

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

RESCHEDULED Meeting

Via Teleconference Wednesday, October 14, 2020, 2:00 p.m.

Meeting Information:

Topic: Board of Agriculture Meeting

Join Zoom Meeting

<https://us02web.zoom.us/j/85747611150?pwd=cDdFY2t5ZnJpNzIOMnloeGRqd25Vdz09>

Meeting ID: 857 4761 1150

Passcode: OklaAg

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All Board Members Will Attend Via Teleconference

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

Wednesday, October 14, 2020
2:00 p.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 August 12, 2020.
6. Consideration and Proposed Action on Division Reports
 - A. Administrative Services – Dan Ridings
Summary of present financial condition of the agency and monthly activities in the following areas: Finance, Human Resources, Fleet Management, Data Processing and Agriculture Law Enforcement Investigators.
 - B. Laboratory Services – Tanna Hartington
Summary of analytical activities, customer contacts, and other pertinent information related to laboratory operations.
 - C. Forestry Services – Mark Goeller
Summary of activities and accomplishments in resource protection and rural fire defense, forest management and regeneration, water quality, urban forestry, forestry education and law enforcement. Includes statistics on wildfires and law enforcement activity and narrative of forestry program highlights for the month.
 - D. Consumer Protection Services – Kenny Naylor
Addresses stop sale orders on insect and disease infested crops, phytosanitary certificates issued, insect survey summaries, pesticide registration updates, pesticide inspections, seed program and seed laboratory updates, weights and measures reports, scanner inspections, grain warehouses and meetings attended by division personnel.

- E. Animal Industry Services – Rod Hall, DVM
Addresses information and activities of staff related to control and eradication of animal diseases affecting livestock and livestock market audits. It also addresses emergency response preparation and education for response to any outbreak of foreign, emerging and/or eradicated disease.
- F. Wildlife Services – Scott Alls
Summary of activities and accomplishments in wildlife damage management to protect state resources such as agriculture, property, natural resources, and public health and safety from wildlife damage and wildlife threats.
- G. Agricultural Statistics – Troy Marshall
Addresses the current crop conditions and livestock inventory numbers. Also included is a report on the number of information requests received, reports released during the previous month, reports to be released during the current month, and the meetings attended by Division personnel during the previous month.
- H. Market Development Services – Meriruth Cohenour
Summary of the accomplishments, projects and events of Ag in the Classroom, Agritourism, Communications, Domestic Marketing (Made in Oklahoma, Made in Oklahoma Coalition), Diversified Marketing (Farmers Market, Specialty Crop Block Grants, Farm to School), International Marketing, Market News and Rural Economic Development.
- I. Agricultural Environmental Management Services – Teena Gunter
Executive summary that addresses Swine Feeding Operations, registered poultry feeding operations and poultry waste applicators, National Pollutant Discharge Elimination System (NPDES), plus agricultural composting facilities. 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.
- K. Food Safety Services – Scott Yates
Addresses the inspection of meat, poultry, egg, and milk processing facilities to determine compliance with regulatory standards.
- L. Ag Communications and Outreach Update – Morgan Vance

7. Consideration and Proposed Action on Purchases/Contracts

Tulsa State Fair – Cares Funding Reimbursable Expense - \$16,242
Tablet Computers - \$38,000
Vehicle - \$19,500
Service Contract for HPLC-MSMS Triple Quadrupole System - \$27,693
FY21 – Christmas Tree Magnets - \$5,105.40
FY21 – Agritourism U-Pick Graphic Design Services - \$20,000
FY21 – Ag in the Classroom Harvest of the Month - \$10,000
Meat Processing Development and Expansion Grants - \$10,000,000
McGee Creek State Park Cooperative Agreement - \$7,500
OKC Landfill Agreement - \$29,040
General Services Administration Agreement \$3,310

8. Consideration and Proposed Action on Cases Resolved by Stipulations

Agricultural Environmental Management Services

Harvey Bishop, 21067 E CR 1200 Road, Keota, Oklahoma
Mark Dedmon, 13327 Blackford Road, Heavener, Oklahoma
Robert Erwin, 40112 E CR 1290, McCurtain, Oklahoma
Thai Le, 1070 Craig Road, Broken Bow, Oklahoma
Mong-Duyen Tran, 323 Red Arrow Road, Broken Bow, Oklahoma

Consumer Protection Service

Dollar General, 824 N. Sheb Wooley, Erick, Oklahoma
Mid-America Feeds, Inc., P. O. Box 11, Talala, Oklahoma
Turf Science of Oklahoma, P. O. Box 6158, Moore, Oklahoma

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

9. Consideration and Proposed Action on Cases Resolved by Consent Order

Agricultural Environmental Management Services

Hitch Enterprises, Inc., P. O. Box 1308, Guymon, Oklahoma
Eddie and Richard Robinson, P. O. Box 917, Holdenville, Oklahoma

10. Consideration and Proposed Action on Proposed Emergency Rule

MARKET DEVELOPMENT

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

Chapter 40. Market Development

Subchapter 5. Agriculture Enhancement and Diversification Program

Part 11. Terms of Loans or Grants

35:40-5-111. Terms of loans or grants [AMENDED]

11. Next Board meeting scheduled for **Wednesday, December 9, 2020** at Oklahoma City.
12. Old Business
13. New Business – Under the Open Meeting Act, this agenda item is authorized only for matters not known about or which could not have been reasonably foreseen prior to the time of posting the agenda or any revised agenda.
14. Adjournment

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

Oklahoma City, Oklahoma
August 12, 2020

The Oklahoma State Board of Agriculture met in regular session at 10:00 a.m., August 12, 2020, 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: Joe Farris
Brent Bolen
Blayne Arthur
Clay Burtrum
Karen Dodson

Others Present: Kandi Batts, Executive Secretary
Dan Ridings, Director, Administrative Services
Tanna Hartington, Director Laboratory Services
Mark Goeller, Director, Forestry Services
Kenny Naylor, Director, Consumer Protection Services
Dr. Rod Hall, Director, Animal Industry Services
Scott Alls, Director, Wildlife Services
Troy Marshall, Director, Agricultural Statistics
Ashley Bender, Market Development Services
James Rucker, Agricultural Environmental
Management Services and Office of General Counsel
Tommy Stephens, Food Safety Services

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

A motion was made by Ms. Dodson, seconded by Mr. Burtrum, to approve the minutes of the regular meeting of August 12, 2020, as presented.

The vote was as follows:

Farris	Abstain
Bolen	Aye
Arthur	Aye
Burtrum	Aye
Dodson	Aye

The motion carried.

A motion was made by Mr. Farris, seconded by Mr. Bolen, to approve the division reports with corrections made to section A-1.

The vote was as follows:

Farris	Aye
Bolen	Aye
Arthur	Aye
Burtrum	Aye
Dodson	Aye

The motion carried.

A motion was made by Mr. Burtrum, seconded by Ms. Dodson, to approve the following purchases/contracts as submitted and contained on pages 4 through 6.

The vote was as follows:

Farris	Aye
Bolen	Aye
Arthur	Aye
Burtrum	Aye
Dodson	Aye

The motion carried.

A motion was made by Ms. Dodson, seconded by Mr. Farris, to approve the Proposed Action on Stipulations as submitted and contained on pages 7 and 8.

Agricultural Environmental Management Services

Troy Keiss, 2827 State HWY 4, Smithville, Oklahoma
Ha Nguyen and Luan Ly, 17041 CR 504 Road, Jay, Oklahoma

Consumer Protection Services

Rose Spray Service, 130 Thompson Drive, Ada, Oklahoma

The vote was as follows:

Farris	Aye
Bolen	Aye
Arthur	Aye
Burtrum	Aye
Dodson	Aye

The motion carried.

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

A motion was made by Mr. Bolen, seconded by Ms. Dodson, to approve the Proposed Action on Proposed 2021 Board of Agriculture Meeting Dates as submitted and contained on pages 9 and 10.

The vote was as follows:

Farris	Aye
Bolen	Aye
Arthur	Aye
Burtrum	Aye
Dodson	Aye

The motion carried.

There are no Old business presented for the Board to take action upon. Ms. Dodson moved, Mr. Burtrum seconded, that the meeting be adjourned at 11:03 a.m.

By _____
President

ATTEST: _____
Executive Secretary

AUGUST 12, 2020 BOARD MEETING

PURCHASES/CONTRACTS

Administrative Services

Oklahoma Youth Expo, Inc., - \$20,000.00

Funding for OYE to host the Exhibition of the Youth at the Duncan Oklahoma Fall Classic, September 18th and 19th, 2020. This agreement is required due to the cancellation of the 2020 State Fair of Oklahoma. This emergency expense will be federally reimbursed as it's part of the agency's ongoing Covid-19 pandemic response efforts.

Consumer Protection Services

ESRI software maintenance contract for FY2021 to support GIS systems for the agency- \$5,626.00

Forestry Services

FY21 - \$20,000

Camp McFadden Invasive Species Project, \$20,000. This project is fund through Grant, Forest Health Invasive Plant Suppression 106648CPG, to be reimbursed by the United States Forest Service, in order to create an invasive species demonstration area primarily focusing on eastern redcedar management and Johnson grass removal. **Without** this project we will be unable to demonstrate the importance of active land management as well as the danger of invasive species onto our ecosystems and the importance of invasive species control in Oklahoma.

FY21: \$9,900

Heavy equipment repair for (2) 450 John Deere Dozers and (2) 650 John Deere Dozers. The repair consists of replacing the track pads on each dozer. The labor for the repair will be completed in house. The funding for these purchases will come from Forestry's vehicle/equipment maintenance budget. **Justification:** Without this approval, the four dozers will not be available to fight wildland fires in the SE Area.

Market Development

FY 2021 – Homebuilders Association of Greater Tulsa - Tulsa Home and Outdoor Market August 21-23, 2020 – Eleven booth spaces will be purchased then sublet to Made in Oklahoma companies at a cost share rate - \$5,500.00

FY 2021 – Jeremy West – Farm Diversification Grant - \$10,000.00

FY2021 – Meat Processing Development & Expansion Grants – Funded by the CARES Act - \$10,000,000.00

The COVID-19 pandemic has directly and adversely impacted Oklahoma's food supply chain. From livestock harvesting and processing, to distribution, and retail availability for consumers, every aspect from farm to plate has been affected. For the first time, the current generation of Oklahomans has faced empty grocery store shelves while producers, processors, and transporters of agricultural and food products have dealt with oversupply of raw materials and been unable to get their products to market. This CARES Act funding would provide grants up to \$1,000,000 for Oklahoma meat processors to build or expand their businesses and create additional meat processing capacity in Oklahoma, mitigating risks of plant shutdowns and ensuring continued meat availability.

As the limited number of existing processing companies have faced workforce shortages due to COVID-19 that have drastically limited their ability to operate, the livestock and meat industries have also become acutely aware of the need for investment in Oklahoma's meat processing capacity in the state. With renewed emphasis on human health risks and necessary precautions to limit exposure in these types of facilities has come a recognition that changes within existing facilities as well as and more plants and larger plants would greatly help mitigate the effects on the food supply chain when some facilities are compromised. Oklahoma is home to one major pork processor, two significant poultry processors, and has no large beef processing capacity. As a result, we depend very heavily on these few facilities, and ship a significant amount of livestock and products to other states to be made ready for end-users and repurchased by Oklahoma businesses and families. Additionally, due to COVID-19 the meat industry anticipates a permanent decrease in production at existing plants as these facilities adjust to a new normal of greater distances between personnel and increased standards in personal protective equipment that lower efficiency and ultimately mean a decrease in production.

In order to reduce Oklahoma's dependence on the current limited processors and lessen the risk of consequences of a facility shutting down (such as depopulation of healthy animals), it is pertinent for our state to bolster development of this industry through capital for new construction, expansion, and equipment to protect against spread of illness in current plants. Availability of grants for the development and expansion of Oklahoma's meat processing industry would alleviate effects of potential single plant shutdowns, help better ensure food availability, create job opportunities, especially in rural Oklahoma, and address the problem of shortages of meat at retailers and oversupply of livestock at processors that Oklahoma has experienced throughout the COVID-19 pandemic.

Made in Oklahoma - \$45,000.00 – e-commerce portal

The \$45,000.00 in CARES Act agency reimbursement funding will support Made in Oklahoma's transition to an e-commerce platform to allow these companies to market their products online and continue to grow their businesses despite limitations of in-person sales. The MIO program, coordinated by ODAFF, focuses on economic development through marketing and cost-share opportunities such as festivals, fairs and trade shows for these locally owned and operated companies that process or manufacture goods within the state. Cancellations in reaction to the COVID-19 pandemic have drastically reduced these opportunities starting with consumer shows in the spring and now including the elimination of the retail store during the Oklahoma State Fair which supports more than 40 companies each year and covers a large percentage of those company's profits leading into holiday season. The obvious answer to limited live retail opportunities is to shift to online business, but many of these small businesses are start-ups, supplemental income or run by only one or two family members. Even though they are often local economy drivers, most do not have the capital or knowledge required to support an independent e-commerce site for their business. With a rebranding complete in spring of 2020 and a new website slated to launch in late summer, the Made in Oklahoma program is uniquely poised to offer these companies an e-commerce opportunity that will not only help them survive the economic fallout of cancelled events but will aid in building their business for the future. This, in turn, will lead to a more stable local workforce and stronger contributors to the local and state economy for years to come.

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

APPROVAL OF CASES

ON THIS 12th day of August 2020 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 12th day of August 2020.



Blayne Arthur
President
State Board of Agriculture

Exhibit A
Board of Agriculture
August 12, 2020

Cases Resolved by Stipulation

Agricultural Environmental Management Services

<u>Name</u>	<u>File No.</u>	<u>Division</u>	<u>Amount</u>
Troy Keiss	OGC-20-422	AEMS	\$200.00
Ha Nguyen and Luan Ly	OGC-20-419	AEMS	\$200.00

Consumer Protection Services

<u>Name</u>	<u>File No.</u>	<u>Division</u>	<u>Amount</u>
Rose Spray Service	OGC-20-121	CPS	\$500.00

2021 BOARD MEETING DATES

A REGULAR MEETING HAS BEEN SCHEDULED FOR:

WEDNESDAY, FEBRUARY 3, 2021 10:00 AM AT
2800 N LINCOLN BLVD OKLAHOMA CITY, OK 73105

A REGULAR MEETING HAS BEEN SCHEDULED FOR:

WEDNESDAY, MARCH 24, 2021 10:00 AM AT
2800 N LINCOLN BLVD OKLAHOMA CITY, OK 73105

A REGULAR MEETING HAS BEEN SCHEDULED FOR:

WEDNESDAY, MAY 5, 2021 10:00 AM AT
2800 N LINCOLN BLVD OKLAHOMA CITY, OK 73105

A REGULAR MEETING HAS BEEN SCHEDULED FOR:

WEDNESDAY, JUNE 16, 2021 10:00 AM AT
2800 N LINCOLN BLVD OKLAHOMA CITY, OK 73105

A REGULAR MEETING HAS BEEN SCHEDULED FOR:

WEDNESDAY, JULY 28, 2021 10:00 AM AT
2800 N LINCOLN BLVD OKLAHOMA CITY, OK 73105

A REGULAR MEETING HAS BEEN SCHEDULED FOR:

WEDNESDAY, SEPTEMBER 8, 2021 10:00 AM AT
2800 N LINCOLN BLVD OKLAHOMA CITY, OK 73105

A REGULAR MEETING HAS BEEN SCHEDULED FOR:

WEDNESDAY, OCTOBER 13, 2021 10:00 AM AT
2800 N LINCOLN BLVD OKLAHOMA CITY, OK 73105

A REGULAR MEETING HAS BEEN SCHEDULED FOR:

WEDNESDAY, NOVEMBER 17, 2021 10:00 AM AT
2800 N LINCOLN BLVD OKLAHOMA CITY, OK 73105

Oklahoma Department of Agriculture, Food & Forestry

October 13, 2020 Board Report

Administrative Services – Monthly Update

Administrative Services – Update

- Finance & Accounting
 - Paid out approximately \$4,000,000 in operational fire grants to 800 fire stations across Oklahoma.
 - Financial Reports recently due:
 - FY 2020 GAAP Report
 - FY 2020 Cost Performance Assessment
 - FY 2021 Natural Resources Sub-Committee Report
 - FY 2021 Strategic Plan (assisted Deputy Commissioner with this report)
 - FY 2022 Preliminary Budget

Administrative Services - Update

- Finance & Accounting
 - The fiscal year 2021 budget was revised to add the \$10 million meat processing grants that were funded by the COVID-19 CARES Act.
 - COVID-19 CARES Act expenditure reimbursement program
 - Ended August 31, 2020 unless an exception was granted
 - Estimated remaining COVID-19 pandemic costs
 - Requested an exception which was approved
 - Total reimbursements to date total \$10,588,708
 - \$10 million for Meat Processing Grants
 - \$45,000 - Made In Oklahoma (MIO)
 - E-commerce platform to allow MIO companies to market their products on-line and continue to their businesses despite limitations of in-person sales due to COVID-19 Pandemic cancellations.
 - \$20,000 - To host the Exhibition for Youth of Oklahoma (EYO), in Duncan, Oklahoma, September 18th & 19th, 2020, due to canceled and relocated State Fair Show because of COVID-19 Pandemic.
 - \$396,000 – Forestry’s Emergency Support Function #4 support for Oklahoma State Department of Health, distribution of PPE across Oklahoma.
 - \$92,000 – Employee payroll costs for time spent on COVID-19 Pandemic issues
 - \$36,000 – other expenses (PPE, laptops and other equipment to allow employees to telework, etc.)

Administrative Services - Update

- **Human Resources**

- Employee benefits enrollment for calendar year 2020 started October 1st and runs thru the end of October.
- Office of Management & Enterprise Services (OMES), recently announced that the Work Day Cloud HR System would replace the current PeopleSoft Human Resources system
 - System conversion will take approximately 18 months
 - Workday starting holding on-line implementation meetings shortly after OMES made the announcement
 - Should modernize our human resources system
 - Electronic processing of HR transactions
 - New employee self service benefit enrollment

Administrative Services - Update

- Cash balance as of 08/31/2020 was \$34.3 million compared to \$21.9 million as of 08/31/2019.
 - The 8/31/2020 balance included the Cares Act Fund #489 which had a balance of \$10,000,000 as of that date.
- Revenues (excluding appropriations) for July thru August 2020 totaled \$4.3 million.
 - This was up from \$3.8 million for July – August 2019.
 - \$468,000 increase in Federal Reimbursements for July – August 2020 compared to the same period for 2019.
 - Primarily Forestry division

Administrative Services - Update

- Expenses for July thru August 2020 totaled approximately \$9.1 million for all budget years.
 - Expenses totaled \$9.7 million for July thru August 2019
 - \$237,000 decrease in purchase of data processing equipment from July – August 2019 compared to the same period for 2020.
 - \$337,000 decrease in approved program reimbursements from July – August 2019 compared to the same period for 2020.

Administrative Services – Investigative Services



INVESTIGATIVE SERVICES ACTIVITIES		
INVESTIGATIONS	AUGUST	Calendar YTD
LIVESTOCK	6	42
FIRE	1	14
PROPERTY	0	11
TIMBER	0	0
OTHER	2	19
TOTAL INVESTIGATIONS OPENED	9	86
CLOSED PENDING ADDITIONAL INFORMATION	5	47
NO CRIME	4	31
NO PROSECUTION	0	4
PRESENTED TO DISTRICT ATTORNEY FOR PROSECUTION	0	8
REFERRED FOR ADMINISTRATIVE ACTION	0	1
TOTAL INVESTIGATIONS COMPLETED	9	91
COUNTS FILED	0	15
VALUE OF LOSSES - ALL CRIMES	\$57,700.00	\$505,100.00
RECOVERED LOSSES - ALL CRIMES	\$78,000.00	\$617,950.00
NUMBER OF CATTLE REPORTED STOLEN	69	244
NUMBER OF CATTLE RECOVERED	16	86

Administrative Services – Commodity Storage Indemnity



COMMODITY STORAGE INDEMNITY INVESTMENT REPORT AS OF AUGUST 31, 2020

Investments with Office of State Treasurer:
Cash Management Account:

10,965,215.05

FY-2021 RECEIPTS

	<u>CURRENT MONTH</u>	<u>YTD</u>
NEW	-	-
INTEREST	19,961.93	39,765.50
REINSURANCE	-	-
RECOVERED COSTS	-	-
ELEVATOR SALVAGE	-	-
MATURED LONG TERM INVEST	-	-
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TOTALS	\$19,961.93	\$39,765.50

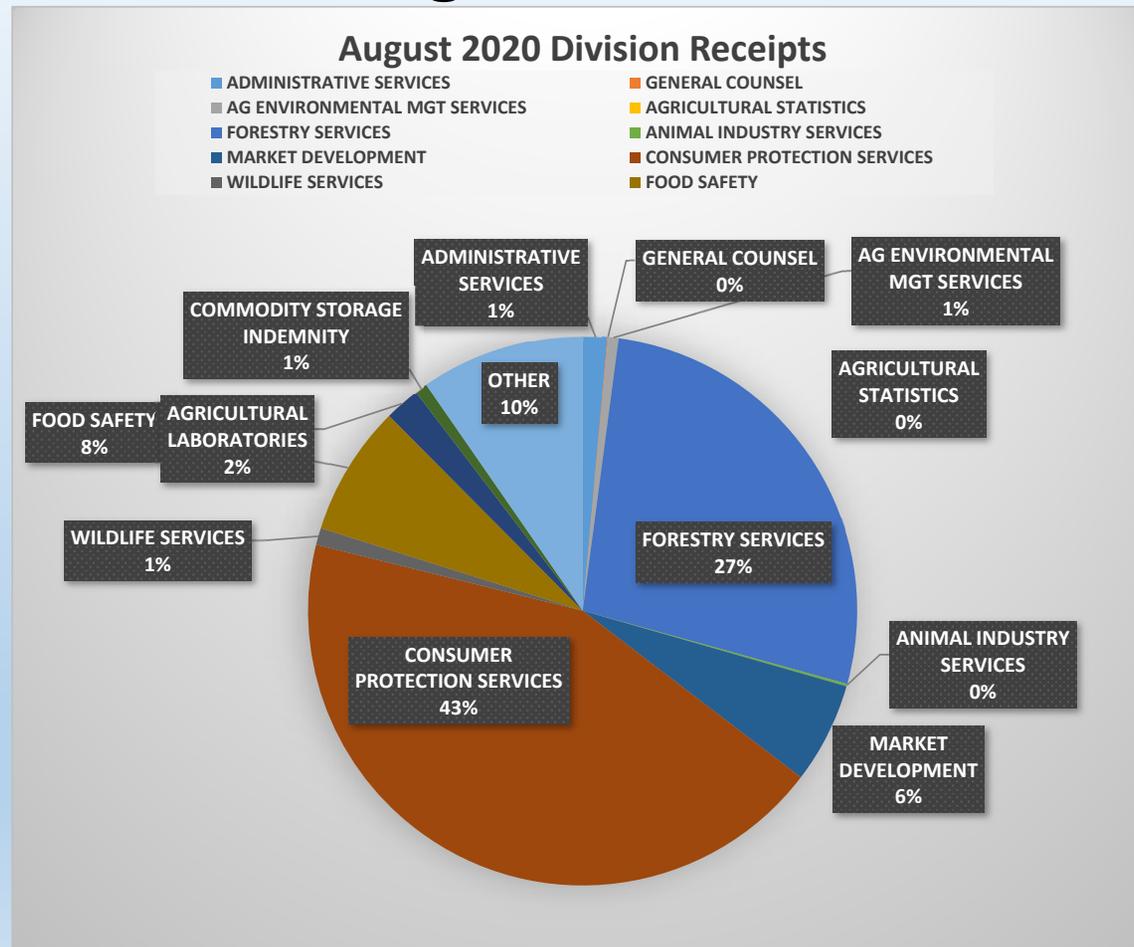
Administrative Svcs. – August 2020 Revenue



OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD AND FORESTRY		
PROGRAM REVENUE SUMMARY		
August 2020		
DIVISION	PERIOD RECEIPTS	YEAR TO DATE REVENUE
ADMINISTRATIVE SERVICES	39,116.02	42,508.56
GENERAL COUNSEL	1,300.00	13,875.00
AG ENVIRONMENTAL MGT SERVICES	16,355.79	70,645.09
AGRICULTURAL STATISTICS	-	60,322.00
FORESTRY SERVICES	736,352.23	817,644.73
ANIMAL INDUSTRY SERVICES	3,955.99	14,800.99
MARKET DEVELOPMENT	160,435.88	168,679.36
CONSUMER PROTECTION SERVICES	1,177,170.84	2,118,050.88
WILDLIFE SERVICES	27,030.00	45,030.00
FOOD SAFETY	207,967.95	534,115.51
AGRICULTURAL LABORATORIES	56,072.12	122,938.71
COMMODITY STORAGE INDEMNITY	19,961.93	39,765.50
OTHER	261,116.85	247,486.47
DIVISION TOTAL (see division receipts graph below)	2,706,835.60	4,295,862.80
APPROPRIATED FUNDS	1,907,088.00	7,918,725.94
AGENCY TOTAL	4,613,923.60	12,214,588.74

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

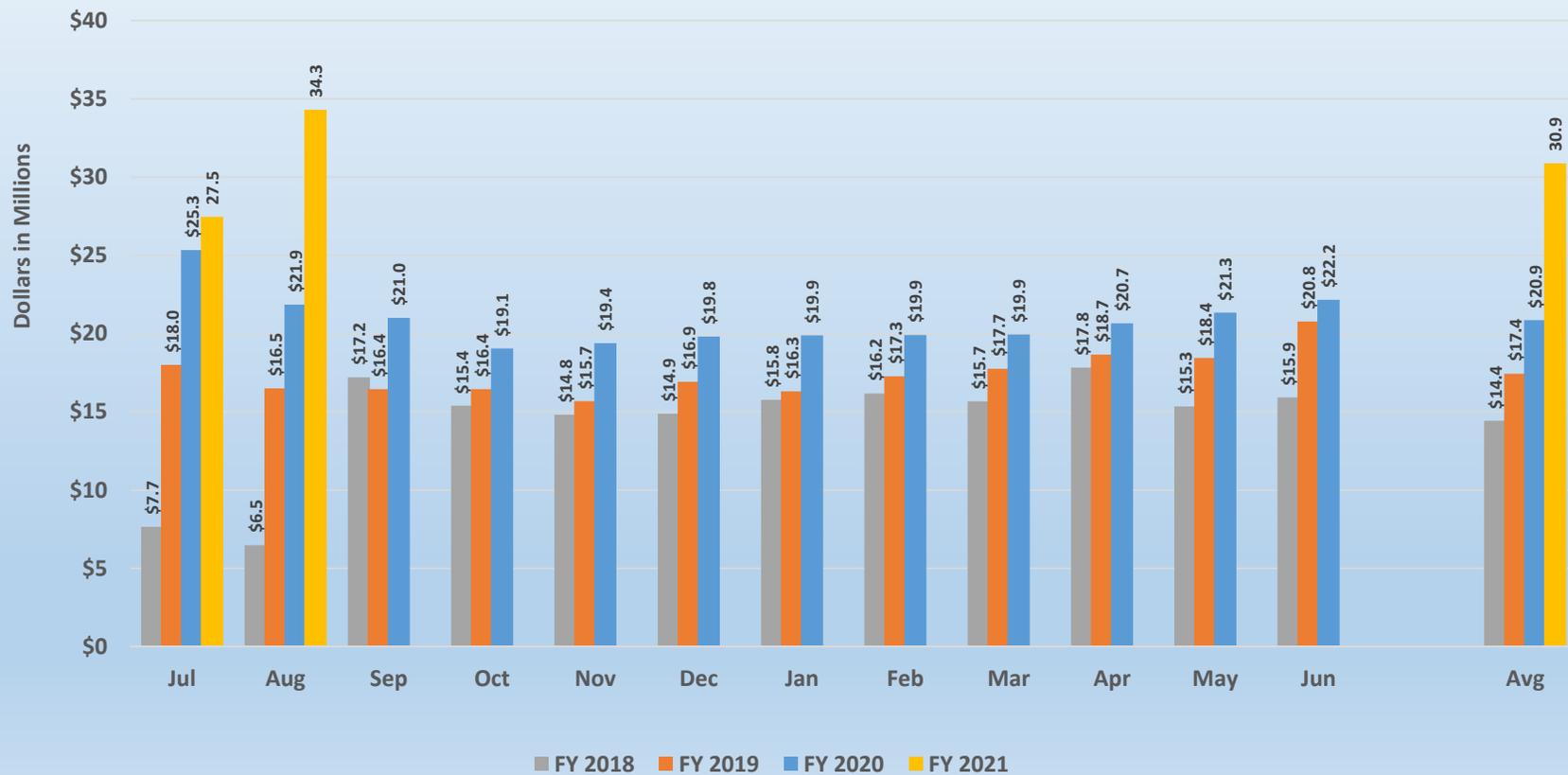
Administrative Svcs. – August 2020 Revenue



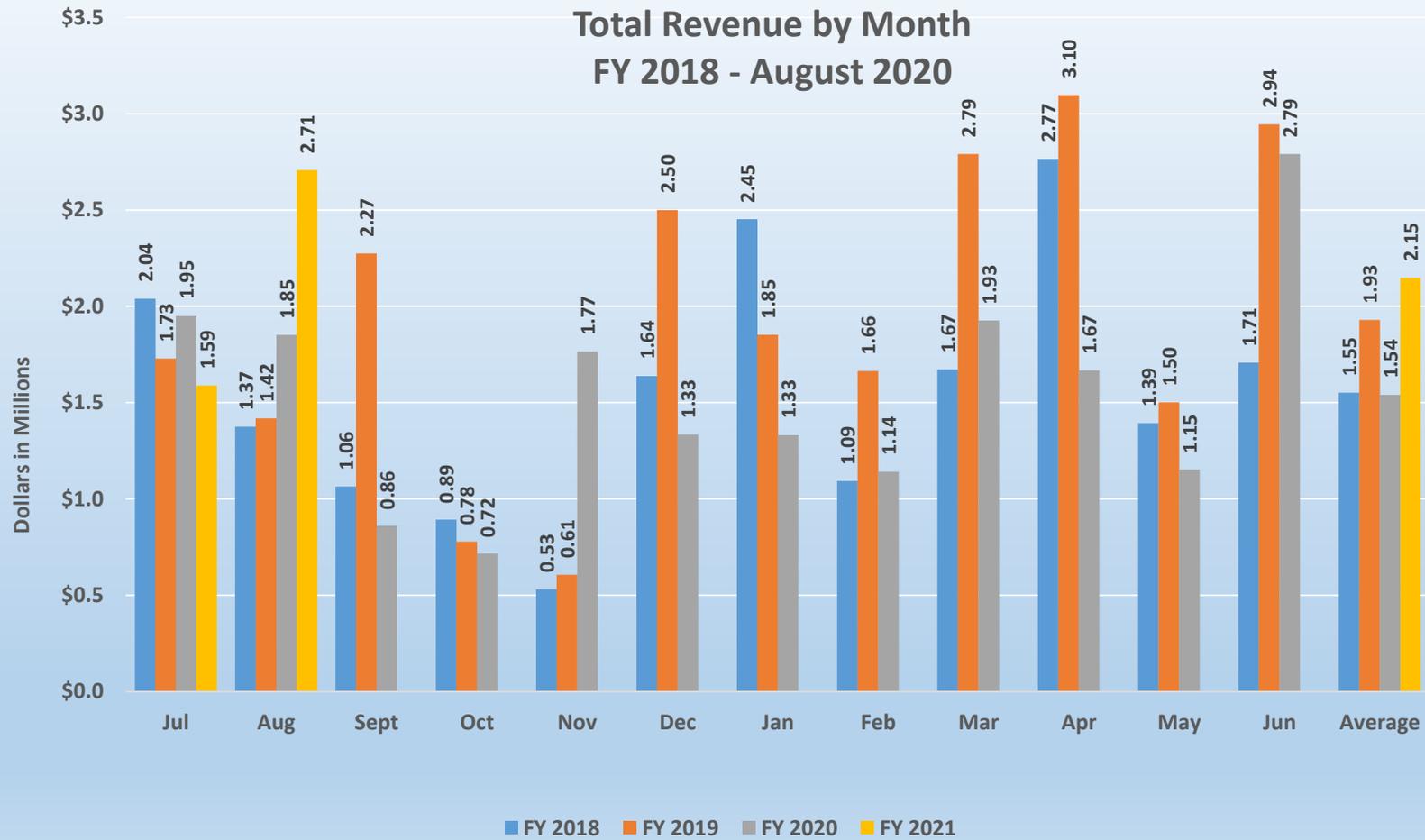
Oklahoma Department of Agriculture, Food & Forestry					
Monthly Budget Report - Budget Year 2021					
As of August 31, 2020					
Fiscal Year 2021 Annual Budget to Actuals for 2021 Budget Year thru August 31, 2020					
Object Code	Account Description	Fiscal Year 2021 Budget	Fiscal Year 2021 Expenditures thru 8/31/2020	Encumbrances & Pre Encumbrances	Available Budget
11	Salary Expense	17,167,962	1,916,320	21,680,101	(6,428,459)
12	Insur.Prem-Hlth-Life,etc	5,204,942	391,944	-	4,812,998
13	FICA-Retirement Contributions	3,784,189	454,681	-	3,329,508
15	Professional Services	3,025,333	4,508	1,678,285	1,342,540
19	Inter/Intra Agy Pmt-Pers Svcs	-	85	-	(85)
21	Travel - Reimbursements	306,519	10,347	-	296,172
22	Travel - Agency Direct Pmts	266,405	8,745	-	257,660
31	Misc. Administrative Expenses	892,493	11,051	212,819	668,624
32	Rent Expense	567,523	15,659	414,658	137,206
33	Maintenance & Repair Expense	973,508	51,423	379,314	542,770
34	Specialized Sup & Mat.Expense	1,186,900	39,723	936,181	210,996
35	Production,Safety,Security Exp	274,482	16,023	-	258,459
36	General Operating Expenses	158,845	2,327	-	156,518
37	Shop Expense	469,525	16,138	48,552	404,835
41	Office Furniture & Equipment	1,670,463	48,690	55,136	1,566,637
42	Library Equipment-Resources	765	64	-	701
43	Lease Purchases	1,687,584	413,575	1,274,009	(0)
52	Scholar.,Tuition,Incentive Pmt	10,000,000	-	-	10,000,000
53	Refunds,Idemnities,Restitution	30,000	-	-	30,000
54	Program Reimb,Litigation Costs	7,983,772	3,880,435	1,591,015	2,512,323
55	Pmts-Local Gov't,Non-Profits	780,726	-	1,569,136	(788,410)
59	Assistance Pymts to Agencies	352,800	-	-	352,800
64	Merchandise For Resale	160,000	-	-	160,000
60	AFP Encumbrances	-	-	1,897,267	(1,897,267)
81	Req Only	-	-	988,642	(988,642)
	Operating totals	56,944,736	7,281,738	32,725,113	16,937,885

Oklahoma Department of Agriculture, Food & Forestry					
Monthly Budget Report - Budget Year 2021					
As of August 31, 2020					
Fiscal Year 2021 Annual Budget to Actuals for 2021 Budget Year thru August 31, 2020					
Class Funding	Class Fund Description	Fiscal Year 2021 Budget	Fiscal Year 2021 Expenditures thru 8/31/2020	Encumbrances & Pre Encumbrances	Available Budget
19101	GRF - Duties	20,005,058	2,091,145	13,920,053	3,993,860
20500	Rural Fire Defense Eqp Rev Fd	190,000	-	20,500	169,500
21000	Agriculture Revolving Fund	18,752,372	1,179,544	15,836,873	1,735,955
22500	Enhancement & Diversification Fnd	354,000	-	22,058	331,942
23000	Okla Pet Overpopulation Fund	12,000	-	10,000	2,000
23500	Animal Friendly Revolving Fund	12,000	-	10,000	2,000
24000	Unwanted Pesticide Disp Fund	485,000	-	350,000	135,000
24500	Rural Fire Revolving Fund	400,000	-	163,662	236,338
25500	Ag. Evidence Law Enforce Fund	4,012	-	-	4,012
25600	Ok Viticulture Enology Revl Fd	350,000	-	77,466	272,534
26200	Poultry Grading Revolving Fund	961,544	112,974	761,628	86,943
28500	Milk & Milk Prod Inspec Rev Fd	260,200	17,640	191,068	51,492
28600	Ag In The Classrm Educ Rvlv Fd	24,000	-	10,000	14,000
28700	Healthy Food Financing Revl Fd	500,000	-	-	500,000
42000	Specialty Crop Federal Funds	530,000	-	281,806	248,194
48900	CARES Urgent Response Grant	10,000,000	-	1,070,000	8,930,000
57603	Duties	4,104,550	3,880,435	-	224,115
	Total	56,944,736	7,281,738	32,725,113	16,937,885

Available Cash at Month End per Allotment Budget & Available Cash Report FY 2018 – August 2020



