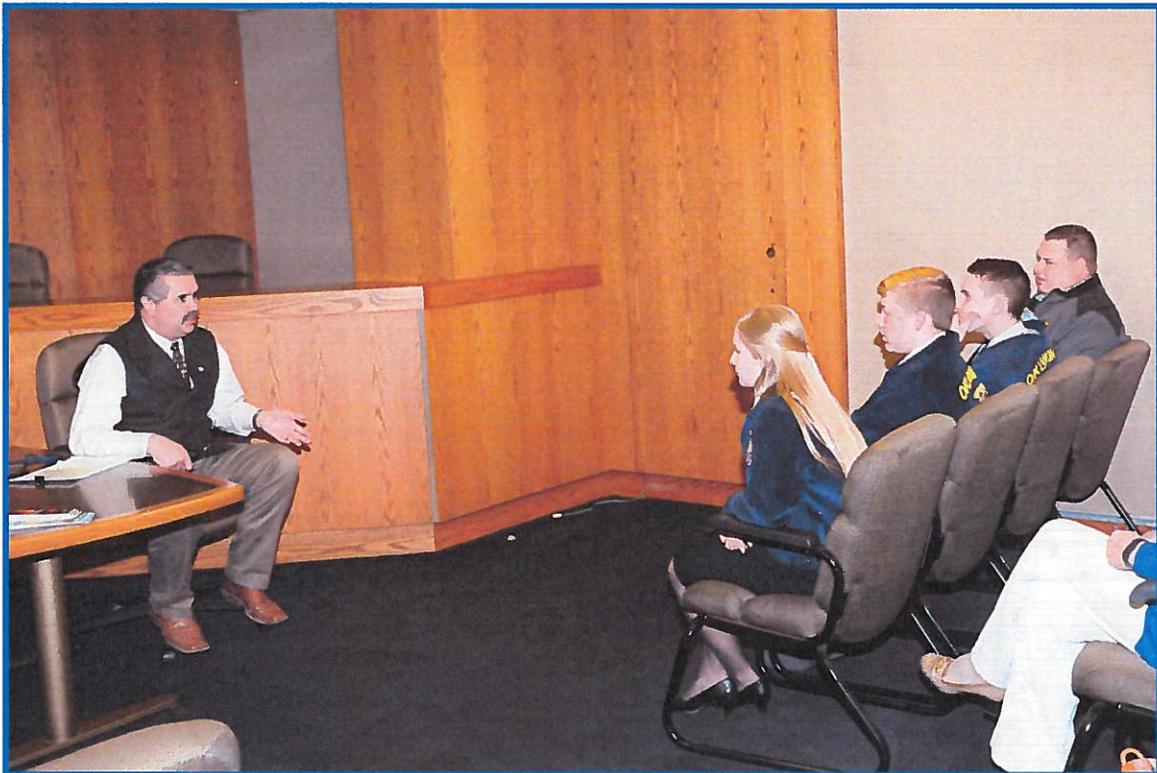
Staff worked with the Agricultural Statistics Division to provide photos for their annual booklet highlighting agricultural statistics about Oklahoma.

Plasticulture Conference

Staff photographed the annual Plasticulture Conference and created a slideshow for the event that showed attendees how the agency used the ODAFF demonstration garden to educate the public about Oklahoma's commodity crops.

Chelsea and Ripley FFA Chapters visit ODAFF

Staff coordinated tours for students from the Chelsea and Ripley FFA chapters. Bryan Painter, Jamey Allen and Tanna Kilpatrick gave them insight into how the agency protects them as consumers and agriculture producers while it promotes agriculture through marketing.



OVMA

Staff wrote a press release about the honor Dr. Rod Hall received as the Oklahoma Veterinary Medical Association's Veterinarian of the Year. The release was distributed to media outlets, posted on Facebook and posted to the agency website. The story was featured inside The Sunday Oklahoman, recognizing Dr. Hall as a person of character.

MIO Culinary Expo

Staff attended and posted information to Facebook and Twitter about the Made in Oklahoma Coalition Culinary Expo. This was an opportunity for potential buyers to see all products offered by Made in Oklahoma Coalition members.

Express Ranches Pro Rodeo Exhibit at Okla. Sports Hall of Fame

Staff attended a special event recognizing Oklahoma Rodeo stars.

Oklahoma Farm Bureau Legislative Reception

Staff attended the Oklahoma Farm Bureau Legislative Reception on the second day of the session in February.

Oklahoma Farmers Market Grants

Staff helped in the judging of recipients for Farmers Market Grants in Oklahoma.

AFR Outstanding County Award

Staff helped in the judging of the AFR Outstanding County Award.

SOCIAL MEDIA

Facebook has 4,728 likes. This is up 104 from the previous report.

Twitter has 1,946 followers. This is up 16 from the previous report.

PRESS RELEASES

Agriculture department sponsors Farmers Market Conference on March 10

Plasticulture conference set for Feb. 13

Oklahoma cattle inventory up from 2015

Dr. Rod Hall receives Veterinarian of the Year award

Oklahoma Forestry Services participates in smoke exposure study

High fire danger across Oklahoma

High fire danger continues across Oklahoma

Aquaculture Workshop set for Feb. 27

Amber Bales is named 2016 Ag in the Classroom Teacher of the Year

Oklahoma Forestry Services conducting inventory in southern counties

Ag in the Classroom created video series

Extreme fire danger present across Oklahoma



January, 2016 P/Card Transactions

Group Name	Purchase Date	Item Total	Vendor Name	Department-State Program	Sub	Account
04000 Admin HQ	1/8/2016	\$12.65	USPS 39865702233605767	1111121-B0202	48	531110
04000 Admin HQ	1/16/2016	\$152.00	DIVERSIFIED	1111121-B0002	14	541220
04000 Admin HQ	12/15/2015	(\$143.98)	Claim ADJ/Staples Inc - V	1111121-E0202	01	536140
04000 Admin HQ	1/11/2016	\$747.00	BEST WESTERN-MCALESTER	1111121-B0202	48	522131
04000 Admin HQ	1/11/2016	\$308.20	IMPRESSIONS PRINTI	1111121-B0002	14	531110
04000 Admin HQ	1/12/2016	\$12.50	WALKER COMPANIES	1111121-E0202	01	536130
04000 Admin HQ	1/19/2016	\$455.72	ANSWERING SERVICE	1111121-E0202	01	515600
04000 Admin HQ	1/5/2016	\$231.00	COMFORT INNSUITES	1111121-B0202	48	522131
04000 Admin HQ	1/5/2016	\$231.00	COMFORT INNSUITES	1111121-B0202	48	522131
04000 Admin HQ	1/5/2016	\$231.00	COMFORT INNSUITES	1111121-B0202	48	522131
04000 Admin HQ	1/20/2016	\$333.10	U.S. CELLULAR	1111121-E0202	01	531130
04000 Admin HQ	1/25/2016	\$1,302.80	GALT FOUNDATION	1111121-E0202	01	515570
04000 Admin HQ	1/25/2016	\$35.00	DCAM CENTRAL PRINTING	1111121-E0202	01	531150
04000 Admin HQ	1/26/2016	\$21.28	AT&T 5674750800001	1111121-E0202	01	531130
04000 Admin HQ	1/25/2016	\$1,219.81	IMPRESSIONS PRINTI	1111121-B0002	14	531160
04000 Admin HQ	1/26/2016	\$154.00	HIWAY INN EXPRESS	1111121-B0202	48	522131
04000 Admin HQ	1/26/2016	\$89.00	COMFORT SUITES	1111121-B0202	40	522131
04000 Admin HQ	1/26/2016	\$89.00	COMFORT SUITES	1111121-B0202	40	522131
04000 Admin HQ	1/6/2016	\$1,158.75	ARKANSAS.GOV PYMNT	1111161-B0202	40	537160
04000 Admin HQ Total		\$6,639.83				
04000 Administrative Services	1/7/2016	\$86.96	COX OKLAHOMA COMM SV	0100001-E0202	01	531130
04000 Administrative Services	1/6/2016	\$640.00	WWW.OKAPP.ORG	0100001-E0202	01	531260
04000 Administrative Services	1/23/2016	\$4,112.26	PRECISION DOCUMENT SOL	8810001-E0202	01	533120
04000 Administrative Services	1/27/2016	\$15.00	WWW.OKAPP.ORG	0100001-E0202	01	522150
04000 Administrative Services	12/31/2015	\$622.72	GALT FOUNDATION	0100001-E0202	01	515570
04000 Administrative Services	1/6/2016	\$467.04	GALT FOUNDATION	0100001-E0202	01	515570
04000 Administrative Services	1/14/2016	\$467.04	GALT FOUNDATION	0100001-E0202	01	515570
04000 Administrative Services	1/25/2016	\$739.48	GALT FOUNDATION	0100001-E0202	01	515570
04000 Administrative Services	1/28/2016	\$778.40	GALT FOUNDATION	0100001-E0202	01	515570
04000 Administrative Services	1/5/2016	\$450.00	NASDA / OPERATIONS ACCT	0100001-E0202	01	522150
04000 Administrative Services	1/14/2016	\$89.00	HOLIDAY INN EXPRESS HOTEL	0100001-E0202	01	522131
04000 Administrative Services	1/4/2016	\$10.00	DALE ROGERS TRAINING CT	0100001-E0202	01	536140
04000 Administrative Services	1/6/2016	\$59.99	AP BOOKSTORE.COM	0100001-E0202	01	531170
04000 Administrative Services	1/20/2016	\$37.22	BROWNPAPER TICKETS COM	0100001-E0202	01	522150
04000 Administrative Services	1/28/2016	\$20.00	PAYPAL IABCENTRAL	0100001-E0202	01	522150
04000 Administrative Services	1/6/2016	\$390.14	PRESORT FIRST CLASS	0101026-E0202	01	515610
04000 Administrative Services	1/15/2016	\$3,932.33	FEDEX 19308657	0101026-E0202	01	531110
04000 Administrative Services	1/15/2016	\$176.13	FEDEX 19308640	0101026-E0202	01	531110
04000 Administrative Services	12/31/2015	\$2,676.64	GALT FOUNDATION	0700001-B0201	01	515570
04000 Administrative Services	1/6/2016	\$684.00	GALT FOUNDATION	0700001-B0201	01	515570

January, 2016 P/Card Transactions

Group Name	Purchase Date	Item Total	Vendor Name	Department-State Program	Sub	Account
04000 Administrative Services	1/14/2016	\$764.30	GALT FOUNDATION	0700001-B0201	01	515570
04000 Administrative Services	1/25/2016	\$1,075.70	GALT FOUNDATION	0700001-B0201	01	515570
04000 Administrative Services	1/28/2016	\$1,861.40	GALT FOUNDATION	0700001-B0201	01	515570
04000 Administrative Services	12/31/2015	\$1,668.00	GALT FOUNDATION	2100001-E0202	01	515570
04000 Administrative Services	1/6/2016	\$1,042.50	GALT FOUNDATION	2100001-E0202	01	515570
04000 Administrative Services	1/14/2016	\$1,073.78	GALT FOUNDATION	2100001-E0202	01	515570
04000 Administrative Services	1/25/2016	\$1,598.50	GALT FOUNDATION	2100001-E0202	01	515570
04000 Administrative Services	1/28/2016	\$1,476.88	GALT FOUNDATION	2100001-E0202	01	515570
04000 Administrative Services	1/4/2016	\$9.00	AGENT FEE 8900670519835	3131418-E0001	18	522110
04000 Administrative Services	1/4/2016	\$377.08	UNITED 0167740398798	3131418-E0001	18	522110
04000 Administrative Services	1/26/2016	\$105.52	THE WIGWAM	3148202-C0201	02	522130
04000 Administrative Services	1/26/2016	\$105.52	THE WIGWAM	3148202-C0201	02	522130
04000 Administrative Services	1/25/2016	\$651.00	GALT FOUNDATION	5100001-B0202	01	515570
04000 Administrative Services	1/28/2016	\$589.00	GALT FOUNDATION	5100001-B0202	01	515570
04000 Administrative Services	1/19/2016	\$9.00	AGENT FEE 8900671180055	6100002-A0102	51	522110
04000 Administrative Services	1/19/2016	\$403.20	DELTA AIR 0067744216687	6100002-A0102	51	522110
04000 Administrative Services	12/31/2015	\$1,029.15	GALT FOUNDATION	6700001-E0202	01	515570
04000 Administrative Services	1/6/2016	\$573.64	GALT FOUNDATION	6700001-E0202	01	515570
04000 Administrative Services	1/14/2016	\$701.25	GALT FOUNDATION	6700001-E0202	01	515570
04000 Administrative Services	1/25/2016	\$682.48	GALT FOUNDATION	6700001-E0202	01	515570
04000 Administrative Services	1/28/2016	\$564.00	GALT FOUNDATION	6700001-E0202	01	515570
04000 Administrative Services	1/1/2016	\$28.90	AMAZON MKTPLACE PMTS	8810001-E0202	01	542120
04000 Administrative Services	1/1/2016	\$1,107.00	IMAGENET CONSULTING LLC	8810001-E0202	01	515350
04000 Administrative Services	1/8/2016	\$5,201.91	XEROX CORPORATION/RBO	8810001-E0202	01	532160
04000 Administrative Services	12/31/2015	\$1,879.00	APL APPLE ONLINE STORE	1111121-E0202	01	541120
04000 Administrative Services	1/8/2016	\$908.99	XEROX CORPORATION/RBO	1111121-E0202	01	532160
04000 Administrative Services Total		\$41,941.05				
04000 AEMS	1/4/2016	\$40.00	WWW.OKAPP.ORG	0100001-E0202	01	531260
04000 AEMS	1/3/2016	\$127.99	QUILL CORPORATION	0700001-B0202	36	536140
04000 AEMS	1/1/2016	\$44.99	QUILL CORPORATION	0700001-B0202	36	536140
04000 AEMS	1/7/2016	\$43.86	PTCI	0700001-B0201	01	531130
04000 AEMS	1/8/2016	\$32.76	ATT BUS PHONE PMT	0700001-B0201	31	531130
04000 AEMS	1/8/2016	\$35.16	ATT BUS PHONE PMT	0700001-B0201	31	531130
04000 AEMS	1/8/2016	\$36.33	ATT BUS PHONE PMT	0700001-B0201	31	531130
04000 AEMS	1/7/2016	\$37.15	PINE CELLULAR PHONES INC	0700001-B0201	31	531130
04000 AEMS	1/8/2016	\$158.41	U.S. CELLULAR	0700001-B0201	31	531130
04000 AEMS	1/13/2016	\$71.64	QUILL CORPORATION	0700001-B0202	36	536140
04000 AEMS	1/23/2016	\$33.99	ATT BUS PHONE PMT	0700001-B0201	31	531130
04000 AEMS	1/22/2016	\$35.64	PIONEER TELEPHONE COOPERA	0700001-B0201	31	531130
04000 AEMS	1/23/2016	\$190.80	WSC Windstream Pmt&Fee	0700001-B0201	31	531130

January, 2016 P/Card Transactions

Group Name	Purchase Date	Item Total	Vendor Name	Department-State Program	Sub	Account
04000 AEMS Total		\$888.72				
04000 Ag in the Classroom	1/5/2016	\$19.10	KARL'S APPLE MARKET	3148202-C0201	02	531190
04000 Ag in the Classroom	1/6/2016	\$12.66	WAL-MART #0221	3148202-C0201	02	531190
04000 Ag in the Classroom	1/14/2016	\$6.84	WM SUPERCENTER #137	3148202-C0201	02	531190
04000 Ag in the Classroom	1/14/2016	\$300.00	BB NAT AG CLASSROOM	3148202-C0201	02	531260
04000 Ag in the Classroom	1/27/2016	\$25.08	Amazon.com	3148202-C0201	02	531190
04000 Ag in the Classroom	1/28/2016	\$23.41	AMAZON.COM AMZN.COM/BILL	3148202-C0201	02	531190
04000 Ag in the Classroom Total		\$387.09				
04000 Agritourism	1/12/2016	\$500.00	MACART STUDIOS	3131418-E0001	18	531190
04000 Agritourism	1/19/2016	\$100.00	PAYPAL NAPA ORG	3131418-E0001	18	531260
04000 Agritourism	1/10/2016	\$40.00	CTC CONSTANTCONTACT.COM	3131418-E0001	18	531170
04000 Agritourism Total		\$640.00				
04000 Animal Industry	1/12/2016	\$1,386.00	CHARLES RIVER LAB	2100001-E0202	03	537160
04000 Animal Industry	1/22/2016	\$14.00	MAYFAIR KEY & LOCK	2100001-E0202	01	536140
04000 Animal Industry	1/22/2016	\$19.70	LOWES #02540	2100001-E0202	01	537160
04000 Animal Industry	1/25/2016	\$163.11	QUICK MEDICAL	2100001-E0202	03	537160
04000 Animal Industry	1/26/2016	\$128.09	ULINE SHIP SUPPLIES	2100001-E0202	03	537160
04000 Animal Industry	1/26/2016	\$104.90	ANIMAL HLTH INTL AUSTIN	2100001-E0202	03	537160
04000 Animal Industry	1/27/2016	\$31.14	LOWES #02540	2100001-E0202	03	537160
04000 Animal Industry	1/4/2016	\$390.00	UW-WIS VET DIAG LAB	2100001-E0202	01	537210
04000 Animal Industry	1/16/2016	\$327.09	Staples Inc - VT	2100001-E0202	01	536140
04000 Animal Industry	1/21/2016	\$41.65	TRIANGLE/A & E INC	2100001-E0202	01	536130
04000 Animal Industry Total		\$2,605.68				
04000 Audits & Investigations	1/4/2016	\$30.76	WALKER COMPANIES	0101008-B0100	08	536130
04000 Audits & Investigations	1/6/2016	\$119.08	STAPLES	0101008-B0100	08	536140
04000 Audits & Investigations	1/7/2016	\$121.32	STAPLES	0101008-B0100	08	536140
04000 Audits & Investigations	1/8/2016	\$82.18	PINE CELLULAR PHONES INC	0101008-B0100	08	531130
04000 Audits & Investigations	1/19/2016	\$101.35	HOLIDAY INN OKC	0101008-B0100	08	522131
04000 Audits & Investigations	1/19/2016	(\$12.35)	HOLIDAY INN OKC	0101008-B0100	08	522131
04000 Audits & Investigations	1/19/2016	\$89.00	HOLIDAY INN OKC	0101008-B0100	08	522131
04000 Audits & Investigations	1/23/2016	\$190.36	USCC CALL CENTER	0101008-B0100	08	531130
04000 Audits & Investigations	1/25/2016	\$85.00	GENESEK INC	0101008-B0100	08	515290
04000 Audits & Investigations	1/20/2016	\$211.94	SXM SIRIUSXM.COM/ACCT	5100001-B0202	01	531130
04000 Audits & Investigations Total		\$1,018.64				
04000 Central & Western Area HQ	1/11/2016	\$38.75	AUTHORIZENET	1111121-E0202	01	515380
04000 Central & Western Area HQ	1/4/2016	\$248.61	REPUBLIC SERVICES TRASH	1111161-B0202	40	533110
04000 Central & Western Area HQ	1/4/2016	\$40.50	IDABEL PUBLIC WORKS AUTHO	1111161-B0202	41	531350
04000 Central & Western Area HQ	1/5/2016	\$822.51	ALLD RFRGRTION OF TULSA	1111161-B0202	40	533110
04000 Central & Western Area HQ	1/6/2016	\$125.52	ATT BUS PHONE PMT	1111161-B0202	77	531130
04000 Central & Western Area HQ	1/7/2016	\$82.00	CHEM CAN SERVICES	1111161-B0202	40	532140

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04000 Central & Western Area HQ	1/13/2016	\$375.00	SQ WELLMAN'S INC.	1111161-B0202	40	533110
04000 Central & Western Area HQ	1/15/2016	\$821.11	FEDEX 97807378	1111161-B0202	40	531110
04000 Central & Western Area HQ	1/21/2016	\$136.54	ATT BUS PHONE PMT	1111161-B0202	41	531130
04000 Central & Western Area HQ	1/20/2016	\$82.92	NEW VIEW OKLAHOMA	1111161-B0202	40	533180
04000 Central & Western Area HQ	1/20/2016	\$16.59	NEW VIEW OKLAHOMA	1111161-B0202	77	533180
04000 Central & Western Area HQ	1/20/2016	\$255.06	WILLIS PROPANE LLC	1111161-B0202	40	531350
04000 Central & Western Area HQ	1/21/2016	\$39.25	WILLIS PROPANE LLC	1111161-B0202	77	531350
04000 Central & Western Area HQ	1/21/2016	\$36.57	U.S. CELLULAR	1111161-B0202	41	531130
04000 Central & Western Area HQ	1/22/2016	\$381.54	FEDEX 97900508	1111161-B0202	40	531110
04000 Central & Western Area HQ	1/25/2016	\$327.25	SOUTH CENTRAL INDUSTRIES	1111161-B0202	40	533180
04000 Central & Western Area HQ	1/25/2016	\$59.50	SOUTH CENTRAL INDUSTRIES	1111161-B0202	77	533180
04000 Central & Western Area HQ	1/7/2016	\$24.49	BUMPER TO BUMPER 118	1111161-B0202	41	533220
04000 Central & Western Area HQ	1/28/2016	\$102.00	USPS 39036304033607094	1111161-B0202	77	532190
04000 Central & Western Area HQ	1/4/2016	\$2,445.00	EVEIT ELECTRIC INC	1111161-B0202	40	533110
04000 Central & Western Area HQ	1/5/2016	\$44.97	LOVE S COUNTRY0002600	1111161-B0202	40	537310
04000 Central & Western Area HQ	1/6/2016	\$30.00	H-I-S Paint Reno	1111161-B0202	40	533120
04000 Central & Western Area HQ	1/6/2016	\$89.97	H-I-S Paint Reno	1111161-B0202	40	533210
04000 Central & Western Area HQ	1/6/2016	\$1,266.35	P & K EQUIPMENT	1111161-B0202	40	533220
04000 Central & Western Area HQ	1/11/2016	\$142.85	LOCKE SUPPLY WE NORMAN	1111161-B0202	40	533210
04000 Central & Western Area HQ	1/11/2016	(\$49.02)	LOVE S COUNTRY0002600	1111161-B0202	40	537310
04000 Central & Western Area HQ	1/11/2016	\$105.95	INTERSTATE ALL BATTERY	1111161-B0202	40	537150
04000 Central & Western Area HQ	1/11/2016	\$19.95	INTERSTATE ALL BATTERY	1111161-B0202	40	533210
04000 Central & Western Area HQ	1/12/2016	\$73.50	JAMES SUPPLIES AND RENTAL	1111161-B0202	40	537150
04000 Central & Western Area HQ	1/19/2016	\$68.53	LOCKE SUPPLY NORMAN EAST	1111161-B0202	40	533220
04000 Central & Western Area HQ	1/14/2016	\$361.49	E SUPPLY DEPOT LLC	1111161-B0202	40	537160
04000 Central & Western Area HQ	1/4/2016	\$82.88	REPUBLIC SERVICES TRASH	1111171-B0002	35	533110
04000 Central & Western Area HQ	1/20/2016	\$66.34	NEW VIEW OKLAHOMA	1111171-B0002	35	533180
04000 Central & Western Area HQ	1/21/2016	\$98.11	WILLIS PROPANE LLC	1111171-B0002	35	531350
04000 Central & Western Area HQ	1/25/2016	\$208.25	SOUTH CENTRAL INDUSTRIES	1111161-B0002	35	533180
04000 Central & Western Area HQ Total		\$9,070.83				
04000 CPS	1/11/2016	\$84.00	USDA APHIS ACT HLDR	4100001-E0202	41	531600
04000 CPS	1/15/2016	\$28.03	UPS (800) 811-1648	4100001-E0202	50	531120
04000 CPS	1/22/2016	\$20.10	UPS (800) 811-1648	4100001-E0202	50	531120
04000 CPS	1/5/2016	\$560.00	DCAM CENTRAL PRINTING	4100001-E0202	15	531150
04000 CPS	1/5/2016	\$35.00	DCAM CENTRAL PRINTING	4100001-E0202	50	531150
04000 CPS	1/6/2016	\$191.52	VW GRAINGER	4100001-E0202	15	537160
04000 CPS	1/6/2016	\$534.00	HOMWOOD SUITES TUL SO	4100001-E0202	01	522131
04000 CPS	1/5/2016	\$205.00	SUMMIT MAILING AND SHIPPI	4100001-E0202	01	533120
04000 CPS	1/8/2016	\$267.00	HAMP INN + SUITES ALTUS	4100001-E0202	34	522131
04000 CPS	1/8/2016	\$166.00	SLEEP INN & SUITES	4100001-E0202	34	522131

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Group Name	Purchase Date	Item Total	Vendor Name	Department-State Program	Sub	Account
04000 CPS	1/8/2016	\$166.00	SLEEP INN & SUITES	4100001-E0202	34	522131
04000 CPS	1/15/2016	\$249.00	BEST WESTERN TRADERS INN	4100001-E0202	01	522131
04000 CPS	1/15/2016	\$83.00	HOLIDAY INN EXPRESS	4100001-E0202	50	522131
04000 CPS	1/15/2016	\$267.00	HOLIDAY INN EXPRESS	4100001-E0202	34	522131
04000 CPS	1/15/2016	\$267.00	HOLIDAY INN EXPRESS	4100001-E0202	01	522131
04000 CPS	1/19/2016	(\$24.06)	HOLIDAY INN EXPRESS OWAS	4100001-E0202	01	522131
04000 CPS	1/19/2016	\$255.00	HOLIDAY INN EXPRESS OWAS	4100001-E0202	01	522131
04000 CPS	1/19/2016	\$237.00	HOLIDAY INN EXPRESS OWAS	4100001-E0202	01	522131
04000 CPS	1/19/2016	\$77.00	QUALITY INN HOTEL ARDM	4100001-E0202	01	522131
04000 CPS	1/20/2016	\$69.99	SLEEP INN & SUITES	4100001-E0202	01	522131
04000 CPS	1/20/2016	\$100.00	ASFFPCO	4100001-E0202	50	531260
04000 CPS	1/19/2016	\$202.06	HOLIDAY INN EXPRESS OWAS	4100001-E0202	01	522131
04000 CPS	1/19/2016	\$180.00	DAYS INN & SUITES	4100001-E0202	01	522131
04000 CPS	1/19/2016	\$252.00	HOLIDAY INN EXPRESS OWAS	4100001-E0202	01	522131
04000 CPS	1/19/2016	\$136.20	DAYS INN & SUITES	4100001-E0202	34	522131
04000 CPS	1/19/2016	\$267.00	HOLIDAY INN EXPRESS OWAS	4100001-E0202	01	522131
04000 CPS	1/19/2016	\$174.00	QUALITY INN HOTEL ARDM	4100001-E0202	01	522131
04000 CPS	1/19/2016	\$103.80	DAYS INN & SUITES	4100001-E0202	01	522131
04000 CPS	1/19/2016	\$534.00	HOLIDAY INNS	4100001-E0202	01	522131
04000 CPS	1/21/2016	\$7.77	AMAZON MKTPLACE PMTS	4100001-E0202	01	536140
04000 CPS	1/20/2016	\$139.98	BEST WESTERN MARKITA INN	4100001-E0202	01	522131
04000 CPS	1/19/2016	\$89.00	COMFORT SUITES	4100001-E0202	01	522131
04000 CPS	1/22/2016	\$21.26	AMAZON MKTPLACE PMTS	4100001-E0202	50	536140
04000 CPS	1/22/2016	\$59.91	STAPLES	4100001-E0202	01	536140
04000 CPS	1/14/2016	\$35.00	VYVE BROADBAND J	4100001-E0202	01	531170
04000 CPS	1/13/2016	\$302.95	OG&E/USPAYMENTSBILLPAY	4100001-E0202	01	531370
04000 CPS	1/13/2016	\$255.94	ABI COUNTRYOUTFITTER	4100001-E0202	01	535120
04000 CPS	1/14/2016	\$116.03	DKSY ONLINE	4100001-E0202	01	535120
04000 CPS	1/14/2016	(\$116.03)	CLAIM ADJ/DKSY ONLINE	4100001-E0202	01	535120
04000 CPS	1/13/2016	(\$302.95)	CLAIM ADJ/OG&E/USPAYMENTS	4100001-E0202	01	531370
04000 CPS	1/13/2016	(\$255.94)	CLAIM ADJ/ABI COUNTRYOUTF	4100001-E0202	01	535120
04000 CPS	1/7/2016	\$49.95	RURAL ISP LLC	4100001-E0202	01	531170
04000 CPS	1/25/2016	\$535.00	COMPLIANCE RESOURCE GROUP	4100001-E0202	50	515290
04000 CPS Total		\$6,624.51				
04000 East Central Area HQ	1/13/2016	\$66.09	REPUBLIC SERVICES TRASH	1111141-E0202	01	533110
04000 East Central Area HQ	1/13/2016	\$66.09	REPUBLIC SERVICES TRASH	1111141-E0202	01	533110
04000 East Central Area HQ	1/14/2016	\$187.50	BLM-NIFC FIRE CACHE	1111141-B0002	13	535180
04000 East Central Area HQ	1/14/2016	\$6.50	BLM-NIFC FIRE CACHE	1111141-E0202	01	531110
04000 East Central Area HQ	1/13/2016	\$25.00	PINE CELLULAR PHONES INC	1111141-E0202	01	531170
04000 East Central Area HQ	1/20/2016	\$148.58	ATT BUS PHONE PMT	1111141-E0202	01	531130

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04000 East Central Area HQ	1/19/2016	\$476.00	W.E. ALLFORD PROPANE	1111141-E0202	01	531350
04000 East Central Area HQ	1/19/2016	\$132.20	FSI PSO BILLMATRIX	1111141-E0202	01	531370
04000 East Central Area HQ	1/20/2016	\$62.46	ATT BUS PHONE PMT	1111141-E0202	01	531130
04000 East Central Area HQ	1/20/2016	\$80.63	ATT BILL PAYMENT	1111141-E0202	01	531170
04000 East Central Area HQ	1/19/2016	\$62.25	ALERT ALARM SYSTEM INC	1111141-E0202	01	515650
04000 East Central Area HQ	1/19/2016	\$74.54	KIAMICHI ELECTRIC COOPERA	1111141-E0202	01	531370
04000 East Central Area HQ	1/19/2016	\$175.86	KIAMICHI ELECTRIC COOPERA	1111141-E0202	01	531370
04000 East Central Area HQ	1/19/2016	\$42.84	KIAMICHI ELECTRIC COOPERA	1111141-E0202	01	531370
04000 East Central Area HQ	1/18/2016	\$179.56	TRIANGLE/A & E INC	1111141-B0002	13	534270
04000 East Central Area HQ	1/20/2016	\$42.38	HOLLANDS THICK & THIN LU	1111141-B0002	13	535180
04000 East Central Area HQ	1/20/2016	\$584.00	FORESTRY SUPPLIERS	1111141-B0002	66	541220
04000 East Central Area HQ	1/20/2016	\$82.43	ALFORD METALS	1111141-E0202	01	537150
04000 East Central Area HQ	1/26/2016	\$224.55	FAT ALBERT'S POWER SPORT	1111141-B0002	13	533120
04000 East Central Area HQ	1/28/2016	\$234.22	AIRGAS CENTRAL	1111141-E0202	01	535210
04000 East Central Area HQ	1/8/2016	\$24.88	WM SUPERCENTER #31	1111141-E0202	01	536130
04000 East Central Area HQ	1/4/2016	\$45.75	SOUTHEAST TRUE VALUE HAR	1111141-B0002	13	533210
04000 East Central Area HQ	1/11/2016	\$49.99	SOUTHEAST TRUE VALUE HAR	1111141-B0002	13	533220
04000 East Central Area HQ	1/13/2016	\$28.99	ADAM TRUE VALUE HDWRE	1111141-B0002	13	535180
04000 East Central Area HQ	1/4/2016	\$126.71	YELLOW HOUSE MACHINERY CO	1111141-B0002	13	533220
04000 East Central Area HQ	1/7/2016	\$14.99	SOUTHEAST TRUE VALUE HAR	1111141-E0202	01	533180
04000 East Central Area HQ	1/10/2016	\$11.52	AMAZON MKTPLACE PMTS	1111141-E0202	01	536140
04000 East Central Area HQ	1/12/2016	\$37.54	LOWES #02571	1111141-E0202	01	533210
04000 East Central Area HQ	1/12/2016	\$18.95	TH ROGERS LUMBER COMPANY	1111141-E0202	01	533210
04000 East Central Area HQ	1/12/2016	\$43.00	TH ROGERS LUMBER COMPANY	1111141-B0002	13	541270
04000 East Central Area HQ	1/21/2016	\$217.81	YELLOW HOUSE MACHINERY CO	1111141-B0002	13	533220
04000 East Central Area HQ	1/27/2016	\$247.56	YELLOW HOUSE MACHINERY CO	1111141-B0002	13	533220
04000 East Central Area HQ	1/28/2016	\$73.79	OREILLY AUTO 00002543	1111141-B0002	13	533220
04000 East Central Area HQ Total		\$3,895.16				
04000 Food Safety Div	1/13/2016	\$178.00	HAMPTON INN & SUITES A	6100001-A0102	08	522131
04000 Food Safety Div	1/26/2016	\$1,780.00	BEST WESTERN TRADERS INN	6100002-A0102	10	522131
04000 Food Safety Div	1/16/2016	\$2,191.09	LUMENITE CONTROL TECH	6100003-A0102	20	537160
04000 Food Safety Div Total		\$4,149.09				
04000 General Services	1/8/2016	\$0.83	OK GOV CONVENIENCE FEE	0101026-E0202	01	531250
04000 General Services	1/8/2016	\$33.00	OK TAX COMMISSION TAG AG	0101026-E0202	01	531250
04000 General Services	1/5/2016	\$493.08	STAPLES	0101026-E0202	01	536140
04000 General Services	1/6/2016	\$536.00	DCAM CENTRAL PRINTING	0101026-E0202	01	515990
04000 General Services	1/8/2016	\$384.86	STAPLES	0101026-E0202	01	536140
04000 General Services	1/8/2016	\$117.27	GENERAL CREDIT FORMS INC	0101026-E0202	01	536140
04000 General Services	1/11/2016	\$23.82	MCLAIN-CHITWOOD OFFICE	0101026-E0202	01	536140
04000 General Services	1/12/2016	\$215.77	STAPLES	0101026-E0202	01	536140