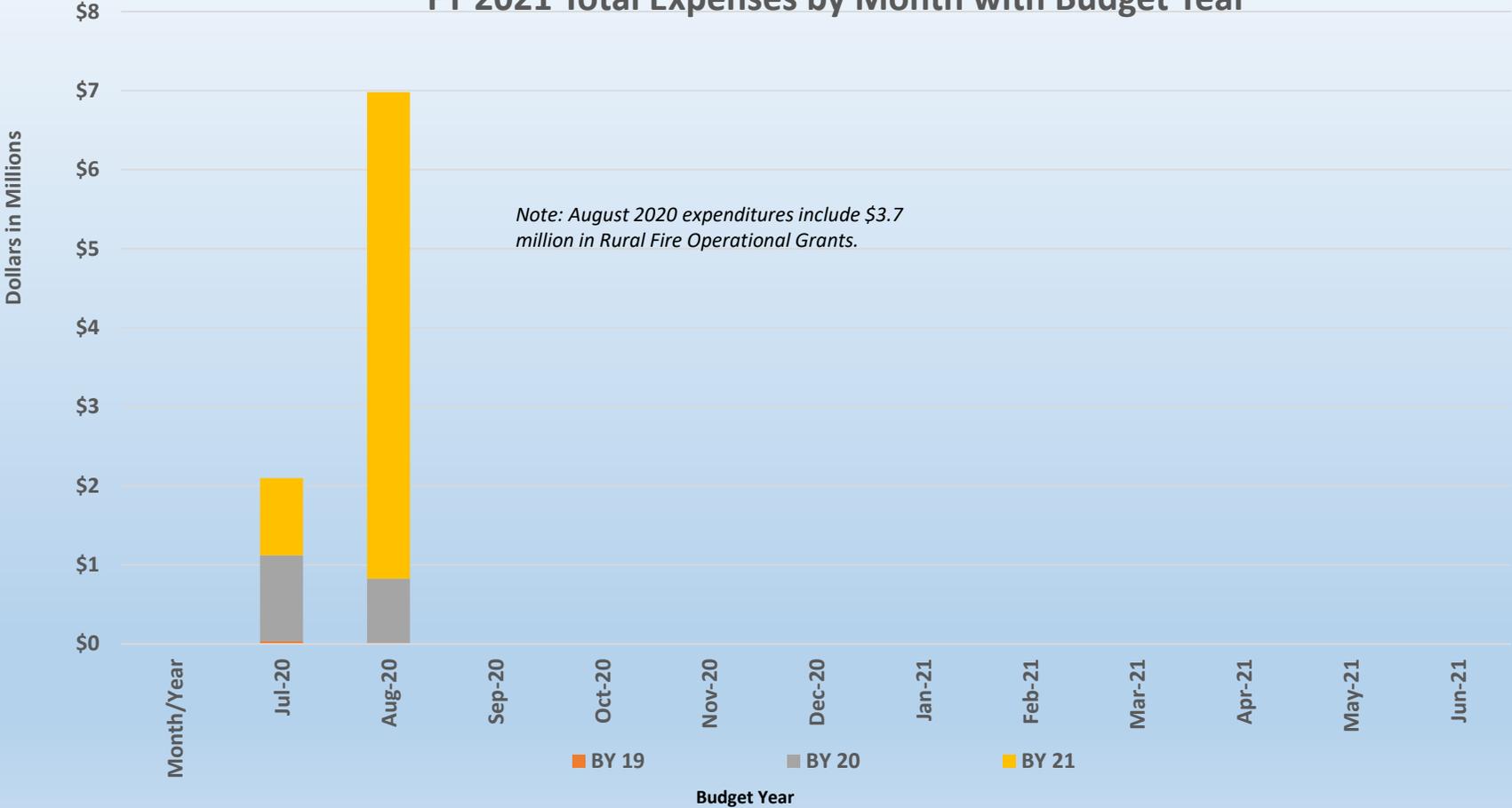
Total Revenue by Month FY 2018 - August 2020



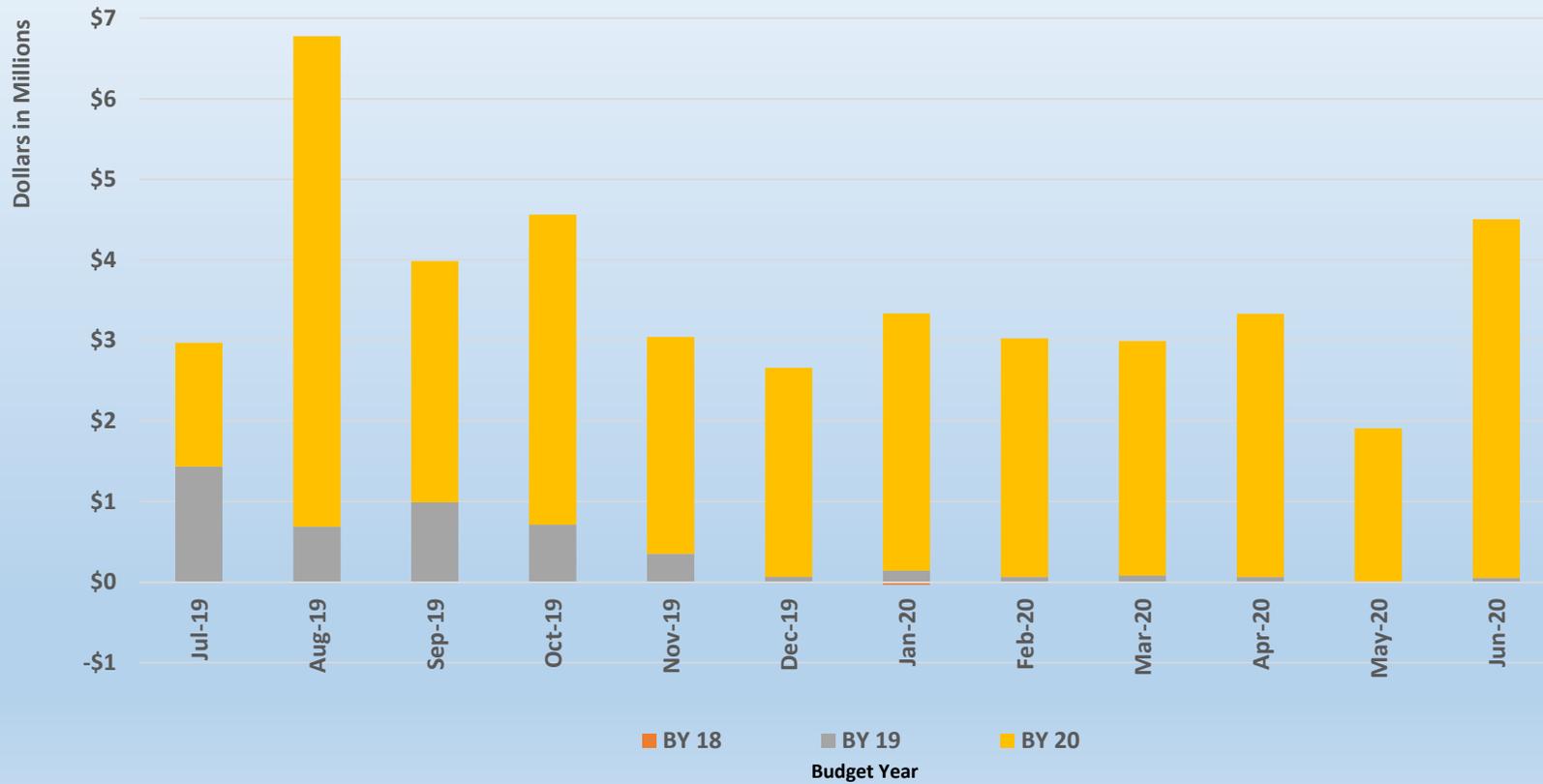
Total Expenses by Month FY 2018 - August 2020



FY 2021 Total Expenses by Month with Budget Year



FY 2020 Total Expenses by Month with Budget Year



Oklahoma Department of Agriculture, Food & Forestry

October 13, 2020 Board Report

Administrative Services – Fiscal Year 2020 Financial
Review

Administrative Services – Fiscal Year 2020 Financial Review

- Total revenues by fiscal year (slide #25) (excluding appropriations)
 - Total revenues were \$18.5 million for the 2020 fiscal year.
 - This was down from \$23.2 million in fiscal year 2019
 - This decrease was attributed to the following:
 - \$2 million decrease from FY 2019 to FY 2020 due to how the OSU Agricultural Extension Service & Experiment Stations pass thru funds were processed in the accounting system.
 - \$1.4 million decrease in federal funds from other state agencies.
 - Bulk of this variance was due to additional Forestry emergency response payments received in FY 2019 compared to FY 2020
 - \$371,000 decrease in surplus sales
 - \$646,000 decrease in federal reimbursements

Administrative Services – Fiscal Year 2020 Financial Review

- Total expenses by fiscal year (slide #26)
 - Total expenses were \$43.1 million for the 2020 fiscal year.
 - This was up from \$41.6 million in FY 2019.
 - This increase was attributed to the following:
 - \$1,160,000 increase due to purchase of vehicles and trucks
 - Replaced outdated vehicles/trucks with one-time additional funds received in FY 2019.
 - This upgrade to our vehicle fleet brought the average mileage per vehicle down from 114,135 to 81,263.
 - We also expect this to significantly reduce our vehicle maintenance expenses.
 - \$1,582,000 increase in salary, benefits, FICA, and retirement expenses
 - Overall FTE for FY 2020 was up from the FY 2019
 - \$352,000 increase due to the IT Refresh
 - Agency-wide replacement of outdated computers
 - Funded by one-time additional funds received in FY 2019.
 - \$600,00 increase in Rural Fire Operational Grants

Administrative Services – Fiscal Year 2020 Financial Review

- Total Appropriations by fiscal year (slide #27)
 - Total appropriations were \$24.9 million for FY 2020.
 - This was up from \$22.7 million in FY 2019
 - This was an increase of \$2.2 million and was attributed to the following:
 - \$1 Million increase in OSU Agricultural Extension Service & Experiment Stations pass thru funds
 - \$500,000 one-time funding for Healthy Food Financing
 - \$500,000 one-time funding for Feral Swine Control
 - \$350,000 one-time funding for Lab equipment

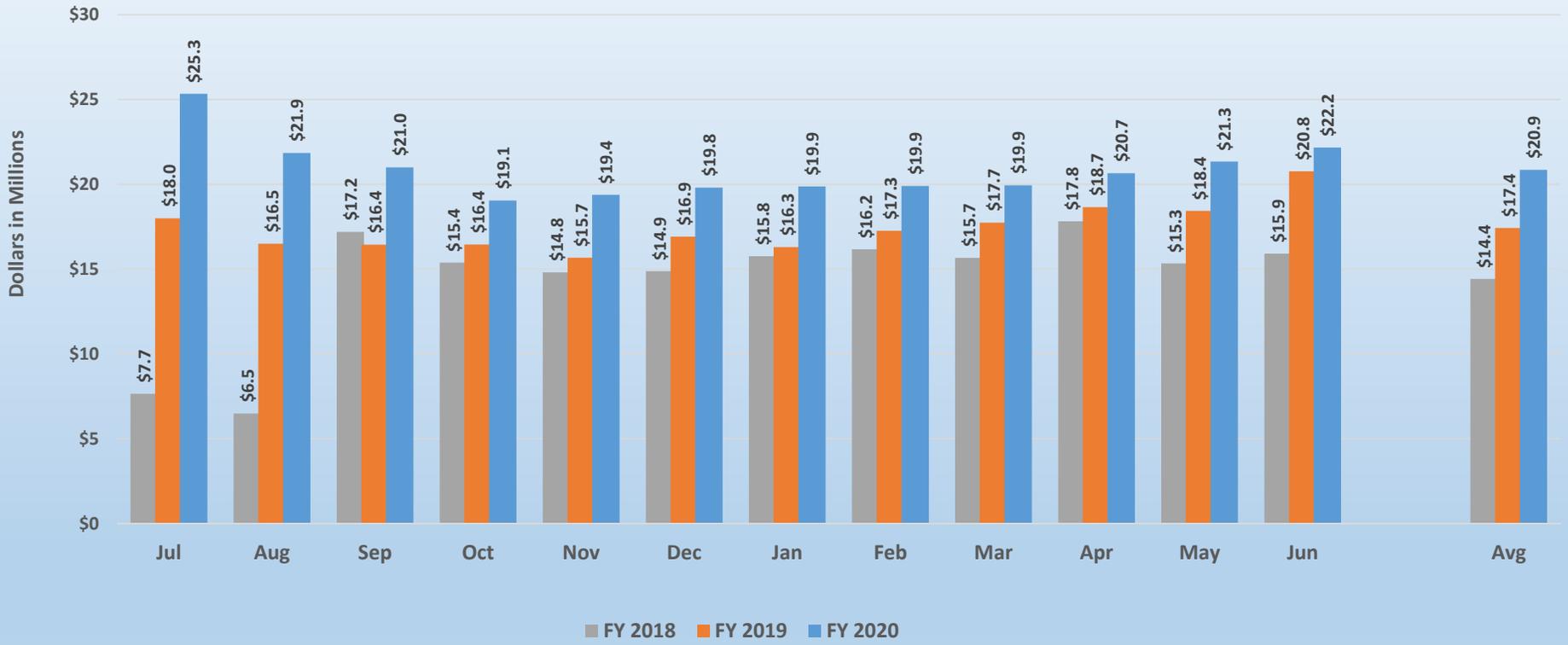
Administrative Services – Fiscal Year 2020 Financial Review

- Slide #28 shows the budget for budget year 2020 compared to the expenses for July 2019 - June 2020.
- Slide #29 shows the budget for budget year 2020 compared to the expenses for July 2019 – August 2020.
 - Appropriations lapse 30 months from the date the General Appropriations bill was passed
 - Budget year 2020 funds can be expended as late as FY 2022.
 - This can be seen on slides 16 and 17.

Administrative Services – Fiscal Year 2020 Financial Review

- Historical expenditures by budget year 2016 – 2020 and the current budget for fiscal year 2021 (slide #30)
 - Lists expenses by budget year for budget year 2016 -2020
 - Also lists the budget for fiscal year 2021 by funding sources
- Fiscal year 2021 budget by program (slide #31)

Available Cash at Month End per Allotment Budget & Available Cash Report FY 2018 - FY 2020

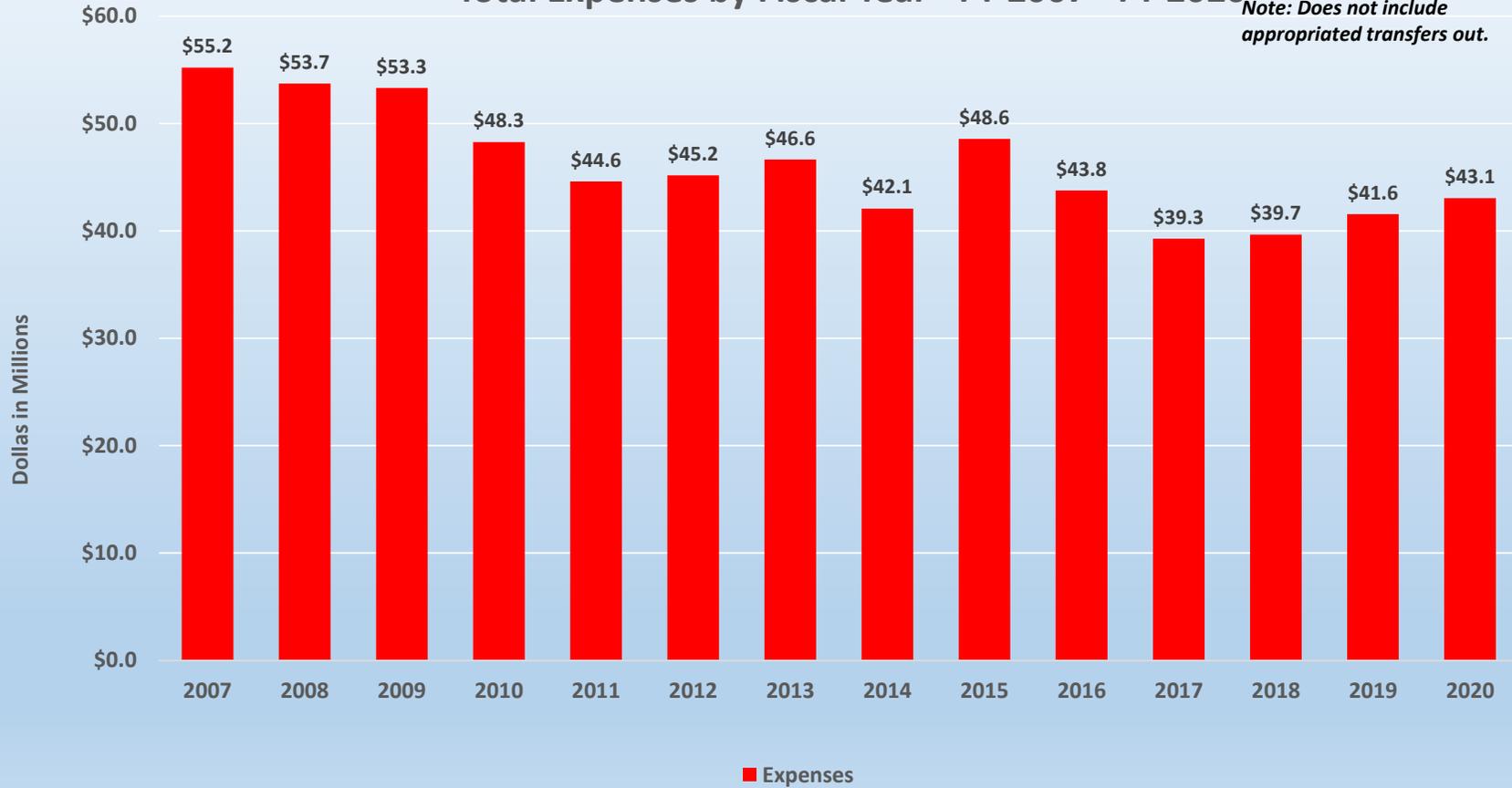


Total Revenue by Fiscal Year - FY 2007 - FY 2020

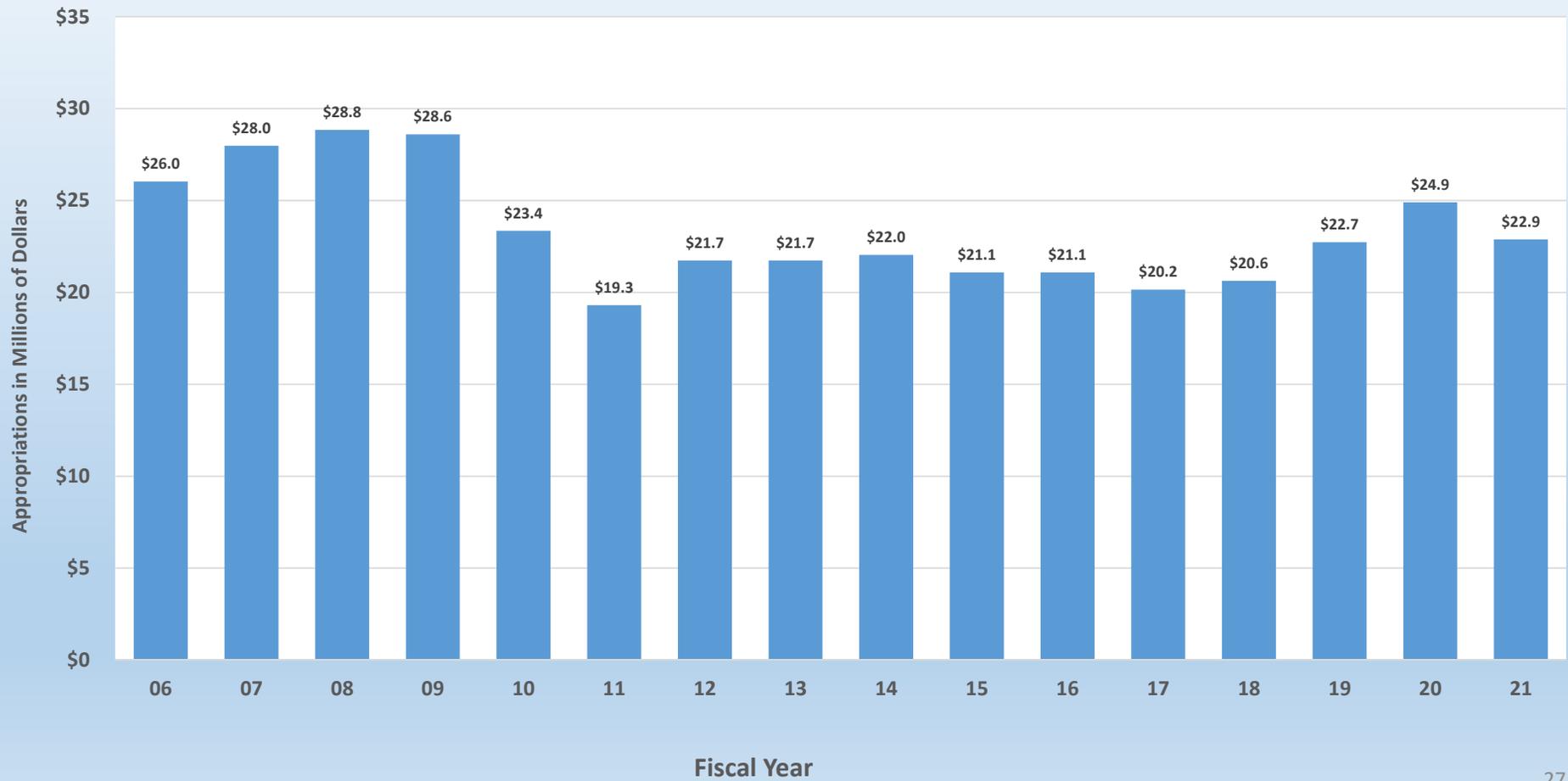


Total Expenses by Fiscal Year - FY 2007 - FY 2020

Note: Does not include appropriated transfers out.

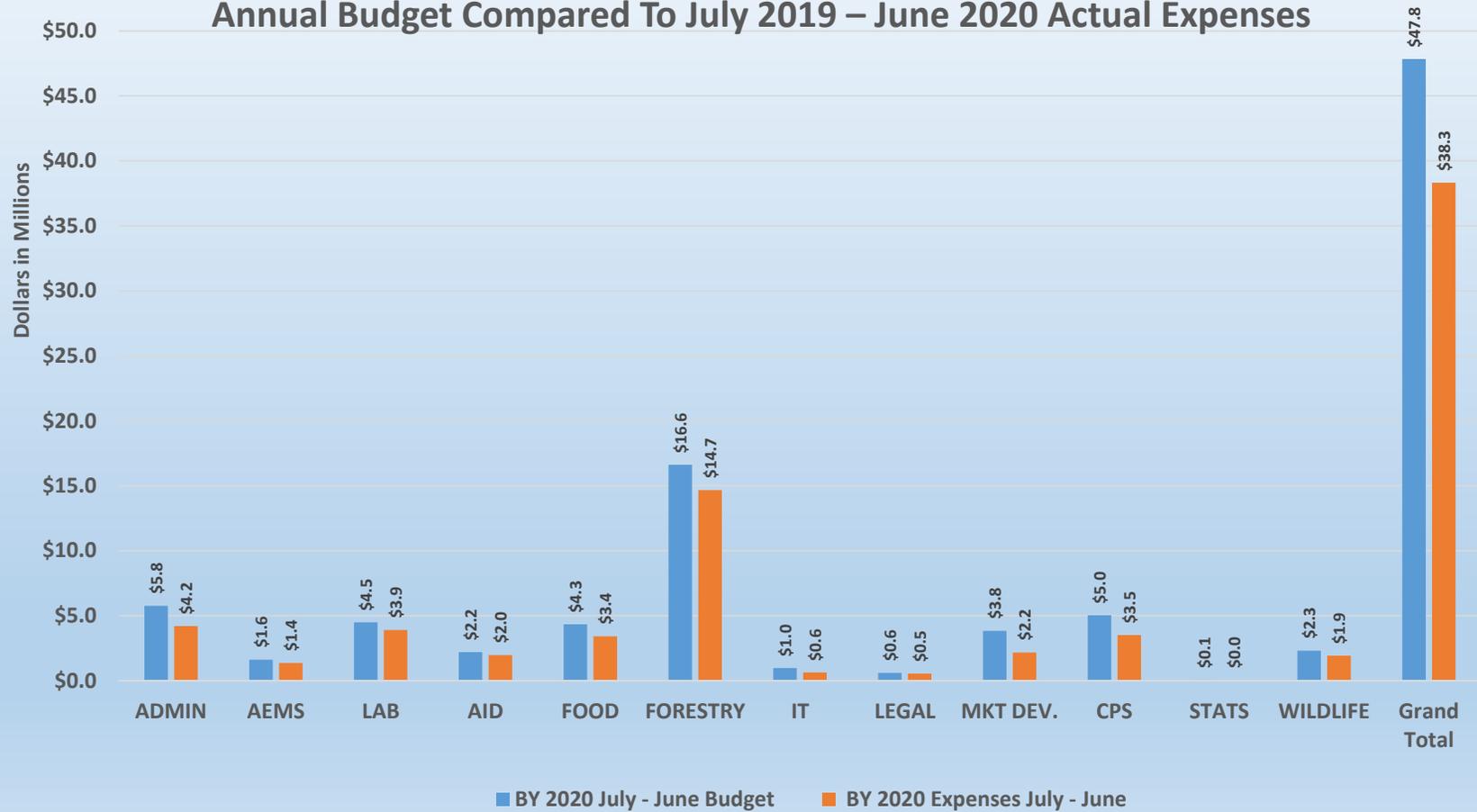


Appropriations by Fiscal Year

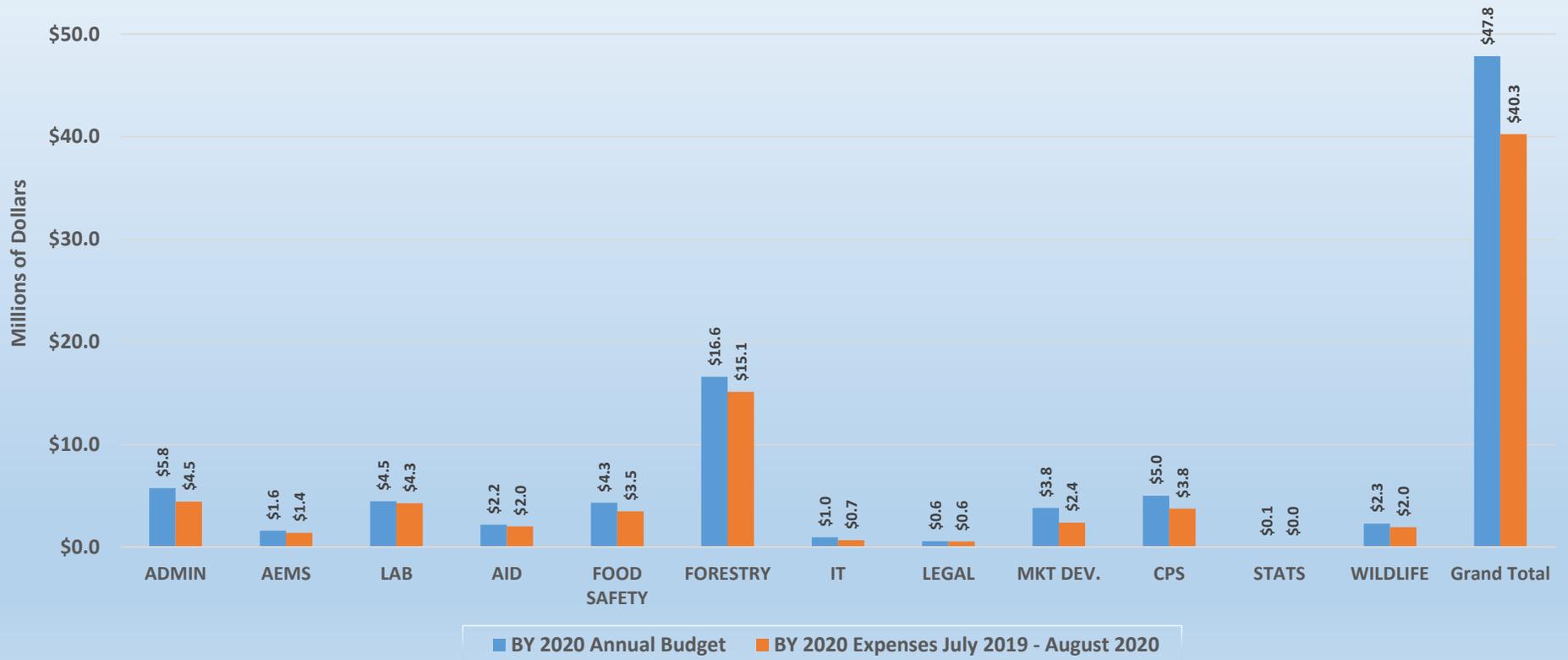


Budget Year 2020

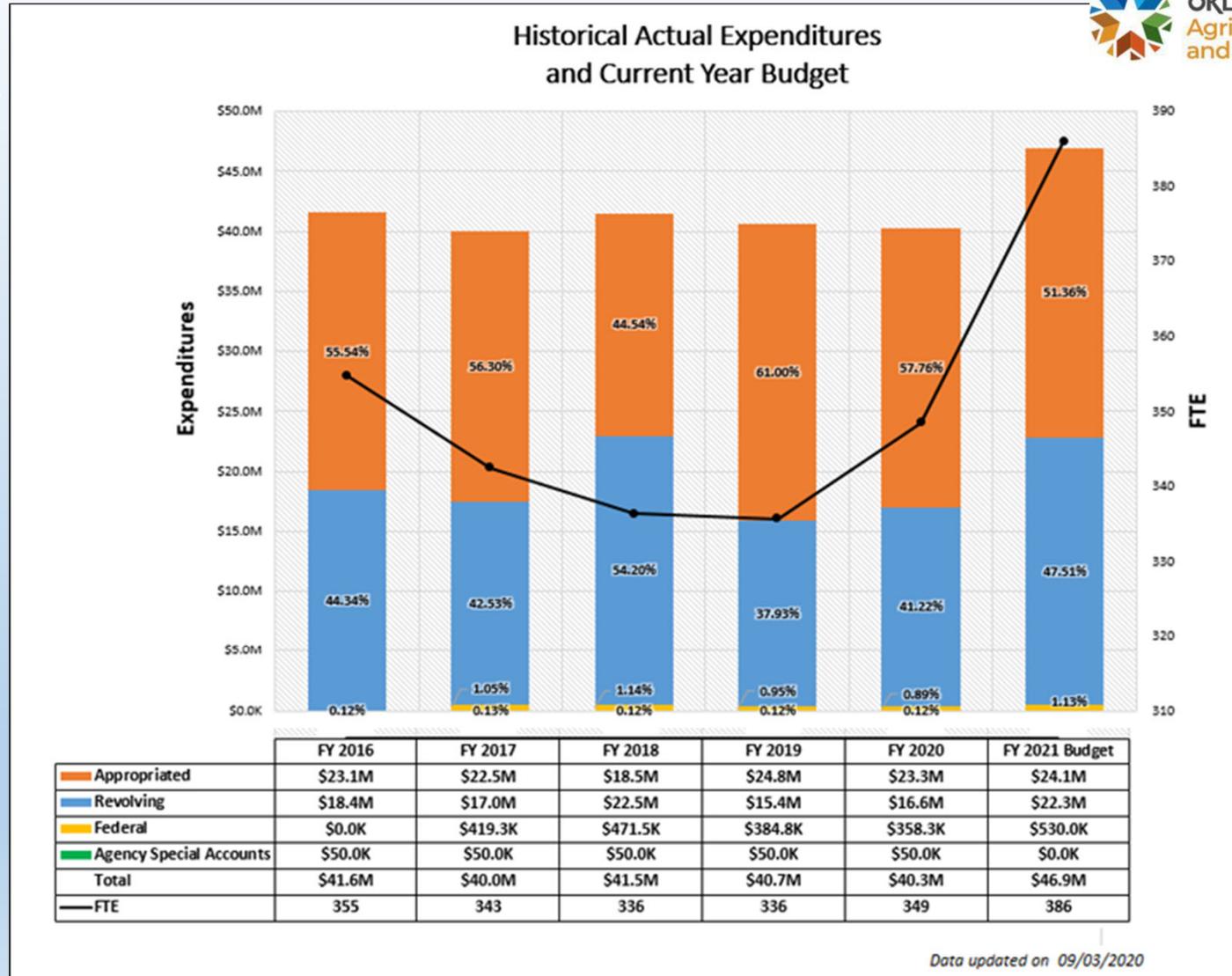
Annual Budget Compared To July 2019 – June 2020 Actual Expenses



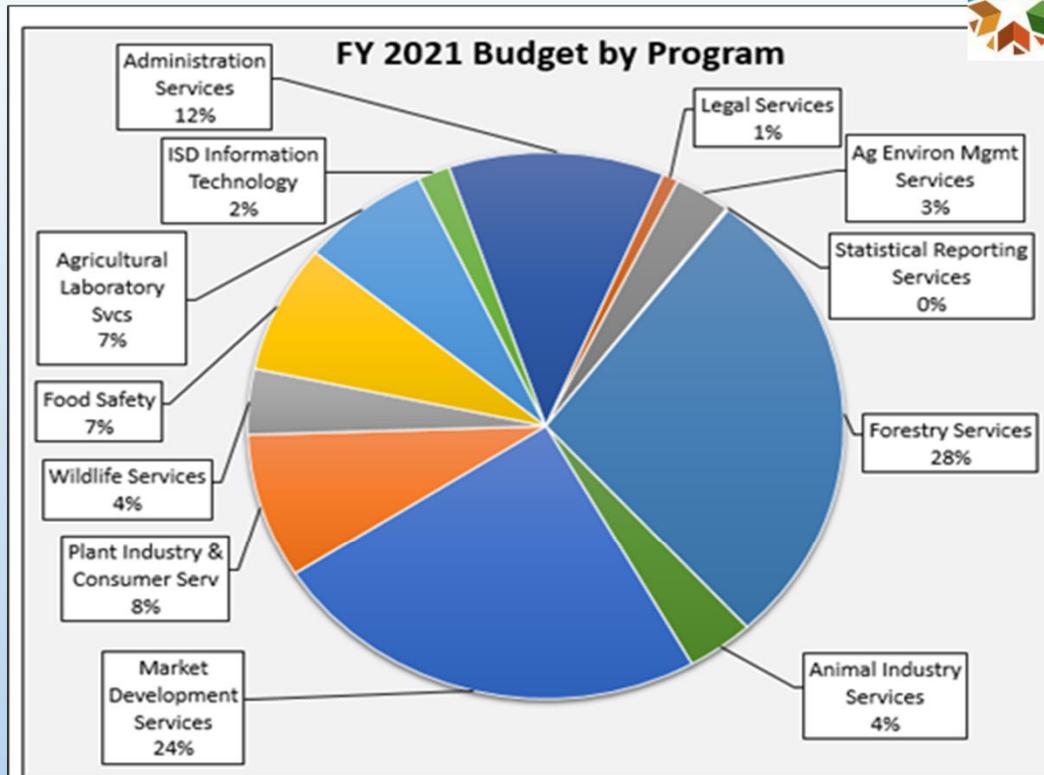
Budget Year 2020 Annual Budget Compared To July 2019 - August 2020 Actual Expenses



Historical Actual Expenditures (by budget years 2016-2020) and Current Year Budget (FY21)

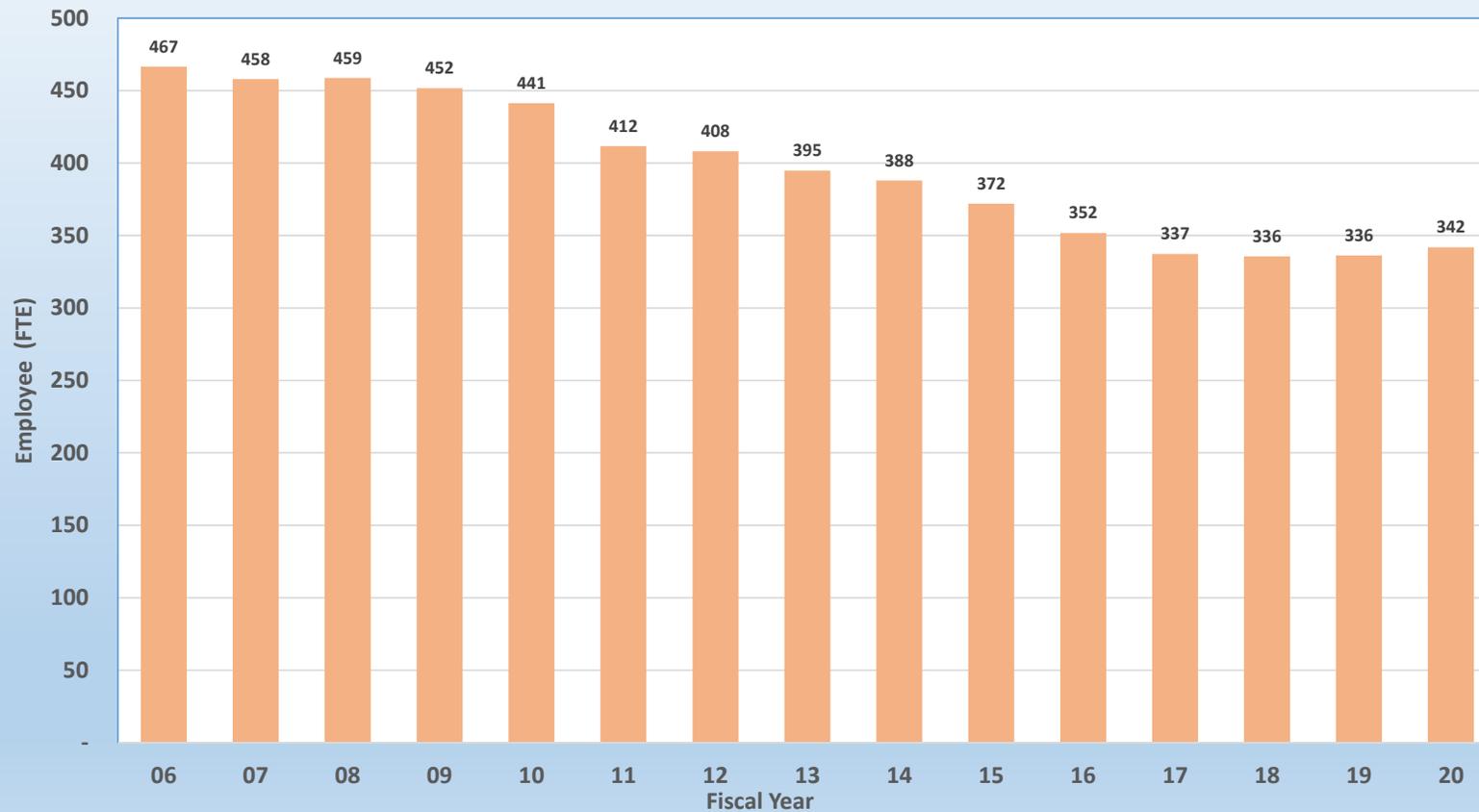


FY 2021 Budget by Program



Program	FY 2021 Budget
Administration Services	\$6,675,954
Legal Services	\$493,720
Ag Environ Mgmt Services	\$1,741,782
Statistical Reporting Services	\$66,925
Forestry Services	\$15,782,614
Animal Industry Services	\$2,075,135
Market Development Services	\$13,695,791
Plant Industry & Consumer Serv	\$4,894,661
Wildlife Services	\$2,204,483
ISD Information Technology	\$986,500

Employee FTE Totals by Fiscal Year - FY 2006 - FY 2020



OCTOBER 2020 BOARD REPORT AGRICULTURE LABORATORY SERVICES (July and August 2020 Activities)

QUALITY MANAGEMENT SECTION: (Taryn Hurley, Quality Manager)

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

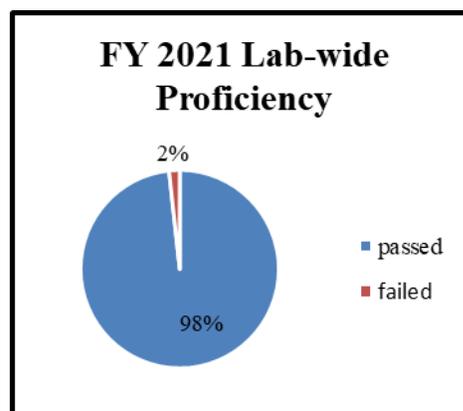
Performance Test Logs for July and August 2020:

General Chemistry	
PT Samples Received	6
Number of Analytes	46
PT Samples Reported	7
Number of Analytes Reported	61
Completed PT Reports	7
Number of Analytes Passed	46
Number of Analytes Failed	1

Pesticides	
PT Samples Received	5
Number of Analytes	35
PT Samples Reported	5
Number of Analytes Reported	34
Completed PT Reports	4
Number of Analytes Passed	11
Number of Analytes Failed	0

Inorganic	
PT Samples Received	2
Number of Analytes	16
PT Samples Reported	1
Number of Analytes Reported	4
Completed PT Reports	0
Number of Analytes Passed	0
Number of Analytes Failed	0

Laboratory-wide PT Performance to Date:

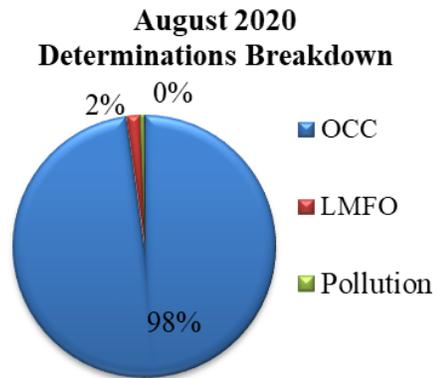
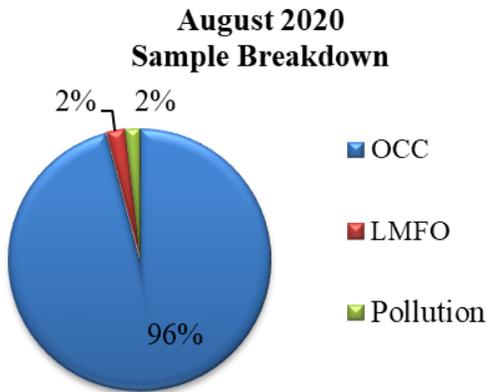
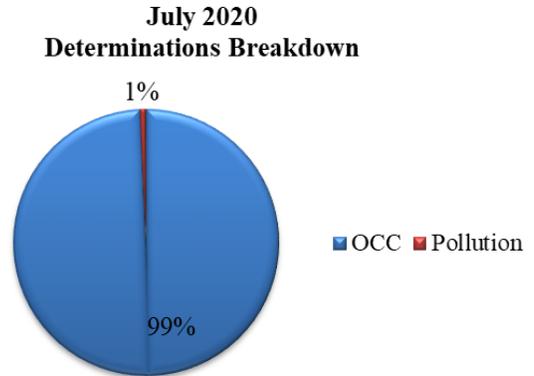
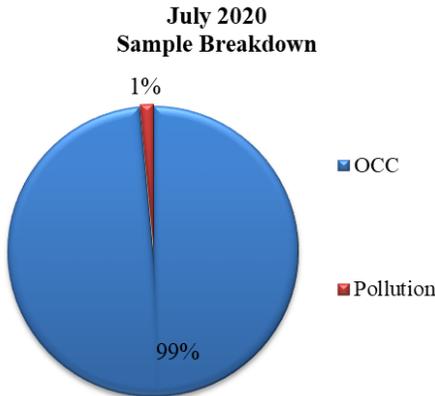


- ❖ The annual internal audit of the General Chemistry Section was concluded and an action plan initiated.
- ❖ The annual checks of fume hood face velocity, safety showers, and thermometer verifications were conducted and recorded.
- ❖ The quality manager participated in the biannual external assessment of the Bureau of Standards. The assessment resulted in only one nonconformity which was fully addressed within a month.

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

Inorganic Sample Breakdown

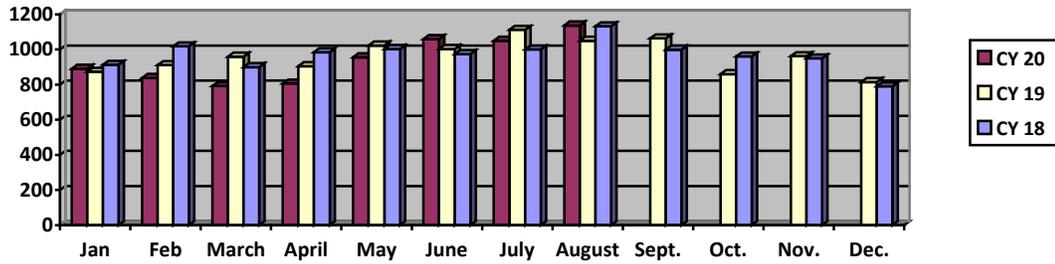
Customer	Samples	Determinations
OCC	411	3,090
LMFO	5	30
CPS Pollution	7	19
Total	423	3,139



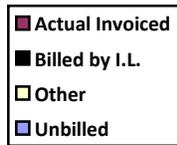
DAIRY/FOOD SAFETY SECTION: (Sharon Swyear, Environmental/Chemical Laboratory Scientist IV)

The Section completed routine dairy analysis to satisfy the four antibiotic tests required within a six month period by the FDA for in-state dairies. Analysis in the Section resulted in 20 aerobic bacterial count violations, five coliform violations, 11 somatic cell violations, and four dairy water violations.

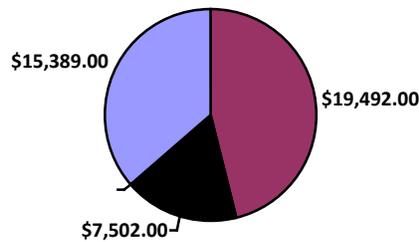
Total Determinations



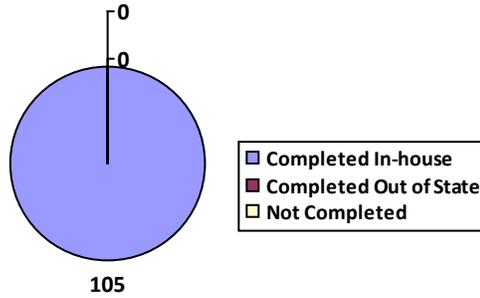
July



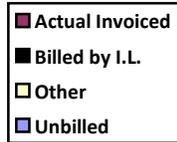
Revenue Breakdown



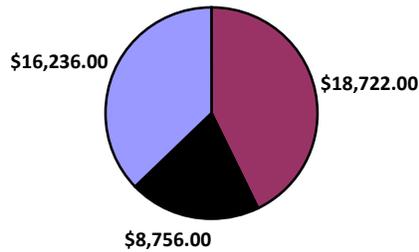
Dairy Farms



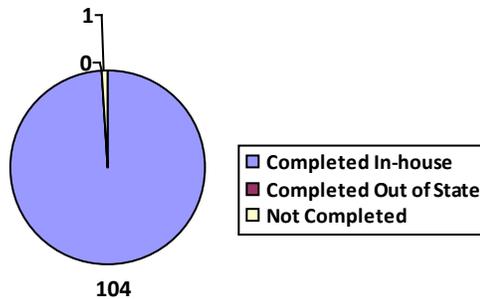
August



Revenue Breakdown



Dairy Farms



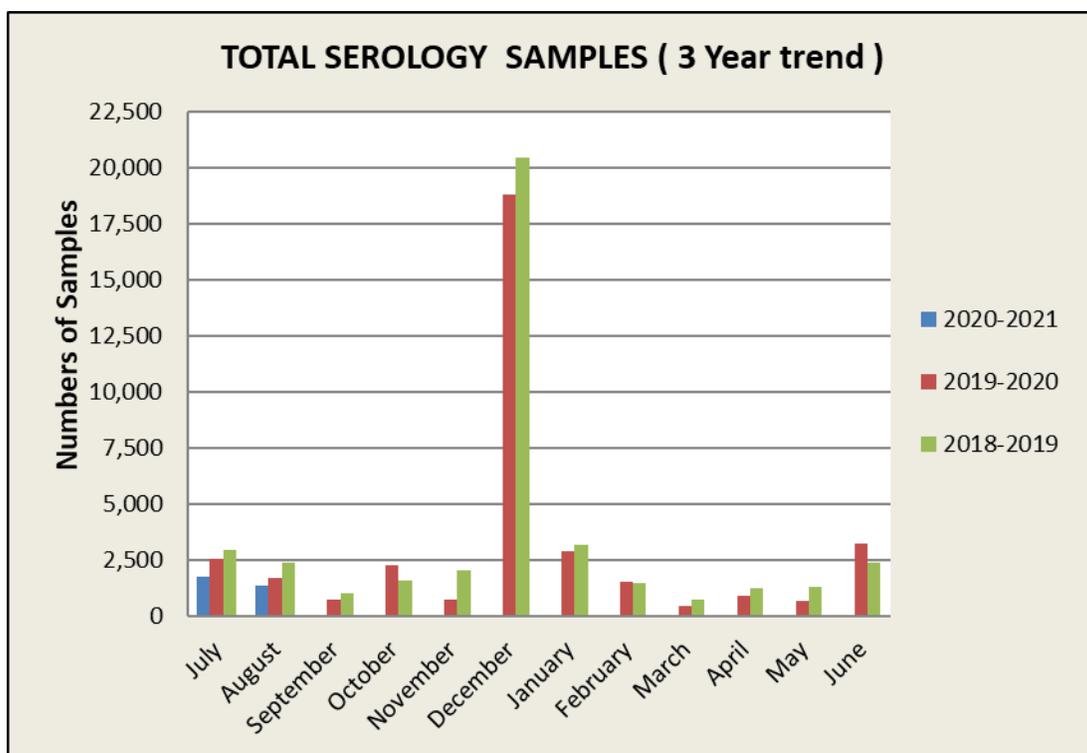
SEED SECTION: (Wade Krivanek, State Seed Program Administrator)

Sample records show 171 seed samples were sent in for testing during July. Wheat and other small grain seed were among the majority of crops tested while official sampling on sorghum, soybeans and grass made up the remainder. Most of the wheat sent in has shown high germination quality. However, there have been problems with impurities. The discovery of rye, ryegrass, cheat and field bindweed has caused many difficulties for some certified wheat growers resulting in some seed lots being disqualified for certification.

Activity remained steady during August; records indicate the Section received a total of 209 samples for testing. Official sampling by CPS inspectors resulted in six tons of rye seed and 650 pounds of tall fescue seed being placed under stop sale due to label discrepancies.

The Board of Directors of the Oklahoma Crop Improvement Association, along with Oklahoma Genetics Incorporated, held their quarterly meeting on August 21st on Zoom. There was heightened concern among the Directors regarding seed sales. Most certified wheat growers are reporting dismal sales in all areas of the state. Commodity prices along with decent harvest results continue to be the main driver for the lower sales as most farmers are holding back their own seed this year.

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



3-year Summary of Samples Analyzed							
July				August			
Year	Brucellosis	Pseudorabies	E.I.A.	Year	Brucellosis	Pseudorabies	E.I.A.
2020	955	773	15	2020	871	468	6
2019	1,351	1,190	10	2019	945	702	32
2018	1,576	1,322	24	2018	1,445	910	5

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

July	Feed	Fertilizer	Lime	Total
Samples Received	98	72	4	174
Samples Completed	77	64	13	154
Determinations	367	211	78	656
Violations	25	41	2	68
Violation %	6.81%	19.43%	2.56%	10.37%

August	Feed	Fertilizer	Lime	Total
Samples Received	184	52	9	245
Samples Completed	184	64	9	257
Determinations	799	196	54	1049
Violations	65	31	9	105
Violation %	8.14%	15.82%	16.67%	10.01%

PESTICIDE SECTION: (Tanna Hartington, Acting Section Supervisor)

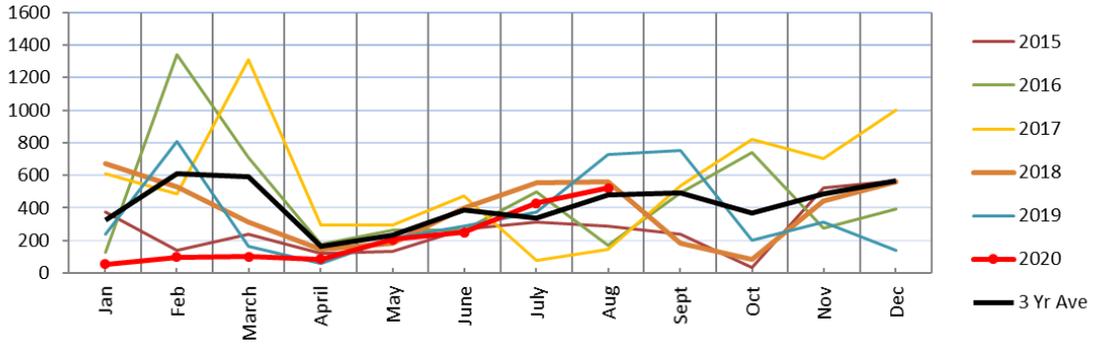
Pesticide Section by the numbers:

July	Number	Test	Det	Average TAT (days)	Average Residue TAT: 25 Average Formulations TAT: 161 Average Hemp TAT: 5
Formulation Conc.	2	1	4	161	
Residue Swab	2	2	18	7	
Residue Veg	27	41	397	27	
Hemp	9	9	9	5	

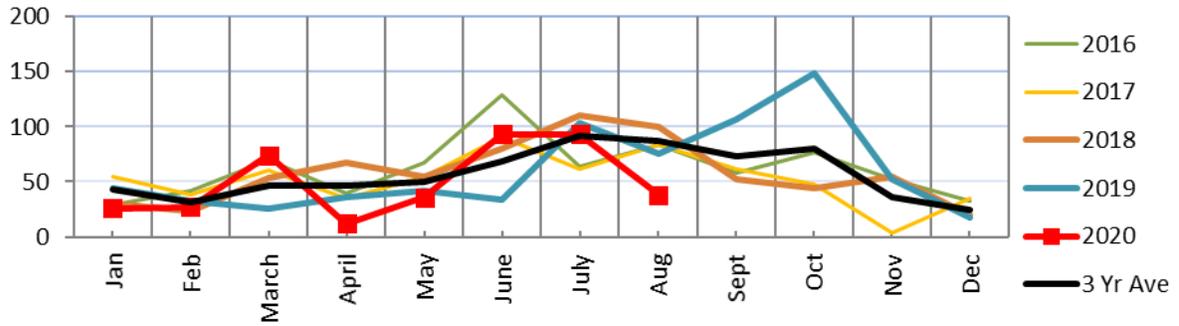
August	Number	Test	Det	Average TAT (days)	Average Residue TAT: 50 Average Formulations TAT: 178 Average Hemp TAT: 6
Formulation Conc.	4	7	12	178	
Residue Seed	1	1	2	100	
Residue Soil	7	13	87	49	
Residue Water	4	12	67	31	
Residue Veg	28	48	307	51	
Organic Act	3	3	3	50	
Hemp	5	5	5	6	
Proficiency Test	5	5	39	24	

Totals			
Month	# of Samples	# of Tests	# of Determinations
July	40	53	428
August	57	94	522

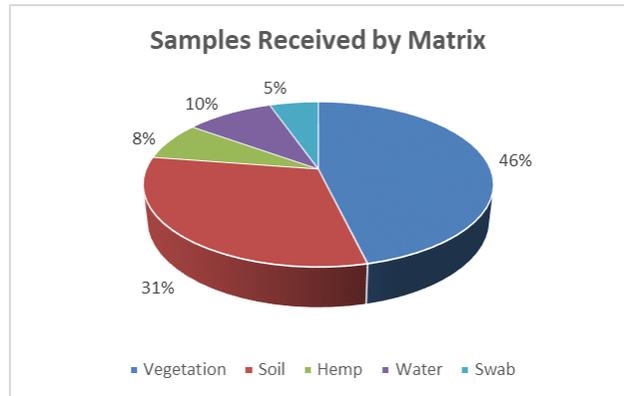
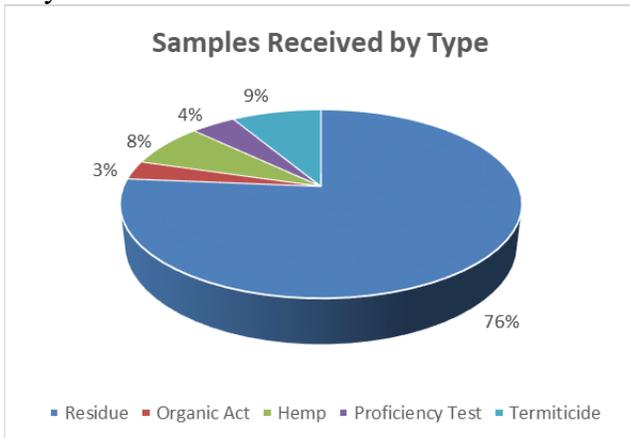
Determinations the Section completed by month:



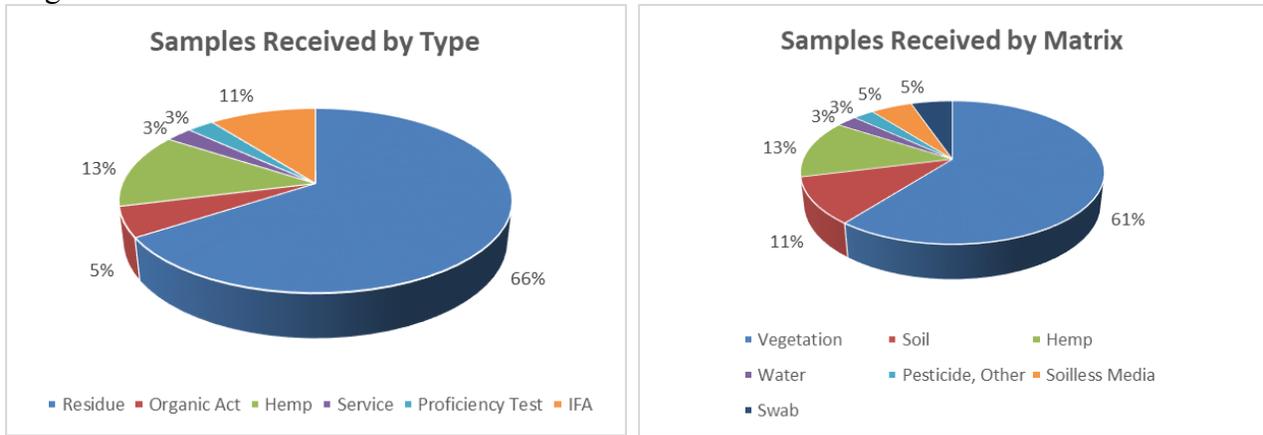
Samples the Section received by month:



July



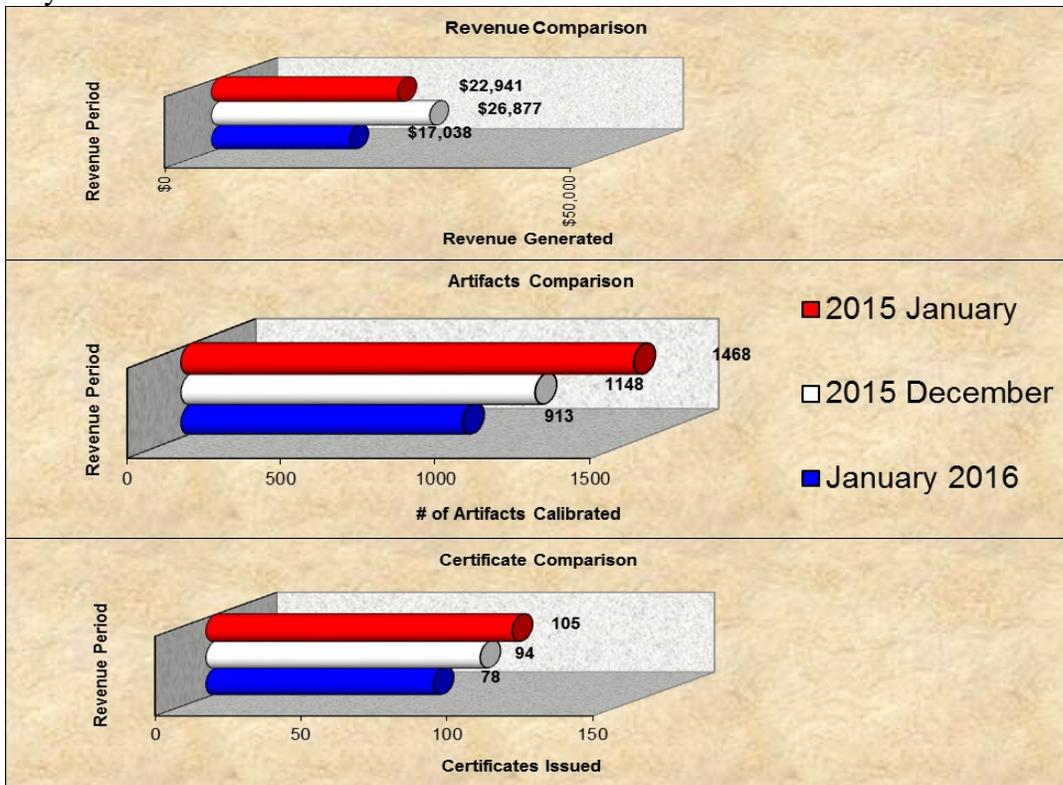
August



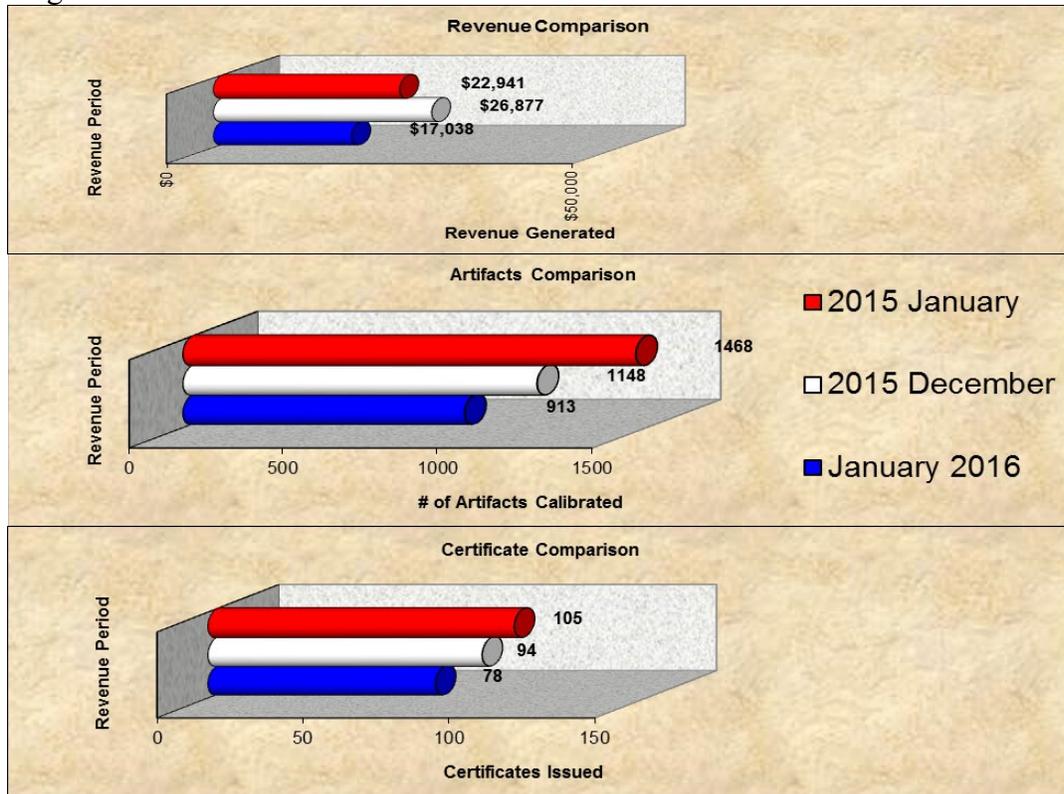
OKLAHOMA BUREAU OF STANDARDS: (Jeremy Nading, State Metrologist)

During July and August, the Bureau of Standards calibrated weights for the Jefferson County Health Department and the Colorado Metrology Laboratory. They also calibrated volume standards for the State Metrology Laboratory in Florida and test measures used for checking gas pumps around the state for the Oklahoma Corporation Commission. Work in the Section has increased in the last few months since neighboring calibration laboratories are not scheduling work as a result of the pandemic.

July:



August:



Summary of work completed:

July	#	Fees	% of Fees	# Standards	% of Standards
Out-of-State Customers	8	\$8,276.00	30%	89	6%
In-State Customers	20	\$17,793.00	70%	1370	94%
Totals	28	\$26,069.00		1459	

August	#	Fees	% of Fees	# Standards	% of Standards
Out-of-State Customers	6	\$2,898.00	12%	42	4%
In-State Customers	16	\$21,297.00	88%	1156	96%
Totals	22	\$24,195.00		1198	

Respectfully Submitted,

Tanna Hartington

Tanna Hartington
 Director, Laboratory Services Division

**BOARD REPORT
LABORATORY SERVICES DIVISION
JULY 2020 ACTIVITIES**

FEED SAMPLES	77
FEED DETERMINATIONS	367
POSSIBLE VIOLATIONS	25
FERTILIZER SAMPLES	64
FERTILIZER DETERMINATIONS	211
POSSIBLE VIOLATIONS	41
LIME SAMPLES	13
LIME DETERMINATIONS	78
POSSIBLE VIOLATIONS	2
PESTICIDE SAMPLES	40
PESTICIDE DETERMINATIONS	428
INORGANIC LAB SAMPLES	205
DETERMINATIONS	1328
STATE-FEDERAL VET. LAB. SAMPLES	1743
STATE-FEDERAL VET. LAB. DETERMINATIONS	1986
NUMBER POSITIVES	0
SEED SAMPLES	113
SEED DETERMINATIONS	177
POSSIBLE VIOLATIONS	0
BUREAU OF STANDARDS CERTIFICATES	183
NUMBER OF STANDARDS CALIBRATED	1459
FEE CHARGES	\$26,069.00
DAIRY AND FOOD SAFETY SAMPLES	528
DAIRY AND FOOD SAFETY DETERMINATIONS	1050
POSSIBLE VIOLATIONS	19
TOTAL SAMPLES	2966
TOTAL DETERMINATIONS	7084
TOTAL POSSIBLE VIOLATIONS	87

**BOARD REPORT
LABORATORY SERVICES DIVISION
AUGUST 2020 ACTIVITIES**

FEED SAMPLES	184
FEED DETERMINATIONS	799
POSSIBLE VIOLATIONS	65
FERTILIZER SAMPLES	64
FERTILIZER DETERMINATIONS	196
POSSIBLE VIOLATIONS	31
LIME SAMPLES	9
LIME DETERMINATIONS	54
POSSIBLE VIOLATIONS	9
PESTICIDE SAMPLES	57
PESTICIDE DETERMINATIONS	522
INORGANIC LAB SAMPLES	205
DETERMINATIONS	1328
STATE-FEDERAL VET. LAB. SAMPLES	1345
STATE-FEDERAL VET. LAB. DETERMINATIONS	1703
NUMBER POSITIVES	0
SEED SAMPLES	189
SEED DETERMINATIONS	256
POSSIBLE VIOLATIONS	2
BUREAU OF STANDARDS CERTIFICATES	147
NUMBER OF STANDARDS CALIBRATED	1861
FEE CHARGES	\$24,195.00
DAIRY AND FOOD SAFETY SAMPLES	600
DAIRY AND FOOD SAFETY DETERMINATIONS	1136
POSSIBLE VIOLATIONS	39
TOTAL SAMPLES	2800
TOTAL DETERMINATIONS	7855
TOTAL POSSIBLE VIOLATIONS	146



SEPTEMBER 2020

OKLAHOMA FORESTRY SERVICES BOARD REPORT

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

AUGUST/SEPTEMBER HIGHLIGHT

Tree Planting on the Oklahoma River

OFS Urban and Community Forester Mark Bays recently met with Brian Daugherty, Oklahoma City Community Foundation, and Steven Wright, Oklahoma City Parks, to assess the health of 800 trees that were planted just over a year ago along the trail on the north side of the Oklahoma River in Oklahoma City. The trees were funded by the OKC Community Foundation in celebration of its 50th anniversary. A variety of species that thrive in Oklahoma were planted and most appear to be in good health and condition. OFS works closely with both the Oklahoma City Community Foundation and Oklahoma City Parks on multiple projects and values the partnerships.

WILDFIRE RESPONSE/OUTLOOK

The operational implications moving into the winter and early spring months indicate that resource commitment in western Oklahoma is likely, including OFS Task Forces, as well as elevated potential for firefighting aviation requirements. While the potential is not imminent, preparedness actions to support wildfire activity across Oklahoma are being considered and implemented.

August 2020 Fire Response	Fires	Acres
2020 Wildfires Year-to-Date	384	71,634.6
OFS Protection Area - Month	16	491
5-Year Average	18	613
10-Year Average	67	2,399.6
Protection Area YTD	289	20,975.3
OFS Response Outside Protection Area	0	0
OFS Response Outside Protection Area YTD	35	48,524.5
Fire Department Reports	5	66.1
Fire Department Reports YTD	60	2,134.8
Prescribed Burns - YTD	26	2,033

OTHER UPDATES

- OFS personnel have been deployed to assist with wildfires in other states over the past two months, including: California, Texas, Colorado, Arkansas, Idaho and Arizona.
- Foresters and Rangers from across the state are currently assisting the Forest Regeneration Center with collecting various types of forest tree seed for planting next year's seedling crop.

Respectfully Submitted,
 Mark Goeller
 Director/State Forester



SEPTEMBER 2020 OKLAHOMA FORESTRY SERVICES BOARD REPORT

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

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

AUGUST/SEPTEMBER HIGHLIGHT

Oklahoma River Tree Planting

OFS Urban and Community Forester Mark Bays met with Brian Daugherty, Oklahoma City Community Foundation, and Steven Wright, Oklahoma City Parks, to assess the health of 800 trees that were planted just over a year ago along the trail on the north side of the river in Oklahoma City.

The Oklahoma City Community Foundation provided funding and coordination for the project in celebration of its 50th Anniversary. Its aim was to transform an empty stretch of treeless space into a linear park, adding shade, color and scenic respite areas to the cycling and pedestrian trail that stretches from Harvey to Portland avenues. A variety of species that thrive in Oklahoma were planted and most appear to be in good health and condition. The trees were strategically planted to provide shade on the trail and that is already beginning to happen. OFS works closely with both the Oklahoma City Community Foundation and Oklahoma City Parks on multiple projects and values the partnerships.

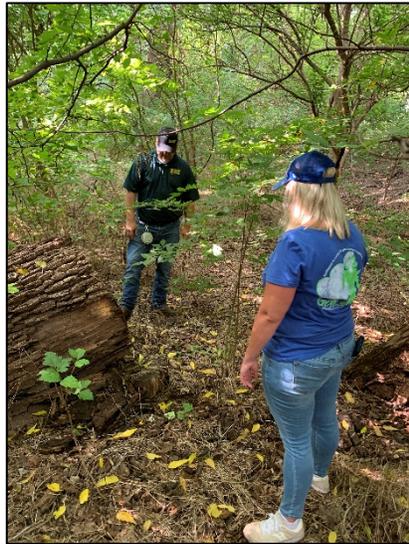


RESILIENT LANDSCAPES

URBAN AND COMMUNITY FORESTRY

Dutch elm disease in Woodward - Community Forester Mark Bays and Service Forester Riley Coy met with the City of Woodward Parks Director Ryan Williams on July 30 to develop a Dutch elm disease plan for Circle Drive Park. One American elm was severely impacted and is scheduled for removal. They also recommended conducting root pruning by trenching between adjacent elms and applying systemic fungicide on additional elms

in the park. Bays went back on September 3 and the trenching and fungicide treatment had been conducted. The removal of the severely impacted tree was scheduled to happen the following week.



Inspecting trees at the Girl Scout Camp.



Advising on Dutch Elm Disease in Woodward.

New Central Oklahoma Girl Scout Camp - Service Forester Riley Coy and Mark Bays met with representatives of the Girl Scouts of America on August 6, at their newly constructed, first of its kind in the nation, Girl Scout STEM Camp facility in Oklahoma City to review the success of the tree preservation plan, which was outlined prior to construction. Most trees within the immediate construction area appeared to be in good condition and OFS will continue to monitor their condition for the next several years. Many species of trees were identified and will be mapped and labeled on the grounds of Camp Trivera including several large walnuts that are most likely over one hundred years old.

Capitol Tree Preservation and Tree Planting - Mark Bays met with Trait Thompson, State Capitol Project Manager, Bud Dolan, OMES, and construction crews on the north side of the state capitol on August 20 to review the completed landscape installation following restoration activities to the exterior to the capitol. Mark also met with site project managers for Manhattan Construction to review the tree preservation and final landscaping around the new visitors center. Tree preservation throughout the extent of both projects was highly successful in protecting existing trees from long-term health issues and newly planted trees were in good health.

Mayflower Congregational Church - Mark Bays met with representatives of the landscaping committee of Mayflower Congregational Church in Oklahoma City on August 21 to discuss opportunities for renewing an interior sitting area where several trees were in a state of decline. He recommended the removal of a severely declining Japanese maple and soil conditioning improvements around a Shantung maple.

River Bend Neighborhood Association - Mark Bays and Kevin Mink, Oklahoma County Conservation District, met several members of the River Bend Neighborhood Association September 16 to assess the health of trees planted in the main median leading into the neighborhood. Bradford pears and Shumard oaks were planted on 15 ft. centers in the 1980's and were now competing for limited root and crown space. Due to the declining condition of most of the Bradford it was recommended that they be removed in order to make room for the healthier more long-lived oaks.

FOREST INVENTORY & ANALYSIS (FIA)

Forest Inventory and Analysis has completed two of its three most challenging counties - McCurtain and Pushmataha. With these 2.1 million acres surveyed, the crew is moving north and west.

FOREST REGENERATION & FOREST TREE IMPROVEMENT CENTERS

Seedling Sales Begin – Seedling sales kick-off on October 1 and will continue through March 31. Visit the online store for more information on the OFS website – www.forestry.ok.gov.

Seed Collection - The Forest Regeneration Center has shifted gears from harvesting seedlings to collecting seed to plant the for next year's conservation seedling crop. Staff collected roughleaf dogwood from Stanley Draper Lake, Lake Thunderbird and Purcell Lake. Roughleaf dogwood is an understory species good for wildlife and to couple with larger trees like Oaks for a windbreak. The Forest Regeneration Center is also working with the Southeast, Northeast and East Central Foresters to collect walnut and other oak species.