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04000 General Services	1/12/2016	\$3.99	STAPLES	0101026-E0202	01	536140
04000 General Services	1/12/2016	\$168.00	DCAM CENTRAL PRINTING	0101026-E0202	01	531150
04000 General Services	1/18/2016	\$37.20	MCLAIN-CHITWOOD OFFICE	0101026-E0202	01	536140
04000 General Services	1/27/2016	\$160.00	DCAM CENTRAL PRINTING	0101026-E0202	01	531150
04000 General Services	1/29/2016	\$89.00	CPC OKLAHOMA	0101026-E0202	01	536140
04000 General Services	1/28/2016	\$2,337.70	VALLEY LASER	8810001-E0202	01	536150
04000 General Services Total		\$4,600.52				
04000 Laboratory	1/22/2016	\$1,350.30	TFS THERMOELECTRONNORT	6700001-E0202	11	537190
04000 Laboratory	1/14/2016	\$18.99	STAPLES	6700001-E0202	01	536140
04000 Laboratory	1/14/2016	\$38.20	VW GRAINGER	6700001-E0202	16	533220
04000 Laboratory	1/28/2016	\$2,097.00	IN CALBIOTECH, INC	6700001-E0202	05	537190
04000 Laboratory	1/8/2016	\$39.23	EPENDORF NORTH AMERIC	6700001-E0202	12	533220
04000 Laboratory	1/12/2016	\$357.06	VWR INTERNATIONAL INC	6700001-E0202	12	537190
04000 Laboratory	1/12/2016	\$173.20	VWR INTERNATIONAL INC	6700001-E0202	12	533220
04000 Laboratory	1/12/2016	\$188.13	VWR INTERNATIONAL INC	6700001-E0202	12	537190
04000 Laboratory	1/12/2016	\$162.90	MIDLAND SCIENTIFIC INC	6700001-E0202	12	533220
04000 Laboratory	1/13/2016	\$372.00	SCP SCIENCE CH	6700001-E0202	12	533220
04000 Laboratory	1/12/2016	\$44.10	VERDER SCIENTIFIC INC.	6700001-E0202	12	533220
04000 Laboratory	1/13/2016	\$159.60	PERKINELMER LERCH0111201	6700001-E0202	12	537190
04000 Laboratory	1/13/2016	\$1,023.99	PERKINELMER LERCH0111201	6700001-E0202	12	533220
04000 Laboratory	1/13/2016	\$9.86	PERKINELMER LERCH0111201	6700001-E0202	12	533220
04000 Laboratory	1/14/2016	\$676.93	TFS FISHERSCI ECOM HUS	6700001-E0202	12	537190
04000 Laboratory	1/16/2016	\$147.60	TFS FISHERSCI ECOM HUS	6700001-E0202	12	533220
04000 Laboratory	1/14/2016	\$40.69	VWR INTERNATIONAL INC	6700001-E0202	17	537190
04000 Laboratory	1/14/2016	\$24.33	VWR INTERNATIONAL INC	6700001-E0202	17	537190
04000 Laboratory	1/14/2016	\$28.31	VWR INTERNATIONAL INC	6700001-E0202	17	537190
04000 Laboratory	1/13/2016	\$599.37	IDEXX DISTRIBUTION INC	6700001-E0202	17	537190
04000 Laboratory	1/13/2016	\$366.47	BIOMERIEUX, INC.	6700001-E0202	17	537190
04000 Laboratory	1/15/2016	\$80.91	VWR INTERNATIONAL INC	6700001-E0202	17	537190
04000 Laboratory	1/15/2016	\$137.07	TFS FISHERSCI ECOM HUS	6700001-E0202	17	537190
04000 Laboratory	1/16/2016	\$69.50	TFS FISHERSCI ECOM HUS	6700001-E0202	17	537190
04000 Laboratory	1/14/2016	\$108.14	WEBER SCIENTIFIC INC	6700001-E0202	17	537190
04000 Laboratory	1/19/2016	\$274.00	VWR INTERNATIONAL INC	6700001-E0202	17	537190
04000 Laboratory	1/27/2016	\$92.48	TFS FISHERSCI ECOM HUS	6700001-E0202	17	537190
04000 Laboratory	1/21/2016	\$12,583.00	DOC-NIST 3019753880	6700001-E0202	15	533120
04000 Laboratory	12/31/2015	\$601.70	TFS THERMOELECTRONNORT	6700001-E0202	11	533220
04000 Laboratory	12/31/2015	\$356.20	TFS FISHERSCI ECOM HUS	6700001-E0202	11	537190
04000 Laboratory	1/6/2016	\$60.50	TFS FISHERSCI ECOM HUS	6700001-E0202	11	537190
04000 Laboratory	1/8/2016	\$436.80	TFS THERMOELECTRONNORT	6700001-E0202	11	533220
04000 Laboratory	1/20/2016	\$57.47	TFS FISHERSCI ECOM HUS	6700001-E0202	11	537190

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04000 Laboratory	1/20/2016	\$305.43	TFS FISHERSCI ECOM HUS	6700001-E0202	11	537190
04000 Laboratory	1/21/2016	\$301.35	TFS FISHERSCI ECOM HUS	6700001-E0202	11	537190
04000 Laboratory	1/22/2016	\$23.17	STAPLES	6700001-E0202	11	536140
04000 Laboratory	1/28/2016	\$418.67	VWR INTERNATIONAL INC	6700001-E0202	11	537190
04000 Laboratory	1/28/2016	\$335.06	VWR INTERNATIONAL INC	6700001-E0202	11	537190
04000 Laboratory Total		\$24,159.71				
04000 Legal	1/20/2016	\$200.54	THOMSON WEST TCD	0101008-E0202	01	515540
04000 Legal	1/20/2016	\$206.50	THOMSON WEST TCD	0500001-E0202	01	515540
04000 Legal	1/20/2016	\$490.38	THOMSON WEST TCD	0500001-E0202	01	515540
04000 Legal	1/20/2016	\$206.50	THOMSON WEST TCD	0900001-E0202	01	515540
04000 Legal	1/20/2016	\$200.54	THOMSON WEST TCD	2100001-E0202	01	515540
04000 Legal	1/20/2016	\$200.54	THOMSON WEST TCD	4100001-E0202	01	515540
04000 Legal Total		\$1,505.00				
04000 Market Admin	1/20/2016	\$29.38	STAPLES	3100001-E0202	01	536140
04000 Market Admin	1/19/2016	\$112.13	QUIK PRINT OKLAHOMA CITY	3100001-E0000	05	531150
04000 Market Admin	1/23/2016	\$62.90	STAPLES	3100001-E0202	01	536140
04000 Market Admin	1/27/2016	\$3.00	OKLAHOMA CITY PARKING MET	3100001-E0001	31	531190
04000 Market Admin	1/28/2016	\$3.00	OKLAHOMA CITY PARKING MET	3100001-E0001	31	531190
04000 Market Admin	1/28/2016	\$2.25	OKLAHOMA CITY PARKING MET	3100001-E0001	31	531190
04000 Market Admin	1/28/2016	\$3.00	OKLAHOMA CITY PARKING MET	3100001-E0001	31	531190
04000 Market Admin	1/9/2016	\$164.00	HILTON GARDEN INN TULS	3131412-E0000	12	522131
04000 Market Admin	1/21/2016	\$69.99	ADOBE CREATIVE CLOUD	3100001-E0001	06	531170
04000 Market Admin	1/8/2016	\$244.95	PAYPAL RSVP/AA	3100001-E0100	10	531170
04000 Market Admin	1/20/2016	\$402.00	TELVENT DTN LLC	3100001-E0100	10	531170
04000 Market Admin	1/3/2016	\$40.00	CTC CONSTANTCONTACT.COM	3100001-A0001	77	531170
04000 Market Admin Total		\$1,136.60				
04000 Northeast Area HQ	1/26/2016	\$81.52	P & K EQUIPMENT	1111131-E0202	12	533220
04000 Northeast Area HQ	1/27/2016	\$6.45	USPS 39430101533615337	1111131-E0202	01	531120
04000 Northeast Area HQ	1/7/2016	\$73.71	FORESTRY SUPPLIERS	1111131-B0002	13	537150
04000 Northeast Area HQ	1/7/2016	\$35.00	SUE'S RECYCLING AND SAN	1111131-E0202	01	533110
04000 Northeast Area HQ	1/7/2016	\$22.00	LAKE REGION ELECTRIC COO	1111131-E0202	01	531370
04000 Northeast Area HQ	1/7/2016	\$78.00	LAKE REGION ELECTRIC COO	1111131-E0202	01	531370
04000 Northeast Area HQ	1/7/2016	\$89.00	LAKE REGION ELECTRIC COO	1111131-E0202	01	531370
04000 Northeast Area HQ	1/7/2016	\$3.95	LAKE REGION ELECTRIC COO	1111131-E0202	01	531600
04000 Northeast Area HQ	1/7/2016	\$59.95	DIAMONDNET	1111131-E0202	01	531170
04000 Northeast Area HQ	1/8/2016	\$104.90	TAHLEQUAH CABLE TV	1111131-E0202	01	531170
04000 Northeast Area HQ	1/8/2016	\$88.43	TAHLEQUAH PUBLIC WORK	1111131-E0202	01	531360
04000 Northeast Area HQ	1/8/2016	\$9.65	TAHLEQUAH PUBLIC WORK	1111131-E0202	01	531350
04000 Northeast Area HQ	1/11/2016	\$53.40	FORESTRY SUPPLIERS	1111131-B0002	13	537150
04000 Northeast Area HQ	1/13/2016	\$45.00	SQ BOWDEN TERMITES & PEST	1111131-E0202	01	533210

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Group Name	Purchase Date	Item Total	Vendor Name	Department-State Program	Sub	Account
04000 Northeast Area HQ	1/13/2016	\$45.00	SQ BOWDEN TERMITES & PEST	1111131-E0202	01	533210
04000 Northeast Area HQ	1/15/2016	\$82.80	AOGC/EZ-PAY	1111131-E0202	01	531360
04000 Northeast Area HQ	1/15/2016	\$2.95	AOGC/EZ-PAY	1111131-E0202	01	531600
04000 Northeast Area HQ	1/16/2016	\$100.06	FSI PSO BILLMATRIX	1111131-E0202	01	531370
04000 Northeast Area HQ	1/16/2016	\$2.95	FSI PSO BILLMATRIX	1111131-E0202	01	531600
04000 Northeast Area HQ	1/15/2016	\$54.00	NORTHEAST OKLAHOMA ELECT	1111131-E0202	01	531370
04000 Northeast Area HQ	1/19/2016	\$95.66	WW GRAINGER	1111131-B0002	13	537150
04000 Northeast Area HQ	1/19/2016	\$129.92	WW GRAINGER	1111131-E0202	01	533210
04000 Northeast Area HQ	1/19/2016	\$38.88	WW GRAINGER	1111131-B0002	13	537150
04000 Northeast Area HQ	1/19/2016	\$56.70	WW GRAINGER	1111131-B0002	13	535180
04000 Northeast Area HQ	1/19/2016	\$88.71	WW GRAINGER	1111131-B0002	13	535180
04000 Northeast Area HQ	1/26/2016	\$319.97	WW GRAINGER	1111131-B0002	12	533220
04000 Northeast Area HQ	1/26/2016	\$36.49	WW GRAINGER	1111131-E0202	01	533180
04000 Northeast Area HQ	1/27/2016	\$619.75	FORESTRY SUPPLIERS	1111131-E0202	13	535120
04000 Northeast Area HQ	1/14/2016	\$204.78	OREILLY AUTO 00001586	1111131-B0002	12	533220
04000 Northeast Area HQ Total		\$2,629.58				
04000 Plasticulture	1/12/2016	\$26.98	STONES HARDWARE - PIED	3131412-E0000	12	537160
04000 Plasticulture Total		\$26.98				
04000 Rural Fire Defense	1/5/2016	\$22.55	PAYPATH S FEE OK ST UNIV	1111121-B0202	11	531600
04000 Rural Fire Defense	1/5/2016	\$820.00	OKLAHOMA STATE UNIV	1111121-B0202	11	531190
04000 Rural Fire Defense	1/5/2016	\$59.50	STAPLES	1111121-C0201	01	536140
04000 Rural Fire Defense	1/12/2016	\$3,311.00	NASF SMOKEY BEAR	1111121-B0202	11	536190
04000 Rural Fire Defense	1/15/2016	\$3,252.01	HERITAGE	1111121-E0202	01	535120
04000 Rural Fire Defense	1/18/2016	\$807.00	NASF SMOKEY BEAR	1111121-B0202	11	536190
04000 Rural Fire Defense	1/27/2016	\$102.50	ETHICS COMMISSION	1111121-E0202	01	531260
04000 Rural Fire Defense	1/28/2016	\$381.11	RELM WIRELESS CORP	1111121-B0002	17	531130
04000 Rural Fire Defense	12/31/2015	\$18.01	WSC Windstream PmtFee	1111141-B0202	41	531130
04000 Rural Fire Defense	1/8/2016	\$8.01	MAILFINANCE	1111141-B0202	41	532140
04000 Rural Fire Defense	1/14/2016	\$8.01	MAILFINANCE	1111141-B0202	41	532140
04000 Rural Fire Defense	1/22/2016	\$18.08	WSC Windstream Pmt&Fee	1111141-B0202	41	531130
04000 Rural Fire Defense	12/31/2015	\$132.11	WSC Windstream PmtFee	1111151-B0202	77	531130
04000 Rural Fire Defense	1/8/2016	\$17.02	MAILFINANCE	1111151-B0202	77	532140
04000 Rural Fire Defense	1/14/2016	\$17.02	MAILFINANCE	1111151-B0202	77	532140
04000 Rural Fire Defense	1/22/2016	\$132.51	WSC Windstream Pmt&Fee	1111151-B0202	77	531130
04000 Rural Fire Defense	12/31/2015	\$150.12	WSC Windstream PmtFee	1111161-B0202	40	531130
04000 Rural Fire Defense	1/8/2016	\$25.04	MAILFINANCE	1111161-B0202	40	532140
04000 Rural Fire Defense	1/14/2016	\$25.04	MAILFINANCE	1111161-B0202	40	532140
04000 Rural Fire Defense	1/15/2016	\$22.55	WW GRAINGER	1111161-B0202	40	533180
04000 Rural Fire Defense	1/22/2016	\$150.58	WSC Windstream Pmt&Fee	1111161-B0202	40	531130
04000 Rural Fire Defense	1/28/2016	\$1,374.70	DOD EMAIL	1111171-B0002	29	535120

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Group Name	Purchase Date	Item Total	Vendor Name	Department-State Program	Sub	Account
04000 Rural Fire Defense	1/28/2016	\$770.50	DOD EMALL	1111171-B0002	29	535120
04000 Rural Fire Defense	1/28/2016	\$1,524.00	DOD EMALL	1111171-B0002	29	535120
04000 Rural Fire Defense	1/28/2016	\$5,188.50	DOD EMALL	1111171-B0002	29	535120
04000 Rural Fire Defense	1/28/2016	\$10,272.75	DOD EMALL	1111171-B0002	29	535180
04000 Rural Fire Defense	1/28/2016	\$76.20	DOD EMALL	1111171-B0002	29	535120
04000 Rural Fire Defense	1/28/2016	\$3,732.00	DOD EMALL	1111171-B0002	29	535120
04000 Rural Fire Defense	1/28/2016	\$1,524.00	DOD EMALL	1111171-B0002	29	535120
04000 Rural Fire Defense	1/4/2016	\$65.90	BIG TEX TRAILERS NORMAN	1111171-B0002	29	533220
04000 Rural Fire Defense	12/31/2015	\$300.27	WSC Windstream PmtFee	1111171-B0002	35	531130
04000 Rural Fire Defense	1/8/2016	\$50.07	MAILFINANCE	1111171-B0002	35	532140
04000 Rural Fire Defense	1/14/2016	\$50.07	MAILFINANCE	1111171-B0002	35	532140
04000 Rural Fire Defense	1/15/2016	\$22.55	WW GRAINGER	1111171-B0002	35	533180
04000 Rural Fire Defense	1/22/2016	\$301.17	WSC Windstream Pmt&Fee	1111171-B0002	35	531130
04000 Rural Fire Defense	1/8/2016	\$107.25	DON'S MOBIL LOCK SHOP I	1111171-B0002	35	533120
04000 Rural Fire Defense	1/21/2016	\$132.78	PALACE AUTO SUPPLY INC	1111171-B0002	29	533220
04000 Rural Fire Defense	1/8/2016	\$63.58	ATT BUS PHONE PMT	1117443-B0002	43	531130
04000 Rural Fire Defense Total		\$35,036.06				
04000 Southeast Area HQ	1/28/2016	\$56.42	PARTS HOUSE INC	1111151-B0002	13	533220
04000 Southeast Area HQ	1/5/2016	\$63.78	AUTO PARTS 0039143	1111151-B0002	13	533220
04000 Southeast Area HQ	1/8/2016	\$484.59	YELLOW HOUSE MACHINERY CO	1111151-B0002	13	533120
04000 Southeast Area HQ	1/8/2016	\$126.92	YELLOW HOUSE MACHINERY CO	1111151-B0002	13	533120
04000 Southeast Area HQ	1/8/2016	\$33.98	AUTO PARTS 0039143	1111151-B0002	13	533220
04000 Southeast Area HQ	1/22/2016	\$2,657.00	DIAMOND T TRAILER MANUFAC	1111151-B0002	13	533120
04000 Southeast Area HQ	1/22/2016	\$71.28	DIAMOND T TRAILER MANUFAC	1111151-B0002	13	533220
04000 Southeast Area HQ	12/30/2015	\$173.14	OK NATURAL GAS	1111151-E0202	01	531360
04000 Southeast Area HQ	12/31/2015	\$110.32	ATT BUS PHONE PMT	1111151-E0202	01	531130
04000 Southeast Area HQ	12/31/2015	\$84.99	ATT BUS PHONE PMT	1111151-E0202	01	531170
04000 Southeast Area HQ	12/30/2015	\$3.70	OPC UTL SERVICE FEE 013	1111151-E0202	01	531600
04000 Southeast Area HQ	12/31/2015	\$241.36	U.S. CELLULAR	1111151-E0202	01	531130
04000 Southeast Area HQ	1/7/2016	\$8.79	SOUTHWEST ARKANSAS ELECT	1111151-E0202	01	531370
04000 Southeast Area HQ	1/8/2016	\$334.02	PINE CELLULAR PHONES INC	1111151-E0202	01	531130
04000 Southeast Area HQ	1/8/2016	\$100.90	PINE CELLULAR PHONES INC	1111151-E0202	01	531170
04000 Southeast Area HQ	1/8/2016	\$41.00	ANTLERS PUBLIC WORKS AUTH	1111151-E0202	01	531350
04000 Southeast Area HQ	1/8/2016	\$41.00	ANTLERS PUBLIC WORKS AUTH	1111151-E0202	01	533110
04000 Southeast Area HQ	1/8/2016	\$3.00	ANTLERS PUBLIC WORKS AUTH	0100001-E0202	01	531600
04000 Southeast Area HQ	1/8/2016	\$25.00	PINE CELLULAR PHONES INC	1111151-E0202	01	531170
04000 Southeast Area HQ	1/8/2016	\$1.25	MUNICIPAL ONLINE PAYMENT	1111151-E0202	01	531600
04000 Southeast Area HQ	1/7/2016	\$35.75	CITY OF BROKEN BOW	1111151-E0202	01	531350
04000 Southeast Area HQ	1/7/2016	\$52.00	CITY OF BROKEN BOW	1111151-E0202	01	533110
04000 Southeast Area HQ	1/9/2016	\$98.36	WSC Windstream PmtFee	1111151-E0202	01	531130

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Group Name	Purchase Date	Item Total	Vendor Name	Department-State Program	Sub	Account
04000 Southeast Area HQ	1/7/2016	\$51.27	KIAMICHI RURAL WTR DST #6	1111151-E0202	01	531350
04000 Southeast Area HQ	1/14/2016	\$651.21	CHOCTAW ELECTRIC COOPERA	1111151-E0202	01	531370
04000 Southeast Area HQ	1/19/2016	\$13.05	LIBERTY FLAGS INC	1111151-E0202	01	536140
04000 Southeast Area HQ	1/27/2016	\$43.02	ATT BUS PHONE PMT	1111151-E0202	01	531130
04000 Southeast Area HQ	1/28/2016	\$48.02	ATT BUS PHONE PMT	1111151-E0202	01	531130
04000 Southeast Area HQ	1/28/2016	(\$4.31)	ATT BUS PHONE PMT	1111151-E0202	01	531130
04000 Southeast Area HQ	1/28/2016	\$43.18	ATT BUS PHONE PMT	1111151-E0202	01	531130
04000 Southeast Area HQ	12/30/2015	\$782.84	BAILEY LUMBER CO (BROKEN	1111151-E0202	01	533110
04000 Southeast Area HQ	12/30/2015	\$22.53	BAILEY LUMBER CO (BROKEN	1111151-E0202	01	533110
04000 Southeast Area HQ	1/5/2016	\$31.38	LAMBERT LUMBER 458	1111151-E0202	01	533210
04000 Southeast Area HQ	1/20/2016	\$69.98	LAMBERT LUMBER 458	1111151-E0202	01	533210
04000 Southeast Area HQ	1/25/2016	\$13.98	B&N ACE HARDWARE	1111151-E0202	01	533210
04000 Southeast Area HQ	12/30/2015	\$25.81	BEMAC SUPPLY 1	1111151-E0202	01	533210
04000 Southeast Area HQ Total		\$6,640.51				
Grand Total		\$153,595.56				



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Fund	Dept	Account	Sub	Acctg Date	PO No.	Warrant Number	Amount	Name	Vendor ID	Voucher ID	DATE
21000	0100001	521310	01	12/16/2015		051162110	362.00	EDGAR R HURLIMAN	0000319608	00098052	1/4/2016
21000	0100001	521310	01	12/16/2015		051162111	78.20	KAREN KREHBIEL	0000361929	00098053	1/4/2016
21000	4100001	531170	01	12/29/2015	0409016700	051162117	99.98	PATZACK,RUSTEN M	0000235581	00098100	1/4/2016
21000	4100001	531170	01	12/29/2015	0409017018	051162117	199.96	PATZACK,RUSTEN M	0000235581	00098101	1/4/2016
21000	1111161	531370	41	12/29/2015	0409017025	107413519	183.23	AMERICAN ELEC POWER/PSO	0000056158	00098102	1/4/2016
21000	5100001	519130	01	12/17/2015	0409016952	000055763	10.35	OFFICE OF MANAGEMENT & ENTERPRISE SVCS	0000000090	00098060	1/6/2016
21000	0100001	519130	01	12/17/2015	0409016952	000055763	25.79	OFFICE OF MANAGEMENT & ENTERPRISE SVCS	0000000090	00098060	1/6/2016
21000	6700001	519130	01	12/17/2015	0409016952	000055763	39.51	OFFICE OF MANAGEMENT & ENTERPRISE SVCS	0000000090	00098060	1/6/2016
21000	2100001	519130	01	12/17/2015	0409016952	000055763	40.18	OFFICE OF MANAGEMENT & ENTERPRISE SVCS	0000000090	00098060	1/6/2016
21000	0700001	519130	01	12/17/2015	0409016952	000055763	44.07	OFFICE OF MANAGEMENT & ENTERPRISE SVCS	0000000090	00098060	1/6/2016
21000	6100002	519130	01	12/17/2015	0409016952	000055763	62.77	OFFICE OF MANAGEMENT & ENTERPRISE SVCS	0000000090	00098060	1/6/2016
21000	0100001	519130	01	12/17/2015	0409016952	000055763	110.37	OFFICE OF MANAGEMENT & ENTERPRISE SVCS	0000000090	00098060	1/6/2016
21000	6100001	519130	01	12/17/2015	0409016952	000055763	120.37	OFFICE OF MANAGEMENT & ENTERPRISE SVCS	0000000090	00098060	1/6/2016
21000	4100001	519130	01	12/17/2015	0409016952	000055763	141.32	OFFICE OF MANAGEMENT & ENTERPRISE SVCS	0000000090	00098060	1/6/2016
21000	3100001	519130	01	12/17/2015	0409016952	000055763	176.37	OFFICE OF MANAGEMENT & ENTERPRISE SVCS	0000000090	00098060	1/6/2016
21000	1111121	519130	01	12/17/2015	0409016952	000055763	198.37	OFFICE OF MANAGEMENT & ENTERPRISE SVCS	0000000090	00098060	1/6/2016
21000	8810001	541120	01	12/30/2015	0409017103	051163479	19,000.00	COMPUTER AID INC	0000325912	00098103	1/6/2016
21000	0100001	521210	01	12/31/2015		051163516	15.98	REESE,JAMES L	0000308609	00098105	1/6/2016
21000	0100001	521250	01	12/31/2015		051163516	71.50	REESE,JAMES L	0000308609	00098105	1/6/2016
21000	0100001	521230	01	12/31/2015		051163493	138.25	REESE,JAMES L	0000308609	00098105	1/6/2016
21000	0700001	521140	06	12/31/2015		051163493	15.68	HARDIN,LORRI A	0000252592	00098106	1/6/2016
21000	0700001	521110	06	12/31/2015		051163474	16.10	HARDIN,LORRI A	0000252592	00098106	1/6/2016
21000	4100001	521150	01	12/31/2015		051163474	178.00	BOOKOUT,MICHAEL W	0000250107	00098107	1/6/2016
21000	4100001	521120	01	12/31/2015		051163491	280.50	BOOKOUT,MICHAEL W	0000250107	00098107	1/6/2016
21000	3100001	521140	31	12/31/2015		051163535	50.00	HAIDARY,HAIDAR D	0000083851	00098108	1/6/2016
21000	1111121	521120	01	12/31/2015		051163535	127.50	WILLIAMS,GARY E	0000332775	00098110	1/6/2016
21000	6100002	521110	01	12/31/2015		051163501	92.00	WILLIAMS,GARY E	0000332775	00098111	1/6/2016
21000	6100001	521120	72	12/31/2015		051163492	96.60	MANION,WILLIAM M	0000292525	00098112	1/6/2016
21000	1111121	521120	48	12/31/2015		051163486	91.50	HALL,RONALD F	0000190249	00098113	1/6/2016
21000	1111121	521120	01	12/31/2015		051163499	331.50	FORD,MATTHEW BURL	0000324209	00098114	1/6/2016
21000	6100002	521120	10	12/31/2015		051163470	114.75	LONGSHORE,CRAIG A.	0000374197	00098115	1/6/2016
21000	6100002	521120	10	12/31/2015		051163470	357.00	ALEXANDER JR.,MARCUS WADE	0000396282	00098116	1/6/2016
21000	0100001	531230	01	12/15/2015	0409016951	000055852	369.75	ALEXANDER JR.,MARCUS WADE	0000396282	00098117	1/6/2016
21000	0100001	531310	42	12/18/2015	0409016977	000055852	2,192.09	OFFICE OF MANAGEMENT & ENTERPRISE SVCS	0000000090	00098016	1/8/2016
21000	1111121	515540	15	1/4/2016	0409016597	051165414	4,897.33	STEPHEN M MATTAX	0000000090	00098067	1/8/2016
21000	0100001	515350	01	1/4/2016	0409017102	107418835	10,000.00	KELLY REGISTRATION SYSTEMS INC	0000080156	00098118	1/8/2016
21000	0900001	531130	01	1/4/2016	0409016974	107418833	7.34	AT&T INC	0000068355	00098119	1/8/2016
21000	0101026	532130	39	1/4/2016	0409016978	076692944	120.00	DEPARTMENT OF LIBRARIES	0000000430	00098120	1/8/2016
21000	0101026	531130	40	1/4/2016	0409016973	107418833	12.11	AT&T INC	0000068355	00098122	1/8/2016
21000	3100001	521110	01	1/8/2016		051168177	106.03	ALLEN,JAMEY M	0000038278	00098129	1/13/2016
21000	1111121	521120	48	1/8/2016		051168207	147.50	EMERSON,JOE R	0000058885	00098130	1/13/2016
21000	6100001	521120	72	1/8/2016		051168187	535.50	CLOUD,REILLY G	0000393135	00098133	1/13/2016
21000	0100001	521230	01	1/8/2016		107423105	91.50	HALL,RONALD F	0000190249	00098134	1/13/2016
21000	0100001	521310	01	1/8/2016		051168211	241.50	BRIAN E GAGE	0000397049	00098136	1/13/2016
21000	4100001	521120	01	1/8/2016		051168262	148.35	FARRIS, JOE	0000256499	00098137	1/13/2016
21000	4100001	521140	08	1/8/2016		051168256	446.25	SCOTT,ANDREW BLAIR	0000379952	00098138	1/13/2016
21000	4100001	521140	08	1/8/2016		051168256	4.00	PRIVETT,JOE H	0000092478	00098140	1/13/2016