New Species – The Forest Regeneration Center is planting a new species of oak this year. They collected seed from Quartz Mountain escarpment live oak, which is mostly isolated in southwest Oklahoma. This is a drought tolerant species for the urban tree improvement grant to see if it is a better species than the currently widely available gulf coastal species. We expect this tree to be more resilient in Western Oklahoma.

SPECIAL PROJECTS AROUND THE STATE

Personnel from across the state have been deployed to out-of-state fire assignments over the past two months and are currently assisting the Forest Regeneration Center with seed collection.

East Central Area

- East Central completed 6 stewardship plans for a total of 3,008 acres and 4 prescribed burn plans to treat 1,167 acres in August and September.
- Forester Eddie Woods presented about forestry education and careers to Eastern Oklahoma State College's Agriculture Orientation classes this month, with around 65 students participating.

Southeast Area

- SE Area provided assistance to 40 landowners and wrote 15 stewardship plans for 1,701 acres in August and September.
- Aerial spraying for hardwood competition reduction and site preparation was completed on 1309 acres.

Northeast Area

- NE Area provided assistance to 29 landowners, wrote 1 stewardship plan for 50 acres and 1 prescribed burn plan for 100 acres.
- Jay and Sallisaw Rangers completed fireline BMP checks with Water Quality Forester Jason Whaley.
- Mark Goeller climbed the Beaver Tower to remove communication equipment in preparation to transfer it to the City of Sand Springs. (See photo)



WILDFIRE RESPONSE

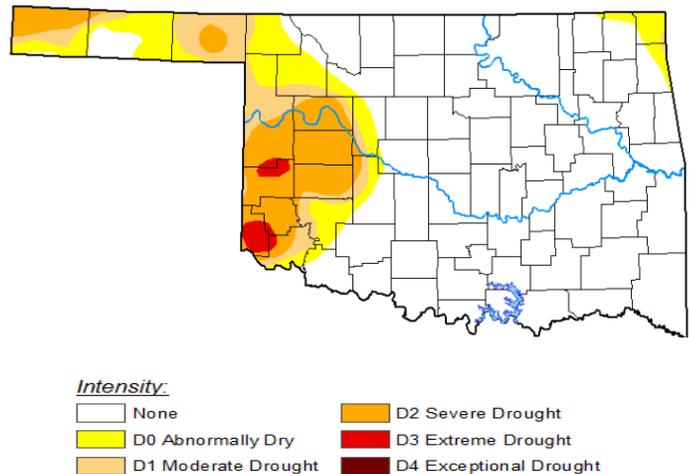
Fire Staff Board Report 09/29/20

Fire Operations - Despite persistent drought indications across western and parts of northern Oklahoma, fire activity remained rather subdued with approximately 24% of normal fire occurrence for the month that burned approximately 20% of normal acres.

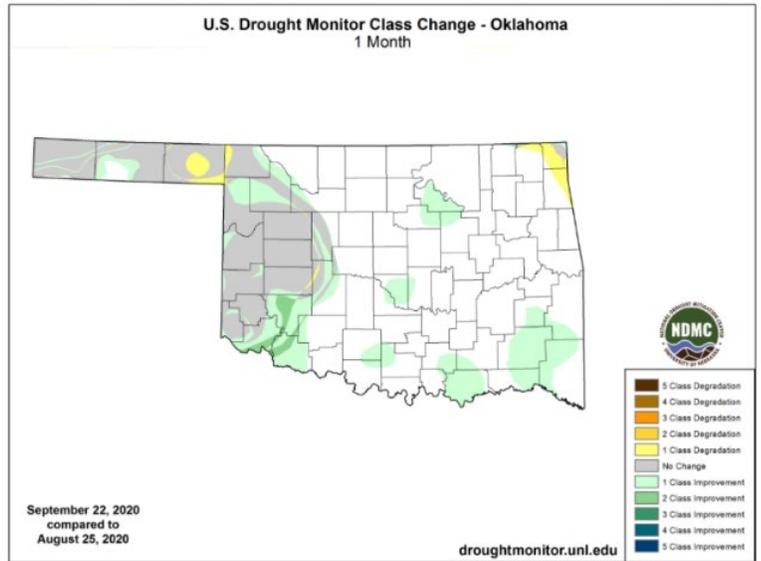
The statistics for September fire occurrence will be compiled on October 1st, but preliminary data suggests a consistent trend with August fire occurrence. This can be attributed primarily to 1) well timed rainfall, 2) the absence of troublesome fire weather, and 3) overall normal to slightly below normal fuel loading in the driest portions of Oklahoma. However, it should be noted that this set-up does raise concerns for the winter and early spring time period.

August 2020 Fire Response	Fires	Acres
2020 Wildfires Year-to-Date	384	71,634.6
OFS Protection Area - Month	16	491
5-Year Average	18	613
10-Year Average	67	2,399.6
Protection Area YTD	289	20,975.3
OFS Response Outside Protection Area	0	0
OFS Response Outside Protection Area YTD	35	48,524.5
Fire Department Reports	5	66.1
Fire Department Reports YTD	60	2,134.8
Prescribed Burns - SE	0	0
Prescribed Burns - EC	0	0
Prescribed Burns - NE	0	0
Prescribed Burns - OKOKS	0	0
Prescribed Burns - YTD	26	2,033

Wildfire Outlook - With the growing season winding down and leaning into the transition toward fuel dormancy as live-fuel moisture diminishes there are two indicative factors that move to the forefront – 1) the persistence of drought throughout western Oklahoma, and 2) the transition to a wintertime LaNina pattern that translates in to a higher probability of warmer/drier than average expectations over the winter and into spring. Both of these indicators combined point to the likelihood of increased fire occurrence as well potential for increasing fire severity when fuels become dormant and fully cured in winter and early spring. In short, this is not a rosy outlook although it is tempered to some extent when compared to some of the recent LaNina events in years previous.

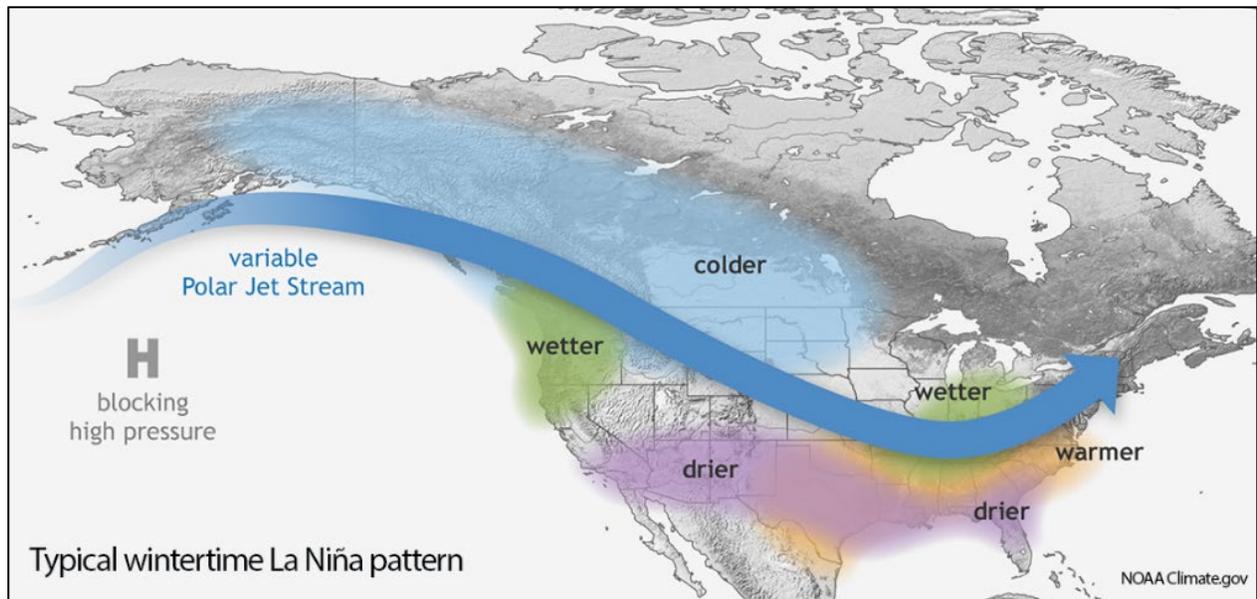


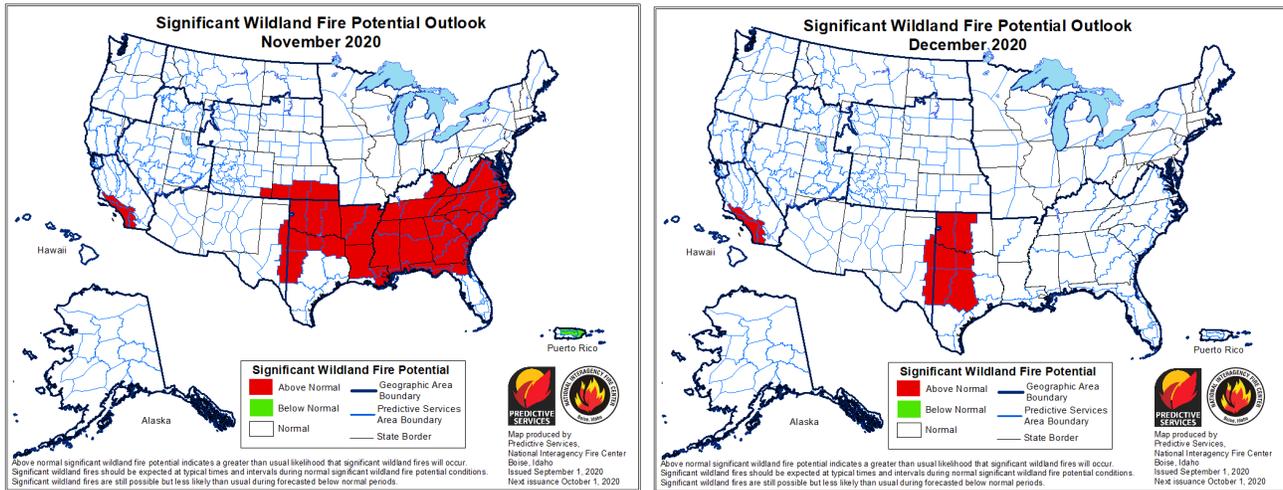
Depicted to the right is the current drought monitor and the drought monitor class change over the course of the previous four weeks (lower image). While drought indices have decreased in spatial coverage overall, they have remained persistent across much of western Oklahoma and extreme northeastern Oklahoma. A notable rainfall event in early September did prompt a resurgence in herbaceous live-fuel moisture stalling the drought buildup and dampening fire danger. That resurgence is expected to mitigate the fire severity concern through early fall, unlike what was observed earlier this year in June and early July. And in the absence of critical fire weather, initial attack on new fires is expected to be successful into the early fall period. Informally, we have been able to ‘kick the can down the road’ although mindfulness moving forward is merited.



Wildfire Preparedness

The fire environment will require careful monitoring as we progress through fall and into the winter months. The persistence of drought indices and expected intensification of LaNiña brings enhanced probability of increased fire occurrence. Depicted to the right is the typical expectation of a wintertime LaNiña pattern pointing to the prevalence of warmer/drier expectations. Fuel loading/moisture as well as the frequency and intensity of the upper-end fire weather episodes will broadly determine fire occurrence and fire severity.





The Significant Wildfire Potential Outlook issued by the National Interagency Fire Center for November and December corroborate the current outlook for Oklahoma. The operational implications moving into the winter and early spring months indicate that resource commitment in western Oklahoma is likely, including OFS Task Forces, as well as elevated potential for firefighting aviation requirements. While the potential is not imminent, preparedness actions to support wildfire activity across Oklahoma are being considered and implemented.

COMMUNITY OUTREACH & COMMUNICATIONS

FOREST HERITAGE CENTER

Museum visitation reached 6,945 for the month of August.

COVID-19 Response

Beavers Bend State Park and the Forest Heritage Center remain open to the public with social distancing regulations in place and one-way visitor flow through the museum.

EXHIBITS & EVENTS

Masters at Work Woodturning Workshop - The Masters at Work Woodturning Workshop was scaled down and moved outdoors to comply with social distancing regulations. The more intimate format of this year's event allowed wood artists to invite guests to "see and touch" wood art pieces and lathes for a more personal experience. Woodturners had the freedom to interact freely with guests which allowed for a different type of education than has previously been experienced during the event. As part of the Masters at Work Woodturning Workshop over 700 bowls were donated to raise money for the fight against food insecurity.

Train of Terror - The Friends of Beavers Bend Halloween event that is usually held indoors at the Forest Heritage Center is being relocated to the outdoor location of the Beavers Bend Train Depot. The event is a fundraiser for the Friends of Beavers Bend State Park.

Forestry Field Days - The decision was made to cancel the 2020 Forestry Field Days event. The focus of the event is to get potential forestry students into the field to see first-hand some of the career opportunities that the forest industry has to offer. FHC staff were concerned that by moving young people from one location to another, the number of individuals we would come into contact with would be too great.

Broken Bow Lake 50th Anniversary - More than 100 people attended the 50th anniversary celebration for the construction of the Broken Bow Lake dam. Among those who spoke were Lt. Gov Matt Pinnell, Choctaw Chief Gary Batton, ODWC Director JD Strong, OTRD Director of State Parks Kris Marek, US Army Corps of Engineers Col. Scott Prestion, and Broken Bow Chamber of Commerce Representative Robert Williams. Following the celebration, Chief Gary Batton, Angela Batton, State Representative elect Eddy Dempsey, and Republican Senatorial candidate George Burns joined Doug Zook, Calista Stephens, and Mike McConnell for a tour of the Forest Heritage Center.

PROGRAMS & PROJECTS

FHC Facility Condition and Maintenance - The front railing of the Forest Heritage Center has been replaced to match the more modern cable railing system of the courtyard. The front flower beds have been completely removed and are awaiting the installation of new low-maintenance xeriscape-type beds. The petrified wood and Native American sculpture which were previously in the beds will be returned with the update. On the outdoor plaza, lights, fans and picnic tables and benches have been added. The lower parking lot at the Forest Heritage Center has been re-graded and repaved. The expanded space roughly doubles the parking capacity in that lot. Park Maintenance staff has performed extensive cleanup to improve the aesthetics of the FHC from the road. On August 6 Tourism and OMES began the process of upgrading the internet cabling and installation of a new equipment HUB to increase the stability of the office internet service.

State Parks Parking Passes - A new parking pass system has been instituted for Oklahoma State Parks. Visitors may drive through the park at no charge and, once purchased, the parking pass is valid throughout the park. The funds generated in a state park will be used within that state park.

Oklahoma State Parks Parking Passes
What You Need to Know

Oklahoma Residents	Out of State Guests	Discounts
Daily fee: \$8 per vehicle	Daily fee: \$10 per vehicle	Oklahoma Veterans
Three day fee: \$20	Three day fee: \$25	Oklahomans age 62 or older
One week fee: \$28	One week fee: \$35	Totally disabled
Annual pass: \$60	Annual pass: \$75	

To receive your discount code bring applicable paperwork to the registration desk at the Forest Heritage Center. Discounts for Oklahoma/Oklahoma Tribal license plate will be applied automatically upon checkout on the Premium Parking website, app or TextPay. For questions call 580-494-6300.

*Option 1
(Phone)*



Download the new OK State Parks app

→



You will be prompted to download the Premium Parking app.

→

Location #
P4602

For Beavers Bend State Park enter code P4602.

*Option 2
(Computer)*



Go to <https://premiumparking.com>.
Enter code P4602 for Beavers Bend State Park.

*Option 3
(In Person)*



Enter your tag number into one of the kiosks located at the Forest Heritage Center or Lakeview Lodge.

OUTREACH & EDUCATION

Intern Forester update

Summer interns have returned to school. This past summer intern season had its challenges, but overall proved to be successful. Both Jaime Crouch and Christian Hayes were very glad to have been part of the program and appreciated the opportunity to learn alongside other forestry professionals. They have returned to OSU and have been telling other students about their experiences. Their word of mouth has been good advertising for OFS's intern program and generated several phone calls about next year's program already.

COVID Impact

Fall is typically a busy time for Oklahoma Forestry Services, with community events, Smokey Bear school programs, educational presentations and more. This year most events and educational opportunities have been cancelled or moved online with OFS adapting to the situation.

STATE FORESTER AUGUST/SEPTEMBER 2020 ACTIVITIES

- Participated in the ODAFF Legislative Town Hall Meeting via ZOOM
- Participated in the ODAFF Public Town Hall Meeting via ZOOM
- Participated in the ODAFF Employee Town Hall Meeting via ZOOM
- Participated in the two Incident Management Rapid Response Operations Section Chief Meetings via MS Teams
- Attended a meeting with Morgan Vance and Suzanne McCombs to discuss the redesign of ODAFF/OFS websites
- Attended the August Board of Agriculture Meeting
- Attended the Rural Fire Coordinators' August Monthly Meeting via ZOOM
- Attended two Incident Management Rapid Response Safety Officer Meeting Meetings via MS Teams
- Participated in the August & September State Foresters Monthly Policy Call conducted by the National Ass'n of State Foresters
- Conducted the August NWCG Risk Management Committee Conference Call
- Participated in four virtual meetings of the Medical and Public Health Advisory Team via MS Teams as the National Wildfire Coordinating Group Risk Management Committee representative.
- Attended meetings of the Technology Subcommittee of Land Mobile Radio Public Safety Interoperability Cooperative Committee.
- Attended the August monthly meeting of the Oklahoma Association of Regional Councils
- Attended the National Association of State Foresters' Wildland Fire Committee Fall Meeting via ZOOM
- Served as Deputy Incident Commander with Northern Rockies Type 1 Incident Management Team for the SQF Complex Wildfires on the Sequoia National Forest in southern California
- Participated in the ODAFF Town Hall Meeting via ZOOM

Respectfully Submitted,

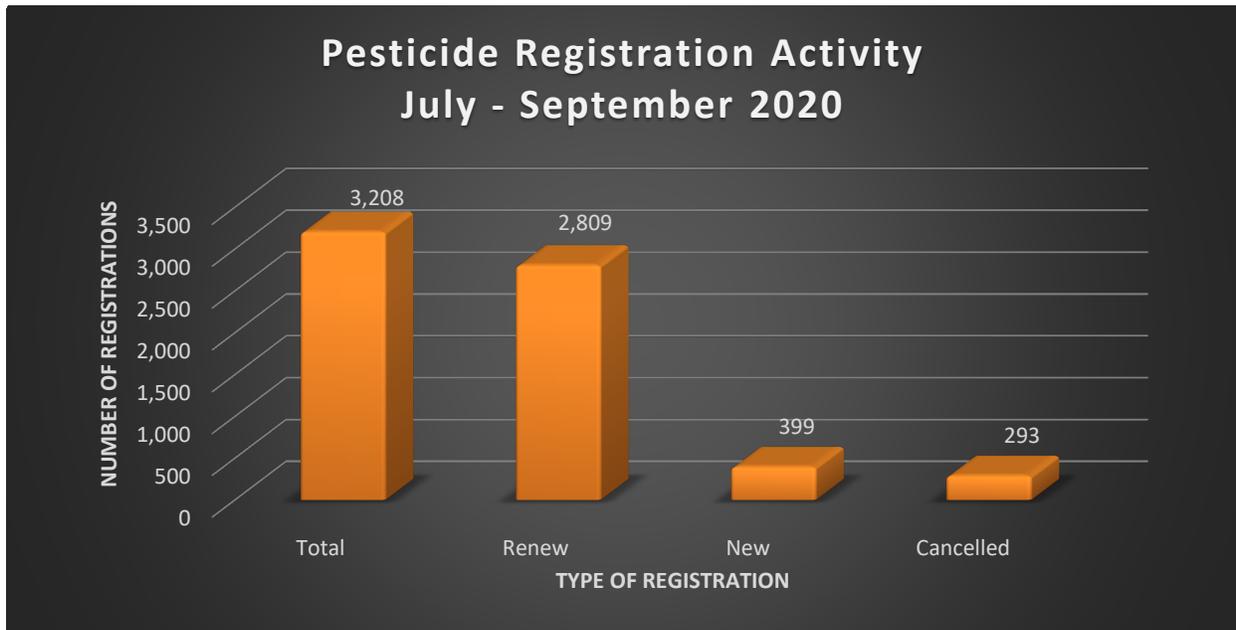
Mark E. Goeller
Director/State Forester

OCTOBER 13, 2020 BOARD MEETING
CONSUMER PROTECTION SERVICES DIVISION
REPORT FOR AUGUST/SEPTEMBER 2020

PESTICIDE SECTION

Pesticide Registration Activity

Pesticide registrations for July to September in 2020 are presented in the following chart. A total of 3208 products were registered, of the products registered 2809 were renewals and 399 were new. There were 293 products cancelled.



Along with the inspections in the table below, CPS pesticide inspectors also took 35 non agriculture use samples and 80 agriculture use samples and 34 producer establishment samples for a total of 149 samples. These samples consist of 103 residue samples, 6 concentrate samples, and 40 documentary sample.

Table 1. Inspection Count for July - August 2020*

Inspection Type	Number of Inspections		
	July	August	Two Month Total
Experimental Use Permit	0	0	0
Marketplace	16	28	44
Pesticide Applicator Facility	17	27	44
Pesticide Service Inspection	0	0	0
Restricted Use Pesticide Dealer	3	11	14
Container Containment Inspection	2	1	3
Producer Establishment	43	0	43
Use	55	54	109
Termite	1	0	1
Wood	1	0	1
Pre-treat	3	0	3
Drift Investigation	0	0	0
Pesticide Label	1008	1876	2884
Worker Protection	10	0	10
Total	1159	1997	3156

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

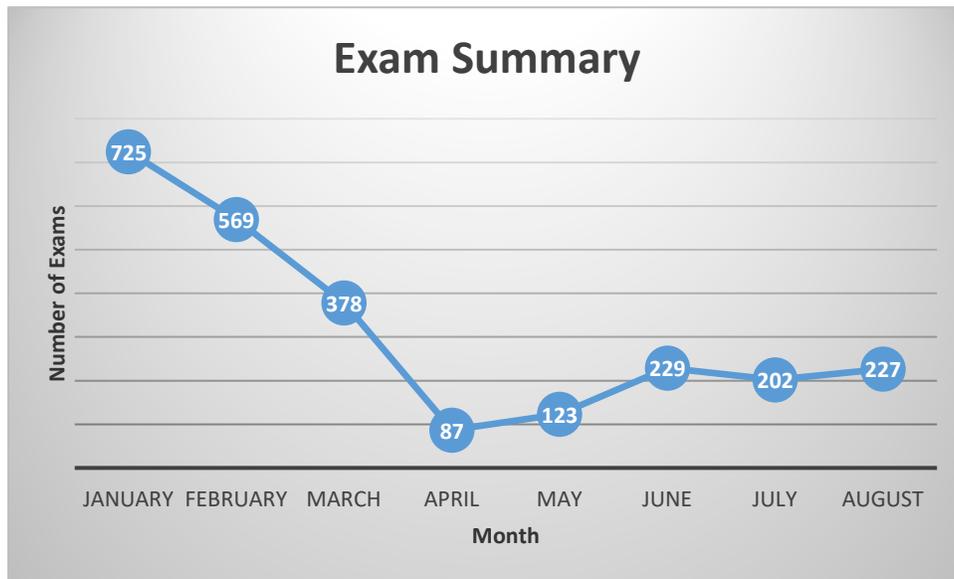
Pesticide Testing & Updates

PSI Testing

As of September 26, 2020, PSI Services LLC has administered 4,151 exams. On March 20, 2020, PSI closed all testing locations due to the COVID-19 pandemic. On April 13, 2020, PSI opened three locations for businesses that were considered to be essential. By June 1, 2020, all PSI testing locations were open. All locations are continuing to work at 50% capacity. The average number of exams administered per day has increased from 6 to 8 since the reopening of all facilities.

COVID-19 Adjusted Requirements

Pesticide Categories – Due to COVID-19, the applicators with pesticide categories expiring at the end of 2020 (4-Seed Treatment, 5-Aquatic, and 7C-Fumigation) will be allowed to retest starting July 1, 2020 rather than in September. The deadline for collecting CEUs will also be extended to February 28, 2021. CEU letters have been sent out for those that have enough CEUs to recertify.



Pesticide Complaints

PESTICIDE COMPLAINTS	July 28, 2020 – September 28, 2020			
	RECEIVED	CLOSED	WARNINGS ISSUED	NO ACTION
CONSUMER GENERATED	23	20	17	20
MUSK THISTLE	2	0	2	
CASES REFERRED TO OGC:	17			

ENVIRONMENTAL RESOURCE AND HORTICULTURE SECTION

Plant Protection Program

Nursery

ODAFF is currently renewing Nursery Grower licenses, which expired on September 30, 2020. There are approximately 2,500 Grower licensees to be renewed with approximately 1,100 licenses already processed.

Phytosanitary Certificates

Kaci Hubbell, nursery program administrator, and Mary Riccotti, nursery administrative assistant, are currently working with Kelly Registration on the phytosanitary system to work out any problems before going live with the new software which should happen in the near future. This new system will save both time in issuing phytosanitary certificates and keeping track of billing.

Federal Phytosanitary Certificates Issued from August 1 – September 15, 2020

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

23 Federal Phytosanitary certificates issued @ \$106.00 each

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

3 Federal Phytosanitary Certificates issued @ \$61.00 each

Federal Phytosanitary Certificates (August 1 - September 15, 2020)			
Country	Product	Quantity	Phytos Issued
Argentina	Peanut Seeds	90 Packets	1
China	Barrelclover Seeds	219,780 Lbs	1
China	Cedar Logs	784 Logs	1
Mexico	Sesame Seeds	981,409 lbs	20
Netherlands	Mouseear Cress Seeds	1 Gram	1
Vietnam	Cedar Logs	470 Logs	1
Thailand	Miscanthus	88,184 Lbs	1

State Phytosanitary Certificates Issued from August 1 – September 15, 2020

107 Phytosanitary Certificates issued @ \$20 each

60 Phytosanitary Certificates issued @ \$5 each

State Phytosanitary Certificates - August 1 - September 15, 2020	
State	Certificates Issued
Arizona	9
California	20
Colorado	28
Idaho	4
Montana	1
New Mexico	10
Nevada	10
Oregon	11
Tennessee	36
Utah	15
Washington	23

Phytophthora ramorum Sampling

We are continuing to sample for *P. ramorum* across the state at box stores and smaller independent nurseries. Along with fall compliance sampling on September 8-10 at Park Hill Nursery, which yielded about 400 samples, we are also planning a sweep of 3 larger nurseries in Eastern Oklahoma. As of September 18, we have completed 38 *P. ramorum* inspections at box stores (Lowe’s, Walmart, etc.). Additionally, we have completed 30 inspections at independent nurseries. Over 60 samples have been taken and sent to the OSU lab as a result of our inspections at box stores and independent nurseries, with none coming back positive for *P. ramorum*.

Japanese Beetle Survey

Currently ODAFF is surveying for Japanese Beetles, which is a requirement by some states to ship plant materials to their state. ODAFF began setting our traps for the Japanese Beetle Survey in late May and all the traps were set by June 1. Initially, we set out a total of 54 traps across 8 counties. There are 5 inspectors included in this survey. Traps were checked every 2 weeks during June, July, and August and were re-lured at the end of July. In September, we began checking the traps once per month. As of September 28, we have only found 1 Japanese Beetle. The Beetle was found by James Schoppa, CPS field inspector in Canadian County in July. According to historical data, Japanese Beetles have not been trapped in Canadian County before. If one more beetle is found, the county will be declared infested according to the Japanese Beetle Harmonization Plan and compliance agreements will be needed for facilities in Canadian County. The survey will end with one last trap check at the end of October.



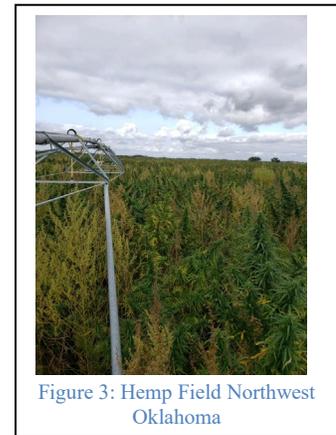
Figure 1: Japanese beetle.



Figure 2: Japanese beetle trap.

Industrial Hemp Program

Harvest season has begun with hemp being grown outside. ODAFF currently is receiving harvest reports, verifying crop failures, submitting compliance samples, returning lab results to growers who have been sampled, following up on noncompliant samples and invoicing growers for inspection time.



Current hemp program numbers:

Total Active Growers	Total Sq. Ft.	Total Acreage
129	243, 494	3,885

AGRICULTURE RESOURCE SECTION

Weights & Measures Program

The large capacity scale technicians inspected 323 vehicle scales and 1 livestock scale, 16 of the vehicle scales were rejected for repairs.

Weights & Measures inspectors checked a total of 1,307 small scales and 34 platform scales during this period, 22 scales were rejected. There were 23 random pack inspections and 75 standard pack inspections conducted that resulted in 10 companies receiving letters of warning. Additionally, 213 price verification inspections were conducted at various retailers, with 1 company receiving a letter of warning. Six scale companies received letters of warning for not properly servicing scales.

Feed Program

Program Performance

During this reporting period there were a total of 184 official feed samples analyzed, with 753 feed determinations made from these samples. These determinations resulted in the issuance of 35 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 Salt, Crude Fat, Vitamin A, Copper, Manganese, Zinc and Calcium. Eight stop sale orders were issued for feed products with severe deviations from their guaranteed analysis. Two stops sales were issued for products deficient in Vitamin A, one stop sale was issued for a product deficient in Calcium, one stop sale was issued for a product deficient in Crude Fat, one stop sale was issued for a product excessive in Crude Fiber, and three stop sales was issued for a product deficient in Crude Protein.

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 July 2020 – August 2020

Nutritional Guarantee	Number of Label Violations		
	July ¹	August ²	Two Month Total
Crude Protein	10	12	22
Non-protein Nitrogen	0	0	0
Crude Fat	3	3	6
Crude Fiber	1	0	1
Calcium	0	5	5
Phosphorus	0	0	0
Salt	3	3	6
Manganese	1	1	2
Potassium	0	0	0
Copper	0	1	1
Iron	1	0	1
Zinc	1	6	7
Vitamin A	0	4	4
Medicated Feed	0	0	0
Total	20	35	55

¹ 74 feed samples analyzed with 348 determinations; ² 184 feed samples analyzed with 753 determinations

Table 2. Feed Stop Sale Summary July 2020 – August 2020

Nutritional Guarantee	Number of Stop Sales		
	July ¹	August ²	Two Month Total
Crude Protein	0	3	3
Non-protein Nitrogen	0	0	0
Crude Fat	0	1	1
Crude Fiber	1	1	2
Calcium	0	1	1
Phosphorus	0	0	0
Salt	0	0	0
Manganese	0	0	0
Potassium	0	0	0
Copper	0	0	0
Zinc	0	0	0
Vitamin A	0	2	2
Medicated Feed	0	0	0
Total	1	8	9

¹ 74 feed samples analyzed with 348 determinations; ² 184 feed samples analyzed with 753 determinations

Fertilizer Program

Program Performance

Joshua Maples, Fertilizer Program Administrator attended the virtual Association of American Plant Food Control Officials meeting on July 29th, to kick-off the virtual Summer Annual AAPFCO Meeting which took place July 31st, and August 3rd and 4th. Josh represented Oklahoma for the AAPFCO business and committee sessions.

Below you will find the performance numbers for the Fertilizer and Agricultural Lime Programs. There was also one Letter of Warning that was sent on behalf of the Fertilizer Program.

Type of Sample	Number	Penalty Fee Letters	Notice of Deficiency: Stop Sales	Total Deficient Samples
Fertilizer	156	22	14	36
Lime	9			

Type of Inspection	Number
Dry Fertilizer Facility	31
Liquid Fertilizer Facility	26
Pre-Site Facility	3
Anhydrous Ammonia Storage Tanks	1 Tank
Anhydrous Ammonia Nurse Tanks	67 Tanks

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



Kenny M. Naylor

Oklahoma Department of Agriculture, Food and Forestry
Animal Industry Services Board Report
October 7, 2020
Activities July 25, 2020 – September 25, 2020

Animal Disease Traceability:

During this time period, the API issues that prevented integration of AgView eCVIs and the use of Civet 5 were resolved. We are now receiving AgView eCVIs automatically into USAHerds.

On August 28, we participated in a webinar hosted by GlobalVetLink (GVL) to get an update on the regulatory changes they will be enacting in the future. They will now begin to restrict use of the eCVI platform when an accredited veterinarian does not renew their expired accreditation. They will also begin verifying accreditation status when a veterinarian signs up to use the product. This is tremendously beneficial for us as prior to this, we had little control over whether a veterinarian was accredited when generating eCVIs and restricting eCVI issuance for those that were not accredited. We have this ability currently with AgView, VSPS, and the State's eCVI. Moving forward, we now have assurance that if a veterinarian is using GVL, they are accredited and in good standing.

During this period, we have distributed 26,700 of the RFID tags received from USDA to both accredited veterinarians and producers. In total we have distributed almost 100,000 of our allotted 350,000 tags for this calendar year.

On September 11, Dr. Gorczyca met with Todd Tieperman, Datamars, to discuss the distribution and use of the Datamars RFID tags that have been provided by USDA.

Due to COVID-19, the National Priority Traces have been put on hold until USDA ADT staff can safely collect trace material to initiate traces.

Aquaculture:

No activity of note during this time period.

Biologics:

No activity of note during this time period.

Cattle Programs:

Brucellosis:

We have no active bovine Brucellosis cases at this time.

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

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

Tuberculosis:

Update on our three active TB cases.

We are scheduled to perform a whole herd test on the dairy in the Panhandle the week of October 12-16.

We tested the one pasture of cattle that we had not been able to test from the beef herd in Cimarron County the week of September 21-25. We will test approximately 200 cows each week for three weeks until the entire herd is tested.

We are completed the second test of all the exposed cows on the central Oklahoma dairy the week of September 21-25.

So far we have found no infected cattle on any of the tests.

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

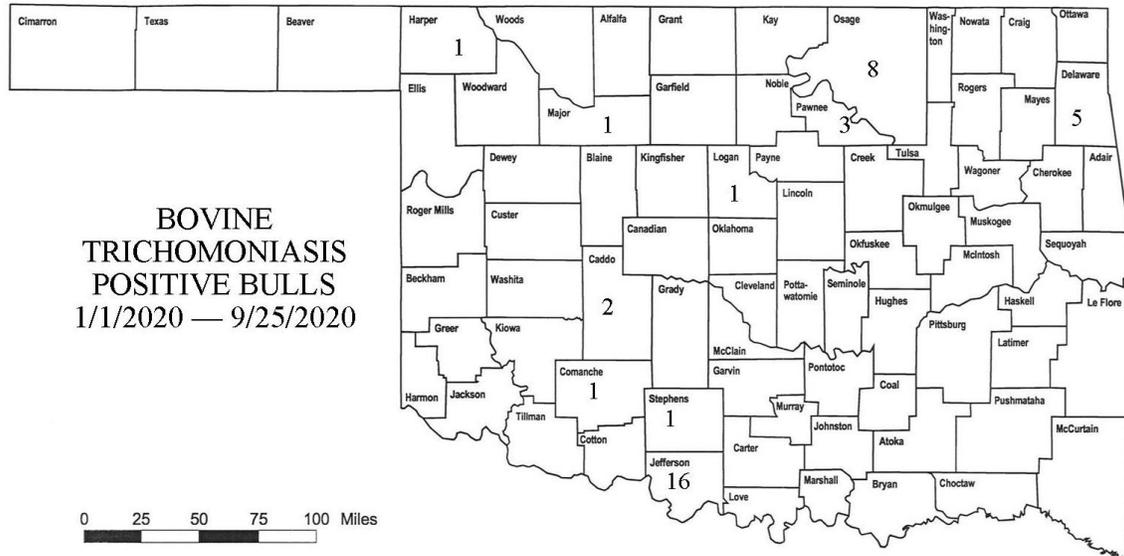
Johne's Disease:

For the reporting period we have received a total of 12 positive reports of Johne's disease, 9 of these are new premises and 3 are previously identified premises. In the same period in 2019 we had 23 positive reports, 13 were newly identified premises and 9 had previously been identified. Year to Date numbers are similar but in the previously identified positive premises we are down 47 percent. The reason for the decrease is speculation at this time.

Calls are taken from producers and veterinarians on testing strategies as many of our producers are realizing that the disease is more prevalent within their herd than they previously believed. They are also realizing that the source may never be identified and that better ranch records are needed to help increase speed of developing cull list and decrease prevalence.

Trichomoniasis:

During this time period, 1,291 Oklahoma bulls were tested and 7 positive bulls were discovered. Dr. Proctor contacts the owners of positive bulls and their veterinarians to follow up and offer advice about control and eradication of the disease, and to answer questions about the disease and our regulations.



10,654 bulls tested / 39 positive = 0.37% positive

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

Emergency Management:

We received our last shipment of donated pet food from the Greater Good Organization during this timeframe and distributed 31 pallets of pet food and supplies to the five regional warehouses.

On August 3-7, Dr. Gorczyca and Dr. Ruby participated in a virtual EMRS training course for Disease Reporting Officers.

On August 11, The OK Pork Council and AIS hosted an after action review concerning the disruption to the swine supply chain as a result of COVID-19 infections at processing plants.

On August 13, we held a virtual planning meeting for the FMD Vaccine Functional Exercise that is scheduled for November 10, 2020.

Due to COVID-19, we believe the NVS Full Scale exercise will be postponed until Spring 2021. Dr. Gorczyca talked to both Mark Schultz concerning the use of the SNS warehouse (site location for the exercise) and to Dr. Joann Davis (USDA VS NVS training officer) and the consensus was to postpone until 2021.

On August 25, Dr. Gorczyca hosted a webinar with the OK swine company veterinarians and State Animal Health Officials from KS, CO, and TX for a demonstration of the SPS app by Gustavo Machado from NCSU.

On September 3, Dr. Gorczyca participated in a USDA APHIS VS National Training and Exercise Program (NTEP) webinar to discuss Complexity Analysis and its use during the SFEAR exercise series in September 2019 as well as how it has been incorporated into current FAD plans and future training and exercises. Dr. Gorczyca incorporated this tool into our FAD planning efforts after discussions with Mark Goeller and how it is used for wildfire response.

On September 10, Dr. Gorczyca provided an overview of Secure Beef Supply planning for Oklahoma during the Oklahoma State University-Rural Veterinary Practice and Beef Sustainability Webinar Series.

Equine Programs:

There are no new cases of EIA in Oklahoma.

There are no new cases and no active trace backs for Piroplasmosis in Oklahoma.

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

Farmed Cervidae Programs:

No activity of note during this time period.

Feral Swine:

No activity of note during this time period.

Foreign Animal Disease:

We continue to take part in planning to prepare to respond to African Swine Fever in case the disease makes it to the USA.

During this time period ODAFF and APHIS veterinarians conducted 33 Foreign Animal Disease investigations. The majority were related to potential cases of Vesicular Stomatitis in horses and ruminants, but two were in swine with serious symptoms.

Vesicular Stomatitis affected 8 states in 2020 (Arizona, Arkansas, Kansas, Missouri, Nebraska, Oklahoma, New Mexico, and Texas) with a total of 325 affected premises. Of the 325 premises, 312 had only equine species affected, 12 had affected cattle, and 1 had both equine and cattle affected. As of September 28th, 2020 all affected premises in the US have been released from quarantine. The last confirmed positive case in Oklahoma was on July 31, 2020 and the last quarantine was released on August 26, 2020. All intrastate movement restrictions in Oklahoma have been removed since there are currently no affected counties. There have been several investigations in Oklahoma since the last board report but all of the cases have tested negative for VSV. Because a resurgence of the virus is still possible, veterinarians are encouraged to be looking for any suspicious lesions and report them to our division so an investigation can be started.

Rabbit hemorrhagic disease was first detected on March 24, 2020 in two domestic rabbits in New Mexico. Cases have been confirmed in both domestic and wild species of rabbit

in New Mexico, Arizona, Texas, Colorado, Utah, and California. The last confirmed case in the US was in California on August 24, 2020. There has not been a confirmed case in Oklahoma. Since the last board report, there have been 2 additional investigations for suspected rabbit hemorrhagic disease in Oklahoma. Both cases were negative for RHDV. The number of reported cases in the US has decreased through the summer months. Scientific data indicates the disease in Europe has a higher incidence in the Spring and Winter so a resurgence of cases could still occur in 2020 as the weather gets colder. We continue to encourage owners, producers, and veterinarians to report any suspicious or unexpected rabbit deaths. The 90 day ban on rabbit events in Oklahoma expired on September 24th and was not extended as the risk of the spread of the disease seems to be low at this time. A US company is continuing to make progress to gain approval to produce a vaccine.

The trace of the Texas Cattle Fever Tick (*Rhipicephalus microplus*) to 2 premises of an Oklahoma producer and his partner is still ongoing. This tick is a tropical tick and is not known to survive the winters this far north.

One premises has completed the necessary collection/ treatment for ticks and has been released from quarantine. The other premises has been partially sampled but has great tick habitat and therefore still under quarantine. Dr. Stone is working with the producer to allow movement under restrictions as they need until we can get the complete herd test this fall. Meeting with the owners' plans, we hope to have the herd test and treated in late October or early November.

As part of the sampling for Tuberculosis on the dairy, animals that meet specific requirements for Bovine Spongiform Encephalitis surveillance have been sampled. These samples are part of the needed surveillance for export compliance for beef and dairy products. 3 animals were sampled and all were negative.

Livestock Market Audits:

During this period, staff has approved applications for two livestock markets. Mario and Olga Rodriquez have been licensed to operate the Mountain View facility. The Rodriquez's held their first sale at Mountain View Sale Barn on Saturday, August 1. The new market operators plan to host monthly goat sales as well as monthly horse sales. In addition to the new Mountain View barn, this department has granted a livestock market license to Plus Online Sales. Debbie Drinko held her first sale August 18. Unlike the state's traditional horse sales, this new market is held completely online. During this period as well, numerous custodial account audits were performed at different livestock auctions, all resulting in no violations.

Livestock Auction Market Activities

Auction market licenses issued	2
Auction market licenses pending	0
Market custodial audits completed	7
Auction market complaints investigated	0
Fines collected	0

Livestock Markets with Legal Action	0
Special Audits (Market Development)	0

Outreach:

On July 31 the majority of APHIS, OSU Extension, and ODAFF veterinarians met virtually to discuss ongoing cases and upcoming events.

On August 7 I participated in the Southern Animal Health Association’s annual business meeting virtually.

On August 12 I gave a presentation about AIS to the Ag Youth Council.

On August 18 I gave an update on the Vesicular Stomatitis outbreak and the intrastate movement restrictions we put in place via an OSU Extension virtual meeting.

On August 20 I attended the Central OK Veterinary Medical Association meeting.

On August 26 the majority of APHIS, OSU Extension, and ODAFF veterinarians met virtually to discuss ongoing cases, upcoming events, and the logistics of all the scheduled TB testing.

On September 21 I was interviewed by KFOR News 4 about the cases of rabies in bats in central Oklahoma.

On September 24 we had a virtual meeting with our field staff to discuss ongoing programs and the upcoming TB testing.

September 17th -19th our Livestock Inspectors and Veterinary Medical Officers checked exhibitors’ certificates of veterinary inspection, test results and walked the swine barn for early detections of potential high consequence disease at EYO (Exposition of Youth of Oklahoma Fall Classic) in Duncan.

Poultry Programs:

There were 22 birds submitted under the sick/dead bird program and none were found to have reportable diseases. To date, there have been 76 total cases submitted for 2020.

There have been no reportable diseases in Oklahoma’s commercial poultry flocks.

Sherrie Davis calls many of the backyard producers to give them results of test and suggestions from the lab reports as part of our disease surveillance in the high risker population of Oklahoma. Dr. Stone will call producers that have questions that need more explanation

Rabies in Livestock:

There were no cases of rabies in livestock during this time period.

Sheep and Goat Programs:

There were no significant activities in Sheep/Goat programs.

Swine Programs:

We have been meeting virtually with the State Animal Health Officials, USDA, and Industry representatives in the 14 major swine states to get updates on plant closures and slowdowns and to learn how other states are performing depopulation and disposal of carcasses when necessary.

On August 20 Roy Lee Lindsey with OKPork and I had a phone meeting with the State Veterinarian of Iowa and the Executive Director of the Iowa Pork Producers Association to discuss the movement of swine from Oklahoma to Iowa and how to ensure that those movements can continue in a FAD outbreak.

Miscellaneous:

On July 30, we received notification from the South Dakota office of the State Veterinarian of a Nebraska horse buyer that was purchasing horses, both for slaughter and resale, which they believed were destined for an Oklahoma business but that these horses were not being tested for EIA prior to arrival into Oklahoma. That is a violation of our Oklahoma rules. At least two such businesses exist in Oklahoma and both purchase horses from South Dakota. South Dakota has been good to help us protect our animal industry.

Dr. Stone made contact with the manager, gathered information and made an unannounced visit during the arrival of the horses, visiting with the manager, the local veterinarian and the Nebraska horse buyer. The horses were all going through processing, most horses were being tested for EIA and microchipped, and sorted for how they would be presented for sale. Only a few horses were bound for slaughter.

The Nebraska horse buyer is believed to be confused on the different rules between the various states, specifically our rules and USDA rules. They are not the same and can be confusing. It is believed that we can get more important and reliable information on disease risk if we allow an exception to our rule and have a mutual agreement with this business. Dr. Ruby has developed this document.

USDA's National Institute for Agriculture has not released full results yet but I am aware that at least two of the seven food animal veterinarian shortage areas I nominated have had offers extended to veterinarians.

Respectfully,



Rod Hall, DVM

**Oklahoma Department of Agriculture, Food, and Forestry
Wildlife Services Division
Board Report for August/September 2020 Activities**

Introduction

Wildlife Services (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 582 properties with an estimated 1,197,168 acres of land under agreement. Additionally, WS helped 300 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 \$509,699 during this period. Beaver damages accounted for losses totaling \$121,767. Coyotes were responsible for several damage requests, primarily to livestock, with losses totaling \$32,505. Feral swine damages accounted for losses totaling \$345,545. Bobcats, striped skunks, raccoons, and armadillos damaged agriculture resources and property valued at \$9,882.

Providing Wildlife Services

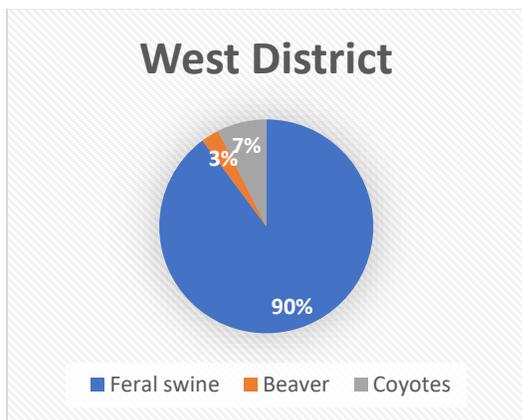


Figure 1: Percent of Species Removed in the West District, August/September 2020

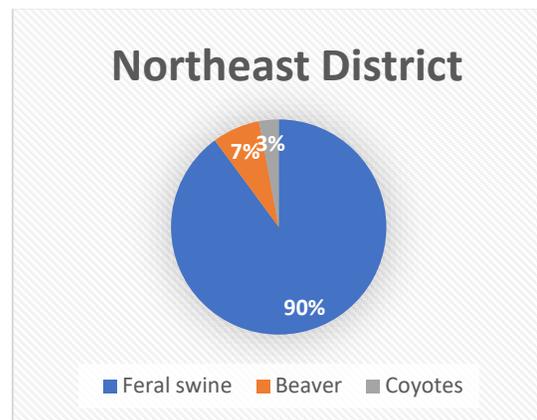


Figure 2: Percent of Species Removed in the Northeast District, August/September 2020

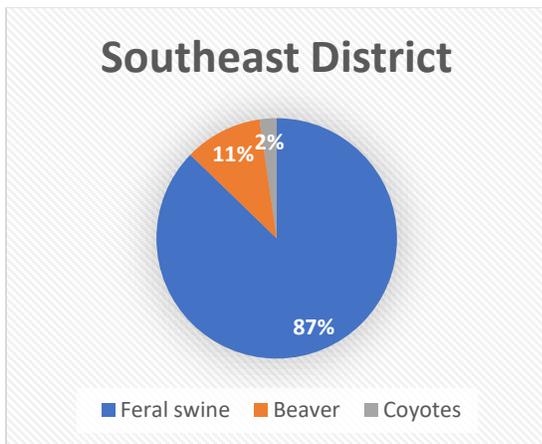


Figure 3: Percent of Species Removed in the Southeast District, August/September 2020

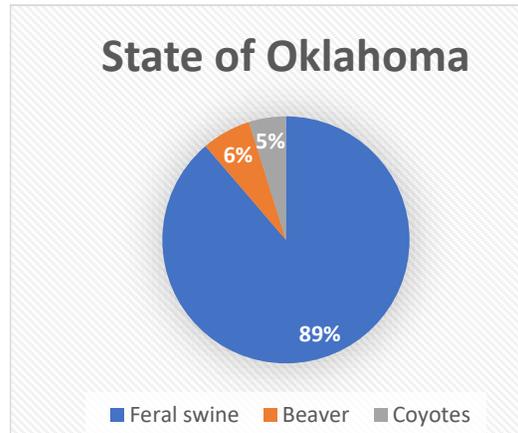
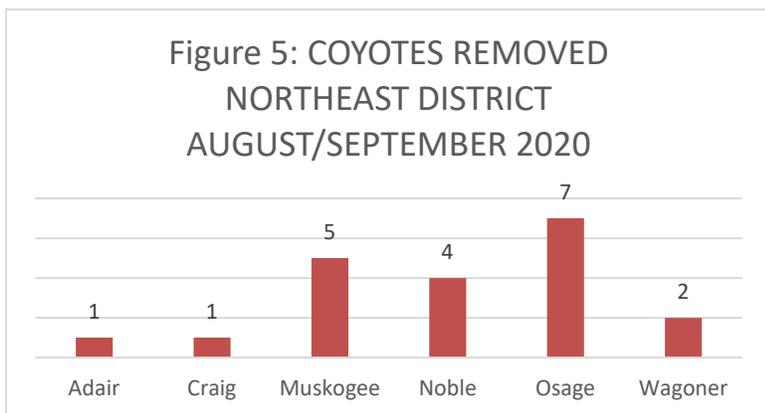


Figure 4: Percent of Species Removed in the State, August/September 2020

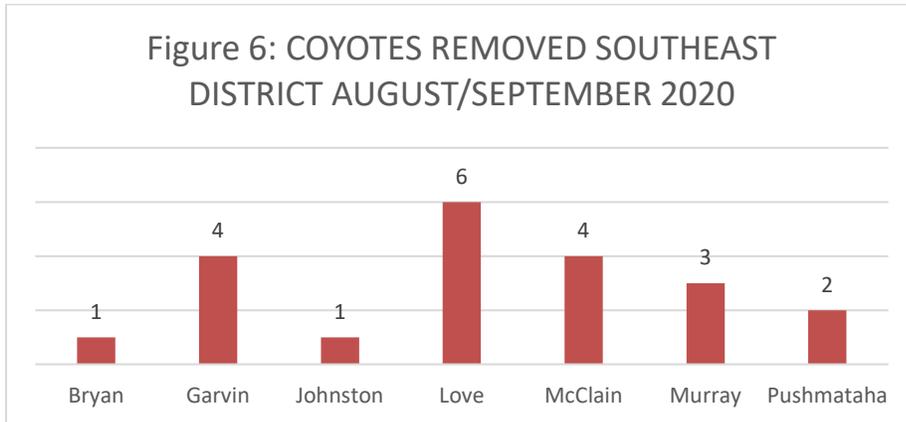
Coyote Damage Management

On Aug 13th, a Comanche County goat producer requested assistance with coyotes depredating on his goats. The producer reported that coyotes killed 9 goats valued at \$1,681.11. The Specialist for Comanche County quickly responded to the request and verified coyotes were responsible for the loss of 4 goats at the value of \$747.16. To help reduce losses to coyotes, the Specialist recommended the producer utilize guarding animals, night penning, and carrion removal. Calling/shooting and snares were utilized to remove five coyotes. Work continues currently.

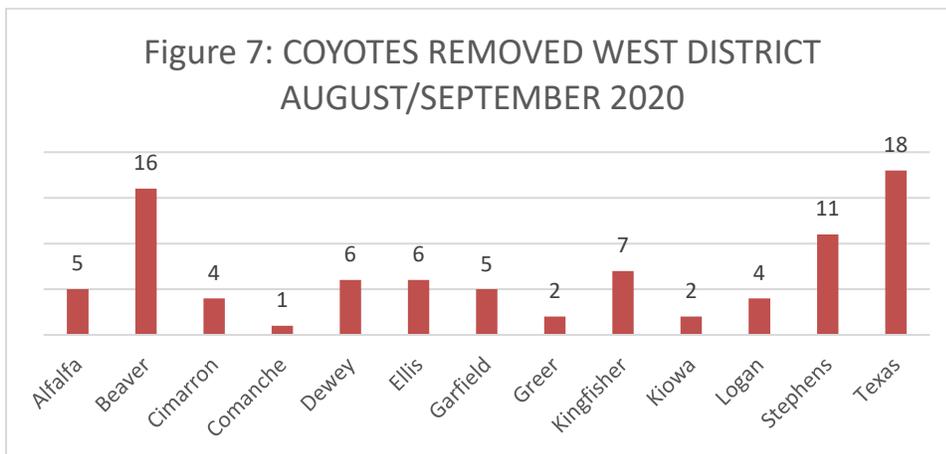


On Sept 4th, a Logan County livestock producer requested assistance with coyotes depredating on calves. The producer reported that coyotes had killed three calves valued at \$3,300 dollars. The Wildlife Specialist assigned to Logan County examined the carcass and verified that coyotes were responsible for the loss of the calves. The Specialist recommended several methods to prevent future damages, including carcass/carrion removal and guarding animals. The Specialist

used leg hold traps and snares to remove six coyotes. Monitoring of coyote activity on this property continues.



On Sept 14th, a Stephens County rancher contacted WS for assistance with coyote damage management. The rancher reported that coyotes were responsible for the loss of two goats valued at \$550. The Wildlife Specialist assigned to Stephens County responded and verified the loss of one goat to coyotes valued at \$275. Control efforts were successful in removing three coyotes from the immediate area with no further losses reported to date.



Feral Swine Damage Management

On August 3rd, WS was contacted by a Kay County rancher about feral swine damage on a cattle pasture. The rancher stated that he had seen signs of rooting on the edges of the pasture. A WS' Specialist responded to the call and confirmed the damage as being from feral swine. The Specialist utilized a trail camera to determine numbers and time of presence. Three large boars were removed using a live feral swine trap. Work is continuing at this time and the rancher was instructed on environmental changes that could help prevent future problems.

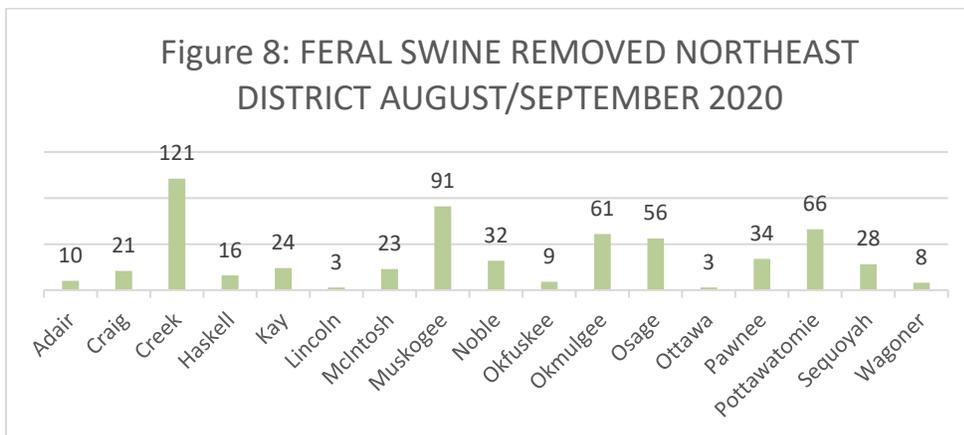
On August 4th, a Murray County landowner contacted WS for assistance with feral swine. The landowner reported that feral swine were rooting his pastures. The Wildlife Specialist for Murray

County responded to the request and verified the swine were responsible for an estimated \$3,000 in damages to the area. Management efforts were successful in quickly removing 47 feral hogs from the area. Control efforts are complete at this time.

On Aug 5th, the Wildlife Specialist for Grady County received the request for assistance with feral swine damaging his alfalfa fields. The landowner reported that feral swine also had done damage to 10 acres of his wheat fields this spring valued at \$2,000. The Specialist responded to the request and verified swine were responsible for damage to 15 acres of alfalfa valued at \$5,000 dollars. A feral swine live trap was utilized to remove 47 hogs. Work is completed at this time.

On August 5th, WS' was contacted by a Pottawatomie County landowner about damage to his hayfield. The Wildlife Specialist for Pottawatomie County responded to the call and determined that the damage was caused by feral swine. A game camera was used to monitor the bait site. Once the swine began using the bait site a trap was set. Nineteen hogs have been removed with the trap and two more with the used of thermal image hunting. Work is ongoing at this time.

On August 5th, WS' answered a request from a Creek County rancher asking for assistance with feral swine rooting his grazing pasture. A WS' Specialist verified rooting damages estimated at \$2,000. Baiting and trapping methods were utilized to remove 18 hogs from the property. Work is completed at this time.

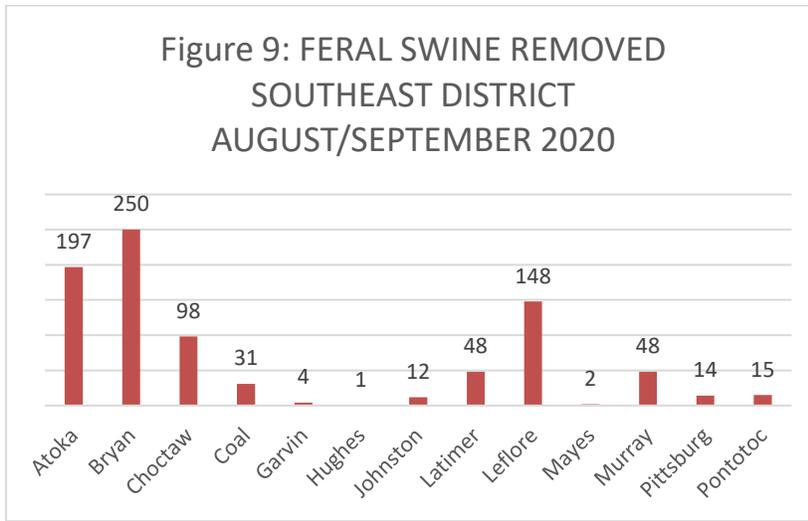


On August 14th, a Bryan County landowner contacted WS for assistance with feral swine. The landowner reported that feral swine were rooting his Bermuda grass pasture. A WS' Specialist responded to the request and verified the swine were responsible for an estimated \$4,000 in damages to the pasture. Management efforts were successful in removing 26 feral swine from the immediate area. No Further losses have been reported to date.

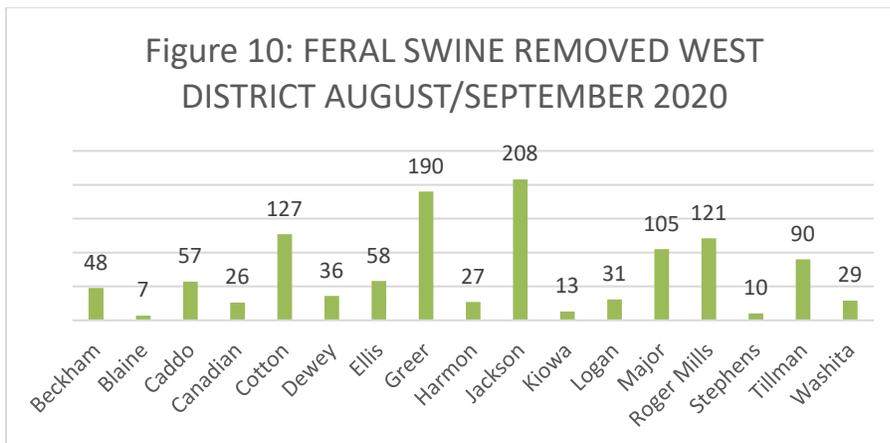
On August 15th, a Latimer County landowner contacted WS for assistance with feral swine. The landowner reported that feral swine were rooting his Bermuda grass pasture. A WS' Specialist responded to the request and verified the swine were responsible for an estimated \$2,500 in damages to the pasture. Management efforts were successful in removing 29 feral swine from the immediate area. No Further losses have been reported to date.

On Aug 16th, the Wildlife Specialist for Kiowa County received the request for assistance with feral swine rooting and feeding in his Bermuda hay field. The Specialist responded to the request and verified swine were responsible for damage to three acres of Bermuda grass valued at \$2,000 dollars. Thermal imaging and a live trap were utilized to remove 21 swine. Work is ongoing at this time.

On Sept 3rd, a Woodward County landowner requested assistance with feral swine. The landowner reported \$3,500 in damage to his pasture and stored haybales. The Specialist for Woodward County quickly responded to the request and verified feral swine were responsible for the damage. A live trap was utilized to remove 41 feral swine from the property. Work is concluded at this time.



On Sept 4th, a Greer County farmer requested assistance with feral swine causing damage in his hayfields and hay bales. The Wildlife Specialist assigned to Greer County responded to the request and verified \$3,000 in total damage. The Specialist utilized live traps to remove 45 swine from the field and adjacent area. The area continues to be monitored for activity to determine if further management efforts are needed.



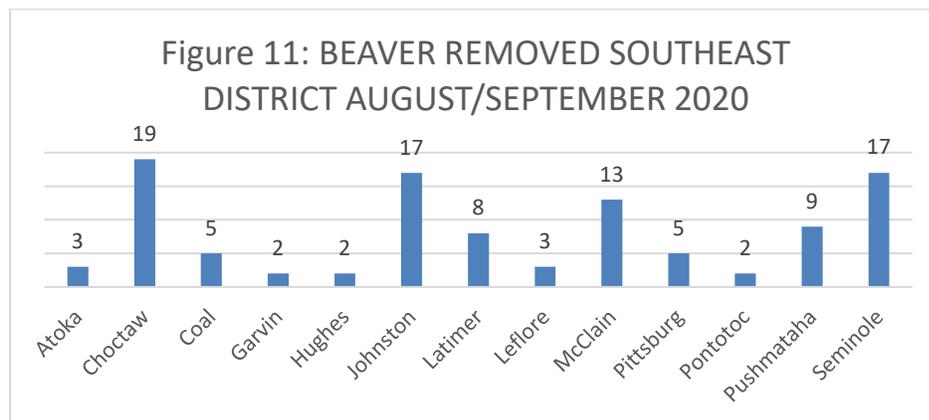
Aerial Hunting Operations

During the month of August aerial hunting with the helicopter was utilized in seven counties in the West district. Aerial hunting operations were conducted to remove 443 feral swine in 24 flight hours. Majority of the flying was conducted for landowners to help reduce feral swine damage around corn, milo, cotton, and hayfields that historically suffer losses this time of year.

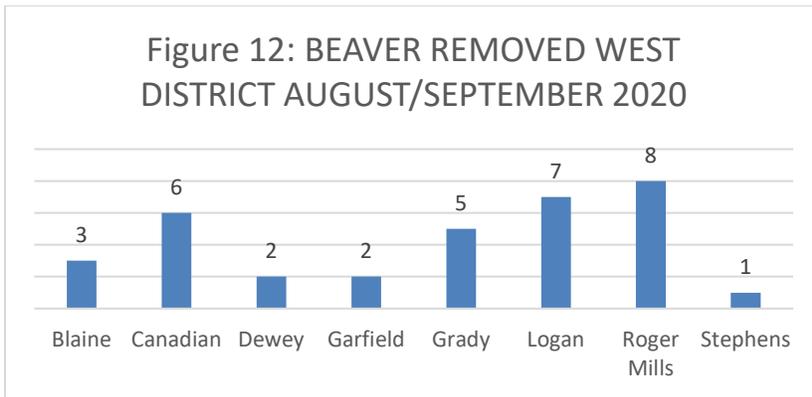
Beaver Damage Management

On Aug. 17th, WS was contacted by a Muskogee County rancher concerning damage from beaver. The rancher reported that beavers had dammed up a drainage ditch on his property and had begun cutting down trees along the ditch. The WS' Troubleshooter visited the location and verified that beavers were responsible for the damage. Conibear traps were set and one beaver was removed from the ditch. Cost to remove the beaver dams was estimated at \$500, and damage to the trees was estimated at \$250. The rancher was instructed on exclusion and habitat modifications methods that can be utilized to help prevent future problems.

On Sept 2nd, a Logan County landowner contacted WS for assistance with beavers that were responsible for cutting and girdling trees on his pond valued at \$500. The Specialist for Logan County responded and verified beavers were responsible for the damage. The Specialist successfully utilized conibear traps to remove three beaver from the pond. Control efforts are complete at this time.

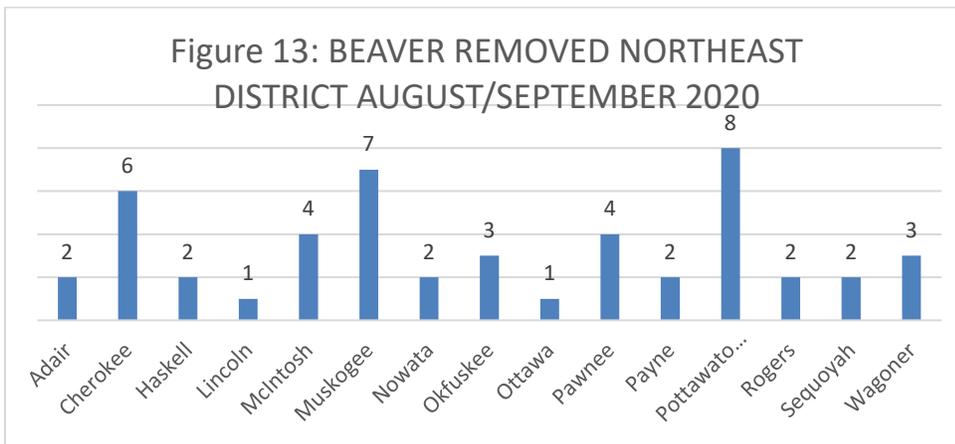


On Sept 12th, a Garfield County Commissioner requested assistance with beavers that flooded a County road in his district. The WS' Specialist for Garfield County responded and verified that beaver was responsible for damage to the road valued at \$3,750. The Specialist successfully utilized snares to remove two beaver from the drainage ditch. Control efforts are complete at this time.



Beavers Damage County Road

WS was contacted by a Cherokee County Commissioner with beaver damage concerns. The Commissioner reported beavers was responsible for \$350 worth of damage to a County roadway. The WS’ Specialist responded to the request and verified that beavers were responsible for the holes burrowed into the roadway and the flooding damage. The Specialist was able to utilize night shooting to remove two beavers. Work is complete at this time. The Commissioner was instructed on exclusion and habitat modifications methods that can be utilized to help prevent future problems.



On Aug 20th, a Kingfisher County Road Commissioner contacted WS for assistance with beaver that were responsible for damage to one of the districts roads. The Specialist for Kingfisher County responded and verified beavers were responsible for \$3,500 in damage to the culvert and road. The Specialist successfully utilized conibear traps and spotlighting to remove two beavers from the adjacent creek. Control efforts are ongoing at this time.

Table 1: Beaver, Coyote, and Feral Swine removal in the State, August/September 2020

County	Beaver	Coyote	Feral swine	District
Adair	2	1	10	NE
Alfalfa		5		W
Atoka	3		197	SE
Beaver		16		W
Beckham			48	W
Blaine	3		7	W
Bryan		1	250	SE
Caddo			57	W
Canadian	6		26	W
Carter				SE
Cherokee	6		8	NE
Choctaw	19		98	SE
Cimarron		4		W
Cleveland		2	24	C
Coal	5		31	SE
Comanche		1		W
Cotton			127	W
Craig		1	21	NE
Creek			121	NE
Custer				W
Delaware				NE
Dewey	2	6	36	W
Ellis		6	58	W
Garfield	2	5		W
Garvin	2	4	4	SE
Grady	5			W
Grant				W
Greer		2	190	W
Harmon			27	W
Harper				W
Haskell	2		16	NE
Hughes	2	1	1	SE
Jackson			208	W
Jefferson				SE
Johnston	17	1	12	SE
Kay			24	NE
Kingfisher		7		W
Kiowa		2	13	W
Latimer	8		48	SE

Leflore	3	1	148	SE
Lincoln	1		3	NE
Logan	7	4	31	W
Love		6		SE
Major		6	105	W
Marshall			15	SE
Mayes	1		2	SE
McClain	13	4		SE
McCurtain				SE
McIntosh	4		23	NE
Murray		3	48	SE
Muskogee	7	5	91	NE
Noble		4	32	NE
Nowata	2			NE
Okfuskee	3		9	NE
Oklahoma	6	5	10	C
Okmulgee			61	NE
Osage		7	56	NE
Ottawa	1		3	NE
Pawnee	4		34	NE
Payne	2			NE
Pittsburg	5		14	SE
Pontotoc	2		15	SE
Pottawatomie	8		66	NE
Pushmataha	9	2		SE
Roger Mills	8		121	W
Rogers	2			NE
Seminole	17			SE
Sequoyah	2		28	NE
Stephens	1	11	10	W
Texas		18		W
Tillman			90	W
Tulsa				NE
Wagoner	3	2	8	NE
Washita	2	4	29	W
Woods		1		W
Woodward				W
TOTAL	197	148	2714	

*NE –Northeast, SE –Southeast, W – West, C – Central Districts

Airport Activities

Altus Air Force Base (AFB)

September brought the start of migratory bird movement to Altus AFB, with local breeding populations moving out of the area and transient individuals starting to pass through in numbers. Blackbird and columbid presence on the airfield was high and was a focus of mitigation efforts. The primary focus of work during the month was the writing of the wildlife hazard assessment, which was completed. The assessment's finding will be presented in October, and the recommendations will create a rewrite of the base's Bird/Wildlife Aircraft Strike Hazard (BASH) plan. In addition, both low level changes as well as an additional phase II to address migration issues were presented to the Air Force, but neither recommendation was taken. Inquiries were also made to local airfields where Altus aircraft have sustained higher than normal strikes during the last season. Signage was also installed to make base pedestrians aware of the dangers of Mississippi kites in future years where the species commonly nests.

Vance Air Force Base

WS participated in the quarterly "Supervisor of Flying SoF" meeting. They were briefed by the SoFs about what to expect for a waterfowl migration during the next quarter, as well as other BASH events that will be coming soon. This month was the bi-annual Bird Hazard Working Group. This group collectively provides inputs as to the best way to move forward with BASH operations on Vance. The meeting is chaired by the vice wing commander and presented by wildlife services. WS gave the Wing Commander and the Command Chief a tour of Drummond Flats, Vance airfield, and other local BASH hot spots. WS also briefed the Wing Commander on a Memorandum of Understanding (MOU) between Vance, Oklahoma Department of Wildlife Conservation (ODWC), and Natural Resource Conservation Service (NRCS) for the responsibilities of each party concerning Drummond Flats. Finally, WS participated in a conference call with the Air Force (AF) Safety Center, Air Force Civil Engineering Center (AFCEC), and Vance over the issue of Whooping Cranes. WS will visit the United States Fish and Wildlife Service (USFWS) Salt Plains refuge field office to start a dialog with them soon in order to discuss Vance methods for bird strike mitigation and how that can directly benefit the endangered Whooping crane. The WS Assistant State Director made an informative site visit of Vance AFB at this same time and was very helpful in the meetings with the Wing Commander and the AF Safety Center concerning Whooping cranes.

Will Rogers World Airport (WRWA)

Haying operations during the month of August brought in large numbers of Turkey vultures at CE Page airport, Wiley Post airport, and WRWA. The WS Specialist hazed over 300 and removed 25 Turkey vultures from WRWA. An influx of European starlings and Mourning dove were also noticed on the airfield and the Specialist has been hazing and removing them for aircraft safety.

Coyotes have been seen at all three airfields and five have been removed.

Respectfully submitted,

Scott Alls
Division Director

**September 2020 Activity Report
for
October 2020 Board Meeting

Agricultural Statistics Division**

General: During the **first week of September** moisture has improved conditions across Oklahoma with only 21 percent of the state experiencing any form of drought. Rainfall totals averaged 2.01 inches across Oklahoma last week, with the South Central district recording the highest totals at 4.78 inches. According to the September 1st, US Drought Monitor Report, drought conditions were rated 28 percent abnormally dry to severe drought, down 10 points from the previous week. Additionally, 21 percent of the state was in the moderate drought to extreme drought category, up one point from the previous week. Statewide, temperatures averaged in the high 70's. Topsoil and subsoil moisture conditions were rated mostly adequate to short.

The **second week of September**, a midweek cold front dropped temperatures across most of Oklahoma with parts of the Panhandle experiencing lows in the 30's on Thursday, September 10th. Rainfall totals averaged 1.63 inches across Oklahoma last week, with the Southwest district recording the highest totals at 2.88 inches. According to the September 8th, US Drought Monitor Report, drought conditions were rated 27 percent abnormally dry to severe drought, down one point from the previous week. Additionally, 20 percent of the state was in the moderate drought to extreme drought category, down one point from the previous week. Statewide, temperatures averaged in the mid to high 60's. Topsoil and subsoil moisture conditions were rated mostly adequate to short.

Rains during the **third week of September**, virtually no precipitation was received in Oklahoma with the state averaging 0.01 of an inch. According to the September 15th, US Drought Monitor Report, drought conditions were rated 26 percent abnormally dry to severe drought, down 1 point from the previous week. Additionally, 17 percent of the state was in the moderate drought to extreme drought category, down 3 points from the previous week. Statewide, temperatures averaged in the mid to high 60's. Topsoil and subsoil moisture conditions were rated mostly adequate to short.