Warrants issued in January, 2016

Fund	Dept	Account	Sub	Acctg Date	PO No.	Warrant Number	Amount	Name	Vendor ID	Voucher ID	DATE
21000	0900001	515650	09	1/8/2016	0409016940	000003055	965.52	DEPARTMENT OF PUBLIC SAFETY	0000000585	00098143	1/13/2016
21000	0700001	515450	32	1/8/2016		051168219	1,278.00	HODGES ENVIRONMENTAL CONSULTING	0000265024	00098144	1/13/2016
21000	4100001	515450	52	1/8/2016	0409016372	051168204	2,904.50	DONALD RAY MOLNAR	0000068727	00098145	1/13/2016
21000	1111161	531350	41	1/8/2016	0409016962	051168228	16.50	MCCURTAIN COUNTY RWD#1	0000072741	00098146	1/13/2016
21000	1111161	531350	41	1/8/2016	0409016962	051168228	92.49	MCCURTAIN COUNTY RWD#1	0000072741	00098147	1/13/2016
21000	0100001	522130	01	1/11/2016	0409016969	051168295	(60.04)	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	4100001	536130	01	1/11/2016	0409016969	051168295	(17.76)	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111131	531600	01	1/11/2016	0409016969	051168295	9.85	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	6700001	531110	01	1/11/2016	0409016969	051168295	10.00	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	6700001	531110	01	1/11/2016	0409016969	051168295	10.00	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111151	531600	01	1/11/2016	0409016969	051168295	10.15	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	6700001	536140	01	1/11/2016	0409016969	051168295	11.94	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111151	533210	01	1/11/2016	0409016969	051168295	25.81	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111151	515650	01	1/11/2016	0409016969	051168295	27.02	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111141	537310	01	1/11/2016	0409016969	051168295	30.95	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	4100001	531150	01	1/11/2016	0409016969	051168295	35.00	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	6700001	531150	01	1/11/2016	0409016969	051168295	35.00	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	0100001	531390	01	1/11/2016	0409016969	051168295	35.98	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111141	533180	01	1/11/2016	0409016969	051168295	36.68	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111121	531600	01	1/11/2016	0409016969	051168295	38.70	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111151	535180	01	1/11/2016	0409016969	051168295	45.15	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	0101026	515990	01	1/11/2016	0409016969	051168295	49.12	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	2100001	536130	01	1/11/2016	0409016969	051168295	49.68	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	2100001	537160	01	1/11/2016	0409016969	051168295	52.02	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111141	537150	01	1/11/2016	0409016969	051168295	56.43	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111121	541110	01	1/11/2016	0409016969	051168295	60.00	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111131	533110	01	1/11/2016	0409016969	051168295	77.50	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111131	531360	01	1/11/2016	0409016969	051168295	80.61	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	6100001	537160	01	1/11/2016	0409016969	051168295	84.79	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	4100001	531170	01	1/11/2016	0409016969	051168295	84.95	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111131	531250	01	1/11/2016	0409016969	051168295	85.00	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111141	533110	01	1/11/2016	0409016969	051168295	99.56	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111151	531350	01	1/11/2016	0409016969	051168295	108.61	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	4100001	522150	01	1/11/2016	0409016969	051168295	125.00	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111131	531110	01	1/11/2016	0409016969	051168295	139.68	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111121	531130	01	1/11/2016	0409016969	051168295	139.76	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111151	533110	01	1/11/2016	0409016969	051168295	143.00	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	0100001	536140	01	1/11/2016	0409016969	051168295	151.76	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111131	531150	01	1/11/2016	0409016969	051168295	160.00	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111151	533120	01	1/11/2016	0409016969	051168295	162.50	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111131	531170	01	1/11/2016	0409016969	051168295	164.85	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	6100001	522131	01	1/11/2016	0409016969	051168295	178.00	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111141	533210	01	1/11/2016	0409016969	051168295	185.75	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111141	531170	01	1/11/2016	0409016969	051168295	186.26	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	0100001	531170	01	1/11/2016	0409016969	051168295	189.00	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	0101008	531260	01	1/11/2016	0409016969	051168295	200.54	BANK OF AMERICA	0000300518	00098152	1/13/2016

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Fund	Dept	Account	Sub	Acctg Date	PO No.	Warrant Number	Amount	Name	Vendor ID	Voucher ID	DATE
21000	4100001	531260	01	1/11/2016	0409016969	051168295	200.54	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111151	531170	01	1/11/2016	0409016969	051168295	210.03	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111141	531130	01	1/11/2016	0409016969	051168295	211.04	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	6700001	522110	01	1/11/2016	0409016969	051168295	232.20	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111131	531130	01	1/11/2016	0409016969	051168295	262.21	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	3100001	531190	01	1/11/2016	0409016969	051168295	274.40	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	0100001	522110	01	1/11/2016	0409016969	051168295	296.95	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111131	533210	01	1/11/2016	0409016969	051168295	305.87	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111121	515780	01	1/11/2016	0409016969	051168295	337.00	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	2100001	536140	01	1/11/2016	0409016969	051168295	337.07	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	8810001	542120	01	1/11/2016	0409017001	051168295	340.49	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	6700001	532140	01	1/11/2016	0409016969	051168295	346.50	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	0100001	531110	01	1/11/2016	0409016969	051168295	360.64	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	2100001	531600	01	1/11/2016	0409016969	051168295	369.75	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	0500001	515540	01	1/11/2016	0409016969	051168295	393.00	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111121	536140	01	1/11/2016	0409016969	051168295	403.93	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	0100001	522150	01	1/11/2016	0409016969	051168295	441.50	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	6700001	537190	01	1/11/2016	0409016969	051168295	450.54	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111141	531370	01	1/11/2016	0409016969	051168295	454.29	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	6700001	533120	01	1/11/2016	0409016969	051168295	475.00	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	0700001	531130	01	1/11/2016	0409016969	051168295	487.67	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	0100001	515610	01	1/11/2016	0409016969	051168295	489.72	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	2100001	531130	01	1/11/2016	0409016969	051168295	512.22	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111131	531370	01	1/11/2016	0409016969	051168295	523.70	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111121	515600	01	1/11/2016	0409016969	051168295	551.26	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111131	531350	01	1/11/2016	0409016969	051168295	557.24	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111141	533110	01	1/11/2016	0409016675	051168295	623.96	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	0101026	531150	01	1/11/2016	0409016969	051168295	675.00	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	5100001	515570	01	1/11/2016	0409016969	051168295	806.00	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111121	532160	01	1/11/2016	0409017001	051168295	885.57	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111151	531130	01	1/11/2016	0409016969	051168295	910.65	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111151	531370	01	1/11/2016	0409016969	051168295	1,046.17	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	0101026	536140	01	1/11/2016	0409016969	051168295	1,293.78	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	0500001	531260	01	1/11/2016	0409016969	051168295	1,709.38	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	6700001	515570	01	1/11/2016	0409016969	051168295	1,731.76	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	2100001	522131	01	1/11/2016	0409016969	051168295	2,861.00	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	6700001	515570	01	1/11/2016	0409016969	051168295	3,471.71	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	2100001	531260	01	1/11/2016	0409016969	051168295	3,654.54	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	0900001	531150	01	1/11/2016	0409016969	051168295	4,750.00	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	8810001	532160	01	1/11/2016	0409017001	051168295	5,587.35	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	0100001	515570	01	1/11/2016	0409016969	051168295	5,760.48	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	0700001	515570	01	1/11/2016	0409016969	051168295	6,170.25	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	2100001	515570	01	1/11/2016	0409016969	051168295	6,580.88	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	0100001	515650	01	1/11/2016	0409016969	051168295	6,883.25	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111121	515570	01	1/11/2016	0409016969	051168295	8,818.94	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	2100001	537210	01	1/11/2016	0409016969	051168295	13,445.68	BANK OF AMERICA	0000300518	00098152	1/13/2016

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Fund	Dept	Account	Sub	Acctg Date	PO No.	Warrant Number	Amount	Name	Vendor ID	Voucher ID	DATE
21000	3148202	531190	02	1/11/2016	0409016969	051168295	169.77	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	2100001	522131	03	1/11/2016	0409016969	051168295	57.60	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	2100001	537160	03	1/11/2016	0409016969	051168295	115.90	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111121	522131	03	1/11/2016	0409016969	051168295	178.00	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	2100001	531130	03	1/11/2016	0409016969	051168295	351.96	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	2100001	537210	03	1/11/2016	0409016969	051168295	1,140.00	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	3100001	531170	05	1/11/2016	0409017001	051168295	20.00	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	6700001	537190	05	1/11/2016	0409016969	051168295	5,800.59	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	3100001	531190	06	1/11/2016	0409016969	051168295	20.00	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	3100001	531170	06	1/11/2016	0409017001	051168295	69.99	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	0101008	531150	08	1/11/2016	0409016969	051168295	145.00	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	0101008	541230	08	1/11/2016	0409016969	051168295	373.01	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	0101008	531130	08	1/11/2016	0409016969	051168295	444.74	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	0101008	535120	08	1/11/2016	0409016969	051168295	1,125.00	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	6700001	535180	10	1/11/2016	0409016969	051168295	130.28	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	6100002	522130	10	1/11/2016	0409016969	051168295	304.08	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	3100001	531170	10	1/11/2016	0409017001	051168295	511.95	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	6700001	533220	10	1/11/2016	0409016969	051168295	767.76	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	6100002	522131	10	1/11/2016	0409016969	051168295	1,438.95	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	6700001	537190	10	1/11/2016	0409016969	051168295	4,024.41	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111121	531260	11	1/11/2016	0409016969	051168295	130.00	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	6700001	533220	11	1/11/2016	0409016969	051168295	575.51	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	6700001	537190	11	1/11/2016	0409016969	051168295	644.41	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	6700001	533180	12	1/11/2016	0409016969	051168295	98.61	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	6700001	533220	12	1/11/2016	0409016969	051168295	979.91	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111131	533220	12	1/11/2016	0409016969	051168295	1,120.39	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	6700001	537190	12	1/11/2016	0409016969	051168295	2,040.08	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111141	541220	13	1/11/2016	0409016969	051168295	92.89	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111131	535180	13	1/11/2016	0409016969	051168295	149.00	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111131	535180	13	1/11/2016	0409016969	051168295	157.90	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111131	535180	13	1/11/2016	0409016969	051168295	177.76	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111131	532140	13	1/11/2016	0409016969	051168295	195.00	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111141	535180	13	1/11/2016	0409016969	051168295	277.50	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111131	534110	13	1/11/2016	0409016969	051168295	291.15	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111141	533220	13	1/11/2016	0409016969	051168295	315.38	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111131	537150	13	1/11/2016	0409016969	051168295	320.23	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111121	515570	14	1/11/2016	0409016969	051168295	201.60	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	4100001	533220	15	1/11/2016	0409016969	051168295	5.99	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	6700001	537150	15	1/11/2016	0409016969	051168295	341.96	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	6700001	537190	15	1/11/2016	0409016969	051168295	783.42	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	6700001	531260	16	1/11/2016	0409016969	051168295	1,000.00	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	6700001	537190	17	1/11/2016	0409016969	051168295	3,966.69	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	3131418	531170	18	1/11/2016	0409017001	051168295	223.86	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	3131418	531190	18	1/11/2016	0409016969	051168295	920.00	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	3131418	531150	18	1/11/2016	0409016969	051168295	950.00	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	3131418	531160	18	1/11/2016	0409016969	051168295	3,140.00	BANK OF AMERICA	0000300518	00098152	1/13/2016

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Fund	Dept	Account	Sub	Acctg Date	PO No.	Warrant Number	Amount	Name	Vendor ID	Voucher ID	DATE
21000	3100001	531190	19	1/11/2016	0409016969	051168295	82.32	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111171	535180	29	1/11/2016	0409016969	051168295	62.75	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111171	536190	29	1/11/2016	0409016969	051168295	514.38	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111141	536190	29	1/11/2016	0409016969	051168295	583.08	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111171	535180	29	1/11/2016	0409016969	051168295	727.79	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	3100001	522130	31	1/11/2016	0409016969	051168295	(120.91)	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	3100001	531190	31	1/11/2016	0409016969	051168295	300.61	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	0700001	531130	31	1/11/2016	0409016969	051168295	348.41	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	3100001	531190	31	1/11/2016	0409016969	051168295	1,350.00	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	4100001	537160	34	1/11/2016	0409016969	051168295	134.95	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111171	535180	34	1/11/2016	0409016969	051168295	883.01	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111171	531600	35	1/11/2016	0409016969	051168295	2.63	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111171	532140	35	1/11/2016	0409016969	051168295	50.07	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111171	533220	35	1/11/2016	0409016969	051168295	54.90	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111171	533110	35	1/11/2016	0409016969	051168295	66.84	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111171	536140	35	1/11/2016	0409016969	051168295	83.97	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111171	531250	35	1/11/2016	0409016969	051168295	105.00	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	4100001	522110	35	1/11/2016	0409016969	051168295	367.46	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	0700001	535210	36	1/11/2016	0409016969	051168295	109.12	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111161	531110	40	1/11/2016	0409016969	051168295	4.04	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111161	533180	40	1/11/2016	0409016969	051168295	17.40	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111161	536140	40	1/11/2016	0409016969	051168295	42.00	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111161	532140	40	1/11/2016	0409016969	051168295	107.04	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111161	533120	40	1/11/2016	0409016969	051168295	172.20	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111161	537160	40	1/11/2016	0409016969	051168295	239.69	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111161	533210	40	1/11/2016	0409016969	051168295	345.28	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111161	531350	40	1/11/2016	0409016969	051168295	809.08	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111161	533220	40	1/11/2016	0409016969	051168295	885.77	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111161	531160	40	1/11/2016	0409016969	051168295	1,123.00	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111161	537150	40	1/11/2016	0409016969	051168295	1,676.72	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111161	533110	40	1/11/2016	0409016969	051168295	4,905.01	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111141	532140	41	1/11/2016	0409016969	051168295	8.01	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111141	536140	41	1/11/2016	0409016969	051168295	9.90	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111161	531350	41	1/11/2016	0409016969	051168295	13.43	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	4100001	531600	41	1/11/2016	0409016969	051168295	40.50	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111161	531130	41	1/11/2016	0409016969	051168295	72.00	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111161	532140	41	1/11/2016	0409016969	051168295	159.31	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1117443	531130	43	1/11/2016	0409016969	051168295	3,950.00	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111121	522131	48	1/11/2016	0409016969	051168295	63.45	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	4100001	537160	50	1/11/2016	0409016969	051168295	2,075.00	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	4100001	522130	50	1/11/2016	0409016969	051168295	84.77	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	6100002	531260	53	1/11/2016	0409016969	051168295	381.94	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	4100001	515820	54	1/11/2016	0409016969	051168295	335.00	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	4100001	536190	54	1/11/2016	0409016969	051168295	300.00	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	2100001	537160	65	1/11/2016	0409016969	051168295	1,264.88	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	2100001	537160	65	1/11/2016	0409016969	051168295	112.50	BANK OF AMERICA	0000300518	00098152	1/13/2016

Warrants issued in January, 2016

Fund	Dept	Account	Sub	Acctg Date	PO No.	Warrant Number	Amount	Name	Vendor ID	Voucher ID	DATE
21000	4100001	522110	70	1/11/2016	0409016969	051168295	372.20	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111161	533120	77	1/11/2016	0409016969	051168295	9.90	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111151	532140	77	1/11/2016	0409016969	051168295	17.02	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111151	536140	77	1/11/2016	0409016969	051168295	28.55	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	3100001	531170	77	1/11/2016	0409017001	051168295	40.00	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	1111161	531130	77	1/11/2016	0409016969	051168295	125.52	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	0101008	531130	01	1/11/2016	0409016969	051168295	88.17	BANK OF AMERICA	0000300518	00098152	1/13/2016
21000	4100001	532110	01	12/5/2015	0409016936	000056055	844.20	OFFICE OF MANAGEMENT & ENTERPRISE SVCS	0000000090	00097989	1/15/2016
21000	0100001	533120	01	12/10/2015	0409016984	000056055	646.00	OFFICE OF MANAGEMENT & ENTERPRISE SVCS	0000000090	00097995	1/15/2016
21000	0100001	512230	01	12/16/2015	0409016949	051170043	6,815.90	EMPLOYMENT SECURITY COMMISSION	0000000290	00098054	1/15/2016
21000	0100001	531180	01	1/8/2016	0409016947	107425153	2,047.08	BANK OF AMERICA NA	0000078298	00098142	1/15/2016
21000	0500001	515030	01	1/11/2016	0409017007	051170024	20.00	ABBOTT,BENNETT A	0000227725	00098151	1/15/2016
21000	1111131	532140	32	1/11/2016	0409016895	051170036	2,070.00	DEL AVIATION LLC	0000327343	00098156	1/15/2016
21000	1111141	532140	32	1/11/2016	0409016895	051170036	2,070.00	DEL AVIATION LLC	0000327343	00098156	1/15/2016
21000	1111151	532140	32	1/11/2016	0409016895	051170036	2,142.00	DEL AVIATION LLC	0000327343	00098156	1/15/2016
21000	1111141	531350	01	1/11/2016	0409016957	107425196	43.78	TALHINA PUBLIC WORKS AUTHORITY	000072682	00098157	1/15/2016
21000	1111121	554120	61	1/11/2016	0409016824	051170034	5,000.00	CRYSTAL VOLUNTEER FIRE DEPT	0000213703	00098158	1/15/2016
21000	1111141	531350	01	1/11/2016	0409016956	051170115	24.00	RURAL WATER DISTRICT NO 1	0000072688	00098159	1/15/2016
21000	1111161	515580	41	1/11/2016	0409017014	000015284	60.51	OKLAHOMA STATE UNIVERSITY	0000000010	00098160	1/15/2016
21000	1111161	531170	41	1/11/2016	0409016964	000015284	27.12	OKLAHOMA STATE UNIVERSITY	0000000010	00098161	1/15/2016
21000	1111161	531170	41	1/11/2016	0409016964	000015284	27.12	OKLAHOMA STATE UNIVERSITY	0000000010	00098163	1/15/2016
21000	1111161	515650	41	1/11/2016	0409016964	000015284	12.50	OKLAHOMA STATE UNIVERSITY	0000000010	00098164	1/15/2016
21000	1111131	531130	01	1/11/2016	0409016996	107425166	77.00	GRAND TELEPHONE COMPANY INC	000056197	00098166	1/15/2016
21000	1111171	531170	35	1/11/2016	0409016972	107425183	74.95	GRAND LAKE TELECOMMUNICATIONS	000058668	00098167	1/15/2016
21000	1111161	531170	40	1/11/2016	0409016972	107425183	415.00	ONENET	0000000001	00098168	1/15/2016
21000	1111161	531170	41	1/11/2016	0409016972	107425183	207.50	ONENET	0000000001	00098168	1/15/2016
21000	1111161	531170	77	1/11/2016	0409016972	107425183	166.00	ONENET	0000000001	00098168	1/15/2016
21000	0100001	515660	01	1/11/2016	0409017002	051170087	3,150.00	MEGAGLOBAL HUGEMONGO LLC	0000394852	00098169	1/15/2016
21000	4100001	531170	01	1/11/2016	0409017018	051170082	59.85	MCREYNOLDS,JEREMY M	0000202401	00098170	1/15/2016
21000	1111151	531130	01	1/11/2016	0409016960	107425151	34.88	AT&T INC	0000068355	00098173	1/15/2016
21000	1111121	515540	15	1/11/2016	0409016597	051170131	4,049.02	STEPHEN M MATTAX	0000080156	00098174	1/15/2016
21000	1111121	531260	01	1/11/2016	0409017101	107425172	8,800.00	NATIONAL ASSOCIATION OF STATE FORESTERS	0000070934	00098175	1/15/2016
21000	1111121	531130	03	1/11/2016	0409017046	107425152	1.32	AT&T INC	0000068355	00098176	1/15/2016
21000	1111131	533110	01	1/11/2016	0409016998	051170033	11.25	CITY OF JAY	0000073831	00098177	1/15/2016
21000	1111131	531350	01	1/11/2016	0409016998	051170033	24.35	CITY OF JAY	0000073831	00098177	1/15/2016
21000	1111171	531370	35	1/11/2016	0409016965	051170099	916.20	OKLAHOMA ELECTRIC COOPERATIVE	0000072217	00098178	1/15/2016
21000	1111161	531370	40	1/11/2016	0409016965	051170099	1,832.65	OKLAHOMA ELECTRIC COOPERATIVE	0000072217	00098178	1/15/2016
21000	4100001	515660	52	1/11/2016	0409015365	000015285	17,166.18	OKLAHOMA STATE UNIVERSITY	0000000010	00098179	1/15/2016
21000	4100001	515660	54	1/11/2016	0409015365	000015285	17,166.18	OKLAHOMA STATE UNIVERSITY	0000000010	00098179	1/15/2016
21000	0100001	515410	01	1/9/2016	0409016953	000056222	6,627.42	OFFICE OF MANAGEMENT & ENTERPRISE SVCS	0000000090	00098148	1/21/2016
21000	0100001	515410	01	1/9/2016	0409016953	000056222	6,362.22	OFFICE OF MANAGEMENT & ENTERPRISE SVCS	0000000090	00098148	1/21/2016
21000	3100001	515420	31	1/11/2016	0409016532	051173144	1,871.61	CHRISTINE WHEATON	0000071542	00098171	1/21/2016
21000	0100001	531310	42	1/11/2016	0409016977	000056222	12,716.21	OFFICE OF MANAGEMENT & ENTERPRISE SVCS	0000000090	00098183	1/21/2016
21000	4100001	515650	15	1/12/2016	0409016943	000003714	41.00	STATE BUREAU OF INVESTIGATION	0000003008	00098186	1/21/2016
21000	6100001	521110	08	1/14/2016		051173435	74.75	DIFALCO,RICK T	0000095235	00098191	1/21/2016

Warrants issued in January, 2016

Fund	Dept	Account	Sub	Acctg Date	PO No.	Warrant Number	Amount	Name	Vendor ID	Voucher ID	DATE
21000	3100001	521110	10	1/14/2016		051173412	135.70	CARSON, JACK A	0000089639	00098193	1/21/2016
21000	3100001	554230	19	1/14/2016	0409016817	000015305	379.62	OKLAHOMA STATE UNIVERSITY	0000000010	00098196	1/21/2016
21000	3131418	554230	18	1/14/2016	0409017064	000001727	584.00	DEPARTMENT OF TOURISM AND RECREATION	0000000566	00098197	1/21/2016
21000	3148202	515320	02	1/14/2016	0409016373	051173505	720.00	LANEY BUG GRAPHIC DESIGN LLC	0000083586	00098198	1/21/2016
21000	0700001	515450	32	1/14/2016	0409016498	051173485	1,440.00	HODGES ENVIRONMENTAL CONSULTING	0000265024	00098203	1/21/2016
21000	3100001	531130	01	1/14/2016	0409017017	107429454	0.47	AT&T CORPORATION	0000068529	00098205	1/21/2016
21000	3100001	554230	19	1/14/2016	0409016819	000015305	1,718.19	OKLAHOMA STATE UNIVERSITY	0000000010	00098206	1/21/2016
21000	3100001	554230	19	1/14/2016	0409016821	000015305	215.34	OKLAHOMA STATE UNIVERSITY	0000000010	00098207	1/21/2016
21000	1117438	554120	38	1/11/2016	0409016761	051173950	7,585.48	CITY OF MCLLOUD	0000077163	00098165	1/22/2016
21000	6100001	515360	01	1/12/2016	0409016445	107430355	6,950.64	USDA FOOD SAFETY & INSP SERVICE	0000078561	00098189	1/22/2016
21000	3100001	554230	23	1/14/2016	0409017073	107430333	71,250.00	MADE IN OKLAHOMA COALITION INC	0000064010	00098200	1/22/2016
21000	1111171	521230	35	1/19/2016		051173939	81.75	BROOKS, RICKY L	0000092561	00098214	1/22/2016
21000	1111171	521260	35	1/19/2016		051173939	157.58	BROOKS, RICKY L	0000092561	00098214	1/22/2016
21000	1111171	521230	35	1/19/2016		051173960	62.73	CUNNINGHAM, PAUL A	0000295709	00098215	1/22/2016
21000	1111171	521260	35	1/19/2016		051173960	157.58	CUNNINGHAM, PAUL A	0000295709	00098215	1/22/2016
21000	3131412	521120	12	1/19/2016		051173930	76.50	ANDERSON, MICAH D	0000238609	00098216	1/22/2016
21000	0700001	521140	06	1/19/2016		051173985	10.00	HARDIN, LORRI A	0000252592	00098217	1/22/2016
21000	0700001	521110	06	1/19/2016		051173985	137.16	HARDIN, LORRI A	0000252592	00098217	1/22/2016
21000	3100001	515320	77	1/19/2016	0409017017	107430304	315.00	ARGUS DESIGN WORKS	0000306057	00098218	1/22/2016
21000	3131418	531260	18	1/19/2016	0409017017	051173982	315.00	GREEN COUNTRY MARKETING ASSOCIATION	0000073021	00098219	1/22/2016
21000	1111151	531350	01	1/19/2016	0409016958	051174000	32.21	MCCURTAIN COUNTY RWD#1	0000072741	00098220	1/22/2016
21000	5100001	555110	01	1/19/2016	0409016674	107430354	442,651.33	USDA APHIS FSO ACCTG SERVICES	0000069657	00098221	1/22/2016
21000	1111121	515450	77	1/19/2016		051174009	20,000.00	NATIONAL WILD TURKEY FEDERATION INC	0000289145	00098222	1/22/2016
21000	0700001	531170	06	1/19/2016	0409017008	051173973	58.94	FINE-MCCRARY, KATHRYN E	0000322564	00098223	1/22/2016
21000	1111171	531250	35	1/19/2016	0409017015	051173934	14.00	BOLSER, PATSY D	0000081522	00098224	1/22/2016
21000	1111121	515450	77	1/19/2016	0409016676	051174009	20,000.00	NATIONAL WILD TURKEY FEDERATION INC	0000289145	00098225	1/22/2016
21000	5100001	519130	01	1/13/2016	0409016952	000056457	10.35	OFFICE OF MANAGEMENT & ENTERPRISE SVCS	0000000090	00098190	1/28/2016
21000	0100008	519130	01	1/13/2016	0409016952	000056457	36.49	OFFICE OF MANAGEMENT & ENTERPRISE SVCS	0000000090	00098190	1/28/2016
21000	6700001	519130	01	1/13/2016	0409016952	000056457	43.74	OFFICE OF MANAGEMENT & ENTERPRISE SVCS	0000000090	00098190	1/28/2016
21000	0700001	519130	01	1/13/2016	0409016952	000056457	44.07	OFFICE OF MANAGEMENT & ENTERPRISE SVCS	0000000090	00098190	1/28/2016
21000	6100002	519130	01	1/13/2016	0409016952	000056457	62.77	OFFICE OF MANAGEMENT & ENTERPRISE SVCS	0000000090	00098190	1/28/2016
21000	6100001	519130	01	1/13/2016	0409016952	000056457	100.69	OFFICE OF MANAGEMENT & ENTERPRISE SVCS	0000000090	00098190	1/28/2016
21000	0100001	519130	01	1/13/2016	0409016952	000056457	120.31	OFFICE OF MANAGEMENT & ENTERPRISE SVCS	0000000090	00098190	1/28/2016
21000	4100001	519130	01	1/13/2016	0409016952	000056457	134.71	OFFICE OF MANAGEMENT & ENTERPRISE SVCS	0000000090	00098190	1/28/2016
21000	1111121	519130	01	1/13/2016	0409016952	000056457	170.64	OFFICE OF MANAGEMENT & ENTERPRISE SVCS	0000000090	00098190	1/28/2016
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21000	0100001	519130	01	1/15/2016		000056457	2,192.09	OFFICE OF MANAGEMENT & ENTERPRISE SVCS	0000000090	00098211	1/28/2016
21000	1111121	554120	61	1/20/2016	0409017051	051177886	5,000.00	GARVIN RURAL VOLUNTEER FIRE DEPT	0000194866	00098228	1/28/2016
21000	1111161	531130	01	1/20/2016	0409016980	107435293	1.70	AT&T INC	0000068355	00098232	1/28/2016
21000	1111171	531130	35	1/20/2016	0409016980	107435293	16.79	AT&T INC	0000068355	00098232	1/28/2016
21000	1111161	531130	40	1/20/2016	0409016980	107435293	6.71	AT&T INC	0000068355	00098232	1/28/2016
21000	1111161	531130	41	1/20/2016	0409016980	107435293	1.67	AT&T INC	0000068355	00098232	1/28/2016
21000	1111161	531130	77	1/20/2016	0409016980	107435293	6.71	AT&T INC	0000068355	00098232	1/28/2016
21000	3100001	515320	19	1/20/2016	0409017050	051177892	15,000.00	JORDAN ADVERTISING	0000072720	00098233	1/28/2016
21000	0700001	531130	26	1/20/2016	0409017028	107435294	0.04	AT&T INC	0000068355	00098235	1/28/2016
21000	0700001	531130	26	1/20/2016	0409017028	107435294	0.12	AT&T INC	0000068355	00098236	1/28/2016

Warrants issued in January, 2016

Fund	Dept	Account	Sub	Acctg Date	PO No.	Warrant Number	Amount	Name	Vendor ID	Voucher ID	DATE
21000	0700001	531130	01	1/20/2016	0409017028	107434913	3.40	AT&T INC	000068355	00098237	1/28/2016
21000	0100001	522110	07	1/20/2016	0409016982	107435323	1,331.45	OKLAHOMA TURNPIKE AUTHORITY	000000978	00098238	1/28/2016
21000	0100001	522110	07	1/20/2016	0409016982	107435323	1,148.48	OKLAHOMA TURNPIKE AUTHORITY	000000978	00098239	1/28/2016
21000	1111151	531130	01	1/20/2016	0409016960	107434914	39.73	AT&T INC	000068355	00098242	1/28/2016
21000	1111171	521230	35	1/25/2016		051177447	42.25	CUNNINGHAM, PAUL A	0000295709	00098247	1/28/2016
21000	1111171	521260	35	1/25/2016		051177447	83.62	CUNNINGHAM, PAUL A	0000295709	00098247	1/28/2016
21000	1111171	521230	35	1/25/2016		051177432	92.26	BROOKS, RICKEY L	0000092561	00098248	1/28/2016
21000	1111171	521260	35	1/25/2016		051177432	154.33	BROOKS, RICKEY L	0000092561	00098248	1/28/2016
21000	1111171	521230	35	1/25/2016		051177574	120.52	WILLIAMS, DAVID C	0000089596	00098249	1/28/2016
21000	1111171	521260	35	1/25/2016		051177574	166.34	WILLIAMS, DAVID C	0000089596	00098249	1/28/2016
21000	0700001	521250	01	1/25/2016		051177476	13.00	GUNTER, TEENA G	0000093327	00098250	1/28/2016
21000	3131418	521110	18	1/25/2016		107434960	73.60	LASICH, REBECCA N	0000296917	00098251	1/28/2016
21000	0100001	515990	01	1/25/2016	0409016949	051177455	1,894.00	EMPLOYMENT SECURITY COMMISSION	0000000290	00098255	1/28/2016
21000	1111121	515990	01	1/25/2016	0409016949	051177455	4,696.00	EMPLOYMENT SECURITY COMMISSION	0000000290	00098255	1/28/2016

933,684.22
789,031.39
1,722,715.61

Total Operating
Total Payroll
Total Expense

MARCH 1, 2016 BOARD MEETING

PURCHASES/CONTRACTS

Forestry Services

One-Net Internet Service for CW offices- FY17 - \$9,960.

Telephone Service for CW, and FTIC and Satellite Offices – FY17 - \$15,000.

Local & long distance telephone service is essential in the operation of C&W (FRC, FTIC, Ardmore, Enid, and Burns Flat) and RF offices. Without this service C&W Area (FRC, FTIC, Ardmore, Enid, and Burns Flat) would be unable to contact landowners and RF would be unable to contact Rural Fire Departments.

Electrical Service for CW, FTIC and Satellite Offices – FY17 - \$42,000.

Electrical service is essential in the operation of CW, RF, FRC and FTIC offices.

FedEx Shipping of tree and shrub seedlings – FY17 - \$12,000.

FedEx is used (mandatory contract) to ship seedlings to landowners. Without FedEx we have no other option to ship seedlings. All shipping charges are billed to the purchaser who pays for this service.

Maintenance and Repairs for Farm Equipment – FY17 - \$16,000.

Purchasing supplies and repairs are essential in maintaining CW area's farm equipment. This is vital to maintain our aging tractors and equipment.

Seed Purchase of various tree/shrub species – FY17 - \$15,000.