During the **fourth week of September**, tropical storm Beta brought rain to eastern Oklahoma, but the western side of the state remains dry. Rainfall totals averaged 0.69 of an inch across Oklahoma last week, with the East Central district recording the highest totals at 2.01 inches. According to the September 22nd, US Drought Monitor Report, drought conditions were rated 27 percent abnormally dry to severe drought, up 1 point from the previous week. Additionally, 17 percent of the state was in the moderate drought to extreme drought category, unchanged from the previous week. Statewide, temperatures averaged in the mid to high 60's. Topsoil and subsoil moisture conditions were rated mostly adequate to short.

Small Grains: Winter wheat planted reached 27 percent, down 11 points from the previous year and down 2 points from normal. Winter wheat emerged reached 7 percent, up 3 points from the previous year and up 4 points from normal. Oats planted reached 3 percent, up 3 points from the previous year and up 1 point from normal.

Row Crops: Corn mature reached 75 percent, up 11 points from the previous year but down 2 points from normal. Corn harvested reached 30 percent, down 5 points from the previous year and down 15 points from normal. Sorghum coloring reached 90 percent, down 1 point from the previous year and down 2 points from normal. Sorghum mature reached 50 percent, up 1 point from the previous year but down 7 points from normal. Sorghum harvested reached 20 percent, up 4 points from the previous year but down 9 points from normal. Soybeans setting pods reached 93 percent, up 4 points from the previous year but unchanged from normal. Soybeans dropping leaves reached 33 percent, up 16 points from the previous year and up 6 points from normal. Soybeans harvested reached 3 percent, up 3 points from the previous year but unchanged from normal. Peanuts mature reached 51 percent, up 15 points from the previous year and up 6 points from normal. Peanuts harvested reached 2 percent, up 2 points from the previous year but down 1 point from normal. Cotton bolls opening reached 55 percent, down 9 points from the previous year and down 2 points from normal.

Hay: The fourth cutting of alfalfa hay reached 87 percent, up 9 points from the previous year and up 11 points from normal. The fifth cutting of alfalfa hay reached 9 percent, up 9 points from the previous year and up 8 points from normal. The second cutting of other hay reached 90 percent, unchanged from the previous year but up 5 points from normal. The third cutting of other hay reached 40 percent, down 5 points from the previous year but up 5 points from normal.

Pasture and Livestock: Pasture and range condition was rated at 72 percent good to fair. Livestock condition was rated at 87 percent good to fair.

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

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

Statistics: The *Small Grain Annual Summary* issued on September 30, 2020 reported Oklahoma wheat production totaled 104 million bushels, down from 110 million in 2019 but up from 70.0 million bushels in 2018. Statewide yield averaged 40.0 bushels per acre, tying the record set last year. Harvested acreage for grain is 2.60 million acres, down 5 percent from 2019. Oklahoma also planted 110 thousand acres of **Oats** in 2020, and harvested 11 thousand acres producing a state yield of 45.0 bushels and a final production of 495 thousand bushels. **Rye** acreage in Oklahoma for 2020 was estimated at 270 thousand planted acres with 52 thousand acres harvested. The state yield was set at 14.0 bushels for a production of 728 thousand bushels.

The *Quarterly Grain Stocks Report* was released September 30, 2020. Oklahoma stocks of wheat in all positions on September 1 totaled 134 million bushels, down 23 percent from the 2019 level

of 174 million bushels. Off-farm wheat stocks, at 120 million bushels, were 26 percent lower than September 1, 2019.

The September 1, 2020 *Hogs and Pigs Report* posted the Oklahoma inventory, at 2.10 million head, was 7 percent lower than September 2019. The number of breeding hogs totaled 450 thousand head, down 10 thousand from last year. The September 1 market hog inventory was down 8 percent from a year ago at 1.65 million head, 79 percent of the total hog and pig inventory.

The June 2020-August 2020 Oklahoma pig crop totaled 2.32 million head, 7 percent below last year. Pigs per litter averaged 10.8, down 1 percent from the previous year. Sows farrowed during June 2020 through August 2020 totaled 215 thousand head, down 7 percent from last year.

Information Requests: Phone calls, personal visits to our office, and requests via e-mail for information since last report totaled 47. In addition, our internet home page was hit 2,348 times in September 2020, for a total of 24,138 for the 2020 year.

Released in September

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

Relating Dates:

September 1, 2020
 September 1, 2020
 September 1, 2020
 September 15, 2020
 September 1, 2020
 September 1, 2020

Release Dates:

September 11, 2020
 September 24, 2020
 September 25, 2020
 September 30, 2020
 September 30, 2020
 September 30, 2020

Released in October

Crop Production
 Cattle on Feed
 Agricultural Prices

Relating Dates:

October 1, 2020
 October 1, 2020
 October 15, 2020

Release Dates:

October 9, 2020
 October 23, 2020
 October 30, 2020

Meetings and Events:

NASDA Annual meeting
 OTCAC Board Meeting
 Stigler Producer Webinar
 OSU College of Ag Career Fair
 Quapaw Nation Webinar
 SEB/FAC Meeting
 Choctaw Nation Webinar

Date:

September 1-2, 2020
 September 10, 2020
 September 15, 2020
 September 17, 2020
 September 24, 2020
 September 30, 2020
 September 30, 2020

Location:

Virtual
 Virtual
 Virtual
 Virtual
 Virtual
 Virtual
 Virtual

Respectfully Submitted,

Troy Marshall

MARKET DEVELOPMENT SERVICES

October 14, 2020

Report to the State Board of Agriculture

AG IN THE CLASSROOM

AG IN THE CLASSROOM IMPACT

- Total Number of Resources Delivered to Schools/Agritourism locations: 8,372

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

- The AITC website had 17,502 visits and 14,264 unique pageview visits.
- AITC lessons were downloaded 2,018 times.
- The AITC monthly email is delivered to 14,010 accounts.
- The AITC Facebook page now has 6,761 followers.
- The AITC Twitter page now has 570 followers.
- Oklahoma AITC Instagram account now has 506 followers.
- The AITC YouTube channel now has 6,998 views.
- Kahoot: 96 games with 1,049 plays.

HIGHLIGHTS

- AITC received a \$1,000 grant from National AITC to promote the game Journey 2050 to our teachers in Oklahoma. The AITC team received training on the game and specifics on training on September 17th. The grant will be completed by August 31, 2021.
- Quarterly AITC Advisory Council meeting- 16 in attendance and 5 participated through zoom.
- Oklahoma AITC was asked by National AITC to partner on a National Rapid Response COVID grant application
- Hosted National Farm to School conference session via Zoom. National AITC is their conference planner and as Executive Committee Member, this was staff responsibility.

Ag in the Classroom- Professional Development Workshops

Number of Educators & Grade Level(s)	Location	Lessons/Activities Used	Resources Given
28 Unique Individuals (with 65 participant views over the 3 sessions)	Three Morning AITC Summer Conference Zoom Sessions on July 28	STEM and AG Go Together Like Bacon and Eggs by Dusti McCartney; SOYBEANS IN SPACE! Photosynthesis on the ISS- by Michelle Rahn; Mud in the Water by Connie Sinor	

41 Unique Individuals (with 85 participant views over the 3 sessions)	Three Afternoon AITC Summer Conference Zoom Sessions on July 28	I Can Ag With my Eyes Shut by Amber Bales and Teresa Brunnemer; Apples, Apples, Apples by Jackie McGolden; and Truck Loads of Possibilities by Kathleen Kendall Walker	
48 Unique Individuals (with 84 participant views over the 3 sessions)	Three Morning AITC Summer Conference Zoom Sessions on July 30	Google Classroom Meets Ag in the Classroom by Jocelyn Puckett; Hamburger Plants by Shelley Mitchell; and Environmentally Friendly Ag in the Classroom by Christie Puckett	
22 Unique Individuals (with 51 participant views over the 3 sessions)	Three Afternoon AITC Summer Conference Zoom Sessions on July 30	Chemistry and Agriculture by Tammy Will; Apple Engineering by Kelly Wardlaw; and Breathing Soil Into Your Classroom by Stephen and Taylor Tillinghast	
10 Elementary Science Method Students	East Central University in person	Thinking in Pictures, How Germs Spread and Red dirt Symbols	Red Dirt Groundbreakers, Cropopoly Games and barn of resources
10 Elementary Science Method Students	ECU in person	Thinking in Pictures, How Germs Spread and Red dirt Symbols	Red Dirt Groundbreakers, Cropopoly Games and barn of resources
19 Pre-service Student Teachers	NWOSU in person	How germs spread; Bean is a Seed; Garden in a Glove; Temple Grandin: Thinking in Pictures	Barn full of resources to each person; Cropopoly games, Penning Oklahoma books
5 Preservice teachers	OAEA Zoom session	An Apple a Day, How Germs Spread, Cornfield Math and Science	Will mail Cropopoly Jr and Red Dirt Symbols
17 PreService Library Media Specialist, 1 Professor, and 1 Librarian from Moore	UCO over zoom	Made slide show focusing on AITC website and included the lesson "Thinking in Pictures" along with student readers and new Red Dirt Symbols.	Will mail a set of student readers, a book, and a set of bookmarks to everyone

****90 Unique Individuals Participated in the last 2 days of the AITC Summer Conference Virtual Zoom Sessions**

****56 attended both weeks, which means there were 170 Total Unique Individuals; Total views for all sessions combined= 918**

Ag in the Classroom- Events

Number of Educators & Grade Level(s)	Location	Lessons/Activities Used
5,542 students from 145+ classrooms	AITC "Read Accurate Ag Books" Zoom Sessions with Guest Readers - Sept. 8th	Representative Dell Kerbs <i>Book: Right This Very Minute</i> ; 4-H President Hunter Haxton <i>Book: Penning Oklahoma</i> ; Noble Research Institute Frank Hardin <i>Book: The Girl Who Thought in Pictures</i> ; Secretary of Agriculture Blayne Arthur <i>Book: Full of Beans</i> ; State Ag Board Member Karen Dodson <i>Book: Hey, Hey, Hay!</i> ; US Congressman Frank Lucas <i>Book: John Deere, That's Who</i>
	AITC "Read Accurate Ag Books" Zoom Sessions with Guest Readers - Sept. 9th	Jenn Scott, Noble Research Institute Youthucation Associate <i>Book: The Cow in Patrick O'Shanahan's Kitchen</i> ; Former AITC State Coordinator Dana Bessinger <i>Book: Pumpkin Circle</i> ; Representative Danny Sterling, District 27 <i>Book: How Many Seeds in a Pumpkin?</i> ; Cheri Long, Oklahoma Farm to School State Coordinator <i>Book: 'We Are the Gardeners</i> ; Steve Beck, Oklahoma 4-H Youth Development Program State Leader <i>Book: 'Chuck's Ice Cream Wish (Tales of the Dairy Godmother)</i> ; Oklahoma Lieutenant Governor Matt Pinnell <i>Book: 'Grady's in the Silo</i> ;
	AITC "Read Accurate Ag Books" Zoom Sessions with Guest Readers - Sept. 10th	Jenn Scott, Noble Research Institute Youth Education Associate <i>Book: The Cow in Patrick O'Shanahan's Kitchen</i> ; Representative John Pfeiffer, District 38 <i>Book: Baby Black</i> ; Mignon Bolay, Chair of the Farm Bureau Women's Leadership Committee <i>Book: Rosie the Pig</i> ; Jamey Allen, 2020 Oklahoma Ag in the Classroom Ag Advocate <i>Book: Blazer's Tax</i> ; Tanner Taylor, State FFA President <i>Book: Pistol the Horse</i>
	AITC "Read Accurate Ag Books" Zoom Sessions with Guest Readers - Sept. 11th	Steve Beck, Oklahoma 4-H Youth Development Program State Leader <i>Book: Chuck's Ice Cream Wish (Tales of the Dairy Godmother)</i> ; Rose Bonjour, Oklahoma Central District Agricultural Education Program Specialist <i>Book: The Honeybee Man</i> ; Edmond Bonjour, Director of the Oklahoma Ag Leadership Program <i>Book: On the Farm, At the Market</i> ; Oklahoma State Superintendent of Education Joy Hofmeister <i>Book: How did that get in my lunchbox?</i>

***We had 110 unique participants with 304 total classes joining through our multiple zoom sessions

Ag in the Classroom- Resources Mailed or Delivered

Number of Resources	Location Resources were Mailed or Delivered	Resources
24	Springdale Elementary In Skiatook, Ok	Oklahoma Commodity Map Student Maps
1 of Each	Springdale Elementary In Skiatook	Fruits, Nuts, And Veggies, Oh My!, Harvest of The Month Set of 12 Posters, Nutrition And Did You Know Fun Facts Set of 12 Posters, Engineering Process Early Childhood/Lower Elementary Teacher Poster (Prek-3rd), Elementary Financial Literacy Cards (K-5th, But Mostly 3rd-5th)
30	Fillmore Elementary School In Oklahoma City	It's A Farm Animal Student Readers (Set of 25) (Prek-3rd Grade)
1 of Each	Fillmore Elementary School In Oklahoma City	Harvest of The Month Set of 12 Posters, Engineering Process Early Childhood/Lower Elementary Teacher Poster (Prek-3rd), Elementary Financial Literacy Cards (K-5th, But Mostly 3rd-5th)
20	Bryan County Osu Extension	Specialty Crops Ag Mag Student Magazine (Prek-3rd)
25	Bryan County Osu Extension	Specialty Crop Ag Mag Activity Book Student Magazine (3rd-12th)
50	Skiaotook Elementary	Oklahoma Commodity Map Student Maps
28	Highland Park Elementary In Broken Arrow	Specialty Crops Ag Mag Student Magazine (Prek-3rd)
25	Stillwater Public Schools	Oklahoma Red Dirt Groundbreakers (3rd & 9th- Oklahoma History)
1	Stillwater Public Schools	Harvest of The Month Set of 12 Posters
70	Frederick Elementary School	Grow Garden Grow Student Readers (Set of 25) (3rd-6th Grade)
1 of Each	Frederick Elementary School	Fruits, Nuts, And Veggies, Oh My!, Harvest of The Month Set of 12 Posters, Engineering Process Upper Level Teacher Poster (3rd-12th)
70	Frederick Elementary School	Abc's of Oklahoma Agriculture Student Coloring Book (Prek-3rd)
10	Comanche County 4-h	Specialty Crop Ag Mag Activity Book Student Magazine (3rd-12th)
1 of Each	Comanche County 4-h	Fruits, Nuts, And Veggies, Oh My!, Harvest of The Month Set of 12 Posters, Nutrition And Did You Know Fun Facts Set of 12 Posters, Engineering Process Early Childhood/Lower Elementary Teacher Poster (Prek-3rd), Engineering Process Upper Level Teacher Poster (3rd-12th), Middle-high School Financial Literacy Cards (6th-12th), Elementary Financial Literacy Cards (K-5th, But Mostly 3rd-5th)
20	Morrison Elementary	It's A Farm Animal Student Readers (Set of 25) (Prek-3rd Grade)
10	Salina Public School (Middle School)	Beef Or Dairy Student Readers (Set of 25) (1st-6th Grade)
10	Salina Public School (Middle School)	Grow Garden Grow Student Readers (Set of 25) (3rd-6th Grade)
10	Salina Public School (Middle School)	Technology In Agriculture Student Readers (Set of 25) (3rd-6th Grade)
10	Salina Public School (Middle School)	Think In Pictures Student Readers (Set of 25) (3rd-6th Grade)
10	Salina Public School (Middle School)	Does Chocolate Milk Come From Brown Cows? Student Activity Sheet (3rd-12th)

25	Oak Crest Elementary In Broken Arrow	Oklahoma Ag On Rt 66 Student Magazine (Prek-3rd)
25	Oak Crest Elementary In Broken Arrow	Specialty Crops Ag Mag Student Magazine (Prek-3rd)
1 of Each	Oak Crest Elementary In Broken Arrow	Fruits, Nuts, And Veggies, Oh My!, Engineering Process Early Childhood/Lower Elementary Teacher Poster (Prek-3rd), Elementary Financial Literacy Cards (K-5th, But Mostly 3rd-5th)
25	Oak Crest Elementary In Broken Arrow	Abc's of Oklahoma Agriculture Student Coloring Book (Prek-3rd)
25	Oak Crest Elementary In Broken Arrow	It's A Farm Animal Student Readers (Set of 25) (Prek-3rd Grade)
25	Oak Crest Elementary In Broken Arrow	Engineering Process Early Childhood/Lower Elementary Student Worksheets (Prek-3rd)
25	Lone Wolf Public School	Specialty Crop Ag Mag Activity Book Student Magazine (3rd-12th)
30	James L Dennis Elementary In Oklahoma City	Oklahoma Red Dirt Groundbreakers (3rd & 9th- Oklahoma History)
55	Kelley Elementary In Moore	Think In Pictures Student Readers (Set of 25) (3rd-6th Grade)
1 of Each	Kelley Elementary In Moore	Fruits, Nuts, And Veggies, Oh My!, Harvest of The Month Set of 12 Posters, Nutrition And Did You Know Fun Facts Set of 12 Posters, Engineering Process Upper Level Teacher Poster (3rd-12th), Middle-high School Financial Literacy Cards (6th-12th)
70	James L Dennis Elementary In Oklahoma City	Engineering Process Upper Level Student Worksheets (3rd-12th)
1	James L Dennis Elementary In Oklahoma City	Engineering Process Upper Level Teacher Poster (3rd-12th)
50	James L Dennis Elementary In Oklahoma City	Beef Or Dairy Student Readers (Set of 25) (1st-6th Grade)
60	Kelley Elementary In Moore	Oklahoma Red Dirt Groundbreakers (3rd & 9th- Oklahoma History)
1 of Each	Kelley Elementary In Moore	Fruits, Nuts, And Veggies, Oh My!, Harvest of The Month Set of 12 Posters, Nutrition And Did You Know Fun Facts Set of 12 Posters, Engineering Process Upper Level Teacher Poster (3rd-12th), Middle-high School Financial Literacy Cards (6th-12th)
15	Quinton High/Junior High	Oklahoma Red Dirt Groundbreakers (3rd & 9th- Oklahoma History)
1 of Each	Quinton High/Junior High	Fruits, Nuts, And Veggies, Oh My!, Harvest of The Month Set of 12 Posters, Engineering Process Upper Level Teacher Poster (3rd-12th), Middle-high School Financial Literacy Cards (6th-12th)
20	Ymca Child Development Center In Oklahoma City	Abc's of Oklahoma Agriculture Student Coloring Book (Prek-3rd)
1 of Each	Ymca Child Development Center In Oklahoma City	Harvest of The Month Set of 12 Posters
7	Takotna Community School In Takotna, Alaska	Oklahoma Commodity Map Student Maps
1 of Each	Takotna Community School In Takotna, Alaska	Harvest of The Month Set of 12 Posters, Nutrition And Did You Know Fun Facts Set of 12 Posters
75	Muldrow Schools	Do You Know The Difference Between Wool And Cotton? Student Activity Sheet (3rd-12th)

30	Deer Creek Intermediate	Think In Pictures Student Readers (Set of 25) (3rd-6th Grade)
1	Deer Creek Intermediate	Engineering Process Upper Level Teacher Poster (3rd-12th)
1	Shattuck Schools	Fruits, Nuts, And Veggies, Oh My!
27	Stratford Elementary School	Oklahoma Ag On Rt 66 Student Magazine (Prek-3rd)
1 of Each	Stratford Elementary School	Fruits, Nuts, And Veggies, Oh My!, Harvest of The Month Set of 12 Posters, Engineering Process Upper Level Teacher Poster (3rd-12th), Elementary Financial Literacy Cards (K-5th, But Mostly 3rd-5th)
25	Stratford Elementary School	Think In Pictures Student Readers (Set of 25) (3rd-6th Grade)
20	Waynoka Public School	Abc's of Oklahoma Agriculture Student Coloring Book (Prek-3rd)
25	Kingsgate Elementary In Oklahoma City	Oklahoma Ag On Rt 66 Student Magazine (Prek-3rd)
25	Kingsgate Elementary In Oklahoma City	It's A Farm Animal Student Readers (Set of 25) (Prek-3rd Grade)
22	Flower Mound Elementary In Lawton	Oklahoma Ag On Rt 66 Student Magazine (Prek-3rd)
22	Flower Mound Elementary In Lawton	Oklahoma Ag On Rt 66 Student Magazine (Prek-3rd)
25	Kingsgate Elementary In Oklahoma City	Abc's of Oklahoma Agriculture Student Coloring Book (Prek-3rd)
25	Kingsgate Elementary In Oklahoma City	Engineering Process Early Childhood/Lower Elementary Student Worksheets (Prek-3rd)
1	Kingsgate Elementary In Oklahoma City	Fruits, Nuts, And Veggies, Oh My!
22	Flower Mound Elementary In Lawton	Abc's of Oklahoma Agriculture Student Coloring Book (Prek-3rd)
22	Flower Mound Elementary In Lawton	Abc's of Oklahoma Agriculture Student Coloring Book (Prek-3rd)
22	Flower Mound Elementary In Lawton	Oklahoma Commodity Map Student Maps
1	Cleveland Intermediate School	Fruits, Nuts, And Veggies, Oh My!
21	Calera Elementary School	Abc's of Oklahoma Agriculture Student Coloring Book (Prek-3rd)
21	Calera Elementary School	Specialty Crops Ag Mag Student Magazine (Prek-3rd)
1 of Each	Calera Elementary School	Fruits, Nuts, And Veggies, Oh My!, Harvest of The Month Set of 12 Posters, Nutrition And Did You Know Fun Facts Set of 12 Posters, Engineering Process Early Childhood/Lower Elementary Teacher Poster (Prek-3rd)
22	Flower Mound Elementary In Lawton	Abc's of Oklahoma Agriculture Student Coloring Book (Prek-3rd)
20	Mounds Elementary School	Oklahoma Red Dirt Groundbreakers (3rd & 9th- Oklahoma History)
1 of Each	Mounds Elementary School	Harvest of The Month Set of 12 Posters, Engineering Process Early Childhood/Lower Elementary Teacher Poster (Prek-3rd)
21	Calera Elementary School	It's A Farm Animal Student Readers (Set of 25) (Prek-3rd Grade)
1 of Each	Clinton High School	Harvest of The Month Set of 12 Posters, Nutrition And Did You Know Fun Facts Set of 12 Posters, Middle-high School Financial Literacy Cards (6th-12th)

50	Covington-douglas Elementary School	Oklahoma Commodity Map Student Maps
1	Covington-douglas Elementary School	Harvest of The Month Set of 12 Posters
100	Collinsville Upper Elementary	Oklahoma Red Dirt Groundbreakers (3rd & 9th- Oklahoma History)
18	Duke Ffa	Oklahoma Red Dirt Groundbreakers (3rd & 9th- Oklahoma History)
1 of Each	Duke Ffa	Fruits, Nuts, And Veggies, Oh My!, Harvest of The Month Set of 12 Posters, Nutrition And Did You Know Fun Facts Set of 12 Posters, Engineering Process Upper Level Teacher Poster (3rd-12th), Middle-high School Financial Literacy Cards (6th-12th)
25	Fillmore Elementary In Oklahoma City	Do You Know The Difference Between Wool And Cotton? Student Activity Sheet (3rd-12th)
1 of Each	Fillmore Elementary In Oklahoma City	Harvest of The Month Set of 12 Posters, Engineering Process Early Childhood/Lower Elementary Teacher Poster (Prek-3rd), Elementary Financial Literacy Cards (K-5th, But Mostly 3rd-5th)
150	Butner Public School	Abc's of Oklahoma Agriculture Student Coloring Book (Prek-3rd)
1 of Each	Butner Public School	Fruits, Nuts, And Veggies, Oh My!, Harvest of The Month Set of 12 Posters, Nutrition And Did You Know Fun Facts Set of 12 Posters
130	Kellyville Public Schools	Engineering Process Upper Level Student Worksheets (3rd-12th)
1 of Each	Kellyville Public Schools	Engineering Process Upper Level Teacher Poster (3rd-12th)
20	Glenwood School In Enid	Engineering Process Upper Level Student Worksheets (3rd-12th)
1 of Each	Glenwood School In Enid	Fruits, Nuts, And Veggies, Oh My!, Harvest of The Month Set of 12 Posters, Elementary Financial Literacy Cards (K-5th, But Mostly 3rd-5th)
15	Will Rogers Elementary In Shawnee	Think In Pictures Student Readers (Set of 25) (3rd-6th Grade)
1 of Each	Will Rogers Elementary In Shawnee	Engineering Process Upper Level Teacher Poster (3rd-12th)
60	Roland	Oklahoma Red Dirt Groundbreakers (3rd & 9th- Oklahoma History)
25	Tuttle Elementary	Beef Or Dairy Student Readers (Set of 25) (1st-6th Grade)
60	Frontier Schools	Think In Pictures Student Readers (Set of 25) (3rd-6th Grade)
1 of Each	Frontier Schools	Fruits, Nuts, And Veggies, Oh My!, Engineering Process Upper Level Teacher Poster (3rd-12th)
40	Roland Public Schools	Engineering Process Early Childhood/Lower Elementary Student Worksheets (Prek-3rd)
25	El Reno Public Schools	Engineering Process Upper Level Student Worksheets (3rd-12th)
1	El Reno Public Schools	Engineering Process Upper Level Teacher Poster (3rd-12th)
20	Carnegie Elementary School	Oklahoma Red Dirt Groundbreakers (3rd & 9th- Oklahoma History)
14	Eisenhower-enid	Oklahoma Red Dirt Groundbreakers (3rd & 9th- Oklahoma History)
30	Banner School In El Reno	Oklahoma Red Dirt Groundbreakers (3rd & 9th- Oklahoma History)
1 of Each	Banner School In El Reno	Harvest of The Month Set of 12 Posters, Elementary Financial Literacy Cards (K-5th, But Mostly 3rd-5th)
5	Evans Homeschool In Ponca City	Oklahoma Ag On Rt 66 Student Magazine (Prek-3rd)

5	Evans Homeschool In Ponca City	Engineering Process Early Childhood/Lower Elementary Student Worksheets (Prek-3rd)
5	Evans Homeschool In Ponca City	Oklahoma Red Dirt Symbols (3rd Grade/Oklahoma History)
5	Evans Homeschool In Ponca City	Grow Garden Grow Student Readers (Set of 25) (3rd-6th Grade)
5	Evans Homeschool In Ponca City	Think In Pictures Student Readers (Set of 25) (3rd-6th Grade)
5	Evans Homeschool In Ponca City	Engineering Process Upper Level Student Worksheets (3rd-12th)
5	Evans Homeschool In Ponca City	Oklahoma Red Dirt Groundbreakers (9th Grade/Oklahoma History)
1	Evans Homeschool In Ponca City	Oklahoma Agriculture Fun Facts Bookmarks (Set of 25)
1 of Each	Evans Homeschool In Ponca City	Fruits, Nuts, And Veggies, Oh My!, Harvest of The Month Set of 12 Posters, Nutrition And Did You Know Fun Facts Set of 12 Posters, Engineering Process Early Childhood/Lower Elementary Teacher Poster (Prek-3rd), Engineering Process Upper Level Teacher Poster (3rd-12th), Elementary Financial Literacy Cards (K-5th, But Mostly 3rd-5th)
65	Perry Upper Elementary	Oklahoma Red Dirt Symbols (3rd Grade/Oklahoma History)
28	Grand Avenue Elementary In Chickasha	Oklahoma Red Dirt Symbols (3rd Grade/Oklahoma History)
44	Glenwood Elementary In Enid	It's A Farm Animal Student Readers (Set of 25) (Prek-3rd Grade)
25	Calvin Public School	Oklahoma Ag On Rt 66 Student Magazine (Prek-3rd)
25	Calvin Public School	Oklahoma Red Dirt Symbols (3rd Grade/Oklahoma History)
25	Calvin Public School	Abc's of Oklahoma Agriculture Student Coloring Book (Prek-3rd)
25	Calvin Public School	It's A Farm Animal Student Readers (Set of 25) (Prek-3rd Grade)
20	Yale Elementary	Oklahoma Red Dirt Symbols (3rd Grade/Oklahoma History)
30	Banner School In El Reno	Oklahoma Red Dirt Symbols (3rd Grade/Oklahoma History)
1	Banner School In El Reno	Elementary Financial Literacy Cards (K-5th, But Mostly 3rd-5th)
24	Grove Lower Elementary	Oklahoma Ag On Rt 66 Student Magazine (Prek-3rd)
24	Grove Lower Elementary	Oklahoma Red Dirt Symbols (3rd Grade/Oklahoma History)
1	Grove Lower Elementary	Engineering Process Early Childhood/Lower Elementary Teacher Poster (Prek-3rd)
15	Epic Charter Schools	Oklahoma Red Dirt Symbols (3rd Grade/Oklahoma History)
60	Earlywine Elementary In Moore	Oklahoma Red Dirt Symbols (3rd Grade/Oklahoma History)
23	Merritt Public School	Oklahoma Red Dirt Symbols (3rd Grade/Oklahoma History)
2	Pratt Elementary	Oklahoma Agriculture Fun Facts Bookmarks (Set of 25)
1 of Each	Pratt Elementary	Fruits, Nuts, And Veggies, Oh My!, Harvest of The Month Set of 12 Posters
12	Verden Public School	Beef Or Dairy Student Readers (Set of 25) (1st-6th Grade)
1 of Each	Verden Public School	Harvest of The Month Set of 12 Posters
10	Oklahoma Union Elementary School	Oklahoma Agriculture Fun Facts Bookmarks (Set of 25)
1 of Each	Oklahoma Union Elementary School	Engineering Process Early Childhood/Lower Elementary Teacher Poster (Prek-3rd), Engineering Process Upper Level Teacher Poster (3rd-12th)
100	Thomas Jefferson Elementary In Tulsa	Oklahoma Red Dirt Symbols (3rd Grade/Oklahoma History)

27	Rosewood Elementary In Broken Arrow	Oklahoma Red Dirt Symbols (3rd Grade/Oklahoma History)
15	Tulsa County Osu Extension	It's A Farm Animal Student Readers (Set of 25) (Prek-3rd Grade)
60	Midwest City Elementary	Engineering Process Upper Level Student Worksheets (3rd-12th)
1 of Each	Midwest City Elementary	Engineering Process Upper Level Teacher Poster (3rd-12th), Elementary Financial Literacy Cards (K-5th, But Mostly 3rd-5th), Harvest of The Month Set of 12 Posters
39	Cushing Upper Elementary	Oklahoma Red Dirt Symbols (3rd Grade/Oklahoma History)
65	Quinton Elementary	Does Chocolate Milk Come From Brown Cows? Student Activity Sheet (3rd-12th)
32	Ninnekah Elementary School	Specialty Crops Ag Mag Student Magazine (Prek-3rd)
32	Ninnekah Elementary School	It's A Farm Animal Student Readers (Set of 25) (Prek-3rd Grade)
15	Ringwood Elementary	Oklahoma Red Dirt Symbols (3rd Grade/Oklahoma History)
1 of Each	Ringwood Elementary	Elementary Financial Literacy Cards (K-5th, But Mostly 3rd-5th)
27	Woodland Public Schools	Abc's of Oklahoma Agriculture Student Coloring Book (Prek-3rd)
1	Woodland Public Schools	Harvest of The Month Set of 12 Posters
2	Bernita Hughes Elementary In Adair	Oklahoma Agriculture Fun Facts Bookmarks (Set of 25)
110	Mannford Upper Elementary	Oklahoma Red Dirt Symbols (3rd Grade/Oklahoma History)
2	Skyline Elementary In Stillwater	Oklahoma Agriculture Fun Facts Bookmarks (Set of 25)
1 of Each	Skyline Elementary In Stillwater	Harvest of The Month Set of 12 Posters, Elementary Financial Literacy Cards (K-5th, But Mostly 3rd-5th)
45	Skyline Elementary In Stillwater	It's A Farm Animal Student Readers (Set of 25) (Prek-3rd Grade)
19	Cushing Upper Elementary	Oklahoma Red Dirt Symbols (3rd Grade/Oklahoma History)
1	Woodrow Wilson Elem In Duncan	Oklahoma Agriculture Fun Facts Bookmarks (Set of 25)
1	Woodrow Wilson Elem In Duncan	Harvest of The Month Set of 12 Posters
25	Roland Public Schools	Specialty Crops Ag Mag Student Magazine (Prek-3rd)
1	Roland Public Schools	Nutrition And Did You Know Fun Facts Set of 12 Posters
55	Ryan Elementary	Crop Talk (Set of 25) (1st-6th Grade)
1	Ryan Public School	Oklahoma Agriculture Fun Facts Bookmarks (Set of 25)
1 of Each	Ryan Public School	Fruits, Nuts, And Veggies, Oh My!, Middle-high School Financial Literacy Cards (6th-12th)
30	Cordell	Specialty Crop Ag Mag Activity Book Student Magazine (3rd-12th)
1 of Each	Cordell	Fruits, Nuts, And Veggies, Oh My!, Harvest of The Month Set of 12 Posters
30	Stuart	Oklahoma Red Dirt Symbols (3rd Grade/Oklahoma History)
15	Ryan Elementary	It's A Farm Animal Student Readers (Set of 25) (Prek-3rd Grade)
18	Ryan Public School	Oklahoma Red Dirt Symbols (3rd Grade/Oklahoma History)
22	Calera	It's A Farm Animal Student Readers (Set of 25) (Prek-3rd Grade)
40	Salina High School	Engineering Process Upper Level Student Worksheets (3rd-12th)

1 of Each	Salina High School	Engineering Process Upper Level Teacher Poster (3rd-12th), Harvest of The Month Set of 12 Posters
30	Waurika Elementary	Oklahoma Red Dirt Symbols (3rd Grade/Oklahoma History)
16	Calera Elementary	It's A Farm Animal Student Readers (Set of 25) (Prek-3rd Grade)
1	Calera Elementary	Fruits, Nuts, And Veggies, Oh My!
1 of Each	Waynoka Public School	Fruits, Nuts, And Veggies, Oh My!, Harvest of The Month Set of 12 Posters
2	Waurika Public School (Elementary)	Oklahoma Agriculture Fun Facts Bookmarks (Set of 25)
20	Calera Early Childhood Center	It's A Farm Animal Student Readers (Set of 25) (Prek-3rd Grade)
25	Midwest City Elem.	Engineering Process Early Childhood/Lower Elementary Student Worksheets (Prek-3rd)
1 of Each	Midwest City Elem.	Engineering Process Early Childhood/Lower Elementary Teacher Poster (Prek-3rd), Engineering Process Upper Level Teacher Poster (3rd-12th)
25	Roland	Oklahoma Ag On Rt 66 Student Magazine (Prek-3rd)
20	Hall Halsell Elementary School In Vinita	Oklahoma Ag On Rt 66 Student Magazine (Prek-3rd)
22	Hayes Elementary In Enid	Oklahoma Red Dirt Symbols (3rd Grade/Oklahoma History)
17	Garfield Steam Academy	Does Chocolate Milk Come From Brown Cows? Student Activity Sheet (3rd-12th)
15	Turkey Ford Elementary In Wyandotte	Oklahoma Ag On Rt 66 Student Magazine (Prek-3rd)
1	Turkey Ford Elementary In Wyandotte	Fruits, Nuts, And Veggies, Oh My!, Harvest of The Month Set of 12 Posters, Nutrition And Did You Know Fun Facts Set of 12 Posters, Engineering Process Early Childhood/Lower Elementary Teacher Poster (Prek-3rd)
2	Maryetta	Oklahoma Agriculture Fun Facts Bookmarks (Set of 25)
1	Maryetta	Fruits, Nuts, And Veggies, Oh My!, Harvest of The Month Set of 12 Posters, Nutrition And Did You Know Fun Facts Set of 12 Posters, Engineering Process Upper Level Teacher Poster (3rd-12th), Elementary Financial Literacy Cards (K-5th, But Mostly 3rd-5th)
20	Garfield Elementary	Oklahoma Red Dirt Symbols (3rd Grade/Oklahoma History)
75	Davis Elementary School	Oklahoma Red Dirt Symbols (3rd Grade/Oklahoma History)
20	Calera Public Schools	Oklahoma Agriculture Fun Facts Bookmarks (Set of 25)
1	Calera Public Schools	Fruits, Nuts, And Veggies, Oh My!, Harvest of The Month Set of 12 Posters, Nutrition And Did You Know Fun Facts Set of 12 Posters, Engineering Process Early Childhood/Lower Elementary Teacher Poster (Prek-3rd)
30	Justus-tiawah	Abc's of Oklahoma Agriculture Student Coloring Book (Prek-3rd)
1	Justus-tiawah	Nutrition And Did You Know Fun Facts Set of 12 Posters
50	Oklahoma Union	Specialty Crop Ag Mag Activity Book Student Magazine (3rd-12th)
1	Oklahoma Union	Fruits, Nuts, And Veggies, Oh My!
12	Emerson Middle School In Enid	Oklahoma Ag On Rt 66 Student Magazine (Prek-3rd)
12	Emerson Middle School In Enid	Specialty Crops Ag Mag Student Magazine (Prek-3rd)