Purchasing various tree and shrub species seeds to provide Oklahoma landowners seedlings for their conservation plantings. Without this money we would not be able to provide the species they need.

Oil and Lubrication Products for Equipment – FY17 - \$6,000.

Chemicals/Pesticides for FRC & FTIC – FY17 - \$15,000.

Chemicals are essential in the growing and maintaining the seedlings at FRC and FTIC. Without the use of chemicals, we could potentially have problems with insects, fungus and weeds.

Propane for CW area office & FTIC in Idabel FY17 - \$12,500.

Propane is our primary heat source in several buildings CW, RF area office & FTIC.

Water from McCurtain County Rural (Idabel) FY17 - \$6,000.

Bags to Ship Seedlings - FY17 - \$9,700.

Boxes to Ship Containerized Seedlings FY17 - \$6,700.

Fertilizer for FRC and FTIC **FY17 - \$17,000.**
 Fertilizer/soil amendments are essential for seedlings nutrition and maintaining soil pH balance. Without this there would be a reduction in saleable seedlings and seedling quality.

NODA – Support Services (Enid) **FY17 - \$1,800.**

NODA – Office Rent (Enid) **FY17 - \$1,500.**

TriPower – Office Rent (Ardmore) **FY17 - \$1,800.**

Postage Meter at CW Headquarters **FY17 - \$7,000.**

Contract with OARC for Rural Fire Coordinators - **FY17 - \$700,000.**
 Coordinators to provide technical assistance and equipment placement services to new or established Rural Fire Departments within their districts to assure the capability of meeting local fire protection needs. Without this contract Forestry inventory needs, to the federal government, could not be met. Fire department assistance to established or new departments would not be available.

Oklahoma Tax Commission for Titles and Tire Fee **FY 17 - \$10,000.**
 Purchase of title, tire and inspection fees on Firefighter Property Program vehicles. This allows OFS to pass the title to fire departments after the vehicle is put into service. Without this funding OFS could not pass title to the fire department. OFS would need additional personnel to track and inventory these vehicles.

Revolving Equipment Fund **FY17 - \$200,000.**
 Purchase firefighting equipment and clothing for resale to Rural Fire Departments. This allows fire departments to purchase items from OFS at a bulk discounted price. Without this program Rural Fire Departments would have to pay a higher price for these items. Some VFD’s might not be able to purchase them at all.

Purchase firefighting equipment for OFS **FY17 - \$50,000.**
 OFS firefighting equipment and clothing is purchased from GSA and DOD E-Mall at the federal pricing which allow OFS to save funds. If OFS is not allowed to make these purchases OFS employee’s safety could be at risk.

Rural Fire 80/20 Reimbursement Pass-Thru Grants **FY17 - \$200,000.**
 80/20 reimbursable pass-thru grants are available to rural fire departments serving communities under 10,000 in population. Grants allow fire departments to purchase equipment, or build, remodel and expand a fire station. Funding limits per application are \$30,000 of state appropriated funds for construction and \$20,000 for fire equipment. Without this program less fire station construction would occur and equipment purchased.

Operational Fire Department Grants

FY17 - \$3,870,000

This grant is divided equally among the certified fire departments (Rural Fire Defense). At present, each department (out of 857 Oklahoma departments so far) is estimated to receive approximately \$4,289.96. Per Oklahoma State Statutes, Title 19, Chapter 21, Section 901.56. Without this grant, many fire departments would not have the funding to operate.

Contract for Firewise Coordinator

FY17 - \$68,000.

To provide services to Oklahoma communities teaching them application of fire preparedness and practices. This contract provides personnel, travel, supplies and other resources necessary for the implementation and completion of this project. This project is Federally Funded. Without this program Oklahoma Communities would not practice safe fire preparedness. Federal Grant

Purchase Equipment for the G130 & G131 Training

FY16 - \$100,000.

Purchase of PPE, Tools, and A/V Equipment for the Wildland Cross Walk Training also known as G130 & G131 Training. These purchases will be made through DOD E-Mail and State contracts. Purchases are made to equip firefighters with the appropriate wildland gear after they attend OFS G130 & G131 training. By purchasing this equipment, it enables the firefighter to be properly outfitted with the appropriate fire gear to fight wildland fires. Without this program, firefighters may be risking their lives to protect Oklahoma Communities, by not being properly clothed. Federal Grant

Purchase Equipment for the G130 & G131 Training

FY17 - \$200,000.

Purchase of PPE, Tools, and A/V Equipment for the Wildland Cross Walk Training also known as G130 & G131 Training. These purchases will be made through DOD E-Mail and State contracts. Purchases are made to equip firefighters with the appropriate wildland gear after they attend OFS G130 & G131 training. By purchasing this equipment, it enables the firefighter to be properly outfitted with the appropriate fire gear to fight wildland fires. Without this program, firefighters may be risking their lives to protect Oklahoma Communities, by not being properly clothed. Federal Grant

Settlement Agreement between OFS and USFS

FY15 - \$400,882.53

Due to clerical error the invoice from the United States Forest Service for aerial fire suppression was not processed and paid in FY15. Funds have been distributed into ODAFF's account from OEM to pay this invoice.

Purchase Order with the United State Forest Service

FY16 - \$600,000.

Board request to cover possible fire out-break in Oklahoma if out-of-state resources are needed. Without this approval the possibility of loss of property and lives is potential.

Del Aviation – Southern Pine Beatle Detection

FY17 - \$8,000.00

2nd year of 4 year renewal

Del Aviation – Additional Funding Needed For FY16 **FY16 - \$60,000.00**

Current Purchase Order is for 78,000. OFS has already spent 65,254.40 of the current purchase order and will need an additional 22,291.40 to cover the guaranteed base for the next 5 months. With the current fire situation, OFS is projecting they will need approximately \$60,000.00 to fly the rest of the fiscal year. Without this additional funding the loss of property and lives is potential. Federal Grant

Del Aviation **FY17 - \$116,000.00**

Renewal of 3rd year of 4 year renewal.

Aerial Fire Detection Services. The base purchase order price is for \$78,000. OFS is asking for an additional \$38,000 board approval to cover a possible fire out-break in FY17. Without this service property and lives are at risk. Federal Grant

Purchase of Bambi Buckets **FY16 - \$123,000.**

Purchase of one HL-5000 Bucket for the Chinooks and three 5566 Buckets. These buckets enable to Army National Guard to attack fires from the air in the State of Oklahoma. Without this purchase the property and lives are at risk. Federal Grant

Firefighting Compact Resources **FY16 - \$500,000.**

Opening of the Firefighting Compact Resources between the Southern Thirteen States. By opening this compact OFS will be able to bring in additional firefighting personnel and equipment to assist with the high fire danger Oklahoma is now experiencing. Without this additional firefighting capability, OFS will not be able to assist with all the fire occurrence that might occur in the State of Oklahoma and possibly cause loss of property and lives.

Market Development

FY 2016 – Annual Ag in The Classroom annual State Teachers’ Summer Conference - \$8,000.00

FY 2016 – Oklahoma Farmers Market grants funded by USDA Specialty Crop Block Grant - \$55,000.00. This project has been approved for and is funded by a USDA AMS Specialty Crop Block Grant (SCBG). With the grant award, the Market Development Division is charged to build consumer awareness about OK Grown products by educating them on the venues in which they can purchase fresh fruits and vegetables that are locally grown. As farmers markets continue to grow each year, advertising is essential to promote locally grown produce available at the markets. As the consumer base grows, we should also see an increase in revenues generated for each grower, therefore benefiting the economy. This project is funded 100% by the grant. 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 our farmers markets businesses, but also runs the risk of not being awarded future USDA AMS SCBG grants.

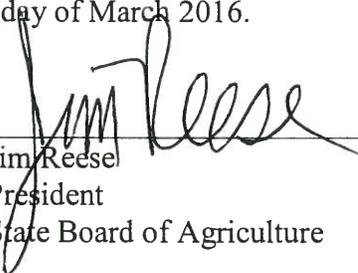
**BEFORE THE STATE BOARD OF AGRICULTURE
STATE OF OKLAHOMA**

APPROVAL OF CASES

ON THIS 1st day of March 2016, 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 1st day of March 2016.



Jim Reese
President
State Board of Agriculture



Exhibit A
Board of Agriculture
March 1, 2016

Cases Resolved By Stipulation

<u>Name</u>	<u>File No.</u>	<u>Division</u>	<u>Amount</u>
Gary Bradley	OGC-15-566	AEMS	\$100.00
Keith Boshers	OGC-15-567	AEMS	\$100.00
Travis Stewart	OGC-15-498	AEMS	\$100.00
Robert Davis	OGC-15-907	AIS	\$500.00
Armour Pest Defense	OGC-15-129	CPS	\$250.00
Dollar General	OGC-15-881	CPS	\$2,500.00
EMCO Termite & Pest Control, Inc.	OGC-15-012	CPS	\$750.00
Landmark Tree & Turf Services	OGC-15-832	CPS	\$350.00
Lawn America, Inc.	OGC-15-453	CPS	\$750.00
Lawn Pro	OGC-15-880	CPS	\$250.00
Marcum's Nursery	OGC-15-715	CPS	\$250.00
Sullivan Tree Service	OGC-15-377	CPS	\$250.00
System Scale Corp.	OGC-15-774	CPS	\$500.00
Terminix, Int.	OGC-15-655	CPS	\$1,000.00
West Tree Service	OGC-15-784	CPS	\$750.00



OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY
v. Gary Bradley
Case File No: OGC 15-566

GARY BRADLEY
8401 E 400 RD
JAY, OK 74346

Summary of Facts: Respondent did not submit the July 1, 2013 to June 30, 2014 poultry waste applicator annual report by December 31, 2014. ODAFF received respondent's report on 2/23/2015, six weeks late.

Statute or Rule Violation: Respondent has violated 2 O.S. § 10-9.18(A): Every certified poultry waste applicator shall file by December 31 of each year an annual report with the Oklahoma Department of Agriculture, Food, and Forestry regarding all poultry waste land-applied by such applicator for the period from July 1 of the previous year through June 30 of that year.

Proposed Administrative Penalty: The proposed penalty for this case was Seven Hundred Dollars (\$700.00). The small business exception was applied to this case to reduce the fine. A flat fine of \$100.00 was proposed. Respondent stipulated to the allegation and paid the \$100.00 fine in full. The amount of administrative penalty is consistent with the recommended fine matrix.

Deviations: Fine was lowered to \$100.00 after applying the Small Business Exception.

Other Actions Required: None

OGC Attorney: Jeff Hubbard

BEFORE THE STATE BOARD OF AGRICULTURE
STATE OF OKLAHOMA

FILED

JAN 15 2016

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: 15-566

GARY BRADLEY)
8401 E 400 RD)
JAY, OK 74346)

RESPONDENT.)

STIPULATION

Respondent accepts and stipulates to the proposed administrative penalty or fine of One Hundred Dollars (\$100.00) 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:

Gary Bradley
Signature

Gary Bradley
Printed Name and Title:

Date: 1-5-16

BEFORE THE STATE BOARD OF AGRICULTURE
STATE OF OKLAHOMA

FILED

SEP 25 2015

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: 15-566

GARY BRADLEY)
8401 E 400 RD)
JAY, OK 74346)

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. Respondent is hereby notified that a Prehearing Conference¹ will be held before an impartial Administrative Law Judge (ALJ) at **1:30 p.m. on October 15, 2015**, 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.**

¹ 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 and 2 O.S. § 2-4(A)(7); accordingly, this is the proper forum to hear this matter.

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

15. Based upon current information and belief, at all relevant times hereto, Respondent has, among other things, engaged in the business of poultry waste applicator under the name Gary Bradley, with a principal place of business located at 8401 E. 400 Rd., Jay, Oklahoma 74346.

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

2 O.S. § 10-9.18(A) provides:

Every certified poultry waste applicator shall file by December 31 of each year an annual report with the Oklahoma Department of Agriculture, Food, and Forestry regarding all poultry waste land-applied by such applicator for the period from July 1 of the previous year through June 30 of that year.

OAC § 35:17-7-4(d) provides:

Every certified private poultry waste applicator shall file an annual report as required by Section 10-9.18 of Title 2 of the Oklahoma Statutes.

ALLEGATIONS OF FACT

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

- a) Respondent operates a poultry waste applicator program.

- b) ODAFF regulations require registered poultry waste applicator operations to submit an annual report by December 31 of each year.
- c) Respondent did not submit the July 1, 2013 to June 30, 2014 report by December 31, 2014.
- d) ODAFF received respondent's annual report on 2/23/2015, seven weeks late.

ALLEGED CONCLUSIONS OF LAW

18. Based upon the application of the above law to the aforementioned facts, Respondent has violated 2 O.S. § 10-9.18(A) and OAC § 35:17-7-4(d) by failing to submit a timely annual report.

ATTORNEY CONFERENCES

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

20. 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.

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

ENFORCEMENT PROCEEDINGS

22. 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.

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

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

25. 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

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

ENFORCEMENT OF JUDGMENTS

27. 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

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

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

30. 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.

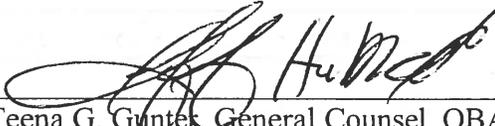
STIPULATION

31. If Respondent desires to resolve this matter without a hearing or further action, Complainant proposes an administrative penalty of One Hundred Dollars (\$100.00).

32. 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 25th day of Sept., 2015.

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

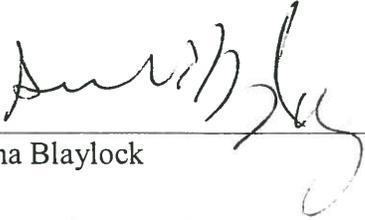

Teena G. Guntel, General Counsel, OBA # 17767
Jeff Hubbard, OBA # 30113
Ruseal E. Brewer, OBA # 19760
Lee E. Dooley, OBA # 22545
Bennett Abbott, OBA #15921
Assistant General Counsel
2800 N. Lincoln Blvd.
Oklahoma City, OK 73105-4298
Telephone: (405) 522-5997
Facsimile: (405) 522-5789

CERTIFICATE OF MAILING

This is to certify that on this 25th day of sept., 2015, a true and correct copy of the forgoing instrument was mailed, via Certified Mail, Return Receipt

Requested, as follows:

Gary Bradley
8401 E. 400 Rd.
Jay, Oklahoma 74346



Gina Blaylock

**OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY
v. KEITH BOSHERS**

Case File No: OGC 15-567

**KEITH BOSHERS
P. O. BOX 226
VIAN, OK 74962**

Summary of Facts: Respondent did not submit the July 1, 2013 to June 30, 2014 poultry waste applicator annual report by December 31, 2014. ODAFF still has not received Respondent's annual report.

Statute or Rule Violation: Respondent has violated 2 O.S. § 10-9.18(A): Every certified poultry waste applicator shall file by December 31 of each year an annual report with the Oklahoma Department of Agriculture, Food, and Forestry regarding all poultry waste land-applied by such applicator for the period from July 1 of the previous year through June 30 of that year.

Proposed Administrative Penalty: The proposed penalty for this case was One Hundred Dollars (\$100.00). Respondent stipulated to the allegation and paid the \$100.00 fine in full. The amount of administrative penalty is consistent with the recommended fine matrix.

Deviations: None.

Other Actions Required: None

OGC Attorney: Jeff Hubbard

BEFORE THE STATE BOARD OF AGRICULTURE
STATE OF OKLAHOMA

FILED

DEC 21 2015

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-15-567

KEITH BOSHERS)
PO BOX 226)
VIAN, OK 74962)

RESPONDENT.)

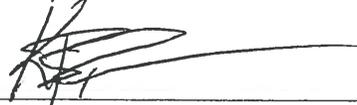
AMENDED STIPULATION

Respondent accepts and stipulates to the proposed administrative penalty or fine of One Hundred Dollars (\$100.00) 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.

2

RESPONDENT:



Signature

Keith Boskers

Printed Name and Title:

Date: 12-15-15

BEFORE THE STATE BOARD OF AGRICULTURE
STATE OF OKLAHOMA

FILED

NOV 17 2015

STATE BOARD OF AGRICULTURE

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

COMPLAINANT,)

v.)

KEITH BOSHERS)
PO BOX 226)
VIAN, OK 74962)

RESPONDENT.)

Case No: OGC: 15-567

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 Conference¹ will be held before an impartial Administrative Law Judge (ALJ) at **1:30 p.m. on December 17, 2015**, 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.**

¹ 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 and 2 O.S. § 2-4(A)(7); accordingly, this is the proper forum to hear this matter.

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

15. Based upon current information and belief, at all relevant times hereto, Respondent has, among other things, engaged in the business of poultry waste applicator under the name Keith Boshers, with a principal place of business located at P. O. Box 226, Vian, Oklahoma 74962.

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

2 O.S. § 10-9.18(A) provides:

Every certified poultry waste applicator shall file by December 31 of each year an annual report with the Oklahoma Department of Agriculture, Food, and Forestry regarding all poultry waste land-applied by such applicator for the period from July 1 of the previous year through June 30 of that year.

OAC § 35:17-7-4(d) provides:

Every certified private poultry waste applicator shall file an annual report as required by Section 10-9.18 of Title 2 of the Oklahoma Statutes.

ALLEGATIONS OF FACT

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

- a) Respondent operates a poultry waste applicator program.

- b) ODAFF regulations require registered poultry waste applicator operations to submit an annual report by December 31 of each year.
- c) Respondent did not submit the July 1, 2013 to June 30, 2014 report by December 31, 2014.
- d) Because Respondent didn't submit an annual report or renew his poultry waste applicator license his license was inactivated by ODAFF on 3/26/2015.

ALLEGED CONCLUSIONS OF LAW

18. Based upon the application of the above law to the aforementioned facts, Respondent has violated 2 O.S. § 10-9.18(A) and OAC § 35:17-7-4(d) by failing to submit an annual report.

ATTORNEY CONFERENCES

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

20. 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.

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

ENFORCEMENT PROCEEDINGS

22. 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.

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

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

25. 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

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

ENFORCEMENT OF JUDGMENTS

27. 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

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

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

30. 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

31. If Respondent desires to resolve this matter without a hearing or further action, Complainant proposes an administrative penalty of One Hundred Dollars (\$100.00).

32. 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 17th day of Nov., 2015.

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

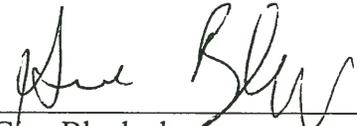


Teena G. Gunter, General Counsel, OBA # 17767
Jeff Hubbard, OBA # 30113
Ruseal E. Brewer, OBA # 19760
Lee E. Dooley, OBA # 22545
Bennett Abbott, OBA #15921
Assistant General Counsel
2800 N. Lincoln Blvd.
Oklahoma City, OK 73105-4298
Telephone: (405) 522-5997
Facsimile: (405) 522-5789

CERTIFICATE OF MAILING

This is to certify that on this 17th day of NOV., 2015, a true and correct copy of the forgoing instrument was mailed, via Certified Mail, Return Receipt Requested, as follows:

Keith Boshers
P. O. Box 226
Vian, Oklahoma 74962



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.)
)
KEITH BOSHERS)
PO BOX 226)
VIAN, OK 74962)
)
RESPONDENT.)

Case No: OGC-15-567

AMENDED STIPULATION

Respondent accepts and stipulates to the proposed administrative penalty or fine of One Hundred Dollars (\$100.00) 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. Travis Stewart

Case File No: OGC 15-498

Travis Stewart
P.O. Box 86
Golden, OK 74737

Summary of Facts: Respondent operates a poultry feeding operation. Respondent failed to obtain two hours of education credits by December 31, 2014 as required by statute.

Statute or Rule Violation: Respondent is alleged to have violated OAC § 35:17-5-11(b); specifically failing to obtain two hours of continuing education credits.

Proposed Administrative Penalty: The proposed penalty for this case was Two Hundred Dollars (\$200.00). The fine was assessed at \$100 per credit hour missed. Respondent requested a small business reduction in the amount of the fine. The fine was reduced to One Hundred Dollars (\$100.00). Respondent stipulated to the allegations and paid the fine in full. The amount of administrative penalty is consistent with the recommended fine matrix.

Deviations: The proposed amount was reduced to \$100.00 prior to the discussion of not reducing the administrative penalties of smaller amounts, receiving payment and a signed stipulation has taken several months. The reduction in the amount was done because of remedial action taken by Respondent- the required education credits were obtained early 2015; and a Small Business Consideration was also given.

Other Actions Required: None.

OGC Attorney: Lee Dooley

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.)
)
 Travis Stewart)
 P.O. Box 86)
 Golden, OK 74737)
)
 RESPONDENT.)

Case No: OGC: 15-498

AMENDED STIPULATION

Respondent accepts and stipulates to the proposed administrative penalty or fine of One Hundred Dollars (\$100.00) 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 73105-4293.

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:

Travis Stewart
Signature

Travis Stewart - owner
Printed Name and Title:

Date: 1-12-16

BEFORE THE STATE BOARD OF AGRICULTURE
STATE OF OKLAHOMA

FILED

AUG 05 2015

STATE BOARD OF AGRICULTURE

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

COMPLAINANT,)

v.)

Travis Stewart)
P.O. Box 86)
Golden, OK 74737)

RESPONDENT.)

Case No: OGC: 15-498

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 Conference¹ will be held before an impartial Administrative Law Judge (ALJ) at **1:30 p.m. on September 17, 2015**, 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.**

¹ 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 and 2 O.S. § 2-4(A)(7); accordingly, this is the proper forum to hear this matter.
14. Respondent has substantial business operations and assets within the State of Oklahoma.
15. Based upon current information and belief, at all relevant times hereto, Respondent has, among other things, engaged in the business of poultry feeding operations under the name Travis Stewart, with a principal place of business located at P.O. Box 86, Golden, Oklahoma 74737.
16. Pursuant to 2 O.S. § 2-4(A)(3), ODAFF has authority to regulate persons who violate the Oklahoma Agricultural Code by initiating and prosecuting administrative, civil, or criminal actions and proceedings necessary under the Oklahoma Agricultural Code.

2 O.S. § 10-9.5(F) provides in part:

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 Oklahoma 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. Any operator or applicator may attend more hours than is required, however, those hours shall not be carried forward. 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.

OAC § 35:17-5-11(b) provides:

All operators shall obtain an initial nine (9) hours of education in the first year and two hours of continuing education every year until the operator has received a total of nineteen (19) hours of training. Any operator may attend more hours than are required, however, those hours shall not be carried forward. Upon receiving the nineteen (19) required hours, the operator will graduate from the program but shall be required to receive two (2) hours of continuing education every three (3) years.

ALLEGATIONS OF FACT

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

- a) Respondent operates a poultry feeding operation.
- b) ODAFF regulations require registered poultry feeding operators that haven't obtained nineteen hours of education credit to obtain two hours of yearly education credit.
- c) In 2014 Respondent did not acquire two hours of yearly education credit by December 31, 2014.

ALLEGED CONCLUSIONS OF LAW

18. Based upon the application of the above law to the aforementioned facts, Respondent has violated 2 O.S. § 10-9.5(F) and OAC § 35:17-5-11(b) by failing to meet the 2014 annual education requirement for poultry feeding operators.

ATTORNEY CONFERENCES

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

20. 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.

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

ENFORCEMENT PROCEEDINGS

22. 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.

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

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

25. 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

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

ENFORCEMENT OF JUDGMENTS

27. 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

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

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

30. 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.

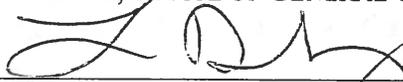
STIPULATION

31. If Respondent desires to resolve this matter without a hearing or further action, Complainant proposes an administrative penalty of Two Hundred Dollars (\$200.00). (\$100.00 per credit hour at two required credit hours.)

32. 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 5th day of Aug, 2015.

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



Teena G. Gunter, General Counsel, OBA # 17767

Jeff Hubbard, OBA # 30113

Ruseal E. Brewer, OBA # 19760

Lee E. Dooley, OBA # 22545

Bennett Abbott, OBA #15921

Assistants General Counsel

2800 N. Lincoln Blvd.

Oklahoma City, OK 73105-4298

Telephone: (405) 522-5997

Facsimile: (405) 522-5789

CERTIFICATE OF MAILING

This is to certify that on this 5th day of Aug, 2015, a true and correct copy of the forgoing instrument was mailed, via Certified Mail, Return Receipt

Requested, as follows:

Travis Stewart
P.O. Box 86
Golden, OK 74737



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.)
)
Travis Stewart)
P.O. Box 86)
Golden, OK 74737)
)
RESPONDENT.)

Case No: OGC: 15-498

STIPULATION

Respondent accepts and stipulates to the proposed administrative penalty or fine of Two Hundred Dollars (\$200.00) 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. ROBERT DAVIS
Case File No: 15-907-OGC

Robert Davis
Route 1 Box 160
Walters, OK 73572

Summary of Facts: Respondent was stopped by an Oklahoma Department of Wildlife Conservation (ODWC) game warden while transporting live feral swine without a transporter license issued by the Oklahoma Department of Agriculture, Food, and Forestry (“ODAFF” or “Department”).

Statute or Rule Violation: Respondent violated Oklahoma Administrative Code (OAC) 35:15-34-5(a) which states: “*All persons that transport live feral swine in this state shall be required to obtain a transporter license from the Department.*”

Proposed Administrative Penalty: The penalty was assessed as one (1) violation at \$500.00 per violation for a total penalty of \$500.00.

Deviations: None

Other Actions Required: None.

OGC Attorney: Lee Dooley

BEFORE THE STATE BOARD OF AGRICULTURE
STATE OF OKLAHOMA

FILED

JAN 20 2018

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: 15-907

Robert Davis)
Route 1 Box 160)
Walters, OK 73572)

MT
1-28-14

RESPONDENT.)

STIPULATION

Respondent accepts and stipulates to the proposed administrative penalty or fine of Five Hundred Dollars (\$500.00) 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:

[Handwritten Signature]

Signature

Robert Davis

Printed Name and Title:

Date: 1-21-16

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

FILED

JAN 12 2016

STATE BOARD OF AGRICULTURE

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

COMPLAINANT,)

v.)

Robert Davis)
Route 1 Box 160)
Walters, OK 73572)

RESPONDENT.)

Case No: OGC: 15-907

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 Conference¹ will be held before an impartial Administrative Law Judge (“ALJ”) at **1:30 p.m. on March 10, 2016** 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.**

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

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

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

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

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

HEARING AND RIGHT TO COUNSEL

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

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

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

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

DEFAULT

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

JURISDICTION, VENUE, AND APPLICABLE LAW

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

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

15. Based upon current information and belief, at all relevant times hereto, Respondent has, among other things, engaged in the business of transporting and maintaining feral swine under the name Robert Davis, with a primary residence at address Route 1, Box 160, Walters, Oklahoma.

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

Okla. Stat. Ann. 2 § 6-610(A)(2) provides:

A. It shall be unlawful and a violation of the Feral Swine Control Act for any person:

2. To fail to comply with importation, testing, permitting, licensing, or transportation requirements;

Oklahoma Administrative Code (OAC) 35:15-34-5(a) states:

(a) All persons that transport live feral swine in this state shall be required to obtain a transporter license from the Department.

ALLEGATIONS OF FACT

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

- a) On or about December 5, 2015, Oklahoma Department of Wildlife Conservation (ODWC) Game Warden, Austin Jackson, came into contact with Respondent in

Cotton County, Oklahoma while Respondent was transporting feral swine in his vehicle.

- b) At the abovementioned date and time, Respondent had live feral swine in his possession.
- c) Respondent did not possess a feral swine transporter license.

ALLEGED CONCLUSIONS OF LAW

18. Based upon the application of the above law to the aforementioned facts, Respondent has violated Okla. Stat. Ann. 2 § 6-610(A)(2) by failing to comply with the licensing requirements of the Federal Swine Control Act.

ATTORNEY CONFERENCES

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

20. 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.

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

ENFORCEMENT PROCEEDINGS

22. 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.

23. 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.

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

25. 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

26. 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

27. 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

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

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

30. 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

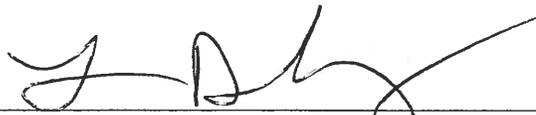
If Respondent desires to resolve this matter without a hearing or further action, Complainant proposes an administrative penalty of Five Hundred Dollars (\$500.00) (One count at \$500.00 per violation). Additionally, ODAFF requires the disposition of any and all feral swine currently maintained at Respondent's property in accordance with **OAC 35:15-34-5(d)** which states: *"Live feral swine shall only be transported to the following:(1) A licensed sporting facility;(2) A licensed handling facility;(3) A holding pen;(4) Directly to a slaughter facility, or (5) Pursuant to an order issued by the State Veterinarian."*

*Known feral swine currently held at Respondent's property shall not be released.

31. 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 January, 2016.

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



Teena G. Gunter, General Counsel, OBA # 17767
Bennett Abbott, OBA #15921
Jeff Hubbard, OBA #30113
Ruseal E. Brewer, OBA # 19760
*Lee E. Dooley, OBA # 22545
Assistants General Counsel

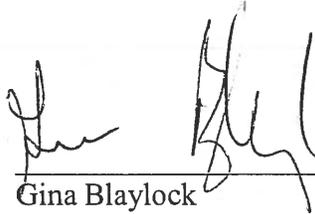
2800 N. Lincoln Blvd.
Oklahoma City, OK 73105-4298
Telephone: (405) 522-5997
Facsimile: (405) 522-5789

CERTIFICATE OF MAILING

This is to certify that on this 12th day of Jan., 2016, a true and correct copy of the forgoing instrument was mailed, via Certified Mail, Return Receipt

Requested, as follows:

Robert Davis
Route 1 Box 160
Walters, OK 73572



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.)
)
Robert Davis)
Route 1 Box 160)
Walters, OK 73572)
)
RESPONDENT.)

Case No: OGC: 15-907

STIPULATION

Respondent accepts and stipulates to the proposed administrative penalty or fine of Five Hundred Dollars (\$500.00) 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. ARMOUR PEST DEFENSE
Case File No: OGC 15-129

ARMOUR PEST DEFENSE
1265 PARKWAY DRIVE
BLACKFOOT, ID 83221

Summary of Facts: ODAFF Inspectors observed Respondent's employee making a pesticide application. The employee making the application did not have an Oklahoma service technician certification, and the company's licensed certified applicator was not present on site when the application of pesticide was made.

Statute or Rule Violation: Respondent violated OAC 35:30-17-25 by failing to have either a certified service technician making the application or a certified applicator on site to supervise the pesticide application.

Proposed Administrative Penalty: The proposed penalty for this case was Two Hundred and Fifty Dollars (\$250.00). This was assessed at \$250.00 failing to have either a certified service technician making the application or a certified applicator on site observing the pesticide application. Respondent stipulated to the allegations and paid the fine in full. The amount of administrative penalty is consistent with the recommended fine matrix.

Deviations: None

Other Actions Required: None

OGC Attorney: Ruseal Brewer

BEFORE THE STATE BOARD OF AGRICULTURE
STATE OF OKLAHOMA

FILED
JAN 27 2016
STATE BOARD OF AGRICULTURE

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

RECD OPS

2016 JAN -6 P 2:26

COMPLAINANT,)

v.)

Case No: OGC: 15-129

ARMOUR PEST DEFENSE)
1265 PARKWAY DR)
BLACKFOOT, ID 83221)

RESPONDENT.)

STIPULATION

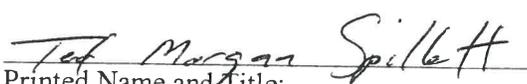
Respondent accepts and stipulates to the proposed administrative penalty or fine of Two Hundred and Fifty Dollars (\$250.00) for this action and has accordingly signed this Resolution by Stipulation and returned same along with a check or money order in full payment of the proposed penalty or fine to: 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: 12-31-15

BEFORE THE STATE BOARD OF AGRICULTURE
STATE OF OKLAHOMA

FILED

NOV 24 2015

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: 15-129

ARMOUR PEST DEFENSE)
1265 PARKWAY DR)
BLACKFOOT, ID 83221)

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. Respondent is hereby notified that a Prehearing Conference¹ will be held before an impartial Administrative Law Judge (“ALJ”) at **1:30 p.m. on January 14, 2016** 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.**

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

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

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

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

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

HEARING AND RIGHT TO COUNSEL

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

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

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

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

DEFAULT

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

JURISDICTION, VENUE, AND APPLICABLE LAW

13. Subject matter jurisdiction and venue are vested in the State Board of Agriculture in its quasi-judicial capacity, pursuant to Okla. Const. Art. VI, Section 31 and 2 O. S. § 2-4(7); accordingly, this is the proper forum to hear this matter.
14. Respondent has substantial business operations and assets within the State of Oklahoma.
15. Based upon current information and belief, at all relevant times hereto, Respondent has, among other things, engaged in the business of pesticide application under the name Armour Pest Defense, located at 5775 Coltrane Rd Oklahoma City, Oklahoma.
16. Pursuant to Okla. Stat. Ann. 2 § 2-4(A)(3), ODAFF has authority to regulate persons who violate the Oklahoma Agricultural Code by initiating and prosecuting administrative, civil, or criminal actions and proceedings necessary under the Oklahoma Agricultural Code.

OAC § 35:30-17-25 provides:

- (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) The certified applicator may be the service technician in other categories for the licensed company without completing the service technician's examination.

ALLEGATIONS OF FACT

17. Based upon current information and belief, the following allegations of fact summarize the alleged violations committed by Respondent.
 - a) On or about January 26, 2015, the Consumer Protection Services Division of ODAFF conducted a routine inspection of Armour Pest Defense.

- b) Employees of Respondent, Raymond Cordier and Dillon Rosser, were putting up equipment after spraying pesticides at 1173 SW 24 Terrance, Yukon, Oklahoma.
- c) Raymond Cordier claimed he had taken the certified service technician exam on or about January 23, 2015, but did not yet have his certification card.
- d) Dillon Rosser is a general laborer and is not a certified applicator or technician.
- e) At the time of the application, a certified applicator was not on site.

ALLEGED CONCLUSIONS OF LAW

18. Based upon the application of the above law to the aforementioned facts, Respondent violated:
- a) Okla. Stat. Ann. 2 § 3-86(A)(21) by applying pesticides without a current service technician or certified applicator on site.

ATTORNEY CONFERENCES

19. If Respondent desires to meet with attorneys for the Department prior to the Prehearing Conference to discuss the allegations and/or seek a possible resolution, please contact the undersigned at 405-522-5997.
20. 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.
21. Arrangements to discuss the matter before the Prehearing Conference are encouraged.

ENFORCEMENT PROCEEDINGS

22. 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.

23. 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.

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

25. 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

26. 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

27. 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

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

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

30. 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.

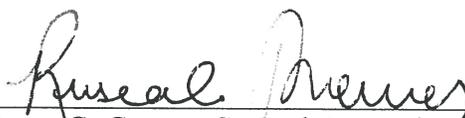
STIPULATION

31. If Respondent desires to resolve this matter without a hearing or further action, Complainant proposes an administrative penalty of Two Hundred and Fifty Dollars (\$250.00) (one count at Two Hundred Fifty Dollars).

32. 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 24th day of Nov., 2015.

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



Teena G. Gunter, General Counsel, OBA # 17767

Jeff Hubbard, OBA #30133

Ruseal E. Brewer, OBA # 19760

Lee E. Dooley, OBA # 22545

Bennett Abbott, OBA #15921

Assistants General Counsel

2800 N. Lincoln Blvd.

Oklahoma City, OK 73105-4298

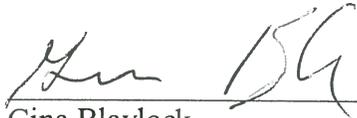
Telephone: (405) 522-5997

Facsimile: (405) 522-5789

CERTIFICATE OF MAILING

This is to certify that on this 24th day of Nov., 2015, a true and correct copy of the forgoing instrument was mailed, via Certified Mail, Return Receipt Requested, as follows:

**ARMOUR PEST DEFENSE
1265 PARKWAY DR
BLACKFOOT, ID 83221**


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: 15-129

**ARMOUR PEST DEFENSE)
1265 PARKWAY DR)
BLACKFOOT, ID 83221)**

RESPONDENT.)

STIPULATION

Respondent accepts and stipulates to the proposed administrative penalty or fine of Two Hundred and 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

FILED

JUL 13 2015

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: 15-129

ARMOUR PEST DEFENSE)
5775 COLTRANE ROAD)
OKC, OK 73121)

RESPONDENT.)

NOTICE OF VIOLATION

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

PREHEARING CONFERENCE NOTICE

2. Respondent is hereby notified that a Prehearing Conference¹ will be held before an impartial Administrative Law Judge ("ALJ") at 1:30 p.m. on September 17, 2015 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.

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

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

HEARING AND RIGHT TO COUNSEL

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

DEFAULT

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

JURISDICTION, VENUE, AND APPLICABLE LAW

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

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

15. Based upon current information and belief, at all relevant times hereto, Respondent has, among other things, engaged in the business of pesticide application under the name Armour Pest Defense, located at 5775 Coltrane Rd Oklahoma City, Oklahoma.

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

Okla. Stat. Ann. 2 § 3-86(A)(21) provides:

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:

1-20. [Intentionally Omitted]

21. Failure to comply with the provisions of a citation, stop work order, or stop sale order issued by the Board

Additionally, **OAC § 35:30-17-25 provides:**

(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) The certified applicator may be the service technician in other categories for the licensed company without completing the service technician's examination.

ALLEGATIONS OF FACT

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

- a) On or about January 26, 2015, the Consumer Protection Services Division of ODAFF conducted a routine inspection of Armour Pest Defense.
- b) Employees of Respondent, Raymond Cordier and Dillon Rosser, were putting up equipment after spraying pesticides at 1173 SW 24 Terrance, Yukon, Oklahoma.
- c) Raymond Cordier claimed he had taken the certified service technician exam on or about January 23, 2015, but did not yet have his certification card.
- d) Dillon Rosser is a general laborer and is not a certified applicator or technician.
- e) Respondent's certified applicator, Ted Spillet, had not renewed his license as of January 26, 2015.
- f) ODAFF records show that respondent was under a stop work order for non-renewal of license during the January 26, 2015 application.

ALLEGED CONCLUSIONS OF LAW

18. Based upon the application of the above law to the aforementioned facts, Respondent violated:

- a) Okla. Stat. Ann. 2 § 3-86(A)(21) by applying pesticides without a current service technician or certified applicator on site.
- b) OAC § 35:30-17-25 by failing to comply with the provision of a stop work order.

ATTORNEY CONFERENCES

19. If Respondent desires to meet with attorneys for the Department prior to the Prehearing Conference to discuss the allegations and/or seek a possible resolution, please contact the undersigned at 405-522-5997.
20. 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.
21. Arrangements to discuss the matter before the Prehearing Conference are encouraged.

ENFORCEMENT PROCEEDINGS

22. 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.
23. 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.
24. Each animal, each action, or each day a violation continues may constitute a separate and distinct violation.

25. 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

26. 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

27. 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

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

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

30. 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

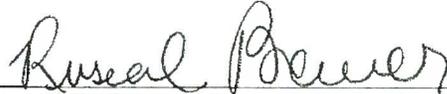
31. If Respondent desires to resolve this matter without a hearing or further action, Complainant proposes an administrative penalty of Five Hundred Dollars (\$500.00) (two counts at Two Hundred Fifty Dollars).

32. 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 July, 2015.

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



Teena G. Gunter, General Counsel, OBA # 17767

Jeff Hubbard, OBA #30133

Ruseal E. Brewer, OBA # 19760

Lee E. Dooley, OBA # 22545

Bennett Abbott, OBA #15921

Assistants General Counsel

2800 N. Lincoln Blvd.

Oklahoma City, OK 73105-4298

Telephone: (405) 522-5997

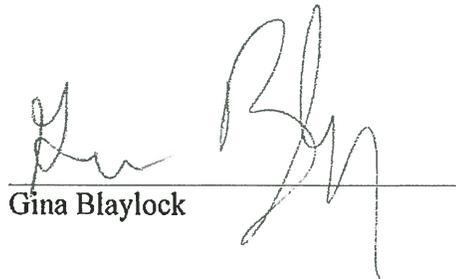
Facsimile: (405) 522-5789

CERTIFICATE OF MAILING

This is to certify that on this 13th day of July, 2015, a true and correct copy of the forgoing instrument was mailed, via Certified Mail, Return Receipt

Requested, as follows:

**ARMOUR PEST DEFENSE
5775 COLTRANE ROAD
OKC, OK 73121**



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: 15-129

**ARMOUR PEST DEFENSE)
5775 COLTRANE ROAD)
OKC, OK 73121)**

RESPONDENT.)

STIPULATION

Respondent accepts and stipulates to the proposed administrative penalty or fine of Five Hundred Dollars (\$500.00) 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. DOLLAR GENERAL CORP.
Case File No: 15-881-OGC**

DOLLAR GENERAL CORP.
General Counsel's Office
100 Mission Ridge
Goodlettsville, TN 37072

Summary of Facts: Respondent violated 2 O.S. § 14-38(J) because the Department's inspector on a site visit to Respondent's store located at 314 NE HWY. 66, Sayre, Oklahoma found price verification errors with the Store's failure to accurately price ninety-five percent (95%) of all consumer items sampled as part of a given inspection. There were ten (10) total overcharges in one hundred (100) sampled items.

Statute or Rule Violation: 2 O.S. § 14-38(J). (price accuracy violations).

Proposed Administrative Penalty: The penalty was assessed as ten (10) violations at \$250.00 per violation for a total penalty of \$2500.00. Statutorily this is a 4th violation for this particular store. The administrative penalty is set legislatively per statute.

Deviations: N/A

Other Actions Required: None.

OGC Attorney: Jeff Hubbard

BEFORE THE STATE BOARD OF AGRICULTURE
STATE OF OKLAHOMA

FILED

JAN 29 2016

STATE BOARD OF AGRICULTURE

THE OKLAHOMA DEPARTMENT OF)
AGRICULTURE, FOOD, AND FORESTRY,)
BY AND THROUGH THE)
OFFICE OF GENERAL COUNSEL)
)
COMPLAINANT,)
v.)
)
DOLLAR GENERAL CORP.)
General Counsel's Office)
100 Mission Ridge)
Goodlettsville, TN 37072)
)
RESPONDENT.)

Case No: OGC: 15-881

STIPULATION

Respondent accepts and stipulates to the proposed administrative penalty or fine of Two Thousand Five Hundred Dollars (\$2500.00) 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:

Bill Bass

Signature

Bill Bass V.P Store Services

Printed Name and Title:

Date: 1/20/16

BEFORE THE STATE BOARD OF AGRICULTURE
STATE OF OKLAHOMA

FILED

JAN 08 2016

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: 15-881

DOLLAR GENERAL CORP.)
General Counsel's Office)
100 Mission Ridge)
Goodlettsville, TN 37072)

RESPONDENT.)

NOTICE OF VIOLATION

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

PREHEARING CONFERENCE NOTICE

2. Respondent is hereby notified that a Prehearing Conference¹ will be held before an impartial Administrative Law Judge (ALJ) at **1:30 p.m. on February 11, 2016** 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.**

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

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

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

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

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

HEARING AND RIGHT TO COUNSEL

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

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

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

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

DEFAULT

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

JURISDICTION, VENUE, AND APPLICABLE LAW

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

14. Respondent has substantial business operations and assets within the State of Oklahoma and owns and operates a certain retail store (the "Store") located at 314 NE Hwy. 66, Sayre, Oklahoma, selling consumer items as set forth on Exhibit A attached hereto.

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

16. The allegations of fact describe a violation of the Oklahoma Agricultural Code, or rules promulgated thereunder, as follows:

2 O.S. Supp. 2010 § 14-38(J) - The failure to accurately price ninety-five percent (95%) of all consumer items sampled as part of a given inspection shall be deemed a failed inspection.

ALLEGATIONS OF FACT

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

(a) On the date(s) set forth on the attached Exhibit A, an Inspector of the Department performed one or more price verification inspection(s) at the Store. The Inspector found price verification errors on certain of the products so inspected, with a total number of ten (10) overcharges found in the aggregate during the aforementioned inspection(s).

(b) These overcharges result in Respondent's failure to accurately price ninety-five percent (95%) of all consumer items sampled as part of this inspection and the subject inspection(s) is viewed under 2 O.S. § 14-38(J) as a failed inspection.

ALLEGED CONCLUSIONS OF LAW

18. Based upon the application of the above law to the aforementioned facts, Respondent violated 2 O.S. § 14-38(J) because Respondent, by virtue of the aforementioned consumer item

price overcharges as set forth in attached Exhibit A, failed to accurately price ninety-five percent (95%) of all consumer items sampled as part of the aforementioned inspection, resulting in a failed inspection. (Total Count 10, 4th Violation)

ATTORNEY CONFERENCES

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

20. 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.

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

ENFORCEMENT PROCEEDINGS

22. 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.

23. 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.

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

25. 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

26. 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

27. 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

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

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

30. 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.

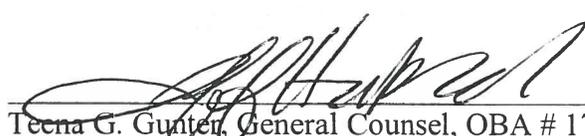
STIPULATION

31. If Respondent desires to resolve this matter without a hearing or further action, Complainant proposes an administrative penalty of Two Thousand Five Hundred Dollars (\$2500.00). (Ten (10) counts at Two Hundred Fifty Dollars (\$250.00) per violation).

32. 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 8th day of Jan., 2016.

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

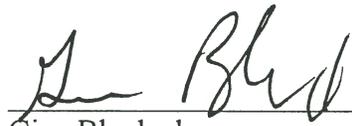


Teena G. Gunter, General Counsel, OBA # 17767
Bennett Abbott, OBA #15921
Ruseal E. Brewer, OBA # 19760
Lee E. Dooley, OBA # 22545
Jeff Hubbard, OBA#30113
Assistants General Counsel
2800 N. Lincoln Blvd.
Oklahoma City, OK 73105-4298
Telephone: (405) 522-5997
Facsimile: (405) 522-5789

CERTIFICATE OF MAILING

This is to certify that on this 8th day of June, 2016, a true and correct copy of the forgoing instrument was mailed, via Certified Mail, Return Receipt Requested, as follows:

DOLLAR GENERAL CORPORATION.
General Counsel's Office
100 Mission Ridge
Goodlettsville, TN 37072



Gina Blaylock



Exhibit "A"

OKLAHOMA DEPARTMENT OF AGRICULTURE
FOOD, AND FORESTRY
PRICE VERIFICATION REPORT

CPS 152
Rev 1/06

16-139
16-JTJ-018

INSPECTOR NUMBER 16-SEM-0037

DATE* 11/30/2015

COUNTY Beckham

LOCATION*

CORPORATE

AGN NUMBER AGN050317

AGN NUMBER

Dollar General

Dollar General

314 NE Hwy 66

100 Mission Ridge

Savre

OK 73662-

Goodlettsville

TN 37072-

MANAGER Ashlev

INSPECTION TYPE Followup

Original Insp# 16-SEM-0028

TELEPHONE* (580) 928-2740

Other Store Type

ITEM STATUS

NON-SALE

TYPE OF STORE MASS MERCHANDISER

PRODUCT	UPC CODE	OFFERED PRICE	PRICE CHARGED	PRICE ERROR
Reese's Mini Pouch	034000470204	\$3.25	\$3.35	(\$0.10)
Planter Cashew Halves & Pieces	029000016125	\$4.35	\$4.95	(\$0.60)
ZiLOCK Sandwich Bags 72	025700711469	\$2.50	\$2.65	(\$0.15)
Gildan Ankle Socks 6	883096147640	\$5.50	\$5.75	(\$0.25)
Clearasil Hydra-Blast Pads	839977005363	\$5.00	\$5.25	(\$0.25)
Vidal Sassoon Moisture Lock	037000846154	\$2.50	\$2.65	(\$0.15)
Goody's Cool Orange	042037102982	\$6.75	\$6.85	(\$0.10)
Zantac 150	681421031035	\$8.50	\$8.60	(\$0.10)
Strin Infants Droos	300450524157	\$5.75	\$5.85	(\$0.10)
Kicola Lemon-Mint	036602192102	\$1.85	\$1.95	(\$0.10)

2015 DEC -7 A 11:30

REC'D CPS

Total Number Checked 100 Total Number Of Violations 10 Accuracy 90 % Inspection Result Notice of Violation

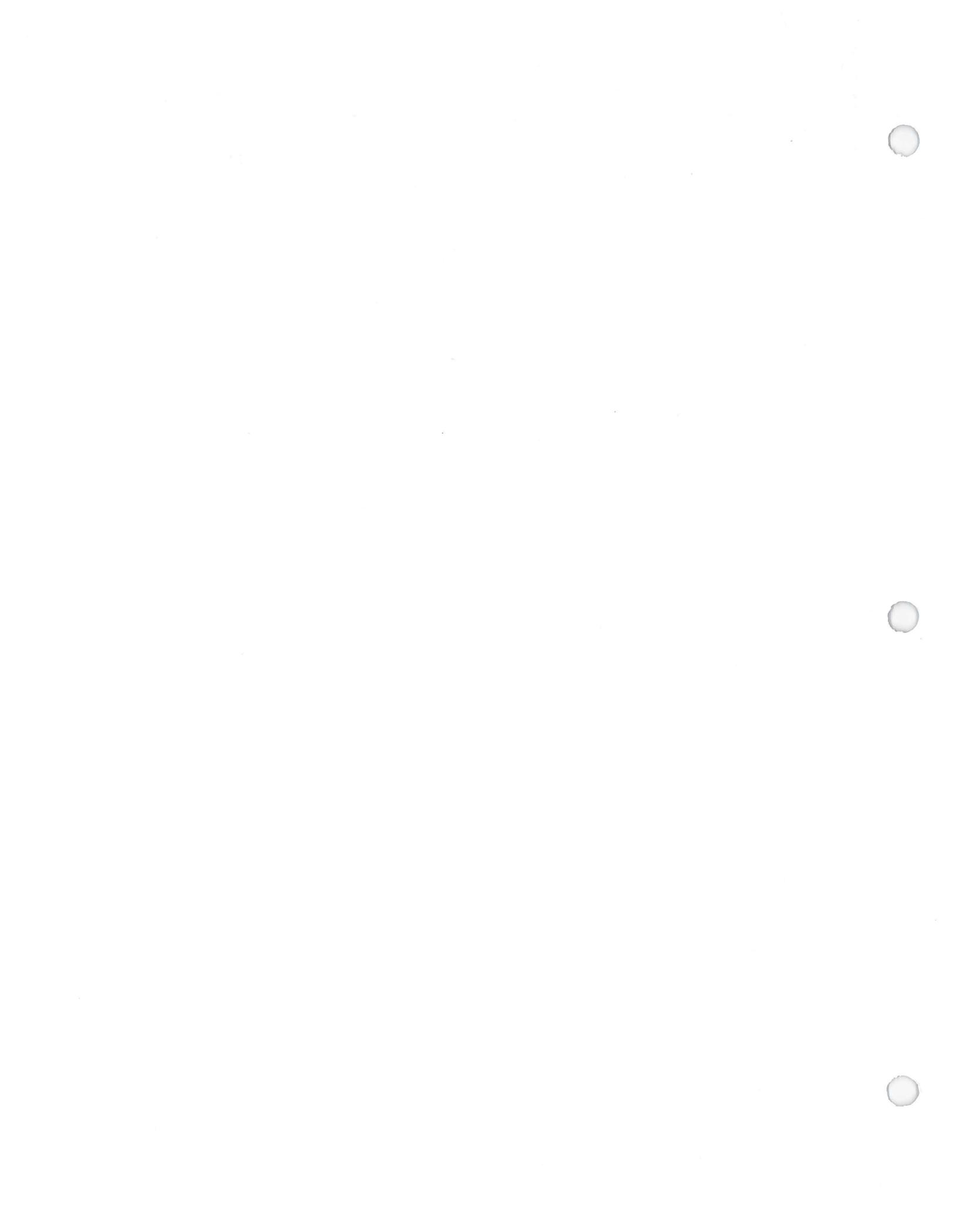
REMARKS

WITNESS

Ashley Brewer

INSPECTOR*

Steve Morris



OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY
v. EMCO
Case File No: OGC 15-012

EMCO
P.O. BOX 1605
BETHANY, OK 73008

Summary of Facts: Respondent was sent request for records on October 15, 22 and November 5, 2014. The records request related to a possible pesticide application and the issuance of a wood infestation report concerning a property located in Oklahoma City. The record of a pesticide application was not received. It was also noted the wood infestation report issued to the property owner failed to accurately address evidence of termite activity, evidence of previous infestation, evidence of termite damage or evidence of activity or damage by wood destroying insects or than termite.

Statute or Rule Violation: Respondent is alleged to have violated Okla. Stat. 2 § 3-86(A)(7); OAC 35:30-17-20(a)(1); and Okla. Stat. 2 § 3-83(A); Respondent failed to issue an accurate wood infestation report and failed to provide records after a written request by the Department within seven working days of the request.

Proposed Administrative Penalty: The proposed penalty for this case was Seven Hundred and Fifty Dollars (\$750.00) (1 count at \$250.00 and 1 count at \$500.00). Respondent stipulated to the allegations and paid the fine in full. The amount of administrative penalty is consistent with the recommended fine matrix.

Deviations: None.

Other Actions Required: None.

OGC Attorney: Ruseal Brewer

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.)
)
EMCO TERMITE AND PEST CONTROL)
P O BOX 1605)
BETHANY, OK 73008)
)
RESPONDENT.)

Case No: OGC: 15-012

STIPULATION

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

Respondent 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:

Marsh Miller
Signature

Marsh Miller President
Printed Name and Title:

Date: 2.16.16

BEFORE THE STATE BOARD OF AGRICULTURE
STATE OF OKLAHOMA

FILED

APR 24 2015

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: 15-012

EMCO TERMITE AND PEST CONTROL)
P O BOX 1605)
BETHANY, OK 73008)

RESPONDENT.)

NOTICE OF VIOLATION

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

PREHEARING CONFERENCE NOTICE

2. Respondent is hereby notified that a Prehearing Conference¹ will be held before an impartial Administrative Law Judge (ALJ) at **1:30 p.m. on June 18, 2015** 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.**

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

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

HEARING AND RIGHT TO COUNSEL

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

DEFAULT

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

JURISDICTION, VENUE, AND APPLICABLE LAW

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

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

15. Based upon current information and belief, at all relevant times hereto, Respondent has, among other things, engaged in the business of operating a pesticide facility under the name Emco Termite and Pest Control, with a primary place of business located in Bethany, Oklahoma.

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

Okla. Stat. 2 § 3-83(A) provides:

Every commercial and noncommercial applicator shall keep accurate records pertaining to pesticide activities, applications, and wood infestation reports, as required by the State Board of Agriculture. The records of the applicator shall be kept intact at the principal business location in this state for at least two (2) years after their date of expiration and copies shall be furnished to any authorized agent of the Board, immediately upon request in person, at any time during the regular business hours of the applicator. Copies of records shall be furnished to any authorized agent of the Board within seven (7) working days of a written request, in summary form, by mail, fax, e-mail, web site, or any other electronic media customarily used.

Okla. Stat. 2 § 3-86(A)(7) provides:

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:

The issuance of an inaccurate, misleading, or fraudulent wood infestation report;

ALLEGATIONS OF FACT

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

- Respondent was sent a request for records on October 15 and 22, 2014.
- The records requested were relating to pesticide application and/or issuance of a wood infestation report concerning the property of Michael Colesby, 6640 Laurel Road, Oklahoma City, OK 73170.
- The records were sent again in November 5, 2014 at the request of the Respondent.
- To date, the Department has not received the records.
- It was also noted that the wood infestation report failed to address sections VII and IX.

ALLEGED CONCLUSIONS OF LAW

18. Based upon the application of the above law to the aforementioned facts, Respondent has violated Okla. Stat. 2 § 3-83(A) by failing to provide records within seven working days of request and violated Okla. Stat. 2 § 3-86(A)(7) by issuing an inaccurate wood infestation report.

ATTORNEY CONFERENCES

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

20. 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.

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

ENFORCEMENT PROCEEDINGS

22. 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.

23. 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.

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

25. 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

26. 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

27. 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

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

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

30. 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

31. If Respondent desires to resolve this matter without a hearing or further action, Complainant proposes an administrative penalty of Seven Hundred and Fifty Dollars (\$750.00). (One count at \$250.00 for the records violation and one count at \$500.00 for issuing an inaccurate report.)

32. 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 24th day of April, 2015.

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

Ruseal Brewer

Teena G. Gunter, General Counsel, OBA # 17767

Bennett Abbott, OBA #15921

Ruseal E. Brewer, OBA # 19760

Lee E. Dooley, OBA # 22545

Assistants General Counsel

2800 N. Lincoln Blvd.

Oklahoma City, OK 73105-4298

Telephone: (405) 522-5997

Facsimile: (405) 522-5789

CERTIFICATE OF MAILING

This is to certify that on this 24th day of April, 2015, a true and correct copy of the forgoing instrument was mailed, via Certified Mail, Return Receipt

Requested, as follows:

**EMCO TERMITE AND PEST CONTROL
P O BOX 1605
BETHANY, OK 73008**



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: 15-012

**EMCO TERMITE AND PEST CONTROL)
P O BOX 1605)
BETHANY, OK 73008)**

RESPONDENT.)

STIPULATION

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

Respondent 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. LANDMARK TREE & TURF SERVICES
Case File No: OGC 15-832**

**LANDMARK TREE & TURF SERVICES
10901 E 11th STREET
TULSA, OK 74128**

Summary of Facts: ODAFF Inspectors observed Respondent's employee making a pesticide application. The employee making the application did not have an Oklahoma service technician certification, and the company's licensed certified applicator was not present on site when the application of pesticide was made. Additionally, Respondent vehicle did not display the company's license number.

Statute or Rule Violation: Respondent violated OAC 35:30-17-25 and OAC 35:30-17-15 by failing to have either a certified service technician making the application or a certified applicator on site to supervise the pesticide application and failing to properly identify its vehicle.

Proposed Administrative Penalty: The proposed penalty for this case was Three Hundred and Fifty Dollars (\$350.00). This was assessed at \$250.00 failing to have either a certified service technician making the application or a certified applicator on site observing the pesticide application and at \$100.00 for failing to properly identify vehicle. Respondent stipulated to the allegations and paid the fine in full. The amount of administrative penalty is consistent with the recommended fine matrix.

Deviations: None

Other Actions Required: None

OGC Attorney: Ruseal Brewer

BEFORE THE STATE BOARD OF AGRICULTURE
STATE OF OKLAHOMA

FILED
JAN 22 2016
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: 15-832

LANDMARK TREE & TURF SERVICES)
10901 E 11th STREET)
TULSA, OK 74128)

RESPONDENT.)

STIPULATION

Respondent accepts and stipulates to the proposed administrative penalty or fine of Three Hundred and Fifty Dollars (\$350.00) 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

Jason J. Jrest - Arborist

Printed Name and Title:

Date: *Jan, 19, 2015*

BEFORE THE STATE BOARD OF AGRICULTURE
STATE OF OKLAHOMA

FILED

DEC 18 2015

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: 15-832

LANDMARK TREE & TURF SERVICES)
10901 E 11th STREET)
TULSA, OK 74128)

RESPONDENT.)

NOTICE OF VIOLATION

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

PREHEARING CONFERENCE NOTICE

2. Respondent is hereby notified that a Prehearing Conference¹ will be held before an impartial Administrative Law Judge (ALJ) at 1:30 p.m. on February 11, 2016 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.**

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

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

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

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

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

HEARING AND RIGHT TO COUNSEL

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

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

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

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

DEFAULT

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

JURISDICTION, VENUE, AND APPLICABLE LAW

13. Subject matter jurisdiction and venue are vested in the State Board of Agriculture in its quasi-judicial capacity, pursuant to Okla. Const. Art. VI, Section 31 and 2 O. S. § 2-4(7); accordingly, this is the proper forum to hear this matter.
14. Respondent has substantial business operations and assets within the State of Oklahoma.
15. Based upon current information and belief, at all relevant times hereto, Respondent has, among other things, engaged in the business of applying pesticide under the name Landmark Tree & Turf Services located at 10901 E 11th Street, Tulsa, Oklahoma.
16. Pursuant to Okla. Stat. Ann. 2 § 2-4(A)(3), ODAFF has authority to regulate persons who violate the Oklahoma Agricultural Code by initiating and prosecuting administrative, civil, or criminal actions and proceedings necessary under the Oklahoma Agricultural Code.

OAC 35:30-17-15 provides:

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.

Additionally, OAC 35:30-17-25(b) provides:

A certified applicator shall be on site to supervise any pesticide application by a non-service technician.

ALLEGATIONS OF FACT

17. Based upon current information and belief, the following allegations of fact summarize the alleged violations committed by Respondent.
18. On or about September 25, 2015, the Department conducted a routine inspection.
19. It was noted that employees of your company were making pesticide applications to the Legends Housing addition in Bixby, OK.

20. The employees were not service technician or certified applicators.
21. No certified applicator was present at the site to supervise the pesticide application.
22. Additionally, it was noted the vehicles did not display the company license number on both sides of the vehicle.
23. Based upon the application of the above law to the aforementioned facts, Respondent has violated:
 - a) OAC § 35:30-17-15 by failing to properly identify his vehicle by displaying the license number on both sides of vehicle.
 - b) OAC § 35:30-17-25(b) by not having a certified applicator on site to supervise pesticide application by a non-certified technician.

ATTORNEY CONFERENCES

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

ENFORCEMENT PROCEEDINGS

27. Enforcement proceedings may include but are not limited to:
 - 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 Three Hundred and Fifty Dollars (\$350.00). This is calculated by one (1) count at One Hundred Dollars (\$100.00) for failing to properly identify vehicle, one (1) count at Two Hundred Fifty dollar (\$250.00) for failing to have a certified applicator present to supervise use of a pesticide. 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 18th day of Dec., 2015.

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



Teena G. Gunter, General Counsel, OBA # 17767

James P. Woodruff, OBA # 11579

Ruseal E. Brewer, OBA # 19760

Lee E. Dooley, OBA # 22545

Bennett Abbott, OBA #15921

Assistant General Counsel

2800 N. Lincoln Blvd.

Oklahoma City, OK 73105-4298

Telephone: (405) 522-5997

Facsimile: (405) 522-5789

CERTIFICATE OF MAILING

This is to certify that on this 18th day of Dec, 2015, a true and correct copy of the forgoing instrument was mailed, via Certified Mail, Return Receipt Requested, as follows:

**LANDMARK TREE & TURF SERVICES
10901 E 11th STREET
TULSA, OK 74128**



Gina Blaylock



OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY
v. LAWN AMERICA
Case File No: OGC 15-453

LAWN AMERICA
5129 S 110th E AVE
TULSA, OK 74146

Summary of Facts: Respondent is a licensed applicator. On or about May 20, 2015, Respondent's employee was observed making a pesticide application in standing water. The label of the pesticide at issue provides: "do not apply directly to water, [or] to areas where surface water is present.

Statute or Rule Violation: Respondent violated Okla. Stat. 2 § 3-86(A)(4); by using a pesticide inconsistent with its label.

Proposed Administrative Penalty: The proposed penalty for this case was Seven Hundred and Fifty Dollars (\$750.00). The fine assessed is one count at \$750.00 dollars. Respondent stipulated to the allegations and paid the fine in full. The amount of administrative penalty is consistent with the recommended fine matrix.

Deviations: None.

Other Actions Required: None.