12	Emerson Middle School In Enid	Oklahoma Red Dirt Symbols (3rd Grade/Oklahoma History)
12	Emerson Middle School In Enid	Technology In Agriculture Student Readers (Set of 25) (3rd-6th Grade)
12	Emerson Middle School In Enid	Think In Pictures Student Readers (Set of 25) (3rd-6th Grade)
12	Emerson Middle School In Enid	Does Chocolate Milk Come From Brown Cows? Student Activity Sheet (3rd-12th)
12	Emerson Middle School In Enid	Specialty Crop Ag Mag Activity Book Student Magazine (3rd-12th)
12	Emerson Middle School In Enid	Engineering Process Upper Level Student Worksheets (3rd-12th)
1	Emerson Middle School In Enid	Nutrition And Did You Know Fun Facts Set of 12 Posters, Engineering Process Upper Level Teacher Poster (3rd-12th), Middle-high School Financial Literacy Cards (6th-12th), Elementary Financial Literacy Cards (K-5th, But Mostly 3rd-5th)
2	Collinsville High School	Oklahoma Agriculture Fun Facts Bookmarks (Set of 25)
1	Collinsville High School	Harvest of The Month Set of 12 Posters, Nutrition And Did You Know Fun Facts Set of 12 Posters, Middle-high School Financial Literacy Cards (6th-12th)
19	Cushing Upper Elementary	Oklahoma Red Dirt Symbols (3rd Grade/Oklahoma History)
25	W.T. Moore Elementary School	Grow Garden Grow Student Readers (Set of 25) (3rd-6th Grade)
1	W.T. Moore Elementary School	Fruits, Nuts, And Veggies, Oh My!, Harvest of The Month Set of 12 Posters, Nutrition And Did You Know Fun Facts Set of 12 Posters
125	Porter	Specialty Crop Ag Mag Activity Book Student Magazine (3rd-12th)
10	Kiefer Public Schools	Abc's of Oklahoma Agriculture Student Coloring Book (Prek-3rd)
1	Kiefer Public Schools	Fruits, Nuts, And Veggies, Oh My!, Harvest of The Month Set of 12 Posters, Middle-high School Financial Literacy Cards (6th-12th)
50	Newkirk Go-getters 4-h Club	Think In Pictures Student Readers (Set of 25) (3rd-6th Grade)
1	Newkirk Go-getters 4-h Club	Fruits, Nuts, And Veggies, Oh My!, Harvest of The Month Set of 12 Posters, Nutrition And Did You Know Fun Facts Set of 12 Posters, Engineering Process Early Childhood/Lower Elementary Teacher Poster (Prek-3rd), Engineering Process Upper Level Teacher Poster (3rd-12th), Middle-high School Financial Literacy Cards (6th-12th), Elementary Financial Literacy Cards (K-5th, But Mostly 3rd-5th)
18	Jay Elementary School	Abc's of Oklahoma Agriculture Student Coloring Book (Prek-3rd)
1	Jay Elementary School	Fruits, Nuts, And Veggies, Oh My!, Harvest of The Month Set of 12 Posters, Nutrition And Did You Know Fun Facts Set of 12 Posters, Elementary Financial Literacy Cards (K-5th, But Mostly 3rd-5th)
300	Wewoka Elementary	It's A Farm Animal Student Readers (Set of 25) (Prek-3rd Grade)
1	Wewoka Elementary	Fruits, Nuts, And Veggies, Oh My!
40	Hoover Elementary	Specialty Crops Ag Mag Student Magazine (Prek-3rd)
35	Roland Upper Elementary	Oklahoma Red Dirt Symbols (3rd Grade/Oklahoma History)
20	Epic Charter Schools	Does Chocolate Milk Come From Brown Cows? Student Activity Sheet (3rd-12th)
1	Epic Charter Schools	Elementary Financial Literacy Cards (K-5th, But Mostly 3rd-5th)
22	White Rock	Oklahoma Ag On Rt 66 Student Magazine (Prek-3rd)
40	Monroe In Enid	Specialty Crops Ag Mag Student Magazine (Prek-3rd)

1	Monroe In Enid	Harvest of The Month Set of 12 Posters, Nutrition And Did You Know Fun Facts Set of 12 Posters
1	Newkirk Go-getters 4-h Club	Fruits, Nuts, And Veggies, Oh My!, Harvest of The Month Set of 12 Posters, Nutrition And Did You Know Fun Facts Set of 12 Posters, Engineering Process Early Childhood/Lower Elementary Teacher Poster (Prek-3rd), Engineering Process Upper Level Teacher Poster (3rd-12th), Middle-high School Financial Literacy Cards (6th-12th), Elementary Financial Literacy Cards (K-5th, But Mostly 3rd-5th)
50	Newkirk Go-getters 4-h Club	Oklahoma Ag On Rt 66 Student Magazine (Prek-3rd)
50	Newkirk Go-getters 4-h Club	Specialty Crops Ag Mag Student Magazine (Prek-3rd)
50	Newkirk Go-getters 4-h Club	Abc's of Oklahoma Agriculture Student Coloring Book (Prek-3rd)
50	Newkirk Go-getters 4-h Club	It's A Farm Animal Student Readers (Set of 25) (Prek-3rd Grade)
50	Newkirk Go-getters 4-h Club	Beef Or Dairy Student Readers (Set of 25) (1st-6th Grade)
50	Newkirk Go-getters 4-h Club	Crop Talk (Set of 25) (1st-6th Grade)
50	Newkirk Go-getters 4-h Club	Oklahoma Red Dirt Symbols (3rd Grade/Oklahoma History)
50	Newkirk Go-getters 4-h Club	Grow Garden Grow Student Readers (Set of 25) (3rd-6th Grade)
50	Newkirk Go-getters 4-h Club	Technology In Agriculture Student Readers (Set of 25) (3rd-6th Grade)
50	Newkirk Go-getters 4-h Club	Think In Pictures Student Readers (Set of 25) (3rd-6th Grade)
50	Newkirk Go-getters 4-h Club	Specialty Crop Ag Mag Activity Book Student Magazine (3rd-12th)
50	Newkirk Go-getters 4-h Club	Oklahoma Red Dirt Groundbreakers (9th Grade/Oklahoma History)
50	Highlandville Elementary	Technology In Agriculture Student Readers (Set of 25) (3rd-6th Grade)
1	Highlandville Elementary	Fruits, Nuts, And Veggies, Oh My!, Harvest of The Month Set of 12 Posters, Elementary Financial Literacy Cards (K-5th, But Mostly 3rd-5th)
2	Newkirk Go-getters 4-h Club	Oklahoma Agriculture Fun Facts Bookmarks (Set of 25)
50	Newkirk Go-getters 4-h Club	Chocolate Milk Come From Brown Cows? Student Activity Sheet (3rd-12th)
50	Newkirk Go-getters 4-h Club	Do You Know The Difference Between Wool And Cotton? Student Activity Sheet (3rd-12th)
1	Newkirk Go-getters 4-h Club	Fruits, Nuts, And Veggies, Oh My!, Harvest of The Month Set of 12 Posters, Nutrition And Did You Know Fun Facts Set of 12 Posters, Engineering Process Early Childhood/Lower Elementary Teacher Poster (Prek-3rd), Engineering Process Upper Level Teacher Poster (3rd-12th), Middle-high School Financial Literacy Cards (6th-12th), Elementary Financial Literacy Cards (K-5th, But Mostly 3rd-5th)
3	Gibson Homeschool	Grow Garden Grow Student Readers (Set of 25) (3rd-6th Grade)
50	Wapanucka	Oklahoma Red Dirt Groundbreakers (9th Grade/Oklahoma History)
1	Wapanucka	Fruits, Nuts, And Veggies, Oh My!, Harvest of The Month Set of 12 Posters, Engineering Process Upper Level Teacher Poster (3rd-12th), Middle-high School Financial Literacy Cards (6th-12th)
10	Enid Public Schools	Oklahoma Red Dirt Groundbreakers (9th Grade/Oklahoma History)
15	Stoney Point School	Specialty Crop Ag Mag Activity Book Student Magazine (3rd-12th)
1	Stoney Point School	Elementary Financial Literacy Cards (K-5th, But Mostly 3rd-5th)
25	Enid Public Schools	Oklahoma Ag On Rt 66 Student Magazine (Prek-3rd)
6	Newsom Homeschool	It's A Farm Animal Student Readers (Set of 25) (Prek-3rd Grade)
6	Newsom Homeschool	Abc's of Oklahoma Agriculture Student Coloring Book (Prek-3rd)

50	Skiatook Elementary	Oklahoma Commodity Map Student Maps
22	Flower Mound	Oklahoma Commodity Map Student Maps
50	Covington-douglas Elementary School	Oklahoma Commodity Map Student Maps
125	Porter	Oklahoma Commodity Map Student Maps
12	Emerson Middle School	Oklahoma Commodity Map Student Maps
50	Newkirk Go-getters 4-h Club	Oklahoma Commodity Map Student Maps
25	Lynn Wood Elementary	Crop Talk (Set of 25) (1st-6th Grade)
1	Lynn Wood Elementary	Fruits, Nuts, And Veggies, Oh My!, Harvest of The Month Set of 12 Posters, Nutrition And Did You Know Fun Facts Set of 12 Posters, Engineering Process Early Childhood/Lower Elementary Teacher Poster (Prek-3rd), Elementary Financial Literacy Cards (K-5th, But Mostly 3rd-5th)
12	Holy Trinity Catholic School	Oklahoma Ag On Rt 66 Student Magazine (Prek-3rd)
25	Tuttle Elementary	Grow Garden Grow Student Readers (Set of 25) (3rd-6th Grade)
5	Home School	Specialty Crops Ag Mag Student Magazine (Prek-3rd)
22	Bethany Community School	It's A Farm Animal Student Readers (Set of 25) (Prek-3rd Grade)
1	Bethany Community School	Harvest of The Month Set of 12 Posters
29	Quinton Elementary	Beef Or Dairy Student Readers (Set of 25) (1st-6th Grade)
29	Quinton Elementary	Specialty Crop Ag Mag Activity Book Student Magazine (3rd-12th)
6	Newsom Homeschool	Harvest of The Month Set of 12 Posters
20	Morrison Elementary	Abc's of Oklahoma Agriculture Student Coloring Book (Prek-3rd)
16	Jf Kennedy Elementary	Oklahoma Red Dirt Symbols (3rd Grade/Oklahoma History)
6	Good Heritage Academy	Abc's of Oklahoma Agriculture Student Coloring Book (Prek-3rd)
6	Good Heritage Academy	Specialty Crops Ag Mag Student Magazine (Prek-3rd)
6	Good Heritage Academy	Oklahoma Ag On Rt 66 Student Magazine (Prek-3rd)
6	Good Heritage Academy	Oklahoma Red Dirt Symbols (3rd Grade/Oklahoma History)
1	Good Heritage Academy	Fruits, Nuts, And Veggies, Oh My!, Harvest of The Month Set of 12 Posters, Nutrition And Did You Know Fun Facts Set of 12 Posters, Engineering Process Early Childhood/Lower Elementary Teacher Poster (Prek-3rd), Elementary Financial Literacy Cards (K-5th, But Mostly 3rd-5th)
10	Duke Public School	Do You Know The Difference Between Wool And Cotton? Student Activity Sheet (3rd-12th)
1	Duke Public School	Fruits, Nuts, And Veggies, Oh My!, Harvest of The Month Set of 12 Posters
450	Monroe Es	Does Chocolate Milk Come From Brown Cows? Student Activity Sheet (3rd-12th)
1	Monroe Es	Fruits, Nuts, And Veggies, Oh My!, Harvest of The Month Set of 12 Posters, Nutrition And Did You Know Fun Facts Set of 12 Posters
34	Northwest Elementary	Specialty Crop Ag Mag Activity Book Student Magazine (3rd-12th)
15	Turkey Ford School	Specialty Crops Ag Mag Student Magazine (Prek-3rd)
18	Boise City Elementary School	Abcs of Oklahoma Agriculture Student Coloring Book (Prek-3rd)
18	Boise City Elementary School	Oklahoma Red Dirt Symbols (3rd Grade/Oklahoma History)
18	Boise City Elementary School	Oklahoma Commodity Map Student Maps
35	Maryetta	Abc's of Oklahoma Agriculture Student Coloring Book (Prek-3rd)

1	Maryetta	Harvest of The Month Set of 12 Posters
18	Boise City Elementary	Oklahoma Agriculture Fun Facts Bookmarks (Set of 25)
25	Orvis Risner Elementary	Engineering Process Early Childhood/Lower Elementary Student Worksheets (Prek-3rd)
1	Newsom Homeschool	Fruits, Nuts, And Veggies, Oh My!, Nutrition And Did You Know Fun Facts Set of 12 Posters
50	Newkirk Go-getters 4-h Club	Oklahoma Red Dirt Symbols (3rd Grade/Oklahoma History)
20	Washington Pre-k Center	Abc's of Oklahoma Agriculture Student Coloring Book (Prek-3rd)
1	Washington Pre-k Center	Fruits, Nuts, And Veggies, Oh My!, Harvest of The Month Set of 12 Posters
20	Bethany Community School	Oklahoma Ag On Rt 66 Student Magazine (Prek-3rd)
1	Bethany Community School	Fruits, Nuts, And Veggies, Oh My!
80	Lindsay Elementary	Beef Or Dairy Student Reader
80	Maysville Elementary	Oklahoma Red Dirt Symbols (3rd Grade/Oklahoma History)
25	Cromwell School	Oklahoma Red Dirt Symbols (3rd Grade/Oklahoma History)
80	Cushing Lower Elementary	Abc's of Oklahoma Agriculture Student Coloring Book (Prek-3rd)
25	Banner Elementary	Oklahoma Ag On Rt 66 Student Magazine (Prek-3rd)
25	Banner Elementary	Abc's of Oklahoma Agriculture Student Coloring Book (Prek-3rd)
40	Ringling Head Start	Old Abc's of Oklahoma Agriculture Student Coloring Book (Prek-3rd)
40	Waurika Head Start	Old Abc's of Oklahoma Agriculture Student Coloring Book (Prek-3rd)
40	Temple Head Start	Old Abc's of Oklahoma Agriculture Student Coloring Book (Prek-3rd)
40	Grandfield Head Start	Old Abc's of Oklahoma Agriculture Student Coloring Book (Prek-3rd)
80	Frederick Head Start	Old Abc's of Oklahoma Agriculture Student Coloring Book (Prek-3rd)
80	Hobart Head Start	Old Abc's of Oklahoma Agriculture Student Coloring Book (Prek-3rd)
40	Pawnee Head Start	Old Abc's of Oklahoma Agriculture Student Coloring Book (Prek-3rd)
1	Ridgecrest Elementary Mwc/Del City	Barn Full of Resources
50	Guthrie Elementary- Cottoral	Oklahoma Red Dirt Symbols (3rd Grade/Oklahoma History)
50	Guthrie Elementary- Cottoral	Oklahoma Ag On Rt 66 Student Magazine (Prek-3rd)
50	Guthrie Elementary- Cottoral	Grow Garden Grow Student Readers (Set of 25) (3rd-6th Grade)
50	Guthrie Elementary- Cottoral	Crop Talk (Set of 25) (1st-6th Grade)
136	Maryetta Elementary	Abc's of Oklahoma Agriculture Student Coloring Book (Prek-3rd)
60	Cushing Upper Elementary	Oklahoma Red Dirt Symbols (3rd Grade/Oklahoma History)
110	Mannford Upper Elementary	Oklahoma Red Dirt Symbols (3rd Grade/Oklahoma History)
25	Ft Cobb Elementary	Oklahoma Red Dirt Symbols (3rd Grade/Oklahoma History)
25	Ft Cobb Elementary	Does Chocolate Milk Come From Brown Cows? Student Activity Sheet (3rd-12th)
40	Burns Flat Head Start	Old Abc's of Oklahoma Agriculture Student Coloring Book (Prek-3rd)
40	Cordell Head Start	Old Abc's of Oklahoma Agriculture Student Coloring Book (Prek-3rd)
40	Sentinel Head Start	Old Abc's of Oklahoma Agriculture Student Coloring Book (Prek-3rd)
40	Sayre Head Start	Old Abc's of Oklahoma Agriculture Student Coloring Book (Prek-3rd)
120	Enid Public School-day Care Partnership	Old Abc's of Oklahoma Agriculture Student Coloring Book (Prek-3rd)

Ag in the Classroom- Other Events

Date	Event	Highlights
7/27/2020	Social Media Post	Post reached 1.1K- Shared about last few hours to sign up for this week's Summer Conference Zoom sessions
7/27/2020	Social Media Post	Post reached 589- Shared ZOOM Links via Facebook for Summer Conference
7/27/2020	Social Media Post	Post reached 730- Shared Journey 2050's post about NAITC's training for Journey 2050
7/28/2020	Social Media Post	Post reached 736- Promoting Tuesday's Summer Conference Zoom Sessions
7/28/2020	Social Media Post	Post reached 2K- Shared ZOOM links for next day's Conference Day
7/28/2020	Social Media Post	Post reached 690- Shared ODAFF's post about unknown seeds being mailed from China
7/29/2020	Social Media Post	Post reached 1.9K- Shared about Jocelyn Puckett's Google Classroom session with Zoom Link
7/30/2020	Social Media Post	Post reached 3.3K- Shared about Google Classroom session including Temple Grandin: Thinking in Pictures lesson
7/31/2020	Social Media Post	Post reached 3.3K- Shared joke for Farm Fun Friday
8/3/2020	Social Media Post	Post reached 540- Shared about PurplePlow STEM website
8/4/2020	Social Media Post	Post reached 747- Shared about 'Adopt a Cow' program at discoverdairy.com
8/4/2020	Social Media Post	Post reached 1.4K- Shared about resource from American Farm Bureau and Ford Motor Company supplying 'Full of Beans' Book to teachers
8/5/2020	Social Media Post	Post reached 966- Shared about popcorn.org resource for teachers
8/5/2020	Social Media Post	Post reached 12K- Shared about Farm Bureau's Bushel of Books Opportunity
8/6/2020	Social Media Post	Post reached 546- Shared about American Egg Board resources for teachers
8/7/2020	Social Media Post	Post reached 923- Shared about petersonfarmbrothers.com for teacher resource
8/10/2020	Social Media Post	Post reached 1.9K- Shared about Beef or Dairy Reader resource
8/10/2020	Social Media Post	Post reached 2.4K- Shared about AITC resources going out in the mail from office
8/11/2020	Social Media Post	Post reached 1.9K- Shared about Bird, Mammal, Farm animal reader resource
8/12/2020	Social Media Post	Post reached 1.4K- Shared about Engineering Process Sheets and posters
8/13/2020	Social Media Post	Post reached 17.4K- Shared about our new Oklahoma State

		Symbols resource
8/14/2020	Social Media Post	Post reached 969- Shared a joke for Farm Fun Friday
8/17/2020	Social Media Post	Post reached 1.3K- Shared that August is National Catfish Month and about fisheries in Oklahoma
8/18/2020	Social Media Post	Post reached 1.6K- Shared about August being National Inventors Month - 2 resources - OK red dirt groundbreakers and Ag Tech Reader
8/18/2020	Social Media Post	Post reached 6.4K- Shared about sending out more requested AITC resources from ODAFF
8/19/2020	Social Media Post	Post reached 2.4K- Shared about Ag in the Classroom \$500 Pork Council Grant
8/20/2020	Social Media Post	Post reached 1.8K- Chance to win a book for sharing a Back-To-School Picture
8/21/2020	Social Media Post	Post reached 3.3K- Shared a joke for Farm Fun Friday
8/24/2020	Social Media Post	Post reached 583- Shared about Noble Research Center
8/25/2020	Social Media Post	Post reached 624- Shared about Southwest Dairy's Mobile Classroom
8/26/2020	Social Media Post	Post reached 772- Shared Jamey Allen's post about sharing sheep with a class of students
8/27/2020	Social Media Post	Post reached 1K- Shared about dairydiscoverzone.com and M6 Dairy Farm
8/28/2020	Social Media Post	Post reached 194K- Shared about Adopting a calf at Discover Dairy.com
8/29/2020	Social Media Post	Post reached 13.8K- Shared about Read an Accurate Ag Book Week coming up
8/31/2020	Social Media Post	Post reached 14.5K- Shared about the Lt. Governor reading for Read an Accurate Ag Book Week over Zoom
9/1/2020	Social Media Post	Post reached 573- Shared about Congressman Frank Lucas reading for Reading an Accurate Ag Book Week on Zoom
9/2/2020	Social Media Post	Post reached 9.5K- Shared about Sec. of Ag Blayne Arthur reading a book on Zoom for Read an Accurate Ag Book Week
9/3/2020	Social Media Post	Post reached 2.1K- Shared about Jamey Allen reading a book for Read an Accurate Ag Book week on Zoom
9/4/2020	Social Media Post	Post reached 11.2K- Shared about Tanner Taylor and Hunter Haxton reading books on Zoom for Read an Accurate Ag Book week
9/8/2020	Social Media Post	Post reached 2K- Shared about Read an Accurate Ag Book week starting an Joy Hofmeister being adding to the Zoom reading schedule
9/8/2020	Social Media Post	Post reached 7K+- Shared about the first Day of Read an Accurate Ag Book week through several pictures and posts on Facebook
9/9/2020	Social Media Post	Post reached 8K+- Shared numerous posts about the second day of Read an Accurate Ag Book Week
9/10/2020	Social Media Post	Post reached 6K+- Shared numerous posts about the third

		day of Read an Accurate Ag Book Week
9/11/2020	Social Media Post	Post reached 6K+- Shared numerous posts about the fourth day of Read an Accurate Ag Book Week
9/12/2020	Social Media Post	Post reached 1K- Shared two posts of classes that participate in Read an Accurate Ag Book Week
9/14/2020	Social Media Post	Post reached 3K- Shared numerous posts and pictures of classes that participate in Read an Accurate Ag Book Week
9/15/2020	Social Media Post	Post reached 1.8K- Shared all 'Heart of the Fair' posts from Agritourism's Facebook Page
9/16/2020	Social Media Post	Post reached 2K- Shared all 'Heart of the Fair' posts from Agritourism's Facebook Page
9/17/2020	Social Media Post	Post reached 5K- Shared all 'Heart of the Fair' posts from Agritourism's Facebook Page
9/18/2020	Social Media Post	Post reached 2.5K- Shared all 'Heart of the Fair' posts from Agritourism's Facebook Page
9/20/2020	Social Media Post	Post reached 5.5K- Shared about the update on Jack Waddell and his Giant Pumpkin
9/22/2020	Social Media Post	Post reached 3.5K- Shared about Southwest Dairy's new virtual videos on their website
9/23/2020	Social Media Post	Post reached 750- Shared about our Pumpkin lessons and the video of Jack's pumpkin and watermelons being weighed off
9/24/2020	Social Media Post	Post reached 1.6K- Shared information about planting a plot of wheat in your classrooms
9/25/2020	Social Media Post	Post reached 1.6K- Shared a joke for Farm Fun Friday
8/14/2020	Website Update	Updated the following lessons: Ag in Poetry; An Apple a Day; Bovine Oversteps Boundaries; Corn Then and Now: Garden Grid; A Lucky Break; Organic or Conventional; Come Into My Parlor; Melons in Prose and Poetry; Punkin Chunkin; and Think in Pictures, and updated ABC's of Ag coloring book image. Also added links to conference sessions and zoom videos from summer AITC conference.
9/18/2020	Website Update	Updated the following lessons: How Germs Spread- 2 versions (Grades 3-5 and 6-8) and Corn Field Math and Science

AGRITOURISM

Agritourism - Site Visits

Producer	Location	Category	Highlights
Redbud Farm & Vineyard	Washington	Vineyard	Participated in grape harvest, met owners for the 1 st time, discussed OGIC efforts, took photos of the grape harvest
Crossed Arrows Fiber Mill	Duncan	Fiber	TODS app and delivered extra liability sign

Ada Farmers Market	Ada	Farmers Market	Officially signed up for 2020 season, sold stickers
Tulsa Farmers Market	Tulsa	Farmers Market	Accompanied Blayne Arthur – we visited with the market manager and several vendors
Marak Family Farm	Meeker	Loklahoma	Interview for This is Oklahoma podcast
Magnolia Blossom Ranch	Newcastle	Fiber	Delivered hand sanitizer and discussed COVID challenges
Red River Pumpkin Patch	Frederick	Pumpkins	Delivered hand sanitizer
Rockin R Farm	Tahlequah	Pumpkins	Delivered hand sanitizer and discussed COVID challenges
Cornerstone Kids Ranch	Ada	Pumpkins	Delivered hand sanitizer and discussed COVID challenges
Waddell Vineyards	Ada	Winery	Delivered hand sanitizer and discussed COVID challenges
Tuttle Farmers Market	Tuttle	Farmers Market	Visited with market manager, delivered farmers market application
Newcastle Farmers Market	Newcastle	Farmers Market	Visited with market vendors, delivered a farmers market application
Oklahoma Heritage Farm Store	Ramona	Pumpkin Patch	Delivered hand sanitizer. Discussed upcoming fall season and COVID challenges.
Pumpkin Town	Tulsa	Pumpkin Patch	Delivered hand sanitizer. Discussed upcoming fall season and COVID challenges.
Kenny Farms	Woodward	Pumpkin Patch	Delivered hand sanitizer. Discussed upcoming fall season and COVID challenges.
Chester's Party Barn	Piedmont	Pumpkin Patch	Delivered hand sanitizer. Discussed upcoming fall season and COVID challenges. Shared efforts we have put forth to tell public pumpkin patches are open.
The Patch at Spring Creek	Gracemont	Pumpkin Patch	Discussed upcoming fall season and COVID challenges. Intern took photos.
Growing Paynes	Mustang	Pumpkin Patch	Visited about pumpkins, upcoming strawberries, and took photos of the farm.
Jahn's Pumpkin Hill	Cyril	Pumpkin Patch	Delivered hand sanitizer.

Agritourism - New Producers or Potential Producers

Producer	Location	Category	Highlights
Cross Timbers Bison	Sulphur		Site visit. Currently, taking friends and family on ranger rides to see bison. Wants to develop into an agritourism destination. Potential country stay, farm-to-table, and brewery
Fort Gibson Farmers Market Hub	Fort Gibson	Farmers Market Hub	Many phone consultations with Sherry Hubanks who wants to start a farmers market hub
Enterprise Grain Co.	Enid	Farmers Market and FM Hub	Site visit. Grain to glass brewery wants to add a farmers market
Southwind Hills	Goldsby	Farmers Market	Adkins family building agri-hood – wants to create an agriculture community within a housing development – potential for farmers market, u-pick flowers or other produce, farm-to-table restaurant, etc.
Horton's Produce	Bluejacket	Farm to Table/Pumpkin Patch	Site visit. They are producing tomatoes, mums, and pumpkins. Hoping to open a pumpkin patch this fall, they have planted strawberries for the spring u-pick.

Persimmon Hill Farms	Stillwater	Farm to Table	Site visit. They are building a new shop to sell baked goods and honey, with a certified kitchen in the back. They have about 40 acres. Hoping to sell farm to table produce including berries, pumpkins, and other vegetables.
Hillbilly Haven	Oklahoma City	Pumpkin Patch	One site visit, follow up consultation. New pumpkin patch in OKC. Offering hay rides, petting farm, other fall activities.

Agritourism – Web and Social Traffic

Facebook: 12,538 page likes

Instagram: 1,484 followers

Loklahoma

Facebook: 2,940 page likes

Agritourism - Other Activities

- Created COVID guideline document for agritourism producers and sent out – the document shared CDC guidelines, best practices and creative ideas from agritourism venues around the nation
- Gathered orders for hand sanitizer for our agritourism producers, put in order and delivered gallons of hand sanitizer to several producers
- Phone consultations about upcoming season and COVID: Kenny Farms, Jahn’s Pumpkin Hill, Parkhurst Pumpkin Patch, Faithful Family Farms, Crossed Arrows Fiber Mill, Oklahoma Heritage Farm, Wells Christmas Tree Farm, All Pine Christmas Tree Farm, Martinbird Christmas Tree Farm, Annabelle’s Fun Farm, P-Bar Farms, Chester’s Party Barn, Pleasant Valley Farms, DaZe in a MaZe, Lil Gladys’ Farm and Pumpkin Patch
- News interview with KOCO 5 – they ran a three minute story about Loklahoma and upcoming agritourism adventures
- Worked with Rita at Growing Paynes to help plan her fall Harvest Fest event – helped edit social graphics, sent her MIO vendor applications, sent her live music contacts, and talked through events of the day and food trucks
- Researched and wrote a specialty crop grant proposal for Christmas tree producers – it was approved for \$20,000 to provide educational materials for all Oklahoma u-cut Christmas tree farms
 - Called all Christmas tree farms to collect data for proposal
 - Worked with marketing agency to develop educational signage and handouts
 - Sent off designs to be printed
- Podcast interview with Road to Rural Prosperity about upcoming agritourism activities
- Presentation about How to Start a Farmers Market to Pawnee Gardner’s Club
- Visited with Kingfisher Chamber of Commerce, discussed future agritourism potential in Kingfisher, and delivered wine trail & agritourism maps.
- Visited with Caddo County extension agent, David Nowlin, about farmers market rules and food regulations.

- Helped plan, coordinate, and supervise Ag Youth Council meeting.
- **Virtual State Fair project**

ECONOMIC DEVELOPMENT

Activity	Action	Location
Meat Processing Grant	ODAFF received 196 grant applications requesting \$105 million in funding. The Ag Enhancement selection committee reviewed the applications and met on August 26 to make a final determination on project funding. A total of \$10 million of grant funds went to 40 applicants from across the state. Staff has worked to get the majority of contractual agreements and purchase orders in place and many have already received their funding.	
2020 SCBG application	ODAFF has received notification from USDA-AMS that Oklahoma's State Plan which contained 8 projects totaling \$589,536.30 has been approved. Staff will now work on contractual agreements and set up meetings with each of the recipients.	
Review and approve SCBG invoices	SCBG grant coordinator approved 9 invoices for payment after reviewing receipts and purchases in make sure they were within the terms of the contractual agreement with ODAFF.	
Review and approve V&E invoices	Viticulture & Enology grant coordinator approved 3 invoices for payment after reviewing receipts and purchases in make sure they were within the terms of the contractual agreement with ODAFF.	
Tulsa State Fair Livestock Show	The 2020 Tulsa State Fair was canceled but a 6 day livestock show will still take place from September 29-October 4. A staff member will serve as the General Livestock Superintendent and has been involved in several planning meetings with the various species.	

FARM TO SCHOOL

ACTIVITY	ACTION	LOCATION
SCBG Tasteful Harvest Poster Set	SCBG Tasteful Harvest Grant Resources Tasteful Harvest Posters and Connection Pages are almost complete. Lots of research for content but we are on the final stretch. Cafeteria Connections are in progress.	Home & Office
Tasteful Harvest Cookbook	Tasteful Harvest Cookbook This is still a work in progress. Some recipes have been sent to OSU for review and nutrition changes. This project will be bid out to begin work on the graphics.	Home & Office
Farm to School Conference	Farm to School Conference The Farm to School Conference we planned for Sept. was once again postponed due to COVID-19 and CDC and Stillwater Campus guidelines. It will hopefully occur sometime in the spring.	Home & Office
Farm to School Grant 2020	2020 Farm to School State Agency Grant Planning has begun on this grant. Just to refresh we are calling it the FRESH Project. Fresh Resources to Enhance Student Health. ODAFF is partnering with OSDE/Child Nutrition and OSU Cooking For Kids. Planning session on Sept. 18. 3 locations: Bartlesville, Checotah and Durant. Three 3 day trainings for Farmers/Producers and Child Nutrition Directors. Dates are tentative for June. Next Planning session and updates Oct. 1	Home & Office

INTERNATIONAL

Activity	Action	Location
STEP Grant update	<ul style="list-style-type: none"> STEP is entering phase 3, there are some events that the funds have been repurposed from some of the most recent cancelations. We will be working with the Sorghum Commission to see if there is any opportunity to assist in a training or a trade mission. We have let all of the companies know that we will not have STEP funds available for the shows in 2021, but led them to look at alternative resources for funding and will support the companies with information from each show to make it an easier transitions to Oklahoma pavilion to working straight with the show. 	
Certificate of Free Sale	Lopez Bar S Trevo	

Food Export Closed Door State Sessions	Food Export typically has a session at their bi-annual meeting for any issues or obstacles that may come up from time to time that will allow for states to discuss with the Executive Director without worrying about the Food Export staff present. This go round we discussed the virtual missions and how to let all states observe and learn what works and doesn't work in the virtual setting of buyers missions and trade missions.	
Food Export Virtual Missions	We have 2 Oklahoma Companies that will be participating in the upcoming Virtual Focused Trade Mission. Del Real Foods with at facility in Moore, OK and Stryve with a facility in Madill, OK. These two companies will be meeting with several buyers from Canada on a virtual platform. They also receive support from Food Export advisors and In Market Rep- The USDA FAS office will do a virtual overview of the market as well. We are actively recruiting for the Columbia Focused Trade Mission. We have made the decision to take the Korea Focused Trade Mission virtual so we will be working on a plan for executing this as well next month.	
GIT Meeting	Governor's International Team Meeting -the District Export Council held elections and chose new officers and also informed the membership that DEC will attempt to hold a virtual World Trade Conference on Thursday, October 22 nd . It was then discussed to possibly hold a virtual Consul Summit at the same time. Possibly the day before or after.	Zoom
Doug Price w/TCCC Meeting	Met with Doug Price, Director of Global Learning and GIT Board Member to discuss the mio programs we have in place and how we support international trade. He is doing research on how to implement these programs into the curriculum and possibly work with OSU on a program to continue for their business graduates.	Zoom
H2A Project	<p>We are working on a survey aimed at our producers to discover what the need might be in the state for H2A workers in general. If we discover interest, we have a GIT member that is working with the Guatemala Ambassador to support a program that was introduced late in 2019 that would give citizens from Guatemala preference for these seasonal H2A positions.</p> <p>A brief description of the program:</p> <ol style="list-style-type: none"> 1) <i>The H-2A worker is recruited directly by the Guatemalan Department of Labor, with deference to the persons experience as suitable to the type of work s/he would be expected to do in Oklahoma.</i> 2) <i>Once suitable a worker is selected, the American embassy in Guatemala does a clearance check on the</i> 	

	<p><i>worker before an H-2A visa is authorized for each worker.</i></p> <p><i>3) The expenses of travel from Gtm to USA / OK and return from USA / OK to Gtm, plus food and lodging are assumed by the OK employer.</i></p> <p><i>4) The legal expenses for obtaining the visa are also assumed by the OK employer.</i></p> <p><i>5) Salaries paid by the Oklahoma employer should be equal to those normally paid US workers for the same job in the same area.</i></p>	
Webinars	Food & Pet Food Processing, Sorghum Production and Export Opportunities	Kansas Department of Ag Virtual Summit

MADE IN OKLAHOMA PROGRAM

Meeting	Location	Details
Enid Brewing Company	Enid	Met with owner to discuss their company and opportunities for them – they are a MIO member.
Enterprise Grain	Enid	Met with owner to discuss company and opportunities for them.
No Mans Land	Enid	Met with owner to discuss their company and opportunities for them – they are a MIO member.
Print Quality Connections	OKC	Met to discuss his printing business and how we could be involved with Made in Oklahoma.
FAPC Basic Training	Virtual	Gave presentation over Made in Oklahoma Program for basic training attendees.
News 9	OKC	Met and interviewed with News 9 as they created a feature for the fair. They highlighted the MIO Store.
Gold Canine Group	OKC	Met with this prospective company to discuss opportunities available to them though Made in Oklahoma
Mollycoddled Hash Slinger	Warr Acres	Visited her kitchen to film her making her product and interview her for Heart of the Fair showcase
Stockyards City	Virtual	Discussed plans for A Little Taste of Stockyards City. We are partnering with them to host a Made in Oklahoma market during their event.

Serenity Soapworks	Oologah	Visited to film her making her product and interview her for Heart of the Fair showcase
Okie Bee Farms	Tulsa	Visited to film her bees and share about her products for Heart of the Fair showcase
Pottery by Jezz	Tulsa	Visited to film and interview her about her products for Heart of the Fair

New Producers:

- Designs by Thompson
- Rosewood Industries, Inc
- Okie Pokie
- Gold Club Canine Group
- Rustic Pup Crates
- Lazy KT Ranch
- Paw Appétit
- Lion Dog Farms
- Tape Cap LLC
- Performance Grow
- Bee Farmee
- In the Air Candles
- Screamin’ Jack’s BBQ and More

New Retailers:

- Sam Nobel Museum Gift Shop
- Hummingbird Fine Craft
- Postal Annex
- Farm Hippie Farmers Market
- The Co-op Downtown Inola
- Meridian Market Kitchen and Food

Events

Name	Location	Date
Tulsa Home and Outdoor Market	Tulsa Expo Square	August 21-23 POSTPONED to September 25-27
Oklahoma State Fair	State Fair Park	Cancelled
Tulsa State Fair	Tulsa Expo	Cancelled

Other Made in Oklahoma Activities:

- Researched festivals for MIO vendors to have a presence at for the Fall
- Developed new Facebook series for Made in Oklahoma companies to be featured each Monday and Friday
- Launched new website! www.madeinoklahoma.net
- Began planning Homegating project with a news channel to feature Made in Oklahoma companies this Fall.
- Assisted in videoing Secretary Arthur for Heart of the Fair intro
- Scouted locations for MIOP promo video

MIO COALITION

Made in Oklahoma Coalition – Advertising, Web and Social Traffic

Type	\$ Spent	Highlights
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Digital Billboard Advertising	\$1,600-\$1,900/month	Features company branded ads in OKC & Tulsa Markets
MIO Featured Monthly Recipes in Tulsa World and Oklahoman	\$500/month each	Featured press release and 1-2 showcased recipes in food section
MIO City Bus Wrap	\$1500/month/ bus	Busses run throughout the OKC and Tulsa on different routes for one full calendar year.
Marketing, Consulting and Graphics Retainer with Boiling Point Media	\$4,000	Social media posts, digital presence, analytics, management of content and creation of digital footprint, recipe file management.
MIO TV Cooking Segments on Channel 6 in Tulsa and Channel 4, 5 & 9 in OKC	OKC – 6 appearances in September 6 appearances in August 6 appearances in July 2 appearances in Tulsa market	Natalie Mikels & David Brooks, MIO TV Personalities filmed remote cooking segments for the months of July-September
Discover Oklahoma Commercials	\$5,200	Yearlong contract with Discover Oklahoma kicked off in August with Statewide spots airing through July 2021
MIO Monthly Newsletter		August Featured Company: Total Beverage Services September Featured Company: Anthem Brewing
Social Media Stats	BPM retainer	Twitter: 5,564 Instagram: 2,763 Facebook: 16,007
MIO Restaurant Gift Card Giveaways	\$50 gift card per week	MIO gives away one \$50 gift card to a MIO restaurant away each week to participants in our social media giveaways. These have been a great way for us to generate engagement.