OGC Attorney: Ruseal Brewer

BEFORE THE STATE BOARD OF AGRICULTURE
STATE OF OKLAHOMA

FILED

FEB 10 2016

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: 15-453

LAWN AMERICA)
5129 S 110th E AVE)
TULSA, OK 74146)

RESPONDENT.)

STIPULATION

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

Respondent 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

Brent Johnson President
Printed Name and Title:

Date: 2/8/16

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

FILED

AUG 31 2015

STATE BOARD OF AGRICULTURE

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

COMPLAINANT,)

v.)

LAWN AMERICA)
5129 S 110th E AVE)
TULSA, OK 74146)

RESPONDENT.)

Case No: OGC: 15-453

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 Conference¹ will be held before an impartial Administrative Law Judge (ALJ) at **1:30 p.m. on October 15, 2015** 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.**

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

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

HEARING AND RIGHT TO COUNSEL

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

DEFAULT

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

JURISDICTION, VENUE, AND APPLICABLE LAW

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

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

15. Based upon current information and belief, at all relevant times hereto, Respondent has, among other things, engaged in the business of operating a pesticide application facility under the name Lawn America, with a primary place of business located at 5129 S 110th E Ave, Tulsa, Oklahoma 74146.

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

Okla. Stat. 3 § 86(A) provides:

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

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

OAC 35:30-17-26

Every container used to dispense (apply) pesticide (except bait boxes used for rodent control) shall be accompanied by a copy of a readable label for the pesticide within the container. The label shall either be attached to the container or be present on or in the vehicle used to transport the container.

ALLEGATIONS OF FACT

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

- Respondent is licensed as a pesticide applicator.
- On or about May 20, 2015 Respondent's applicator, Bobby Conway, was observed making an application of Eschelon 4SC in standing water.
- The label provides: "do not apply directly to water, [or] to areas where surface water is present."
- Additionally, a copy of the product label was not in the vehicle or attached to the container used to dispense the pesticide.

ALLEGED CONCLUSIONS OF LAW

18. Based upon the application of the above law to the aforementioned facts, Respondent has violated Okla. Stat. 2 § 86(A)(4) by using a pesticide in a manner inconsistent with its label and violated OAC 35:30-17-26 by failing to have a readable copy of the label attached to the container or present in vehicle.

ATTORNEY CONFERENCES

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

20. 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.

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

ENFORCEMENT PROCEEDINGS

22. 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.

23. 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.

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

25. 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

26. 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

27. 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

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

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

30. 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

31. If Respondent desires to resolve this matter without a hearing or further action, Complainant proposes an administrative penalty of One Thousand Dollars (\$1000.00). (One count at 750.00 for the label violation and one count at \$250.00 for the records violation).

32. 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 Aug, 2015.

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



Teena G. Gunter, General Counsel, OBA # 17767

Bennett Abbott, OBA #15921

Jeff Hubbard, OBA # 30113

Ruseal E. Brewer, OBA # 19760

Lee E. Dooley, OBA # 22545

Assistants General Counsel

2800 N. Lincoln Blvd.

Oklahoma City, OK 73105-4298

Telephone: (405) 522-5997

Facsimile: (405) 522-5789

CERTIFICATE OF MAILING

This is to certify that on this 31st day of Aug, 2015, a true and correct copy of the forgoing instrument was mailed, via Certified Mail, Return Receipt

Requested, as follows:

**LAWN AMERICA
5129 S 110th E AVE
TULSA, OK 74146**



Gina Blaylock

OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY
v. LAWN PRO
Case File No: OGC 15-880

LAWN PRO
PO BOX 1543
ARDMORE, OK 73402

Summary of Facts: ODAFF Inspectors observed Respondent's employee making a pesticide application. The employee making the application did not have an Oklahoma service technician certification, and the company's licensed certified applicator was not present on site when the application of pesticide was made.

Statute or Rule Violation: Respondent violated OAC 35:30-17-25 by failing to have either a certified service technician making the application or a certified applicator on site to supervise the pesticide application.

Proposed Administrative Penalty: The proposed penalty for this case was Two Hundred and Fifty Dollars (\$250.00). This was assessed at \$250.00 failing to have either a certified service technician making the application or a certified applicator on site observing the pesticide application. Respondent stipulated to the allegations and paid the fine in full. The amount of administrative penalty is consistent with the recommended fine matrix.

Deviations: None

Other Actions Required: None

OGC Attorney: Ruseal Brewer

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 PRO)
PO BOX 1543)
ARDMORE OK 73402)

RESPONDENT.)

FILED

JAN 28 2016

STATE BOARD OF AGRICULTURE

Case No: OGC: 15-880

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

Patrick Morgan

Printed Name and Title:

Date: 1-26-16

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

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

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

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

HEARING AND RIGHT TO COUNSEL

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

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

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

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

DEFAULT

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

JURISDICTION, VENUE, AND APPLICABLE LAW

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

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

15. Based upon current information and belief, at all relevant times hereto, Respondent has, among other things, engaged in the business of pesticide application with a business by the name of Lawn Pro located in Ardmore, Oklahoma.

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

OAC 35:30-17-25(b) provides:

A certified applicator shall be on site to supervise any pesticide application by a non-service technician.

. . .

ALLEGATIONS OF FACT

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

- a) Respondent is, a business engaged applying pesticide and as such is licensed through ODAFF.
- b) On or about November 2, 2015, a routine inspection was performed by ODAFF.
- c) The Department's Inspector observed James McNeil making a pesticide application at 125 C Street, Ardmore Oklahoma.
- d) No certified applicator was present during the application.

ALLEGED CONCLUSIONS OF LAW

18. Based upon the application of the above law to the aforementioned facts, Respondent has violated:

- a) OAC 35:30-17-25(b) by not having a certified applicator on site to supervise pesticide application by a non-certified technician.

ATTORNEY CONFERENCES

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

20. 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.

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

ENFORCEMENT PROCEEDINGS

22. 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.

23. 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.

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

25. 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

26. 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

27. 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

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

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

30. 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.

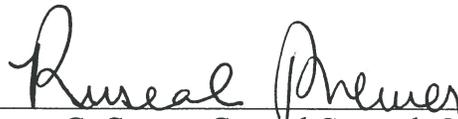
STIPULATION

31. If Respondent desires to resolve this matter without a hearing or further action, Complainant proposes an administrative penalty of Two Hundred and Fifty Dollars (\$250.00). This is one (1) count at Two Hundred Fifty Dollars (\$250.00) for failing to have a certified applicator present to supervise use of a pesticide.

32. 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 Dec., 2015.

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

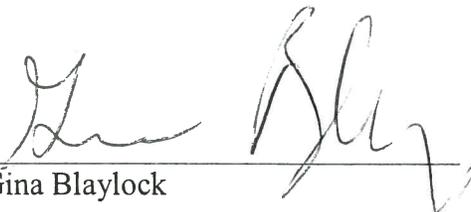


Teena G. Gunter, General Counsel, OBA # 17767
Bennett Abbott, OBA #15921
Jeff Hubbard, OBA #30113
Ruseal E. Brewer, OBA # 19760
Lee E. Dooley, OBA # 22545
Assistant General Counsel
2800 N. Lincoln Blvd.
Oklahoma City, OK 73105-4298
Telephone: (405) 522-5997
Facsimile: (405) 522-5789

CERTIFICATE OF MAILING

This is to certify that on this 28th day of Dec., 2015, a true and correct copy of the forgoing instrument was mailed, via Certified Mail, Return Receipt Requested, as follows:

**LAWN PRO
PO BOX 1543
ARDMORE OK 73402**



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: 15-880

**LAWN PRO)
PO BOX 1543)
ARDMORE OK 73402)**

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. Marcum Nursery
Case File No: OGC 15-715

MARCUM NURSERY
2121 SW 119TH
OKLAHOMA CITY, OK 73170

Summary of Facts: Respondent operates a nursery and applies pesticide as part of the business operation. An ODAFF inspector conducted a Worker Protection Standard routine inspection of the Nursery. It was determined that the company didn't have a qualified trainer since its private applicator certification had lapsed. Employees had not been trained on worker protection standards and, as a result, the company's application records were incomplete.

Statute or Rule Violation: Respondent has violated **2 O.S. § 3-86(A)(20)** by failure to comply with the Worker Protection Standard as defined in the Code of Federal Regulations 40 CFR 170.

Proposed Administrative Penalty: The proposed penalty for this case was Five Hundred Dollars (\$500.00). The penalty was amended to Two Hundred Fifty Dollars (\$250.00) due to the fact that Respondent's business a small business and that he got an employee licensed as a certified applicator before his hearing date. Respondent stipulated to the allegation and paid the amended fine in full. The amount of administrative penalty is consistent with the recommended fine matrix.

Deviations: Fine was lowered due to the Small Business Exception and Respondent's cooperation.

Other Actions Required: None

OGC Attorney: Jeff Hubbard

BEFORE THE STATE BOARD OF AGRICULTURE
STATE OF OKLAHOMA

FILED

OCT 26 2015

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: 15-715

MARCUM NURSERY)
2121 SW 119TH)
OKLAHOMA CITY, OK 73170)

RESPONDENT.)

NOTICE OF VIOLATION

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

PREHEARING CONFERENCE NOTICE

2. Respondent is hereby notified that a Prehearing Conference¹ will be held before an impartial Administrative Law Judge (ALJ) at **1:30 p.m. on December 17, 2015** 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.**

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

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

HEARING AND RIGHT TO COUNSEL

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

DEFAULT

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

JURISDICTION, VENUE, AND APPLICABLE LAW

13. Subject matter jurisdiction and venue are vested in the State Board of Agriculture in its quasi-judicial capacity, pursuant to Okla. Const. Art. VI, Section 31 and 2 O. S. § 2-4(7); accordingly, this is the proper forum to hear this matter.
14. Respondent has substantial business operations and assets within the State of Oklahoma.
15. Based upon current information and belief, at all relevant times hereto, Respondent has, among other things, engaged in the business of pesticide application under the name of Marcum Nursery, located at 2121 SW 119th St., Oklahoma City, Oklahoma.
16. Pursuant to Okla. Stat. Ann. 2 § 2-4(A)(3), ODAFF has authority to regulate persons who violate the Oklahoma Agricultural Code by initiating and prosecuting administrative, civil, or criminal actions and proceedings necessary under the Oklahoma Agricultural Code.

2 O.S. § 3-86(A)(20) provides:

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:

(20) Failure to comply with the Worker Protection Standard as defined in the Code of Federal Regulations 40 CFR 170

ALLEGATIONS OF FACT

17. Based upon current information and belief, the following allegations of fact summarize the alleged violations committed by Respondent.
- Respondent Marcum Nursery is a business engaged in the practice of pesticide application.

- ODAFF inspector conducted a Worker Protection Standard routine inspection of the Nursery. (PMW-16-002)
- Your company doesn't have a qualified trainer since your private applicator certification has lapsed.
- As a result, employees have not been trained on worker protection standards and your application records are incomplete.

ALLEGED CONCLUSIONS OF LAW

18. Based upon the application of the above law to the aforementioned facts, respondent has violated 2 O.S. § 3-86(A)(20) by failing to have a qualified trainer as a result of the lapsing of your private applicator certification.

ATTORNEY CONFERENCES

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

20. 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.

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

ENFORCEMENT PROCEEDINGS

22. 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.

23. 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.

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

25. 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

26. 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

27. 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

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

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

30. 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

31. If Respondent desires to resolve this matter without a hearing or further action, Complainant proposes an administrative penalty of five hundred dollars (\$500.00).

32. 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 OCT, 2015.

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



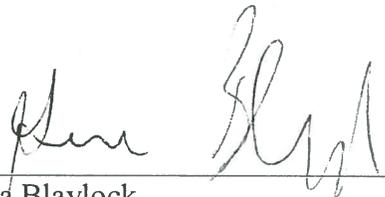
Teena G. Gunter, General Counsel, OBA # 17767
Jeff Hubbard, OBA # 30113
Ruseal E. Brewer, OBA # 19760
Lee E. Dooley, OBA # 22545
Bennett Abbott, OBA #15921
Assistants General Counsel
2800 N. Lincoln Blvd.
Oklahoma City, OK 73105-4298
Telephone: (405) 522-5997
Facsimile: (405) 522-5789

CERTIFICATE OF MAILING

This is to certify that on this 26th day of OCT., 2015, a true and correct copy of the forgoing instrument was mailed, via Certified Mail, Return Receipt

Requested, as follows:

**MARCUM NURSERY
2121 SW 119TH
OKLAHOMA CITY, OK 73170**



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.)
)
MARCUM NURSERY)
2121 SW 119TH)
OKLAHOMA CITY, OK 73170)
)
 RESPONDENT.)

Case No: OGC: 15-715

STIPULATION

Respondent accepts and stipulates to the proposed administrative penalty or fine of five hundred dollars (\$500.00) 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. SULLIVAN TREE SERVICE
Case File No: OGC 15-377

SULLIVAN TREE SERVICE
4710 NW 47TH PL
LAWTON OK 73505

Summary of Facts: ODAFF Inspectors observed Respondent's employee making a pesticide application. The employee making the application did not have an Oklahoma service technician certification, and the company's licensed certified applicator was not present on site when the application of pesticide was made.

Statute or Rule Violation: Respondent violated OAC 35:30-17-25 by failing to have either a certified service technician making the application or a certified applicator on site to supervise the pesticide application.

Proposed Administrative Penalty: The proposed penalty for this case was Two Hundred and Fifty Dollars (\$250.00). This was assessed at \$250.00 failing to have either a certified service technician making the application or a certified applicator on site observing the pesticide application. Respondent stipulated to the allegations and paid the fine in full. The amount of administrative penalty is consistent with the recommended fine matrix.

Deviations: None

Other Actions Required: None

OGC Attorney: Ruseal Brewer

BEFORE THE STATE BOARD OF AGRICULTURE
STATE OF OKLAHOMA

FILED

JAN 25 2016

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: 15-377

SULLIVAN TREE SERVICE)
4710 NW 47th PL)
LAWTON, OK 73505)

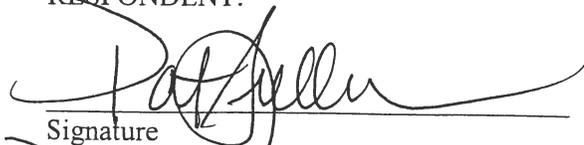
RESPONDENT.)

STIPULATION

Respondent accepts and stipulates to the proposed administrative penalty or fine of Two Hundred and 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

Pat Sullivan owner
Printed Name and Title:

Date: 1/20/16

BEFORE THE STATE BOARD OF AGRICULTURE
STATE OF OKLAHOMA

FILED

DEC 18 2015

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: 15-377

SULLIVAN TREE SERVICE)
4710 NW 47th PL)
LAWTON, OK 73505)

RESPONDENT.)

NOTICE OF VIOLATION

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

PREHEARING CONFERENCE NOTICE

2. Respondent is hereby notified that a Prehearing Conference¹ will be held before an impartial Administrative Law Judge (ALJ) at 1:30 p.m. on February 11, 2016 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.**

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

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

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

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

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

HEARING AND RIGHT TO COUNSEL

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

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

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

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

DEFAULT

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

JURISDICTION, VENUE, AND APPLICABLE LAW

13. Subject matter jurisdiction and venue are vested in the State Board of Agriculture in its quasi-judicial capacity, pursuant to Okla. Const. Art. VI, Section 31 and 2 O. S. § 2-4(7); accordingly, this is the proper forum to hear this matter.
14. Respondent has substantial business operations and assets within the State of Oklahoma.
15. Based upon current information and belief, at all relevant times hereto, Respondent has, among other things, engaged in the business of applying pesticide under the name Sullivan Tree Service located at 4710 NW 47th PL, Lawton, Oklahoma
16. Pursuant to Okla. Stat. Ann. 2 § 2-4(A)(3), ODAFF has authority to regulate persons who violate the Oklahoma Agricultural Code by initiating and prosecuting administrative, civil, or criminal actions and proceedings necessary under the Oklahoma Agricultural Code.

OAC 35:30-17-15 provides:

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.

ALLEGATIONS OF FACT

17. Based upon current information and belief, the following allegations of fact summarize the alleged violations committed by Respondent.
18. On or about March 16, 2015, the Department conducted a routine inspection. (PMR 15-119)
19. It was noted that an employee of your company, Scott Sullivan was working without as a pesticide applicator without a service technician or certified applicator's license.
20. Based upon the application of the above law to the aforementioned facts, Respondent has violated:

- a) OAC § 35:30-17-25(b) by not having a certified applicator on site to supervise pesticide application by a non-certified technician.

ATTORNEY CONFERENCES

21. If Respondent desires to meet with attorneys for the Department prior to the Prehearing Conference to discuss the allegations and/or seek a possible resolution, please contact the undersigned at 405-522-5997.
22. 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.
23. Arrangements to discuss the matter before the Prehearing Conference are encouraged.

ENFORCEMENT PROCEEDINGS

24. 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.
25. 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.

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

27. 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

28. 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

29. 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

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

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

32. 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.

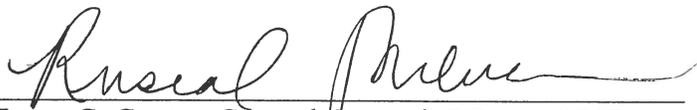
STIPULATION

33. If Respondent desires to resolve this matter without a hearing or further action, Complainant proposes an administrative penalty of Two Hundred and Fifty Dollars (\$250.00). This is calculated by one (1) count at Two Hundred Fifty dollar (\$250.00) for failing to have a

certified applicator present to supervise use of a pesticide. 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 18th day of Dec., 2015.

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



Teena G. Gunter, General Counsel, OBA # 17767

James P. Woodruff, OBA # 11579

Ruseal E. Brewer, OBA # 19760

Lee E. Dooley, OBA # 22545

Bennett Abbott, OBA #15921

Assistants General Counsel

2800 N. Lincoln Blvd.

Oklahoma City, OK 73105-4298

Telephone: (405) 522-5997

Facsimile: (405) 522-5789

CERTIFICATE OF MAILING

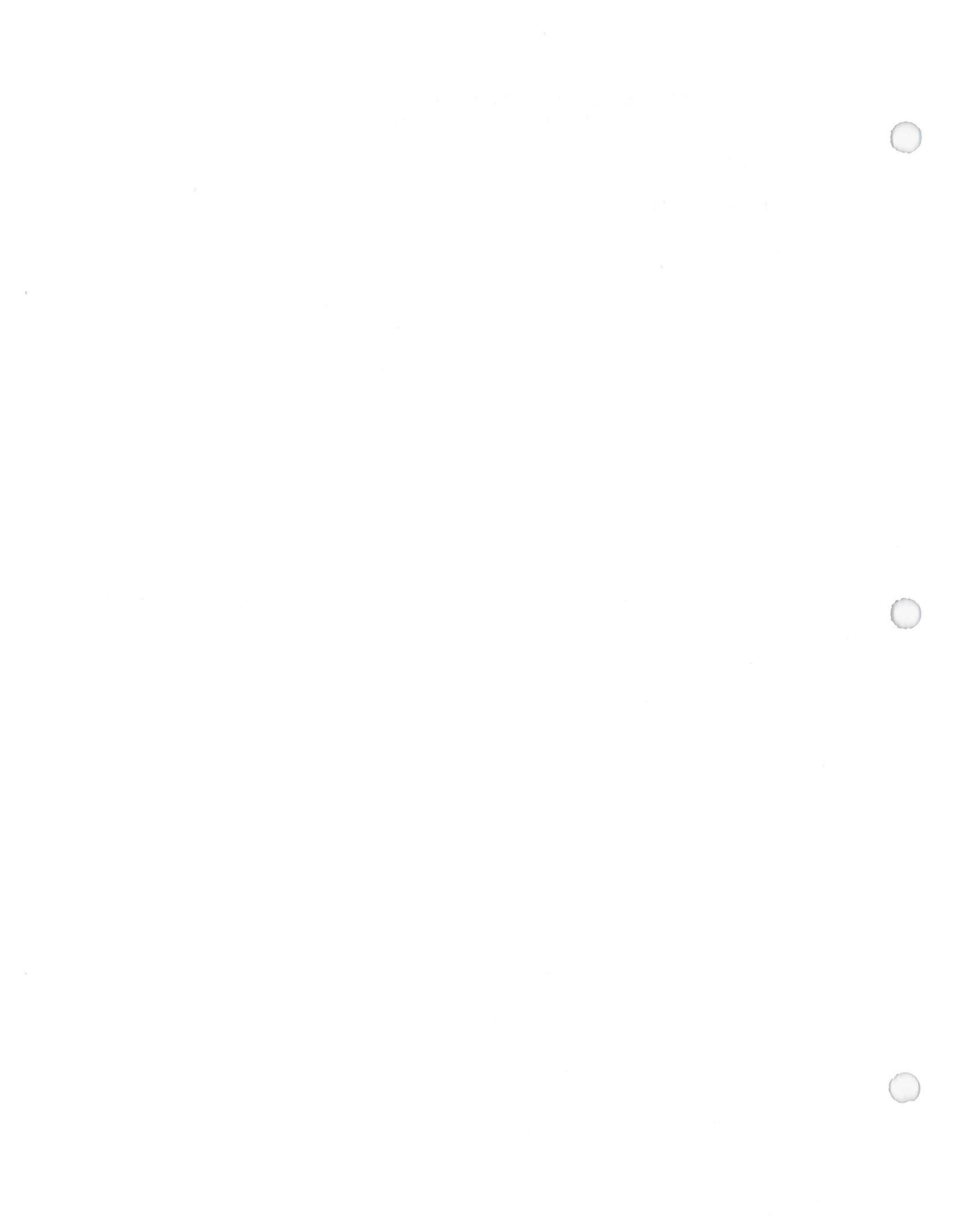
This is to certify that on this 18th day of Dec., 2015, a true and correct copy of the forgoing instrument was mailed, via Certified Mail, Return Receipt

Requested, as follows:

**SULLIVAN TREE SERVICE
4710 NW 47th PL
LAWTON, OK 73505**



Gina Blaylock



**OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY
v. SYSTEM SCALE CORP.
Case File No: 15-774-OGC**

System Scale Corp.
4808 Alma Hwy
Van Buren, AR 73056

Summary of Facts: Respondent violated 2 O.S. § 14-69(8) because Respondent repaired and placed in service a scale at US Minerals St. Clair in Marble City, Oklahoma on two (2) separate occasions, June 1, 2015 and September 24, 2015, which was found by the Department's inspectors to be out of compliance and not accurate within ninety (90) days of the scale being placed in service by Respondent.

Statute or Rule Violation: 2 O.S. § 14-69(8)- Repairing a weight or measure unless the repair involved causes the weight or measure to meet the requirements of the Oklahoma Service Technician and Service Agency Act for at least ninety (90) days after the repairs;

Proposed Administrative Penalty: The penalty was assessed as one (1) violation at \$500.00 per violation for a total penalty of \$500.00.

Deviations: None

Other Actions Required: None.

OGC Attorney: Lee Dooley

BEFORE THE STATE BOARD OF AGRICULTURE
STATE OF OKLAHOMA

FILED
JAN 27 2016
STATE BOARD OF AGRICULTURE

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

RECD CPS

2016 JAN 25 A 11: 36

COMPLAINANT,)

v.)

Case No: OGC: 15-774

SYSTEM SCALE CORPORATION)
4808 ALMA HWY)
VAN BUREN, AR 73056)

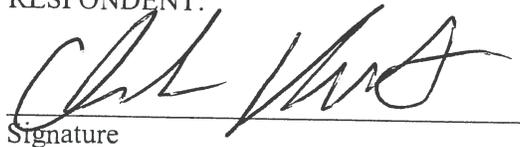
RESPONDENT.)

STIPULATION

Respondent accepts and stipulates to the proposed administrative penalty or fine of Five Hundred Dollars (\$500.00) 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

Chuck Restive Operations Mgr
Printed Name and Title:

Date: 1-15-16

BEFORE THE STATE BOARD OF AGRICULTURE
STATE OF OKLAHOMA

FILED

DEC 18 2015

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: 15-774

SYSTEM SCALE CORPORATION)
4808 ALMA HWY)
VAN BUREN, AR 73056)

RESPONDENT.)

NOTICE OF VIOLATION

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

PREHEARING CONFERENCE NOTICE

2. Respondent is hereby notified that a Prehearing Conference¹ will be held before an impartial Administrative Law Judge (ALJ) at **1:30 p.m. on February 11, 2016** 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.

¹ 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; accordingly, this is the proper forum to hear this matter.

14. Respondent is licensed through the Oklahoma Department of Agriculture, Food and Forestry to repair scales and weighing devices 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 repairing weight and measure devices and placing said devices into service within Oklahoma.

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

2 O. S. § 14-69(A)(8) provides:

The State Board of Agriculture may suspend, cancel, revoke, or refuse reissuance of a license after the person has an opportunity for public hearing pursuant to the Administrative Procedures Act. In addition, the person may be prosecuted for the following violation:

Repairing a weight or measure unless the repair involved causes the weight or measure to meet the requirements of the Oklahoma Service Technician and Service Agency Act for at least ninety (90) days after the repairs;

ALLEGATIONS OF FACT

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

- On or about June 1, 2015 the Respondent approved and placed in service a Toledo scale (S/N 5394196-5ME) at US Minerals St. Clair in Marble City, Oklahoma.

- On or about June 15, 2015 a Department scale technician performed an inspection on this scale.
- The above-mentioned device failed the Department's inspection.
- A Letter of Warning was sent to the Respondent on or about July 1, 2015 concerning the repair and placement into service of this scale.
- On or about September 24, 2015 the Respondent repaired and placed into service the same Toledo scale (S/N 5394196-5ME) at the same location.
- On or about October 1, 2015 a Department's scale technician performed an inspection of this scale.
- The above mentioned device again failed the Department's inspection.
- A Letter of Warning was sent to the respondent on or about October 7, 2015 concerning the second failed inspection of this scale.

ALLEGED CONCLUSIONS OF LAW

18. Based upon the application of the above law to the aforementioned facts, Respondent has violated 2 O. S. § 14-69(A)(8) by placing into service a scale that failed to meet the requirements of the Oklahoma Service Technician and Service Agency Act for at least ninety (90) days after repairs. (Count 01; violation 1st)

ATTORNEY CONFERENCES

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

20. 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.

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

ENFORCEMENT PROCEEDINGS

22. 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.

23. 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.

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

25. 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

26. 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

27. 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

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

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

30. 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

31. If Respondent desires to resolve this matter without a hearing or further action, Complainant proposes an administrative penalty of Five Hundred Dollars (\$500.00). (One (1) violation at \$500.00 per violation).

32. 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 18th day of December, 2015.

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



Teena G. Gunter, General Counsel, OBA # 17767

Jeff Hubbard, OBA # 30113

Ruseal E. Brewer, OBA # 19760

Lee E. Dooley, OBA # 22545

Bennett Abbott, OBA #15921

Assistant General Counsel

2800 N. Lincoln Blvd.

Oklahoma City, OK 73105-4298

Telephone: (405) 522-5997

Facsimile: (405) 522-5789

CERTIFICATE OF MAILING

This is to certify that on this 18th day of Dec., 2015, a true and correct copy of the forgoing instrument was mailed, via Certified Mail, Return Receipt

Requested, as follows:

System Scale Corporation
4808 Alma Hwy
Van Buren, AR 73056



Gina Blaylock

OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY
v. TERMINIX
Case File No: OGC 15-655

TERMINIX INT
9340 POLE ROAD
MOORE, OK 73160

Summary of Facts: On or about June 23, 2015 an investigation was performed by the Oklahoma Department of Agriculture, Food, and Forestry (ODAFF) in response to a complaint concerning the Wood Infestation Report issued by Respondent on November 13, 2014. The investigation determined Respondent's wood infestation report was inaccurate because the report failed to indicate what conditions were conducive to termite activity and failed to mention that the property was previously treated for termites. Respondent performed an additional termite treatment on the above listed property on or about January 21, 2015. The Respondent's contract does not contain a diagram showing where termite activity was found and how treatment was performed. The ODAFF inspection also showed that the back wall of the garage was not drilled and treated. The spot treatment did not cover three feet in two or more directions. The brick veneer was not drilled and treated in the area of spot treatment which is a failure to meet minimum standards for termite treatment.

Statute or Rule Violation: Respondent is alleged to have violated Okla. Stat. 2 § 3-86(A)(7); OAC 35:30-17-20(a)(1); Okla. Stat. 2 § 3-81(11); OAC 35:30-17-69.1(b)(8) and OAC 35:30-17-67(b)(2). Respondent failed to issue an accurate wood infestation report and failed to meet minimum standards for termite treatment by providing an inadequate contract and improper spot treatment.

Proposed Administrative Penalty: The proposed penalty for this case was One Thousand Dollars (\$1000.00) (4 counts at \$250.00 per count). Respondent stipulated to the allegations and paid the fine in full. The amount of administrative penalty is consistent with the recommended fine matrix.

Deviations: None.

Other Actions Required: None.

OGC Attorney: Ruseal Brewer

BEFORE THE STATE BOARD OF AGRICULTURE
STATE OF OKLAHOMA

FILED
JAN 12 2016
STATE BOARD OF AGRICULTURE

THE OKLAHOMA DEPARTMENT OF)
AGRICULTURE, FOOD, AND FORESTRY,)
BY AND THROUGH THE)
OFFICE OF GENERAL COUNSEL)
)
COMPLAINANT,)
v.)
)
TERMINIX INT.)
9340 POLE RD)
MOORE, OK 73160)
)
RESPONDENT.)

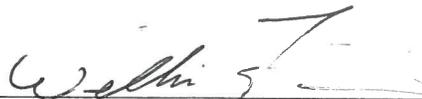
Case No: OGC: 15-655

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

William Fryrise, Branch Mgr

Printed Name and Title:

Date: 1/13/15

BEFORE THE STATE BOARD OF AGRICULTURE
STATE OF OKLAHOMA

FILED

NOV 24 2015

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: 15-655

TERMINIX INT.)
9340 POLE RD)
MOORE, OK 73160)

RESPONDENT.)

NOTICE OF VIOLATION

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

PREHEARING CONFERENCE NOTICE

2. Respondent is hereby notified that a Prehearing Conference¹ will be held before an impartial Administrative Law Judge (ALJ) at **1:30 p.m. on January 14, 2016** 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.**

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

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

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

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

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

HEARING AND RIGHT TO COUNSEL

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

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

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

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

DEFAULT

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

JURISDICTION, VENUE, AND APPLICABLE LAW

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

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

15. Based upon current information and belief, at all relevant times hereto, Respondent has, among other things, engaged in the business of performing termite treatments and issuing Wood Infestation Reports under the name Terminix International Company LP, located in Moore, Oklahoma.

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

Okla. Stat. 2 § 3-86(A)(7) provides:

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:

The issuance of an inaccurate, misleading, or fraudulent wood infestation report

OAC 35:30-17-20(a)(1) provides:

Contracts shall be issued for the commercial application of pesticides in the Structural Pest Category. Information on the contracts shall include:

Specific information from 2 O. S. Sections 3-81(11) and 3-83, and OAC 35:30-17-21.

Okla. Stat. 2 § 3-81(11) provides:

"Contract" means a binding, written agreement between two or more persons spelling out terms and conditions and includes, but is not limited to, warranties or guarantees for pesticide application. For structural pest control applications, the contract shall also include a statement, plat, or diagram showing all locations of visible termites and termite damaged materials which are observed, and how the application was performed

OAC 35:30-17-69.1(b)(8) provides:

The contract shall specifically identify the exact location where a spot treatment is performed and the treatment shall meet all minimum standards for the specific location identified. The spot treatment shall be at least three feet (3') in two (2) or more directions unless label requires a distance greater than three feet (3').

OAC 35:30-17-67(b)(2) provides:

Masonry veneer shall be treated by drilling at intervals no greater than sixteen inches (16") and applying termiticide into the void at the label rate.

ALLEGATIONS OF FACT

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

- On or about June 23, 2015 an investigation was performed by the Oklahoma Department of Agriculture, Food, and Forestry (ODAFF) in response to a complaint concerning the Wood Infestation Report issued by Respondent on November 13, 2014. (PMC-15-135).
- The Wood Infestation Report issued by Respondent was for the property located at 2008 N. Minnesota Ave., Shawnee, OK.
- The inspection showed that Respondent's Wood Infestation Report failed to list flowerbeds with dense foliage as a condition conducive to termites.
- The Wood Infestation Report also failed to note previous treatment or evidence of termite activity.

- The inspection by ODAFF found that Respondent had previously treated the property in 2004 and 2006.
- Failure to list and note the above facts on the Wood Infestation Report is a violation of Oklahoma Statute 2 § 3-86(A)(7).
- In addition, Respondent performed an additional treatment on the above listed property on or about January 21, 2015.
- The Respondent's contract does not contain a diagram showing where termite activity was found and how treatment was performed.
- Failure to include all contents of the contract is a violation of OAC 35:30-17-20.
- The ODAFF inspection also showed that the back wall of the garage was not drilled and treated.
- The spot treatment did not cover three feet in two or more directions.
- The brick veneer was not drill and treated in the area of spot treatment.
- Failure to meet minimum standards for the spot treatment is in violation of OAC Rule 35:30-17-69.1.

ALLEGED CONCLUSIONS OF LAW

18. Based upon the application of the above law to the aforementioned facts, Respondent has violated Okla. Stat. Ann. 2 § 3-86(A)(7) by failing to issue an accurate Wood Infestation Report. Respondent has violated OAC 35:30-17-20 by failing to include a diagram where termite activity was found and how treatment was performed in the contract. Respondent has also violated OAC 35:30-17-69.1(b)(8) and OAC 35:30-17-67(b)(2) by failing to meet the minimum standard for perimeter termite treatments.

ATTORNEY CONFERENCES

19. If Respondent desires to meet with attorneys for the Department prior to the Prehearing Conference to discuss the allegations and/or seek a possible resolution, please contact the undersigned at 405-522-5997.
20. 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.
21. Arrangements to discuss the matter before the Prehearing Conference are encouraged.

ENFORCEMENT PROCEEDINGS

22. 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.
23. 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.
24. Each animal, each action, or each day a violation continues may constitute a separate and distinct violation.

25. 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

26. 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

27. 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

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

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

30. 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

31. If Respondent desires to resolve this matter without a hearing or further action, Complainant proposes an administrative penalty of One Thousand Dollars (\$1000.00). (One count for violation of Okla. Stat. 2 § 3-86(A)(7) at \$250.00 per violation; one count for violation of OAC 35:30-17-20 at \$250.00 per violation; one count for violation of OAC 35:30-17-

69.1(b)(8) at \$250.00 per violation; and one count for violation of OAC 35:30-17-67(b)(2) at \$250.00 per violation).

32. 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 24th day of Nov., 2015.

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



Teena G. Gunter, General Counsel, OBA # 17767

Jeff Hubbard, OBA # 30113

Ruseal E. Brewer, OBA # 19760

Lee E. Dooley, OBA # 22545

Bennett Abbott, OBA #15921

Assistant General Counsel

2800 N. Lincoln Blvd.

Oklahoma City, OK 73105-4298

Telephone: (405) 522-5997

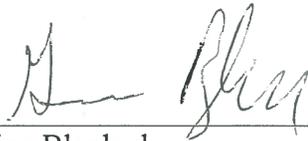
Facsimile: (405) 522-5789

CERTIFICATE OF MAILING

This is to certify that on this 24th day of Nov., 2015, a true and correct copy of the forgoing instrument was mailed, via Certified Mail, Return Receipt

Requested, as follows:

TERMINIX INT.
9340 Pole Rd
Moore, OK 73160



Gina Blaylock

OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY
v. WEST TREE SERVICE
Case File No: OGC 15-784

WEST TREE SERVICE
6300 FORBING ROAD
LITTLE ROCK, AR 72209

Summary of Facts: ODAFF Inspectors observed Respondent's employee making a pesticide application. The employee making the application did not have an Oklahoma service technician certification, and the company's licensed certified applicator was not present on site when the application of pesticide was made. Additionally, Respondent's vehicle did not display the company's license number on both sides of the vehicle and pesticides containers were in the vehicle and were not properly secured.

Statute or Rule Violation: Respondent violated OAC 35:30-17-25; OAC 35:30-17-15 and OAC 35:30-17-93(1)(A) by failing to have either a certified service technician making the application or a certified applicator on site to supervise the pesticide application; failing to properly identify its vehicle and by failing to properly secure full or partially full pesticide containers.

Proposed Administrative Penalty: The proposed penalty for this case was Seven Hundred and Fifty Dollars (\$750.00). (This was assessed at three (3) counts at \$250.00 per count). Respondent stipulated to the allegations and paid the fine in full. The amount of administrative penalty is consistent with the recommended fine matrix.

Deviations: None

Other Actions Required: None

OGC Attorney: Ruseal Brewer

BEFORE THE STATE BOARD OF AGRICULTURE
STATE OF OKLAHOMA

FILED

JAN 25 2016

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: 15-784

WEST TREE SERVICE)
6300 FORBING RD)
LITTLE ROCK, AR 72209)

RESPONDENT.)

STIPULATION

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

Respondent 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:

Matthew West
Signature

Matthew West COO
Printed Name and Title:

Date: 1/20/16

BEFORE THE STATE BOARD OF AGRICULTURE
STATE OF OKLAHOMA

FILED

DEC 28 2015

STATE BOARD OF AGRICULTURE

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

COMPLAINANT,)

v.)

WEST TREE SERVICE)
6300 FORBING RD)
LITTLE ROCK, AR 72209)

RESPONDENT.)

Case No: OGC: 15-784

∴

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 Conference¹ will be held before an impartial Administrative Law Judge (ALJ) at **1:30 p.m. on February 11, 2015** 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.

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

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

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

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

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

HEARING AND RIGHT TO COUNSEL

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

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

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

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

DEFAULT

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

JURISDICTION, VENUE, AND APPLICABLE LAW

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

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

15. Based upon current information and belief, at all relevant times hereto, Respondent has, among other things, engaged in the business of pesticide application with a business by the name of West Tree Service.

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

OAC 35:30-17-15 provides:

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.

Additionally, **OAC 35:30-17-25(b) provides:**

“A certified applicator shall be on site to supervise any pesticide application by a non-service technician.”

Additionally, **OAC 35:30-17-93(1)(A) provides:**

“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.”

ALLEGATIONS OF FACT

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

- a) Respondent is, a business engaged applying pesticide and as such is licensed through ODAFF.
- b) On or about August 14, 2015, a routine inspection was performed by ODAFF.
- c) The Department's Inspector observed Jeffery Wilson and other employees of your company was observed making a pesticide application around 18420 W. Hwy 66 in Sapulpa, Oklahoma.
- d) No certified applicator was present during the application.
- e) Respondent's vehicle did not display the company license number of C 2975 on both sides of the vehicle in letters not less than two (2) inches in height.
- f) Additionally, the pesticide Tordon K container was found in the vehicle and was not locked or in a secure enclosure.

ALLEGED CONCLUSIONS OF LAW

18. Based upon the application of the above law to the aforementioned facts, Respondent has violated:

- a) OAC 35:30-17-15 by failing to properly identify his vehicle by displaying the correct license number of licensee.
- b) OAC 35:30-17-25(b) by not having a certified applicator on site to supervise pesticide application by a non-certified technician.
- c) OAC 35:30-17-93(1)(A) by not having full or partially full pesticide containers stored in a secure or locked enclosure.

ATTORNEY CONFERENCES

19. If Respondent desires to meet with attorneys for the Department prior to the Prehearing Conference to discuss the allegations and/or seek a possible resolution, please contact the undersigned at 405-522-5997.
20. 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.
21. Arrangements to discuss the matter before the Prehearing Conference are encouraged.

ENFORCEMENT PROCEEDINGS

22. 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.
23. 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.
24. Each animal, each action, or each day a violation continues may constitute a separate and distinct violation.

25. 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

26. 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

27. 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

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

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

30. 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

31. If Respondent desires to resolve this matter without a hearing or further action, Complainant proposes an administrative penalty of Seven Hundred Fifty Dollars (\$750.00). This is calculated by one (1) count at Two Hundred Fifty dollars (\$250.00) for failing to properly identify vehicle, one (1) count at Two Hundred Fifty dollar (\$250.00) for failing to have a

certified applicator present to supervise use of a pesticide, and one (1) count at Two Hundred Fifty dollars (\$250.00) for the improper storage of a pesticide.

32. 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 Dec., 2015.

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



Teena G. Gunter, General Counsel, OBA # 17767

Bennett Abbott, OBA #15921

Jeff Hubbard, OBA #30113

Ruseal E. Brewer, OBA # 19760

Lee E. Dooley, OBA # 22545

Assistants General Counsel

2800 N. Lincoln Blvd.

Oklahoma City, OK 73105-4298

Telephone: (405) 522-5997

Facsimile: (405) 522-5789

CERTIFICATE OF MAILING

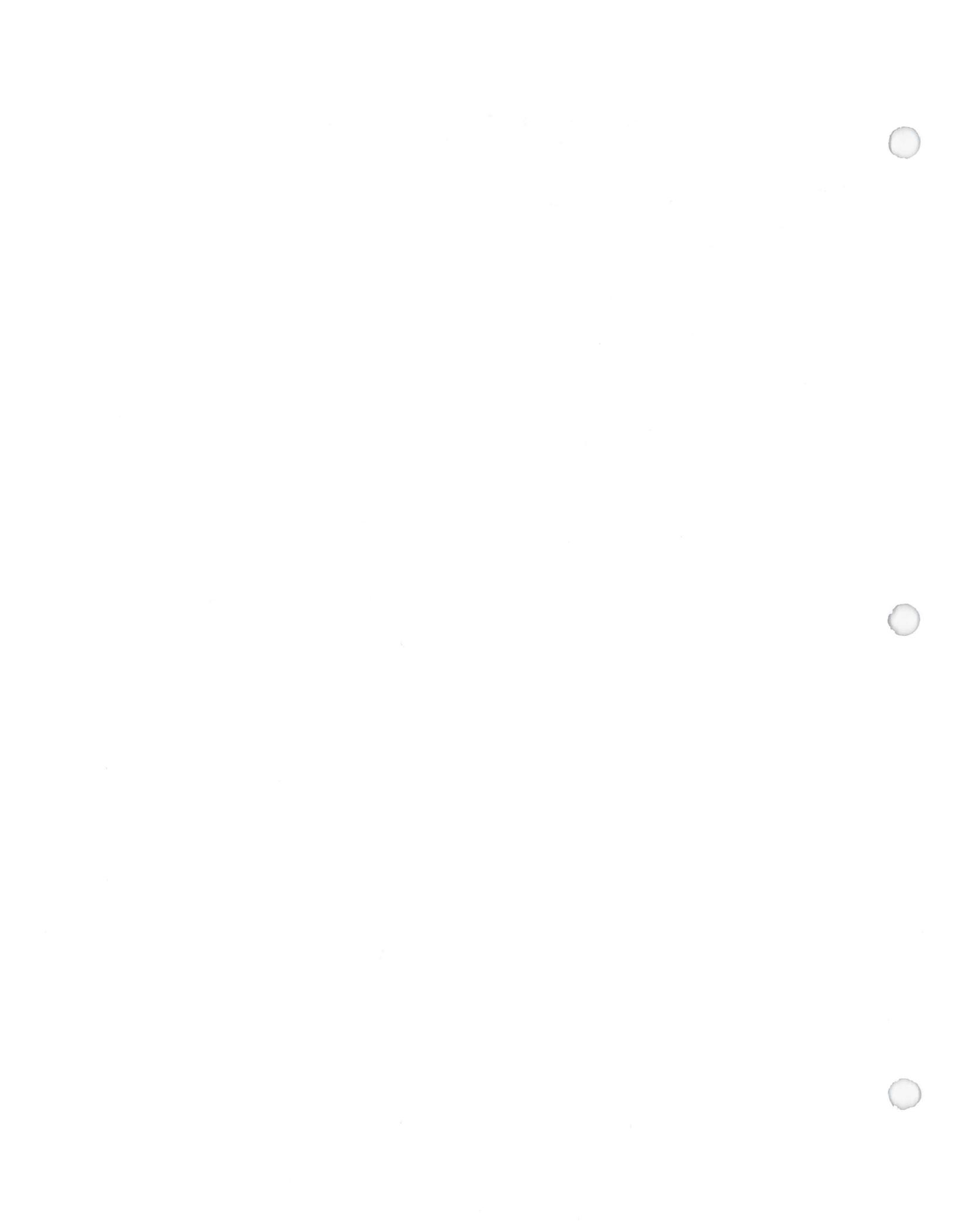
This is to certify that on this 28th day of Dec., 2015, a true and correct copy of the forgoing instrument was mailed, via Certified Mail, Return Receipt

Requested, as follows:

**WEST TREE SERVICE
6300 FORBING RD
LITTLE ROCK, AR 72209**



Gina Blaylock



**TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND
FORESTRY
CHAPTER 15. ANIMAL INDUSTRY
SUBCHAPTER 34. FERAL SWINE**

35:15-34-1. Purpose

The purpose of these rules is to implement the provisions of the Feral Swine Control Act and to adopt aggressive measures for the eradication of all feral swine in the State of Oklahoma. Feral swine are a non-native invasive species to Oklahoma that detrimentally impact agricultural production and natural resources in Oklahoma. As feral swine populations increase, citizens of Oklahoma suffer damage to crops, livestock and wildlife habitat. Feral swine pose a health risk to humans, livestock, companion animals and native wildlife. The Department's goal is to render the State of Oklahoma free of feral swine. The Department shall investigate and implement new population control methods, technologies, and toxicants as they become available to achieve this goal.

35:15-34-2. Definitions

The following words and terms, when used in this Subchapter, shall have the following meaning, unless the context clearly indicates otherwise:

"Feral swine" means any hog, pig, or swine species (*Sus scrofa*) including, but not limited to, Russian and European wild boar that are running at large, free roaming, or wild upon public or private lands in this state, and shall also include any hog, pig, or swine species that has lived any part of its life running at large, free roaming, or wild. The term feral swine shall also include any feral phenotype swine, whether or not running at large, free roaming, or wild.

"Feral swine facility" means a handling facility, holding pen, or sporting facility.

"Feral Swine Free Zone" means any region of the state defined by the Board of Agriculture where hunting feral swine or taking feral swine from the region is restricted and the licensing of feral swine facilities or movement of feral swine into or across the region is prohibited.

"Handling facility" means any premises maintaining feral swine captively in captivity for the purpose of temporary holding, breeding, slaughter, re-sale, dog training, competition, exhibition, personal use, or any other purpose.

"Holding pen" means a facility where feral swine are temporarily held for no more than seven (7) days.

"Sporting facility" means a ~~premise containing~~ any premises maintaining feral swine in captivity intended for hunting and feral swine are only removed from the premises through hunting, ~~directly to slaughter, or to another licensed sporting facility.~~

"Transport" means intrastate or interstate movement of one or more feral swine.

35:15-34-3. Importation and transportation of feral swine

(a) No person shall import live feral swine into the State of Oklahoma unless the live feral swine are transported directly to a slaughter facility in a sealed trailer and are accompanied by a written consent order to enter the state signed by the State Veterinarian and a USDA vs 1-27 permit for the movement of restricted animals.

(b) No person shall transport feral swine within the State of Oklahoma without first obtaining both a transporter license and a 24 hour permit issued by the Department.

(c) Any person who knowingly assists with the illegal importation or transportation of feral swine or who knowingly purchases or receives feral swine illegally imported or transported shall be in violation of this section.

35:15-34-5. Transporter license

(a) All persons that transport live feral swine in this state shall be required to obtain a transporter license from the Department.

(b) Transporter licenses shall be ~~free of charge~~ and active for a period of ~~five (5) years~~ one (1) year and shall not be transferable.

(c) Transporter licenses shall expire each June 30 but may be renewed. Five-year licenses previously issued by the Department free of charge shall not be grandfathered and shall expire on June 30, 2017.

~~(e)~~ (d) Application for a transporter license shall be on a form prescribed by the Department and shall include the following:

- (1) Name, mailing address, physical address, email address, and telephone number of the applicant,
- (2) Drivers license number of the transporter;
- (3) A brief statement describing the area for which the applicant typically transports feral swine, and
- (4) A description of the vehicles, used to transport feral swine, including any license tag numbers

~~(d)~~ (e) Live feral swine shall only be ~~transported to~~ released or unloaded at the following locations:

- (1) A licensed sporting facility;
- (2) A licensed handling facility;
- ~~(3) A holding pen;~~
- (4) ~~(3) Directly to a~~ A slaughter facility, or
- ~~(5) (4) Pursuant to A~~ location designated in an order issued by the State Veterinarian.

(f) Feral swine shall not be commingled with any domestic livestock species at any point during transportation. Common cages or enclosures, water sources or food sources accessible by both domestic livestock species and feral swine shall be prohibited.

35:15-34-5.1. 24 hour permit

(a) A transporter shall apply for a 24 hour permit to transport feral swine using an online system provided by the Department or by phone during regular business hours. The transporter may either request immediate approval or request advance approval by specifying the 24 hour period that the transporter intends to transport feral swine.

(b) If the transporter requests immediate approval, the 24 hour permit shall be valid for twenty-four (24) hours following approval by the Department. The online system shall provide automatic approval for 24 hour permits after the following information is provided:

- (1) The date feral swine are transported;
- (2) The number of feral swine transported;
- (3) The name of the county in which the feral swine were acquired;
- (4) The name of the owner of the property on which the feral swine were acquired;
- (5) A description of the acquisition method (capture or purchase); and
- (6) The name and license number of destination facility or consignee.

(c) If the transporter requests advance approval, the 24 hour permit shall specify the 24 hour period in which the transporter is authorized to transport feral swine.

(d) The 24 hour permit shall describe the number and destination of feral swine transported.

(e) The transporter shall carry paper copy of the approved 24 hour permit in the vehicle transporting feral swine or carry an electronic device capable of accessing and displaying an electronic version of the approved 24 hour permit.

35:15-34-6. Sporting facilities

~~(a) An owner or operator shall obtain a sporting facility license prior to operation of any new sporting facility. No new sporting facilities shall be licensed by the Department. Licenses for existing sporting facilities shall be renewable and transferrable.~~

~~(b) The owner or operator of a sporting facility shall comply with the following requirements for a sporting facility license shall be as follows:~~

~~(1) The owner or operator maintains of a sporting facility shall maintain a perimeter fence at least forty-eight (48) inches tall made of solid walls, game fence, or other material constructed in a manner adequate to reasonably prevent the escape of enclosed feral swine, and the unsolicited additions of feral swine from outside the enclosure.~~

~~(2) The owner or operator of a sporting facility shall keep the following records of the following using forms provided by the Department:~~

~~(A) Number of head of feral swine added to the facility The name and license number for each consignor releasing feral swine into the sporting facility with the corresponding date and number of feral swine released; and~~

~~(B) Name, address, and telephone number of the person who provided the feral swine The name of each captive hog hunter killing a feral hog at the sporting facility with the corresponding date and number of feral swine killed.~~

~~(C) Date of release of the feral swine into the facility; and~~

~~(D) Number of head removed from the facility, method of removal, and the date of removal.~~

~~(3) Any person applying for renewing or procuring a Category I sporting facility license shall provide the following information on a form prepared by the Department:~~

~~(A) Name, mailing address, email address, and telephone number of the owner;~~

~~(B) Name, mailing address, email address, and telephone number of the operator, if different from the owner;~~

~~(C) Name, physical address, and county of the sporting facility;~~

~~(D) Legal description to the nearest quarter section and GPS coordinates, if available, of the sporting facility;~~

~~(E) A map showing topography of the area with a diagram of the facility structures, fencing plan, and perimeter clearly marked;~~

~~(F) Whether the applicant has been convicted of a felony, misdemeanor, administrative, or civil violation of any natural resources requirements, including but not limited to wildlife, forestry, fisheries, environment, or animal health within the past three (3) years in Oklahoma or any other jurisdiction;~~

~~(G) Whether the property where the sporting facility is located is owned or leased;~~

~~(H) Driving directions from the nearest town; and~~

~~(I) Signature under oath "I certify under penalty of law this document, all attachments, and information submitted are to the best of my knowledge and belief, true, accurate, and~~

complete. I am aware there are significant penalties for knowingly submitting false, inaccurate, or incomplete information, including the possibility of fines for each violation."

(4) The owner or operator of a sporting facility shall submit a report describing all feral swine released into or killed at the sporting facility in a month by the 10th day of the following month using forms provided by the Department.

(c) Sporting facilities may have a gate device installed in the perimeter fence that allow for the ingress of additional feral swine but does not allow the egress of captive feral swine. These devices shall be inspected and approved by the Department within seven (7) days of installation.

~~(d) Effective July 1, 2013, the expiration date of all active licenses for sporting facilities shall be extended so that the active license expires on June 30, 2014. After July 1, 2013, sporting~~
Sporting facilities shall be licensed for a one year term terms beginning July 1 of each calendar year and ending on June 30 of the following calendar year. Beginning April 1, 2014, applications Applications for the renewal of a sporting facility license shall be due on April 1 of each calendar year.

(e) Feral swine shall not be commingled with any domestic livestock species in any sporting facility. Common pens, water sources or food sources accessible by both domestic livestock species and feral swine shall be prohibited. This subsection is not intended to prohibit a licensee from constructing a feral swine facility along the licensee's property line.

(f) Live feral swine shall not be transported from a sporting facility to any other location.

(g) The sporting facility shall collect a captive hog hunter's fee from each hunter using the sporting facility and remit fees collected to the Department on the 10th day of the month following the hunter's visit. The captive hog hunter's fee:

(1) Shall be collected only once from each hunter during a calendar year;

(2) Shall be valid for the calendar year in which it is purchased;

(3) Shall not restrict the number feral swine the hunter is permitted to kill; and

(4) Shall not restrict the number of visits a hunter may make to any sporting facility.

35:15-34-7. Handling facilities

(a) An owner or operator shall obtain a handling facility license prior to operation of any new handling facility.

(b) The owner or operator of a handling facility shall maintain a perimeter fence at least forty-eight (48) inches tall made of solid walls, game fence, or other material constructed in a manner adequate to reasonably prevent the escape of enclosed feral swine, and the unsolicited additions of feral swine from outside the enclosure.

(c) The owner or operator of a handling facility or operator shall keep the following records of the following using forms provided by the Department:

(1) Number of head of feral swine added to the facility and the date such swine were added to the facility The name and license number of each consignor or consignee releasing feral swine into or transporting feral swine from the handling facility and the corresponding date and number of feral swine released or transported;

(2) Name, address, and telephone number of the person who provided the feral swine The number of feral swine that are killed at the facility and corresponding dates; and

(3) Destination of any removed feral swine; and The number of feral hogs that die of natural causes at the facility and corresponding dates.

~~(4) Number of head removed from the facility, method of removal, date of removal, and the name, mailing address, and phone number of any consignee.~~

(d) The owner or operator of a handling facility shall submit a report describing all feral swine released into, killed, or dying by natural causes at the handling facility in a month by the 10th day of the following month using forms provided by the Department.

~~(d)~~ (e) Any person applying for a handling facility license shall provide the following information on a form prepared by the Department:

(1) Name, mailing address, email address and telephone number of the owner;

(2) Name, mailing address, email address, and telephone number of the operator, if different from the owner;

(3) Name, physical address, and county of the handling facility;

(4) Legal description to the nearest quarter section and GPS coordinates, if available, of the handling facility;

(5) A map showing topography of the area with a diagram of the facility structures, fencing plan, and perimeter clearly marked;

(6) Method of carcass disposal for the facility, including carcass storage sites, carcass burial areas, incineration approval, rendering company, composting plan, or landfill.

(7) Whether the applicant has been convicted of a felony, misdemeanor, administrative, or civil violation of any natural resources requirements, including but not limited to wildlife, forestry, fisheries, environment, or animal health within the past three (3) years in Oklahoma or any other jurisdiction;

(8) Whether the property where the handling facility is located is owned or leased;

(9) Driving directions from the nearest town; and

(10) Signature under oath "I certify under penalty of law this document, all attachments, and information submitted are to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for knowingly submitting false, inaccurate, or incomplete information, including the possibility of fines for each violation."

~~(f) Effective July 1, 2013, the expiration date of all active licenses for handling facilities shall be extended so that the active license expires on June 30, 2014. After July 1, 2013, handling~~ Handling facilities shall be licensed for a one year term terms beginning July 1 of each calendar year and ending on June 30 of the following calendar year. Beginning April 1, 2014, applications Applications for the renewal of a handling facility license shall be due on April 1 of each calendar year.

(g) Feral swine shall not be commingled with any domestic livestock species in a handling facility. Common pens, water sources or food sources accessible by both domestic livestock species and feral swine shall not be permitted. This subsection is not intended to prohibit a licensee from constructing a feral swine facility along the licensee's property line.

35:15-34-10. Carcass disposal

(a) Owners and operators of feral swine facilities shall comply with all carcass disposal requirements.

(b) The following methods may be used for disposal of carcasses from a feral swine facility:

(1) Rendering, or composting are the preferred methods of disposal; and

(2) Landfill, If rendering or composting are impractical, the owner or operator may use incineration, burial or landfill as disposal methods.

~~(3) Burial, or~~

~~(4) Incineration, or~~

~~(5) Composting.~~

(c) Carcass disposal areas shall be located a minimum of thirty (30) feet from any live swine.

(d) The owner or operator shall comply with Title 2, Section 2-18.1 and Title 21, Sections 1222, 1223, and 1224 at all times.

(e) At the request of the Department, licensees shall make carcasses available for disease testing at the Department's expense.

35:15-34-13. License fees

(a) Sporting facilities that are not licensed as a commercial hunting area by the Oklahoma Department of Wildlife Conservation:

(1) Application fee - \$325.

(2) Renewal fee - \$200.

(b) Handling facility:

(1) Application fee - ~~\$125~~ \$200.

(2) Renewal fee - ~~\$75~~ \$100.

(c) Transporter:

(1) Application and renewal fee - \$25.

(d) Captive hog hunter - \$25.

35:15-34-19. Feral swine free zone

(a) Cimarron, Texas, Beaver, Harper, Woods, Ellis, Woodward, Major, Garfield, Grant, Alfalfa counties shall be a feral swine free zone.

(b) Transportation of feral swine into or through a feral swine free zone is prohibited.

(c) Feral swine facilities are prohibited within any feral swine free zone established by the Board. Licenses for feral swine facilities existing within any feral swine free zone established by the Board shall not be renewed.

(d) Hunting, capturing or transporting feral swine from an established feral swine free zone shall be permitted only if the person hunting or taking feral swine immediately reports any sighting, capture or kill to the Department.

(e) The Board of Agriculture may employ private or public entities to eradicate feral swine anywhere in the State of Oklahoma.

RULE IMPACT STATEMENT

TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY CHAPTER 15. ANIMAL INDUSTRY

- (A) **PURPOSE OF THE PROPOSED RULE:**
The proposed rule amendments adopt aggressive measures for the eradication of feral swine in the State of Oklahoma; establishes a feral swine free zone; revises definitions; revises rules for the importation and transportation of feral swine; revises requirements for licensing and permits, and adds new fees.
- (B) **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, hold, or transport, feral swine. No cost impacts have been received to date.
- (C) **PERSONS WHO WILL BENEFIT FROM THE PROPOSED RULE:**
Due to the detrimental impact of feral swine on agricultural production and natural resources, persons who rely agriculture or natural resources will benefit from the proposed rules.
- (D) **DESCRIPTION OF THE PROBABLE IMPACT OF THE PROPOSED RULE UPON AFFECTED CLASSES OF PERSONS:**
Due to the detrimental impact of feral swine on agricultural production and natural resources, persons who rely agriculture or natural resources will benefit from the proposed rules.
- (E) **PROBABLE COST AND BENEFITS TO AGENCY; SOURCE OF REVENUE FOR IMPLEMENTATION AND ENFORCEMENT OF THE PROPOSED RULE:**
No additional cost to the Department is anticipated by the proposed rules.
- (F) **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.
- (G) **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.

(H) 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.

(I) 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.

(J) 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.

(K) DATE RULE IMPACT STATEMENT WAS PREPARED:

This rule impact statement was prepared on December 22, 2015.

**TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND
FORESTRY**

CHAPTER 30. CONSUMER PROTECTION

SUBCHAPTER 17. COMBINED PESTICIDE

**PART 1. COMMERCIAL AND NON-COMMERCIAL CATEGORIES OF PESTICIDE
APPLICATION**

35:30-17-1. License Categories

License categories of pesticide application are as follows:

(1) 1a: Agricultural Plant Category - Includes the application of pesticides to agricultural crops, agricultural grassland, and noncrop agricultural land. This category does not include the production of trees for any purpose.

(2) 1b: Agricultural Animal Category - Includes the application of pesticides to animals, including those in feedlots, sales barns, egg production facilities and the animal holding facilities. This excludes Doctors of Veterinary Medicine applying pesticides as drugs or medication during the course of their normal practice.

(3) 2: Forest Pest Control Category - Includes the application of pesticides in forest nurseries, forest seed production areas, trees grown for the production of forestry products, and other forest areas.

(4) 3a: Ornamental and Turf Outdoor Pest Control Category - Includes the application of pesticides within residential or business areas to lawns, ornamental trees and shrubs, including park areas, golf courses, and other recreational areas, except as defined under licensed categories 2, 3b-c, 7, and 8.

(5) 3b: Interiorscape Category - Includes the application of pesticides to interior plantings inside structures (i.e. hospitals, buildings, shopping malls, etc.) excluding residential structures with the exception of common use areas of multiple residential structures (i.e. foyers, atriums, indoor swimming pools, management offices, meeting rooms, etc.) except as defined under licensed categories 3c, 7, and 8.

(6) 3c: Nursery/Greenhouse Category - Includes the application of pesticides in nursery and greenhouse facilities and to fields except as defined under licensed categories 2 (Forest Pest Control).

(7) 4: Seed Treatment Category - Includes the application of pesticides to seed for any purpose.

(8) 5: Aquatic Pest Control Category - Includes the application of pesticides to standing or running water in man-made or natural impoundments, streams, etc. This excludes public health activities (e.g. mosquito control) and water in totally closed systems.

(9) 6: Right-of-Way Category - Includes the application of pesticides for public road maintenance, power line maintenance, railroad right-of-way, storage tank areas, and other similar areas.

(10) 7a: General Pest Control Category - Includes the application of pesticides within and immediately adjacent to a structure, except for fumigation activities, control of termites and other wood destroying organisms in or on a structure, and control of birds or predatory animals. "Immediately adjacent to a structure" means not further than three (3) feet from the structure. Applications to restaurants are permitted in this category.

- (11) 7b: Structural Pest Control Category - The application of pesticides for the purpose of controlling termites and other wood destroying organisms in or on a structure, including wood borers and fungus.
- (12) 7c: Fumigation Category - The use of liberated gas within a structure or storage area, to include railcars, ships, etc.
- (13) 8: Public Health Pest Control Category - The application of pesticides by local, state, federal or other governmental employees or commercial pesticide applicators in public health programs, to include municipal and other areawide mosquito control programs.
- (14) 9: Regulatory Pest Control Category - Includes the application of pesticides by state, federal or other government employees for the control of designated regulated pests.
- (15) 10: Demonstration and Research Pest Control Category - Includes persons engaged in the application of pesticides for scientific research or for the purpose of demonstrating pesticide products or methods of application.
- (16) 11a: Bird and Vertebrate Animal Pests Control Category - The application of pesticides for the control of birds or vertebrate animals pests and subject to the rules of the Oklahoma Department of Wildlife Conservation and the Wildlife Services Division of the Board.
- (17) 11b: Predatory Animal Control Category - The application of pesticides for the control of predatory animals and subject to the rules of the Oklahoma Department of Wildlife Conservation, and the Wildlife Services Division of the Board.
- (18) 12a: Pressure Facility Timber Treating Category - Includes the treatment of wood in a pressure treating facility by the impregnation or application of chemical solutions for the purpose of retarding or preventing deterioration or destruction by insects, fungi, bacteria, or other wood destroying organisms.
- (19) 12b: Ground Line Utility Pole Timber Treating Category - Includes the ground line treatment of utility poles with chemical solutions for the purpose of retarding or preventing deterioration or destruction by insects, fungi, bacteria, or other wood destroying organisms.
- (20) 12c: Construction Industry Timber Treating Category - Includes the application of chemical solutions to wood members of structure which will be covered by paint, varnish, or similar covering for the purpose of retarding or preventing deterioration or destruction by insects, fungi, bacteria, or other wood destroying organisms.
- (21) 12d: Home Owner Timber Treating Category - Includes the application of chemical solutions to wood constructions around the home, including decks, for the purpose of retarding or preventing deterioration or destruction by insects, fungi, bacteria, or other wood destroying organisms.
- (22) 13: Antimicrobial Category - Includes applications of an antimicrobial pesticide intended to disinfect, sanitize, reduce, or mitigate growth or development of microbiological organisms or protect inanimate objects, industrial processes or systems, surfaces, water, or other chemical substances from contamination, fouling, or deterioration caused by bacteria, viruses, fungi, protozoa, algae, or slime.
- ~~(22)~~ (23) 14: Specialty Category - Includes any area of pesticide application not defined in Category 1 thru 12 when the pesticide to be used is classified as restricted.

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 applicator and a properly registered pesticide but does not receive compensation for the recommendation.

PART 3. CERTIFICATION, CONDUCT OF EXAMINATIONS, AND RECERTIFICATION

35:30-17-4. Examination of applicants for certification

- (a) The written examination for certification of commercial and noncommercial applicators shall include two (2) phases. Phase I shall consist of general knowledge common to all licensed categories and shall be successfully completed before examination is attempted in any license category. Phase II shall consist of specific knowledge for each licensed category. An applicant may test in as many different categories as desired.
- (b) A practical examination shall also be required for commercial and noncommercial applicators in the following categories: Structural Pest, General Pest, Fumigation, and Food Processing. An individual shall successfully complete the practical examination within twelve (12) months of passing the Phase II written examination in the above categories. Failure to meet the twelve (12) month deadline shall require an individual to re-take the Phase II written examination.
- (c) The practical examination shall be conducted at the training facility at Oklahoma State University and includes the successful completion of an approved training program which demonstrates a thorough knowledge in the handling of pesticides, labels and labeling requirements, storage, transportation, mixing, application, disposal, insect biology and safety. The facility at Oklahoma State University meets the following conditions for treatment in the Structural Pest Category: crawl space, voids, and a concrete floor, garage floor, or patio slab.
- (d) A service technician shall be certified upon successful completion of a written service technicians examination. An individual shall not act, do business, or advertise as a service technician unless a service technician identification has been issued by the Board. A service technicians' identification shall be issued in the name of the licensed entity. The licensee shall return the service technician identification to the Board upon termination of the employee. A service technician identification shall be valid for five (5) years unless suspended, canceled, revoked, or the service technician is no longer employed by the licensed entity. Recertification may be required at any time by the Board. The Department may issue a service technician identification upon completion of the following:
- (1) A determination is made by the Department that the applicant has successfully completed the written examination;
 - (2) The licensed entity provides a completed service technician identification application form at the time of testing; and
 - (3) All appropriate fees are paid at the time of testing.

(e) Private applicators shall complete a certification form and an education program or written examination as required by the Board. Private applicators in the Fumigation category shall be required to complete the certification form and a closed book written exam and successfully complete the Fumigation practical at the training facility at Oklahoma State University within twelve (12) months of passing the Fumigation written exam.

(f) An individual shall not act, do business, or advertise as a certified applicator unless all qualifications and standards required by the Board have been met. A certificate in any category shall be valid for five (5) years unless suspended, canceled, or revoked. Recertification may be required by the Board, but shall not exceed one recertification in a five (5) year period.

(g) Successful completion of any written examination shall be a score of 70% or greater.

(h) The Department may require that an individual seeking a certified applicator or service technician certification demonstrate the capability to read and write with sufficient proficiency to comprehend the content and instructions of a pesticide label.

35:30-17-6. Recertification

(a) Each certified applicator shall seek recertification every five (5) years.

(b) A certified applicator shall either pass a written examination or earn a specified number of Continuing Education Units (CEU) approved by the Department to successfully complete recertification. Approximately one (1) hour of education shall be the equivalent of one (1) 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 - ~~Specialty Category~~ Antimicrobial:
 - (A) Total in five years - 5 CEU
 - (B) Maximum in any one year - 2 CEU
- (21) 14 - ~~Aerial~~ 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

(c) No more than one-half (1/2) of the total credit units shall be accepted for any one (1) 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 (1) category.

(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) 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.

PART 5. PREREQUISITES FOR LICENSING

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 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.

(d) (f) A commercial pesticide applicator with a single business identity or name but operating from more than one business location shall be licensed at each separate business location.

(e) (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.

(f) (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.

(g) (i) A franchised business shall have a separate license and a separate certified applicator at each business location.

(h) (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.

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) ~~2014 Revision~~ (2015 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

35:30-17-17.3 Pesticide and device labeling

The Department adopts the same requirements for pesticide and device labeling found at 40 CFR § 156.10.

(1) The Department shall accept a copy of the latest fully corrected label accepted by the United States Environmental Protection Agency (EPA) for federal registration of the pesticide provided the label is compliant with labeling requirements existing when the label was submitted to the Department. Additionally, a true and correct copy of the pesticide product label as it appears on the package or container in the marketplace and a copy of the safety data sheet (SDS) shall be submitted with each registration application.

(2) The Department shall accept a copy of the latest fully corrected label accepted by the EPA for federal registration of the device provided the label is compliant with labeling requirements existing when the label was submitted to the Department. Additionally, a true and correct copy of the pesticide product label as it appears on the package or container in the marketplace.

(3) For pesticides exempt from federal registration pursuant 7 USC § 136w(b) (referred to as "FIFRA 25(b) products"), the Department shall accept a true and correct copy of the pesticide product label as it appears on the package or container in the marketplace and a copy of the safety data sheet (SDS) shall be submitted with each registration application.

(4) Notwithstanding the foregoing, Federally accepted labeling does not obligate the Department to register any pesticide or device for use in the State. The Department may refuse to register a product if the Department determines there is insufficient credible evidence concerning the formulation, efficacy, or suitability for use in Oklahoma.

(5) Before registering a pesticide or device for use in Oklahoma, the Department may require the submission of satisfactory data from the registrant supporting any claims about the formulation, efficacy, or suitability for use in Oklahoma.

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 ~~not suitable or safe~~ 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.

(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.

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:

(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 ~~considered a use that is not suitable or safe 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.

PART 15. MINIMUM STANDARDS FOR TERMITE WORK FOR EXISTING STRUCTURES

35:30-17-69.2. Exceptions to minimum standards

(a) Exceptions to minimum standards for a complete treatment shall include the following:

- (1) The property owner agrees with the written explanation in the contract as to why the standard was not performed. Sections 35:30-17-66 and 35:30-17-69 shall in no case be written out of the contract; or
 - (2) The termiticide label specifically allows for a variation and the variation is stated in the contract.
- (b) Exceptions to minimum standards for a spot or partial treatment shall include the following:
- (1) The property owner agrees with the written explanation in the contract as to why the standard is not performed, or the termiticide label specifically allows for a variation and the variation is stated in the contract. Sections 35:30-17-66 and 35:30-17-69 shall in no case be written out of the contract.
 - (2) The contract shall include the statement, "This is a SPOT/PARTIAL treatment," or otherwise clearly convey that the treatment is not a complete termite treatment.
 - (3) The contract shall specifically identify the exact location where the spot treatment is performed and the treatment shall meet all minimum standards for the specific location identified. The identified spot treatment location shall not be equal to the entire structure.
 - (4) The contract shall not contain any misrepresentations or false claims regarding the effectiveness of a spot or partial treatment.
- (c) The Board of Agriculture may grant an exception to existing rules or minimum standards if:
- (1) The registered pesticide allows for the use or application method that is currently prohibited under rule or minimum standards; and
 - (2) The manufacturer provides verifiable research data to the Board concerning the efficacy of the chemical or methodology.

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) ~~2014 Revision~~ (2015 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.

RULE IMPACT STATEMENT

TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY CHAPTER 30. CONSUMER PROTECTION

(A) **PURPOSE OF THE PROPOSED RULE:**

The proposed amendments update incorporations by reference to the Code of Federal Regulations, expand license categories and related education requirements, revise the requirements for a consultant license, requires sufficient English language proficiency to obtain certain licenses requiring the comprehension of pesticide labels and instructions, add requirements for pesticide and device labeling, and allow for exceptions to minimum standards under certain conditions.

(B) **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 Combined Pesticide rules or are otherwise exposed to pesticides or devices. No cost impacts have been received.

(C) **PERSONS WHO WILL BENEFIT FROM THE PROPOSED RULE:**

Persons regulated by the Department's Combined Pesticide rules or are otherwise exposed to pesticides or devices will benefit from the proposed rule amendments.

(D) **DESCRIPTION OF THE PROBABLE IMPACT OF THE PROPOSED RULE UPON AFFECTED CLASSES OF PERSONS:**

The proposed rules clarify and revise licensing requirements for pesticide applicators and service technicians and prohibit certain activities that pollute the environment.

(E) **PROBABLE COST AND BENEFITS TO AGENCY; SOURCE OF REVENUE FOR IMPLEMENTATION AND ENFORCEMENT OF THE PROPOSED RULE:**

No additional cost to the Department is anticipated by the proposed rule amendments.

(F) **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.

(G) **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.

(H) **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.

(I) **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.

(J) **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.

(K) **DATE RULE IMPACT STATEMENT WAS PREPARED:**

This rule impact statement was prepared on October 30, 2015.

**TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND
FORESTRY
CHAPTER 40. MARKET DEVELOPMENT**

**SUBCHAPTER 5. AGRICULTURE ENHANCEMENT AND DIVERSIFICATION
PROGRAM**

PART 1. DEFINITIONS

35:40-5-1. Definitions

The following words or terms, when used in this Subchapter, shall have the following meaning, unless the context clearly indicates otherwise:

~~"Advisory Board" means the Oklahoma Agriculture Enhancement and Diversification Advisory Board.~~

"**Agricultural product**" means a product of cultivating the soil, growing crops, or raising livestock, horticultural commodity, silvicultural commodity, or agricultural product, horticultural product, viticulture, or silvicultural product, or bees and honey, planting seed, rice, livestock or livestock product, or poultry or poultry product, produced in this state, either in its natural state or as processed by the producer.

"**Agricultural producer**" means a person engaged in the business of cultivating, growing, raising, or processing for commercial purposes an agricultural commodity.

"**Agritourism**" means a working farm or ranch that is open to the public for purposes of purchasing products, public learning opportunities, recreational activities and stimulate economic growth and viability in rural communities by promoting and fostering agritourism ventures in Oklahoma.

"**Applicant**" means a person who is requesting loans or grants from the Oklahoma Agriculture Enhancement and Diversification Program.

"**Application**" means a form provided by the ~~Advisory Board~~ Department, that is used to request funds in the form of a loan or grant.

"**Board**" means the State Board of Agriculture or its designee.

"**Borrower**" means an individual, group of individuals, or an individual acting on behalf of a group or a corporation, which have been lent funds, as a loan.

"**Contract**" means a signed agreement between the State Board of Agriculture and the borrower or grantee outlining the terms and conditions of the loan or grant, including repayment schedules and other guidelines.

"**Cooperative**" means a group of individuals working together, who have an informal or formal agreement.

"**Family farm**" means a single family unit or multiple family members of the same lineage engaged in the business of producing or causing to be produced for commercial purposes an agriculture commodity.

"**Grant**" means funds awarded to an entity by the ~~Advisory~~ State Board of Agriculture, with no reimbursement required.

"**Grantee**" means an individual, group of individuals, or an individual acting on behalf of a group or a corporation that has been awarded funds as a grant.

"Loan" means funds provided by the Advisory State Board of Agriculture. Terms and conditions of the loan shall be outlined in a contract between the State Board of Agriculture and the borrower.

"Nontraditional crops" "nontraditional livestock" means any crops, livestock or agricultural products except wheat, corn, soybeans, milo, peanuts, cotton, hay, oats, beef cattle, dairy cattle, swine, poultry, and equine.

"Proposal" means a portion of the application that includes the executive summary, project narrative, list of funding sources and a breakdown of planned expenditures by those sources and the project budget.

PART 3. APPLICANT ELIGIBILITY

35:40-5-31. Applicant eligibility

(a) ~~All applicants~~ An Applicant shall be individual person of at least 21 years of age and ~~shall reside and be~~ a legal resident of the state of Oklahoma, Oklahoma corporation or legal entity, or Oklahoma governmental subdivision.

(b) Eligibility may be given to those applicants whose:

- (1) Projects demonstrate a shared commitment for funding or in kind services from the applicant and other private or public sources, if any;
- (2) Industrial and nonfood production processes utilize agricultural products;
- (3) Food, feed and fiber products and their uses are innovative and add to the value of agricultural products;
- (4) Applications demonstrate a high feasibility of job creation and return-on-investments;
- (5) Proposals demonstrate a high feasibility of rapid commercialization;
- (6) Proposals center efforts on non-urban locales;
- (7) Principals are individuals, a group of individuals, an individual acting on behalf of a group, or corporations which meet the criteria set forth in Section 951 of Title 18 of the Oklahoma Statutes, to market a product or formulate or implement a marketing plan for products which have not been marketed through existing marketing cooperatives;
- (8) Proposals contain the potential to create additional income for the farm unit;
- (9) Proposals provide for new innovative plans for marketing the product;
- (10) Proposals feature research that is innovative as well as commercially feasible: or
- (11) Proposals shall result in creation or expansion of viable agritourism venues.

(c) Eligibility may be given for new agricultural event applicants that:

- (1) Highlight an agricultural commodity;
- (2) Include an educational component;
- (3) Enhance the economic impact of the agricultural commodity;
- (4) Impact a large geographic region of the state; and
- (5) Are endorsed by a governmental subdivision or local Chamber of Commerce.

(d) Eligibility may be given for an established agricultural event applicants that:

- (1) Enhance the economic impact of an agricultural commodity;
- (2) Include an educational component;
- (3) Include proposals to increase participation and attendance;
- (4) Are endorsed by a governmental subdivision or local Chamber of Commerce; and
- (5) Provide supporting documents demonstrating the economic impact of prior agricultural events.

~~(e)~~(e) Consideration shall not be given to applications for:

- (1) Research or marketing plans which do not clearly meet the stated objectives of the Oklahoma Agriculture Enhancement and Diversification Program;
- (2) Proposals which are aimed solely at business expansion or creation without regard to agricultural products utilization; and
- (3) Research or marketing plans that cannot reasonably be expected to result in a viable commercial application, or that are or have been duplicated by other research efforts.

PART 5. EVALUATION AND FUNDING CRITERIA

35:40-5-51. Evaluation and funding criteria

~~(a)~~ The State Board of Agriculture delegates the evaluation of applications for loans or grants to the Advisory Board. The Advisory Board Department shall evaluate each proposal. The Advisory Board shall provide a report to the State Board of Agriculture of funding of loan or grant proposals. Each Advisory Board member's evaluation shall be based upon one hundred possible points, according to the following criteria:

- ~~(1) An evaluation of the likelihood of the proposal's success.~~
- ~~(2) Demonstration of a high probability of job and wealth creation.~~
- ~~(3) A review of credibility, merit, technical, and commercial feasibility; innovative and commercially plausible research; and relative competence and technical qualifications of project principals.~~
- ~~(4) Demonstration that the proposal can be implemented quickly and has a high probability of rapid commercialization.~~
- ~~(5) Demonstration of a shared commitment for funding from other private or public sources or the applicant in the form of cash, in-kind services, or both. Indirect costs may qualify as matching funds. Preference shall be given to the applications with shared cash funding however, disbursement of funds shall be contingent upon evidence that matching funds have been allocated to the proposal.~~
- ~~(6) Centering of efforts on non-urban or rural locales except when the proposal requires specific research that cannot possibly be carried out in rural Oklahoma, consideration shall be given to the ultimate development and commercialization of the results of the proposal, with the same rural preference.~~

(b) Each application evaluation shall be based on the following criteria:

- (1) An evaluation of the likelihood of the proposal's success.
- (2) Demonstration of a high probability of job and wealth creation.
- (3) A review of credibility, merit, technical, and commercial feasibility; innovative and commercially plausible research; and relative competence and technical qualifications of project principals.
- (4) Demonstration that the proposal can be implemented quickly and has a high probability of rapid commercialization.
- (5) Demonstration of a shared commitment for funding from other private or public sources or the applicant in the form of cash, in-kind services, or both. Indirect costs may qualify for matching funds. Preference shall be given to the applications with shared cash funding however, disbursement of funds shall be contingent on the production of evidence that matching funds have been allocated to the proposal.

(6) Centering of efforts on non-urban or rural locales except when the proposal requires specific research that cannot possibly be carried out in rural Oklahoma, consideration shall be given to the ultimate development and commercialization of the results of the proposal, with the same rural preference.

(c) Each application evaluation for new or established agricultural events shall be based on the following criteria:

- (1) The completeness of the application;
- (2) The likelihood of success;
- (3) Level of economic impact of the agricultural event;
- (4) A review of educational component;
- (5) The impact to Oklahoma agriculture;
- (6) The size of geographic region of the state impacted;
- (7) The use of grant funds; and
- (8) Endorsements by governmental subdivisions, local Chambers of Commerce, and other community organizations.

PART 7. PROCEDURE FOR LOAN OR GRANT REQUESTS

35:40-5-71. Applications for loan or grant requests

~~Contact the Market Development Services Division of the Oklahoma Department of Agriculture, Food, and Forestry for application guidelines. Applications for loans or grants are limited to the equivalent of twenty (20) typed, single-spaced or double-spaced eight and one-half inch by eleven inch pages including any attachments. Fifteen (15) copies of the proposal shall be delivered to the Oklahoma Agriculture Enhancement and Diversification Advisory Board in care of the Oklahoma Department of Agriculture, Food, and Forestry, P.O. Box 528804 Oklahoma City, OK 73152. Applications shall be submitted electronically to the Oklahoma Department of Agriculture, Food and Forestry.~~

PART 9. SUPPLEMENTAL PROGRAM INFORMATION

35:40-5-91. Supplemental program information

(a) Proposals are not limited to a specific dollar amount. ~~However, the Advisory Board's loan or grant moneys are finite.~~ The ~~Advisory Board~~ Department reserves the right to recommend an increase or decrease in the amount of requested funding based on its findings and on its level of available funds.

(b) Proposals may be submitted at ~~anytime~~ any time. Deadline dates for submissions are January 1st, April 1st, July 1st, and October 1st or the next regular business day if the Department offices are closed on the day specified. Reviews for loan and grant requests shall be made on a quarterly basis.

(c) The Oklahoma Department of Agriculture, Food, and Forestry shall complete initial screening for completeness and eligibility of all proposals upon receipt. Should revisions or corrections be deemed necessary, the applicant may withdraw and resubmit so long as they submit the revision by the deadline dates. ~~Each proposal shall be considered individually by the Advisory Board. A decision to accept, modify, or deny each shall then be made, by majority vote of at a quorum of the Advisory Board.~~ Should the ~~Advisory Board~~ Department ~~adopt~~ recommend a funding level less than the amount requested in the proposal, the ~~Advisory Board~~ Department shall confer with the applicant to determine whether the amount recommended would alter the

project's feasibility. No ~~member of the Advisory Board~~ individual may participate in, or vote on, a decision of the ~~Advisory Board~~ on an application relating to an organization in which that individual has a direct personal financial interest.

(d) Following approval of the loan or grant request by the State Board of Agriculture, a formal loan or grant contract shall be executed between the Board and the borrower or grantee. This agreement shall specify the agreed upon objectives, tasks to be performed, time line and budget, fund release schedule, and any other conditions specific to the individual proposal. Under the terms of all loan or grant contracts, the borrower or grantee shall submit an interim report to the ~~Advisory Board~~ Department for approval that outlines the projects progress, time lines, and budget compliance prior to the Department issuing each of the subsequent payments. In most cases, the entire loan or grant amount shall not be released at the time of the ~~Advisory Board's~~ decision. The release of funds shall be tied to the loan or grant contract, and any insufficiencies with the contract may result in withholding of further funding. Grant awards exceeding \$2,500 shall be disbursed in two or more installments to the grantee. Borrowers and grantees shall submit a comprehensive final written report describing the work performed and the results obtained no later than sixty (60) days after completion of the contract. This comprehensive report shall be supplemented by the financial report of all expenses actually incurred and income generated by the project.

(e) To protect the investment of the Board and of the people of Oklahoma, those financial documents, books, receipts, orders, expenditures, electronic data, and accounting procedures and practices of the borrower or grantee necessary to evaluate the use of loan or grant funds are subject to examination by or for the ~~Advisory Board~~ Department at any time for three years following the termination of the project.

(f) Oklahoma Agriculture Enhancement and Diversification loan or grant funds may be used to ~~pay salaries~~, buy supplies, and cover day-to-day expenses of the project.

(g) To the extent allowed under Oklahoma law, the ~~Advisory Board~~ Department may limit the dissemination of information concerning a proposal, but in any event, does not assume any liability for inadvertent disclosure.

(h) Subject to the policies, if any, of participating public programs and entities, rights to use products, processes, or services developed under this loan or grant program shall remain with the borrower or grantee. Subject to the same policies, all rights to project outcomes may revert to the ~~Advisory Board~~ Department if the borrower, grantee or assignee fails to market the product, process, or service in accordance with individually negotiated funding contracts. In such cases, the ~~Advisory Board~~ Department shall provide notice and the opportunity to others to assume control of research projects. In these cases, priority shall be given to any licensee under such property or others who benefit Oklahoma commercially, with first priority being given to small firms in non-urban areas of the state.

(i) In certain cases, the ~~Advisory Board~~ Department may receive royalties on the sale or lease of any product, process, or service developed under the ~~Advisory Board~~ loan or grant. Royalty agreements shall be negotiated at the time of the loan or grant contract and shall be structured so that the ~~Advisory Board~~ Department can recover a portion of its investment of public funds. Repaid funds shall be used to make new investments in other Oklahoma Agriculture Enhancement and Diversification Program projects.

(j) In the event that a grantee or loan recipient fails to comply with the terms of the agreement, including but not limited to failure to pay back loans pursuant to the terms outlined in the Agreement or failure to submit reports in a timely manner, the grantee or loan recipient shall not

participate in any events sponsored by any program of the Oklahoma Department of Agriculture, Food, and Forestry related to market development.

(k) Failure to complete the terms of the agreement shall result in an audit and collection activities by the Oklahoma Department of Agriculture, Food, and Forestry.

PART 11. TERMS OF LOANS OR GRANTS

35:40-5-111. Terms of loans or grants

(a) ~~Funds~~ Loan funds shall be provided ~~in the form of a~~ at zero interest loan with repayment terms determined by the Board. Repayment of loans in an amount of \$20,000.00 or less shall begin three (3) years from the date funds are initially issued to the borrower and shall be completed in not more than three (3) years. Repayment of loans in an amount over \$20,000.00 shall begin three (3) years from the date funds are initially issued to the borrower and shall be completed in not more than five (5) years. Loan repayments shall be in equal installments as specified in the loan contract.

(b) In the event the facility or project fails to succeed, the borrower may submit in writing, a petition to the ~~Advisory Board~~ Department to convert the balance from a loan to a grant. ~~Petitions to convert loans to grants may be considered by the Advisory Board at the next available quarterly meeting following receipt of the petition.~~ Petitions recommended for approval ~~by the Advisory Board~~ shall be submitted to the State Board of Agriculture for final determination.

(c) Grant funds for Farm Diversification, agritourism venue development and expansion, and Basic and Applied Research projects may be awarded specifically as grants of in amounts up to but not exceeding \$10,000.

(1) Grants awarded for less than \$2,500 shall not be required to provide matching funds.

(2) Grants awarded for ~~\$2,500~~ \$2,501 to \$5,000 shall require a matching contribution of funds or in-kind.

(3) Grants awarded in excess of ~~\$5,000~~ \$5,001 shall require a dollar for dollar ratio of matching dollars.

(d) Grant funds for Agriculture events may be awarded in amounts up to but not exceeding \$10,000.

(1) Grants awarded in the amount of \$2,500 or less shall have supporting documents projecting an economic impact up to \$5,000.

(2) Grants awarded in the amount of \$2,501 to \$5,000 shall have supporting documents projecting an economic impact of \$5,001 to \$75,000.

(3) Grants awarded in the amount of \$5,001 to \$10,000 shall have supporting documents projecting an economic impact of more than \$75,000.

PART 19. DISBURSEMENTS

35:40-5-191 Disbursements

(a) Upon final approval of the proposal by the State Board of Agriculture, ~~and~~ completion of a ~~mutually agreed upon~~ contract, and issuance of a purchase order, applicants shall receive ~~one-third (1/3) of the total loan or grant amount for the proposed project~~ full or partial disbursements pursuant to the terms of the contract between the grantee and the Department.

(b) The grantee or borrower shall submit an invoice and ~~documents~~ documentation supporting expenditures with each interim report for approval to the ~~Advisory Board~~ Department prior to the disbursement of ~~each subsequent payment~~ payments.

PART 23. AGRICULTURE EVENT GRANTS

35:40-5-121. Agriculture Event Grants

(a) Agriculture event grants shall be for the purpose of creating a new agricultural event, highlighting an agricultural commodity, expanding the economic benefits of an established agricultural event, increasing agricultural productivity and participation, or enhancing economic impact of the event on local or regional commerce.

(b) An agricultural event grant shall include an educational component.

SUBCHAPTER 19. OKLAHOMA VITICULTURE AND ENOLOGY CENTER DEVELOPMENT REVOLVING FUND

35:40-19-1. Purpose

The purpose of the Oklahoma Viticulture and Enology Center Development Revolving Fund is to:

- (1) Develop viticulture-related and enology-related educational programs;
- (2) Develop technologies, strategies, or practices that aid in the production of grapes and wine in Oklahoma; and
- (3) Increase the positive economic impact of the Oklahoma wine industry on this state.

35:40-19-2. Definitions [RESERVED]

35:40-19-3. Eligibility

An applicant shall be eligible for funding assistance in the form of a grant from the Oklahoma Viticulture and Enology Center Development Revolving Fund if the applicant meets the following eligibility requirements:

- (1) An applicant shall be an institution of higher education in Oklahoma, a state agency or governmental subdivision of Oklahoma, or a trade group promoting grape or wine production industries within Oklahoma; and
- (2) Projects proposed by the applicant shall be limited to scientific research, education, product development, or marketing projects that support the purpose of the Oklahoma Viticulture and Enology Center Development Revolving Fund.

35:40-19-4. Evaluation

The Department shall evaluate applications for funding in the form of a grant from the Oklahoma Viticulture and Enology Center Development Revolving Fund and may consider some or all of the following factors:

- (1) Whether the application clearly meets the criteria of the Oklahoma Viticulture and Enology Center Development Revolving Fund purpose, goals, and objectives;
- (2) Whether the proposed project is commercially feasible, can be duplicated by other grape and wine producers, or will aid in the production of grapes and wine in Oklahoma and
- (3) Whether the outcome will provide a positive impact on the Oklahoma wine industry.

35:40-19-5. Submission of applications

(a) Applications shall be electronically submitted to the Department on a form designated by the Department.

(b) Applications shall identify the category of the proposed project and describe the goals and benefits of the proposed project, as follows:

(1) For projects related to scientific research, the application shall describe proposed research project and in what manner the project will benefit grape and wine production in Oklahoma;

(2) For projects related to education, the application shall describe the proposed educational coursework and in what manner the project will educate or provide technical assistance to individuals and businesses engaged in the grape or wine production industries within Oklahoma;

(3) For projects related to product development, the application shall describe the proposed project and in what manner the project improves the quality or variety of grapes or wine produced in Oklahoma; and

(4) For projects related to marketing, the application shall describe the proposed project and how the project will promote grapes and wines produced in Oklahoma.

35:40-19-6. Supplemental program information

(a) Following approval of the application, a contract shall be executed between the Department and the grantee. The Department shall not disburse grant funding to the grantee until the contract is executed and a purchase order is issued.

(b) The grantee shall not expend funds for the project until after receiving notice the purchase order has been issued.

(c) The contract shall specify the agreed upon objectives and tasks to be performed. The release of funds shall be tied to the completion of contract objectives. Failure to complete contract objectives may result in the Department withholding further funding and recovery of previously disbursed funds.

(d) Before December 31 of each year, the grantee shall submit a final report to the Department in a form specified by the Department. If the applicant received a grant the previous year, the final report shall be submitted before funds are disbursed for the following year.

35:40-19-7. Disbursements

(a) The grantee shall submit receipts supporting expenditures.

(b) Grant awards to any applicant shall not exceed \$50,000 per fiscal year.

RULE IMPACT STATEMENT

TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY CHAPTER 40. MARKET DEVELOPMENT

(A) **PURPOSE OF THE PROPOSED RULE:**

The proposed amendments incorporate changes to the Oklahoma Agriculture Enhancement and Diversification Act by HB 1437 (effective November 1, 2015) directing the Board of Agriculture to provide grants and loans from the Oklahoma Agriculture Enhancement and Diversification Program to "agricultural events"; and changes to the Oklahoma Viticulture and Enology Center Development Revolving Fund by SB 256 (effective November 1, 2015) directing the Board of Agriculture to administer the Fund.

(B) **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:**

Persons and organizations seeking funds from the Oklahoma Agriculture Enhancement and Diversification Program or Oklahoma Viticulture and Enology Center Development Revolving Fund will be affected by the proposed rules. No cost impacts have been received to date.

(C) **PERSONS WHO WILL BENEFIT FROM THE PROPOSED RULE:**

Persons and organizations seeking funds from the Oklahoma Agriculture Enhancement and Diversification Program or Oklahoma Viticulture and Enology Center Development Revolving Fund will benefit from the proposed rule amendments.

(D) **DESCRIPTION OF THE PROBABLE IMPACT OF THE PROPOSED RULE UPON AFFECTED CLASSES OF PERSONS:**

Persons and organizations seeking funds from the Oklahoma Agriculture Enhancement and Diversification Program or Oklahoma Viticulture and Enology Center Development Revolving Fund will be able to obtain funds for the purposes described in the authorizing statute.

(E) **PROBABLE COST AND BENEFITS TO AGENCY; SOURCE OF REVENUE FOR IMPLEMENTATION AND ENFORCEMENT OF THE PROPOSED RULE:**

No additional cost to the Department is anticipated by the proposed rule amendments.

(F) **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.

(G) **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.

(H) **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.

(I) **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.

(J) **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.

(K) **DATE RULE IMPACT STATEMENT WAS PREPARED:**

This rule impact statement was prepared on October 30, 2015.

Oklahoma Department of Agriculture, Food, and Forestry
MEMORANDUM

Date: March 1, 2016
To: Board of Agriculture
From: Market Development Services
Subject: Recommendation for Consideration

Consideration and Proposed Action on Agriculture Enhancement and Diversification Board
Recommendation to determine the following delinquent loan as uncollectable:

Funk Enterprises	\$ 11,666.67
Business dissolved	
Ol' Santa Fe	\$ 17,600.00
Statute of Limitations	



**OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND
FORESTRY
MARKET DEVELOPMENT SERVICES DIVISION**

FINAL ORDER

In the regular monthly meeting held on March 1, 2016, the Oklahoma State Board of Agriculture approved the Recommendation of the Agriculture Enhancement and Diversification Board to determine the following delinquent loans as uncollectable:

Funk Enterprises	\$ 11,666.67
Ol' Santa Fe	\$ 17,600.00

It is so ordered this 1st day of March, 2016



Jim Reese
President
State Board of Agriculture