Made in Oklahoma Coalition – Other Activities

Activity	Information
This is Oklahoma Podcast Filming <ul style="list-style-type: none"> July 28th – Jet, Oklahoma 	Staff facilitated the filming of the This is Oklahoma Podcast with the first featured company, deVine Water, which is located near the Great Salt Plains Wildlife Refuge in Northwest Oklahoma.
Tour of Kize Concepts <ul style="list-style-type: none"> August 6th - OKC, OK 	Staff along with Market Development Director, Meriruth Cohenour; Secretary Arthur; and Executive Director of the OK Dept. of Commerce, Brent Kissling met with Jeff Ragan of Kize Concepts and toured his facility.
Monthly MIO Meetings <ul style="list-style-type: none"> August 7th 	Monthly MIO meetings were held on zoom for the month of August. Member participation opportunities for the year were presented for companies to begin signing up to participate. Opportunities include TV Commercials, Food Shows, Digital Billboards, Social Media advertising and promotions, OTT campaigns, and more.
MIO Board Meeting and Membership Interviews <ul style="list-style-type: none"> August 13th 	MIO Board of Directors interviewed 5 new member companies. All companies were approved for membership. <ul style="list-style-type: none"> Jared’s Probiotics – probiotic sodas Enid Brewing Company – craft brewery Milo’s Tea – bottled tea and lemonade

	<ul style="list-style-type: none"> • Southern Roots Sisters – jams and jellies • Augusto’s Green Sauce – specialty dipping sauce

MARKET NEWS SERVICES

July 24, 2020	September 22, 2020 DIFFERENCE		
WHEAT: (bu) \$4.06-4.35	\$4.42-4.66	\$0.36 to	\$0.31 higher
MILO: (bu) \$2.76 -3.61	\$3.99-4.59	\$1.23 to	\$0.98 higher
SOYBEANS: (bu) \$7.94-8.50	\$9.04-9.61	\$1.10 to	\$1.11 higher
CORN: (bu) \$3.25-3.51	\$3.53-3.94	\$0.28 to	\$0.43 higher
COTTON: (lb) 55.46 cents	59.29 cents	3.83 cents	higher

OKC WEST (EL RENO) STEER CALVES AND YEARLINGS:

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

(7-21-20) \$154.00-\$164.00 Wtd. Avg. \$158.98

(9-15-20) \$142.00-\$153.00 Wtd. Avg. \$145.09

Yearlings 600-700 lbs.

(7-21-20) \$143.50-\$156.00 Wtd. Avg. \$152.76

(9-15-20) \$140.00-\$156.00 Wtd. Avg. \$144.79

Nine weekly Oklahoma Market Reports were sent to 6,374 subscribers in July, August and September (up from 5,825 subscribers last report).

The voice messaging system was accessed 10,868 times June 24th to Sept. 22nd 2020, and accessed 5,736 times August 1st-31st, and 3,658 September 1st-22nd, compared to 5,277 in August/September 2019.

Hay Report: Hay trade remains slow on limited offerings due to recent heavy rains and cooler than average temperatures has producers preparing for a second cutting of Bermuda grass later this Fall. Alfalfa trade also has been slow because many dairies have introduced alternative feed stuffs. Stock cow producers are hoping the cooler and wetter weather will extend grazing into the Fall leaving less need to start stock piling hay. Temperatures are unseasonably cool by about 5 to 7 degrees under seasonal averages, forecast has the next week in mostly low to mid 80's and many nights in the 40's. Demand mostly light.



**Oklahoma Department of Agriculture,
Food, and Forestry
October 14, 2020 Board Report for the
Agricultural Environmental Management Services
Division - Activities from
July 27 through September 20, 2020**

AEMS Division Monthly Activities

- August 21, 2020 & September 18, 2020 – A representative from the AEMS division participated in conference calls with OSU, USDA APHIS, and ODAFF to discuss the Swine Research Project.
- Representatives from the AEMS division participated in multiple Illinois River Watershed working group calls.

AgPDES Permitting Activities

- Number of AgPDES CAFO Authorizations this reporting period: 27
- Number of AgPDES PGP Authorizations this reporting period: 15
- Number of AgPDES CGP Authorizations this reporting period: 39

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:

26	Complaints received and investigated this reporting period.
19	Complaints closed this reporting period
Complaints Received - Breakdown	
	Cattle – 7 Swine – 1 Poultry- 3 Breeders – 9 Shelters - 1 Other - 2
80	Year to date complaints received in FY 21
19	Year to date complaints closed in FY 21
90	LMFO/CAFO inspections, plus technical assistance
265	Poultry inspections and technical assistance
9	Pet Breeders -Shelters inspections and technical assistance
9	Breeders Pre annual inspections and technical assistance

CAFO and LMFO Activities - Month and Fiscal Year 2021

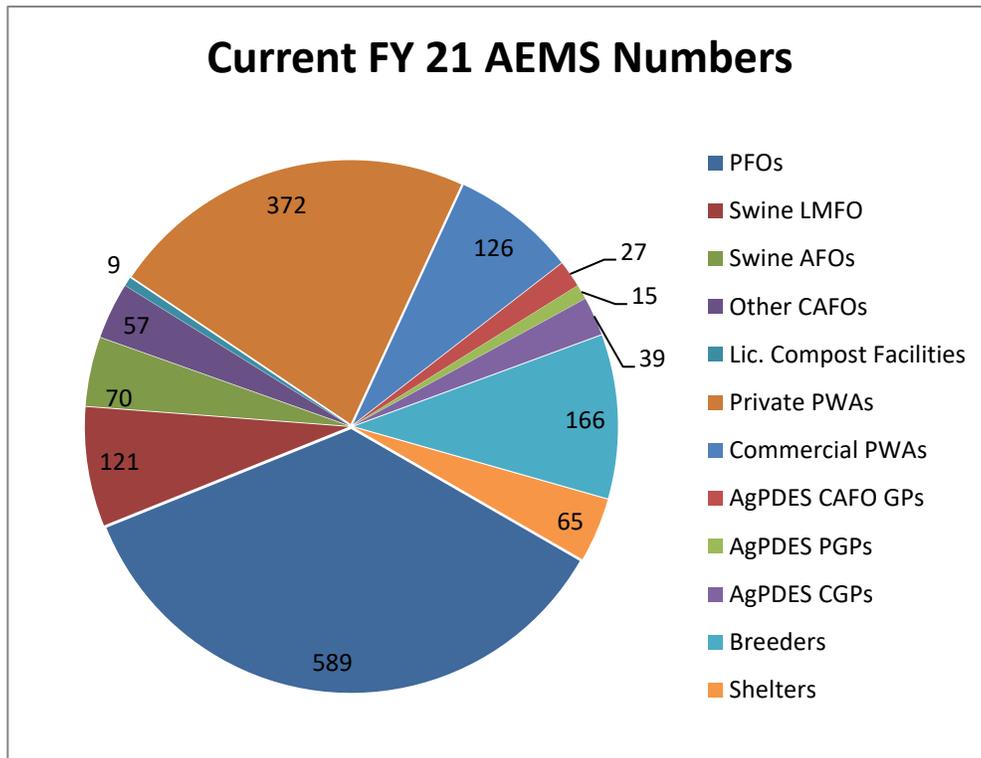
	July 27-Sept 20, 2020	FY 21 Total
Complaint or Compliance Follow-ups	41	60
Annual Inspections	60	124
Carcass Disposal Inspections	72	82
Technical Assistance with Contacts	30	46
Site Visit/Review – No contact made	15	25

Poultry Activities – Month and Fiscal Year 2021

	July 27-Sept 20, 2020	FY 21 Total
Complaint or Compliance Follow-ups	4	7
Annual Poultry Inspections	2	2
Poultry Technical Assistance	263	366
Soil Samples Collected	29	38
Site Visit/Review – No contact made	86	147
Construction Stormwater Inspection	0	0
Eucha-Spavinaw CNMP Written	10	25
New PFO License Pre-Site Inspections	0	0

Pet Breeders Activies – Month and Fiscal Year 2021

	July 27, - Sept 20, 2020	FY 21 Total
Complaint or Compliance Follow-ups	8	9
Shelter Annual Inspections	3	16
Site Visit/Review – No contact made	9	9
Shelter Close out	0	9
Breeder Annual Inspections	2	4
Breeder Technical Assistance	9	23
Site Visit/Review – No contact made	.0	0
Breeder Close out	0	0



Respectfully

Teena G Gunter
AEMS Division

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

**JULY 2020 BOARD REPORT
REGARDING JULY 25, 2020 THROUGH SEPTEMBER 25, 2020 ACTIVITIES
OF THE
OFFICE OF GENERAL COUNSEL**

ACTIONS FOR BOARD CONSIDERATION:

Matter	Type of Resolution	Amount
Harvey Bishop	Stipulation	\$200.00
Mark Dedmon	Stipulation	\$200.00
Robert Erwin	Stipulation	\$200.00
Thai Le	Stipulation	\$200.00
Mong-Duyen Tran	Stipulation	\$200.00
Dollar General	Stipulation	\$450.00
Mid-America Feeds, Inc.	Stipulation	\$900.00
Turf Science of Oklahoma	Stipulation	\$750.00
Eddie & Richard Robinson	Consent	\$500.00
Hitch Enterprises, Inc.	Consent	\$2,500.00

CONTRACTS REVIEWED OR DRAFTED (55):

Forestry - 1
Market Development - 43
Animal Industry - 2
Admin - 6
Wildlife - 3

ADMINISTRATIVE HEARING PROCEEDINGS:

ODAFF v. Spectrum Division of United Industries, OGC 18-434: Briefed and awaiting ALJ decision.
ODAFF v. Spectrum Division of United Industries, OGC 18-435: Briefed and awaiting ALJ decision.
ODAFF v. Spectrum Division of United Industries, OGC 18-436: Briefed and awaiting ALJ decision.
ODAFF v. Spectrum Division of United Industries, OGC 18-438: Briefed and awaiting ALJ decision.
ODAFF v. Spectrum Division of United Industries, OGC 18-528: Briefed and awaiting ALJ decision.

ODAFF v. King, Alan , OGC-17-479: Initiated individual proceedings. Scheduling Order issued. Negotiations ongoing. Pending settlement.
ODAFF v. Mansion Farms , OGC-19-319: Initiated individual proceedings. Scheduling Order issued. Negotiations ongoing. Pending settlement.
ODAFF v. Terry Vigil , OGC-19-606: Pending new Scheduling Order.
ODAFF v. Gerald Wilson , OGC-19-212. Initiated individual proceedings. Negotiations ongoing.
ODAFF v. Houston Contracting Farm , OGC 20-050. Initiated individual proceedings. Prehearing conference set for October 1, 2020.
ODAFF v. Clayton Webb , OGC-20-095: Initiated individual proceedings. Prehearing conference set for November 5, 2020.
W.L. Hardesty, et al v. ODAFF , OGC-19-167. Petition for Declaratory Ruling. Order issued. Briefs submitted. Oral Arguments held. Awaiting ALJ decision.
ODAFF v. Mosquitno, LLC , OGC-19-979: Service attempts ongoing. Prehearing conference set for November 5, 2020.
ODAFF v. Scott Termite , OGC-19-958 and OGC-20-111: Service attempts ongoing. Prehearing conference set for November 5, 2020.
ODAFF v. Superior Termite & Pest , OGC-19-889 and OGC-20-005: Initiated individual proceedings. Prehearing conference set for October 1, 2020.
ODAFF v. Liquid Fence Co. , OGC-19-975: Service attempts ongoing. Prehearing conference set for December 3, 2020.
ODAFF v. Tick N All , OGC-20-006: Initiated individual proceedings. Prehearing conference set for October 1, 2020.
ODAFF v. Triple T Machining Specialties, Inc. , OGC-20-012: Initiated individual proceedings. Prehearing conference set for October 1, 2020.
ODAFF v. Triple T Machining Specialties, Inc. , OGC-20-013: Initiated individual proceedings. Prehearing conference set for December 3, 2020.
ODAFF v. Bacon Products Corp , OGC-20-369: Initiated individual proceedings. Prehearing conference set for December 3, 2020.
ODAFF v. KMG-Bernuth, Inc. , OGC-20-177: Initiated individual proceedings. Prehearing conference set for December 3, 2020.
ODAFF v. Maggie's Farm LTD , OGC-20-122: Initiated individual proceedings. Prehearing conference set for December 3, 2020.
ODAFF v. AP&G Co. , OGC-20-053: Initiated individual proceedings. Prehearing conference set for December 3, 2020.
ODAFF v. FMC Corp. , OGC-20-052: Initiated individual proceedings. Prehearing conference set for December 3, 2020.
ODAFF v. Greg Hobbs , OGC-20-025: Initiated individual proceedings. Prehearing conference set for December 3, 2020.
ODAFF v. Hall Termite and Pest Control , OGC-20-120: Initiated individual proceedings. Prehearing conference set for December 3, 2020.
ODAFF v. Shawnee Milling Co. DBA Roll Grain Feed , OGC-20-046: Initiated individual proceedings. Prehearing conference set for December 3, 2020.
ODAFF v. Troy Bowden , OGC-19-311: Negotiations ongoing. Default hearing set for December 3, 2020.

ODAFF v. Delashaw Farm, OGC-19-824: Negotiations ongoing. Prehearing conference set for December 3, 2020.
ODAFF v. Jeff Vinson, OGC-19-834: Negotiations ongoing. Prehearing conference set for December 3, 2020.
ODAFF v. Ron Stock, OGC-19-936: Negotiations ongoing. Prehearing conference set for November 5, 2020.
ODAFF v. Dollar General, 19-1011: Initiated individual proceedings. Service attempts ongoing. Prehearing conference set for November 5, 2020.
ODAFF v. Dollar General, 20-033: Initiated individual proceedings. Service attempts ongoing. Prehearing conference set for November 5, 2020.
ODAFF v. Le Ann Drain and Kaeli Seay, 19-954: Initiated individual proceedings. Prehearing conference set for December 3, 2020.
ODAFF v. Niki Latendresse, 19-956: Initiated individual proceedings. Prehearing conference set for November 5, 2020.
ODAFF v. Nao Tou Vang, 20-356: Initiated individual proceedings. Prehearing conference set for November 5, 2020.
ODAFF v. Aaron and Keturah Knepp, 20-421: Initiated individual proceedings. Prehearing conference set for December 3, 2020.
ODAFF v. Stephen Hopkins, 20-423: Initiated individual proceedings. Prehearing conference set for December 3, 2020.
ODAFF v. Jack Brown, 20-427: Initiated individual proceedings. Prehearing conference set for November 5, 2020.
ODAFF v. Carolyn Hastings, 20-430: Initiated individual proceedings. Prehearing conference set for November 5, 2020.

OTHER ACTIONS AND PROCEEDINGS:

<i>Kenneth Dale Toon dba Wild Boar Ridge Hunting Ranch v. ODAFF</i> , McCurtain County Case No. CV-2018-069. Petition for Declaratory Relief, etc. (Filed but not served on ODAFF as of 3/25/19).
<i>W.L. Hardesty, et al., v. ODAFF and Cesar Cervantes</i> , Okmulgee County District Court Case No. CJ-2019-040: Petition served. Answer filed. Motion to Dismiss heard and denied September 4, 2019. Pending filing of Answer within 20 days by Cervantes.
<i>Scantling v. ODAFF</i> , Oklahoma Merit Protection Commission Case No. MPC-21-025: Negotiation conference set for September 29, 2020.
<i>Kirk Marshall v. ODAFF</i> , Oklahoma County District Court Case No. CJ-2020-1347: Petition served. Time period tolled by Supreme Court Order until May 15, 2020. Answer drafted and prepared for filing. Answer filed. Pending further hearing set February 4, 2021.
<i>Sam Withiam v. OK State Dept of Agriculture</i> , Lincoln County District Court, Case No. CJ-20-73: Lawsuit involved tort claim stating ODAFF damaged concrete during elk depopulation. The Attorney General's Office is handling this claim. An Answer was filed.
<i>Laura Garrison v. State of Oklahoma, ex rel. Oklahoma Department of Agriculture Food and Forestry</i> , Pittsburg County District Court, Case No. CJ-2020-111: Lawsuit

involves vehicle accident between plaintiff and ODAFF employee. Attorney General's Office is handling this claim.

Upton's Naturals Co v. Stitt and Arthur, District Court, W.D. Oklahoma, Case No. 5:20-cv-00938: Lawsuit against Governor Stitt and Secretary Arthur in their professional capacities. Upton's Naturals challenges a state law that prohibits food manufacturers from using terms like "hot dogs," "burgers," or "bacon" on labeling for meat-free products. The Attorney General's Office is handling this claim.

MEETINGS:

Date	Activity
July 27, 2020	Eucha-Spavinaw Special Master
July 27, 2020	Oklahoma Academy on Mental Illness
July 28, 2020	Directors Meeting
July 30, 2020	Quapaw Agricultural Tour
August 3, 2020	EPA Region 6 PQR
August 3, 2020	ODAFF Legislative Town Hall
August 4, 2020	ODAFF Public Town Hall
August 4, 2020	ODAFF Staff Town Hall
August 4, 2020	Directors Meeting
August 5, 2020	AEMS Staff Meeting
August 6, 2020	Docket
August 6, 2020	IRW Monitoring & Assessment Workgroup
August 7, 2020	IRW Watershed Improvement Plan Workgroup
August 10, 2020	US EPA Region 6 and Seaboard Farms
August 11, 2020	Directors Meeting
August 12, 2020	State Board of Agriculture
August 12, 2020	Poultry Management Guidelines Interim Study
August 13, 2020	Thomas Lewis II of Congressman Cole's Office
August 18, 2020	Directors Meeting
August 18, 2020	Collections Meeting
August 20, 2020	Illinois River Working Group
August 21, 2020	AALA CLE
August 25, 2020	OGC Staff Meeting
August 31, 2020	NASDA
September 1, 2020	NASDA
September 2, 2020	NASDA
September 3, 2020	NASDA
September 3, 2020	Docket
September 8, 2020	Directors Meeting
September 8, 2020	OWRB Public Meeting re: Illinois River Phosphorus Criterion
September 9, 2020	Produced Water Working Group
September 10, 2020	Commissioners of Land Office
September 10, 2020	Illinois River Working Group

September 15, 2020	Directors Meeting
September 15, 2020	Collections Meeting
September 17, 2020	Agriculture Stakeholder Illinois River Phosphorus Criterion
September 17, 2020	Illinois River Working Group
September 21, 2020	OGC Staff Meeting
September 21, 2020	Oklahoma Certified Beef
September 22, 2020	Ok'A Water Sustainability Conference
September 22, 2020	Directors Meeting
September 22, 2020	OBA Environmental Law Section Seminar
September 23, 2020	Ok'A Water Sustainability Conference
September 24, 2020	Arkansas-Oklahoma Arkansas River Compact
September 25, 2020	ODAFF Staff Town Hall

RULE ACTIVITIES:

<p>Chapter 2. Fees (Permanent FY 2020): Permanent rules were adopted by the Board on February 5, 2020, and approved by the Governor on June 25, 2020. Permanent rule document was filed on July 8, 2020, and rules became effective on September 14, 2020.</p>
<p>Chapter 10. Agricultural Products (Permanent FY 2020): Permanent rules were adopted by the Board on February 5, 2020, and approved by the Governor on June 25, 2020. Permanent rule document was filed on July 8, 2020, and rules became effective on September 14, 2020.</p>
<p>Chapter 13. Fuel Alcohol (Permanent FY 2020): Permanent rules were adopted by the Board on February 5, 2020, and approved by the Governor on June 25, 2020. Permanent rule document was filed on July 8, 2020, and rules became effective on September 14, 2020.</p>
<p>Chapter 15. Animal Industry (Permanent FY 2020): Permanent rules were adopted by the Board on February 5, 2020, and approved by the Governor on June 25, 2020. Permanent rule document was filed on July 8, 2020, and rules became effective on September 14, 2020.</p>
<p>Chapter 17. Water Quality (Permanent FY 2020): Permanent rules were adopted by the Board on February 5, 2020, and approved by the Governor on June 25, 2020. Permanent rule document was filed on July 8, 2020, and rules became effective on September 14, 2020.</p>
<p>Chapter 18. Carcass Disposal (Permanent FY 2020): Permanent rules were adopted by the Board on February 5, 2020, and approved by the Governor on June 25, 2020. Permanent rule document was filed on July 8, 2020, and rules became effective on September 14, 2020.</p>
<p>Chapter 30. Consumer Protection (Permanent FY 2020): Permanent rules were adopted by the Board on February 5, 2020, and approved by the Governor on June 25, 2020. Permanent rule document was filed on July 8, 2020, and rules became effective on September 14, 2020.</p>

<p>Chapter 37. Food Safety (Permanent FY 2020): Permanent rules were adopted by the Board on February 5, 2020, and approved by the Governor on June 25, 2020. Permanent rule document was filed on July 8, 2020, and rules became effective on September 14, 2020.</p>
<p>Chapter 40. Market Development (Permanent FY 2020): Permanent rules were adopted by the Board on February 5, 2020, and approved by the Governor on June 25, 2020. Permanent rule document was filed on July 8, 2020, and rules became effective on September 14, 2020.</p>
<p>Chapter 44. AgPDES (Permanent FY 2020): Permanent rules were adopted by the Board on February 5, 2020, and approved by the Governor on June 25, 2020. Permanent rule document was filed on July 8, 2020, and rules became effective on September 14, 2020.</p>
<p>Chapter 55. Commercial Pet Breeders and Animal Shelters (Permanent FY 2020): Permanent rules were adopted by the Board on February 5, 2020, and approved by the Governor on June 25, 2020. Permanent rule document was filed on July 8, 2020, and rules became effective on September 14, 2020.</p>
<p>OHRC</p>
<p>Chapter 15. Licensing (Permanent FY 2020): Permanent rules were adopted by Oklahoma Horse Racing Commission on February 20, 2020, and approved by the Governor on June 25, 2020. Permanent rule document was filed on July 8, 2020, and rules became effective on September 14, 2020.</p>
<p>Chapter 25. Entries and Declarations (Permanent FY 2020): Permanent rules were adopted by Oklahoma Horse Racing Commission on February 20, 2020, and approved by the Governor on June 25, 2020. Permanent rule document was filed on July 8, 2020, and rules became effective on September 14, 2020.</p>
<p>Chapter 35. General Conduct (Permanent FY 2020): Permanent rules were adopted by Oklahoma Horse Racing Commission on February 20, 2020, and approved by the Governor on June 25, 2020. Permanent rule document was filed on July 8, 2020, and rules became effective on September 14, 2020.</p>
<p>Chapter 45. Prohibited Practices and Equine Testing (Permanent FY 2020): Permanent rules were adopted by Oklahoma Horse Racing Commission on February 20, 2020, and approved by the Governor on June 25, 2020. Permanent rule document was filed on July 8, 2020, and rules became effective on September 14, 2020.</p>
<p>Chapter 50. Human Substance Abuse Testing (Permanent FY 2020): Permanent rules were adopted by Oklahoma Horse Racing Commission on February 20, 2020, and approved by the Governor on June 25, 2020. Permanent rule document was filed on July 8, 2020, and rules became effective on September 14, 2020.</p>
<p>Chapter 60. Running the Race (Permanent FY 2020): Permanent rules were adopted by Oklahoma Horse Racing Commission on February 20, 2020, and approved by the Governor on June 25, 2020. Permanent rule document was filed on July 8, 2020, and rules became effective on September 14, 2020.</p>
<p>Chapter 70. Objections and Protests; Hearings and Appeals (Permanent FY 2020): Permanent rules were adopted by Oklahoma Horse Racing Commission on February 20, 2020, and approved by the Governor on June 25, 2020. Permanent rule document was filed on July 8, 2020, and rules became effective on September 14, 2020.</p>

Chapter 75. Oklahoma-Bred Program (Permanent FY 2020): Permanent rules were adopted by Oklahoma Horse Racing Commission on February 20, 2020, and approved by the Governor on June 25, 2020. Permanent rule document was filed on July 8, 2020, and rules became effective on September 14, 2020.
Chapter 80. Gaming Licensing Requirements (Permanent FY 2020): Permanent rules were adopted by Oklahoma Horse Racing Commission on February 20, 2020, and approved by the Governor on June 25, 2020. Permanent rule document was filed on July 8, 2020, and rules became effective on September 14, 2020.
Chapter 85. Gaming Machine Specifications and Use and Operation Requirements (Permanent FY 2020): Permanent rules were adopted by Oklahoma Horse Racing Commission on February 20, 2020, and approved by the Governor on June 25, 2020. Permanent rule document was filed on July 8, 2020, and rules became effective on September 14, 2020.
Chapter 90. Gaming Operations (Permanent FY 2020): Permanent rules were adopted by Oklahoma Horse Racing Commission on February 20, 2020, and approved by the Governor on June 25, 2020. Permanent rule document was filed on July 8, 2020, and rules became effective on September 14, 2020.

OPEN RECORDS REQUESTS (35):

AEMS (11)
Animal Industries (5)
CPS (13)
Forestry (2)
Market Development (4)

OKLAHOMA HORSE RACING COMMISSION

Litigation: <i>OQHRA v. OHRC</i> , Oklahoma County Case No. CV-2019-1513-643: Hearing held June 28, 2019. Order of Dismissal entered. Petition in Error from OQHRA filed in Supreme Court. OHRC Response to Petition in Error filed. Designation of Record filed and Record completed. Case placed on “fast-track” docket by Order of the Oklahoma Supreme Court. Plaintiff’s Motion to Retain in the Supreme Court DENIED. Reversed and remanded by Court of Civil Appeals. Briefing cycle in progress.
Litigation: <i>Alfredo Gomez and Cruz Villafranco v. OHRC</i> , Oklahoma County District Court Case No. CV-2020-430: Petition served. Response filed. Petitioners’ Motion for Partial Summary Judgment responded to. Pending hearing.
Litigation: <i>Samuel Valdivia v. OHRC</i> , Sequoyah County Case No. CV-2020-26. Petition for Temporary Restraining Order and Petition for Injunction served and emergency hearing held. Temporary Restraining Order entered. Hearing set for March 19, 2020 not held due to closure of the Sequoyah County Courthouse due to COVID-19. Pending other action.
Litigation: <i>Oscar Nunez v. OHRC</i> , Oklahoma County Case No. CV-2020-449: Petition filed and served. Answer filed.

Litigation: Marcos Carrizales v. OHRC , Oklahoma County case No. CJ-2020-1908: Petition for Temporary Restraining Order and Petition for Injunction served and emergency hearing held. Temporary Restraining Order entered. Hearing held May 19, 2020. TRO to continue pending OHRC merits hearing. Set for hearing October 13, 2020.
Litigation: Josue Ponce v. OHRC , Oklahoma County District Court Case No. CV-2020-815: Petition for Temporary Restraining Order and Petition for Injunction. Ex Parte TRO hearing held May 8, 2020. TRO sustained in part, denied in part. Hearing on permanent injunction held October 24, 2019. Injunction Denied. Further action pending.
Litigation: Miguel Pena v. OHRC , Oklahoma County District Court Case No. CV-2019-179: Petition for Temporary Restraining Order and Petition for Injunction. Ex Parte TRO hearing held October 11, 2019. TRO entered. Amended Petition for TRO heard May 15, 2020. TRO denied. Permanent injunction denied. Further action pending.
Litigation: Jose Sanchez III, et al. V. Global Gaming, Heritage Place and OHRC , Oklahoma County District Court Case No. CJ-2020-2395: Petition for Temporary Restraining Order and Petition for Injunction. Ex Parte TRO hearing held May 26, 2020. TRO denied. Further action pending.
Litigation: Carlos Ruiz v. OHRC , Tulsa County District Court Case No. CV-2020-627: Petition for Temporary Restraining Order and Petition for Injunction. Ex Parte TRO hearing held June 8, 2020. TRO denied. Further action pending.
Litigation: Sammy Howard v. OHRC , Oklahoma County District Court Case No. CV-2020-1921. Petition served. Pending Answer.
Prepare cases for presentation at Stewards Hearings
Prepare cases for presentation in District Courts
Provide discovery to opposing counsel and Respondents regarding various hearings
Stewards Hearings at Remington Park
Stewards Hearings at Will Rogers Downs
Hearings in District Courts
Prepare and file Motion for Summary Judgment
Prepare and file Response to Petition for Temporary Restraining Order and Injunction
Argue appeals at regular session of the Oklahoma Horse Racing Commission
Discuss possible rule revisions/amendments with Executive Director
Draft proposed rule revisions
Advise Executive Director on extent of delegated authority
Discuss certain policy issues with Executive Director
Review communication from Respondents' counsel in various cases
Analysis of possible implications/repercussions of McGirt

OTHER ACTIVITIES:

Prepare CPS employee for deposition
Attend deposition of CPS employee
Interview for OGC extern
Communicate with Respondent regarding individual proceeding
Communications relating to HR pretermination hearing
Prepare for and attend pretermination hearing

Research and communications relating to HR issue
Research and prepare response for MPC attorney
Review and modify ODAFF rule charts for Exec Order 2020-03
Prepare documents and submit Administrative Rules Report for Exec Order 2020-03
Review and modify OHRC rule charts for Exec Order 2020-03
Respond to question relating to agency tort liability
Meet with division directors regarding 2021 rule amendments
Respond to OHRC questions relating to rule amendments
Meet with OHRC executive director regarding 2021 rule amendments
Attend Agency Enhancement Committee virtual meeting
Research and provide information for various HR issues
Attend AALA CLE webinar
Attend Knowledge Trough Zoom meeting
Provide information relating to rules and statutes
Schedule and prepare for MPC negotiation hearing
Communicate with Respondent regarding proposed stipulation
AgPDES approvals
Conference with attorneys representing Respondents
Attend Arizona State University webinar on McGirt issues
Oral arguments to Supreme Court
Collections
Attend Oklahoma Bar Association Indian Law Section webinar
Attend Food for Thought webinar
Prepare and file record on appeal
Attend and present for ODAFF at ALJ hearing on Motion for Declaratory Ruling
Discuss and review COVID-19 protocols
Close 31 cases with no action taken

Respectfully Submitted,



Teena G. Gunter
General Counsel

FOOD SAFETY REPORT AUGUST & SEPTEMBER 2020

POULTRY & EGG GRADING, PRODUCE AND ORGANIC SECTION

Poultry and Egg Section

In Broken Bow at Tyson Foods, USDA poultry grading was performed by ODAFF inspectors on 2,275,717 pounds of poultry – whole legs, drumsticks and split breast meat. ODAFF inspectors provided USDA Shell Egg grading on 79,380 dozen eggs at Cal-Maine Foods Inc. at Sulphur. ODAFF inspectors also provided USDA poultry grading services on poultry products being shipped from OK Foods in Muldrow & Heavener. Also; routine egg quality inspections under the Oklahoma egg law were conducted

Organic Foods Section

Organic inspectors completed compliance and certification inspections at:

- Eighteen organic crop producers
- Four organic livestock producers
- Six organic processors
- Collected five organic samples
- Eight retail organic inspections
- The organic section had requests for 3,000 certified organic stickers from Oklahoma Certified Organic producers and processors, which display the stickers on all products sold, labeled, or represented as Organic across the United States. The organic section had 5 requests for organic crop applications, 2 requests for organic processing applications and 2 requests for organic livestock applications.

Produce Safety Section

- Completed 3 produce farm inspections for the Produce Safety Rule
- Visited 35 farmers markets providing outreach and education to producers
- Conducted farm visits to help producers prepare for the Produce Safety Rule
- Visited 2 you-pick farms with OSU faculty for University of Arkansas strawberry farm research project
- Investigated a produce farm complaint
- Assisting Kentucky with Standard Operating Procedures development
- NASDA/AFDO Standard Operating Procedures development workgroup for produce inspections
- Regular conference calls with TX, LA, AR, NM
- Southern Region Integrated Produce Symposium online conference planning
- Submitted annual expense report and inspection data to FDA

Oklahoma Meat Inspection Services Investigations and Compliance Activities

Planned Compliance Reviews	10
Random Compliance Reviews	147
Person-to-Person Contacts	33
Special Investigations and/or Projects	04
Reports of Apparent Violations	04
Detentions	00
Consumer Complaints	07
Verbal Warnings Issued	04
Letters of Warning Issued	04
Samples Submitted to Lab for Analysis	00
Accident Investigations	03
Administrative Procedures Act	00

The Oklahoma Highway Patrol notified Meat Inspection Compliance of Three (3) Truck Accidents involving Feeder Calves & Poultry Products

See details below:

ACCIDENT LOCATION	ANIMAL/PRODUCT	DISPOSITION
MM 291 I-40 SAND SPRINGS, OK	65 FEEDER CALVES	4 DIED SENT TO APPROVED LANDFILL

Highlighted Activities

During the course of Random Reviews and anonymous Consumer Complaints, Compliance and Investigation Services sent out Four (4) Letter of Warning for Violations of the Oklahoma Meat Inspection Act and/or State Statutes.

Meat Inspected (Slaughter)

MEAT INSPECTION

Number of Cattle	322
Total Beef Condemned	4,900 lbs
Number of Swine	107
Total Pork Condemned	728 lbs
Number of Sheep and Goats	255
Total Condemned	0 lbs
Number of Rabbits	0
Total Condemnations	0 lbs
Number of Exotic Deer	0
Total Condemnations	0 lbs
TOTAL MEAT INSPECTED	350,250 lbs

PROCESSED MEAT INSPECTED

Processed Red Meat	563,129
Condemned on Reinspection	0 lbs
Poultry (Portions)	16,332 lbs
Condemned on Reinspection	0 lbs
Rabbit Meat	0
Condemned on Reinspection	0 lbs
Exotic Deer Meat	0
Condemned on Reinspection	0 lbs
TOTAL PROCESSED MEAT INSPECTED	579,461 lbs

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

Meat Inspection

Meat Sample Activity:	
Samples Submitted for Analysis	20
Samples Not Analyzed	0
Samples Analyzed	20
Samples Non-Compliant	0
Samples Negative results	20

Aug.4

Roger Moore, Terry Hardage and Tommy Stephens met with possible new plant owners in Pryor, Chelsea, Miami, Welch, and Nowata.

Aug. 6

Jason Hoel, Terry Hardage and Tommy Stephens met with possible new plant owners in Cheyenne, Fairview, Weatherford and Arnett.

Aug. 11

Roger Moore, Terry Hardage and Tommy Stephens met with possibly the new owner Chouteau to discuss the repairs that will be needed to become an inspected facility. Also visited Vinita and Sapulpa to meet with possible new plant owners.

Sept. 16

Craig Young and Tommy Stephens performed certification reviews at Tenderette's, Mikes Famous Jerky and Freedom Processing.

DAIRY SECTION

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

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

Gary Lewis conducted a rating at Central Equity Transfer Station. Central Equity received passing scores for enforcement and sanitation compliance. The passing scores are on FDA's website.

Dairy Staff recently met with Oklahoma City chamber of commerce. Conversation included possible plans for a new milk plant in the Oklahoma City area. No decisions were finalized at this meeting.

Sincerely,



Scott Yates

Communications Board Report

August – September 2020

CARES Act Grants: Meat Check Presentations Around the State |

The Oklahoma Department of Agriculture, Food and Forestry was appropriated \$10 million in federal funds from the Coronavirus Aid, Relief, and Economic Security Act, known as the CARES Act, to expand meat processing capacity and address supply chain disruptions as a result of the COVID-19 public health emergency.

Thus far, we have presented checks in-person to the following locations:

- 5th Avenue Cattle Processing in Sterling
- Freedom Processing in Marlow
- Scott Cattle Company in El Reno
- The Fatted Calf, LLC in Geary



The Agriculture Enhancement and Diversification Board received 196 applicants vying for \$10 million in CARES Act grant funding. Of those 196, 40 locations received funding to improve and expand existing facilities and build new processing plants across the state.

We will be presenting checks in-person to all recipients and invite you all to join us to any presentation you would like to attend.

Sec. Arthur and Gov. Stitt Ride at Ranch Rodeo | The Oklahoma Cattlemen's Association hosted their 36th Annual Ranch Rodeo, held at the Lazy E Arena in Guthrie.

Starting the night with a Grand Entrance, Governor Kevin Stitt and Secretary of Agriculture, Blayne Arthur, posted the night's colors horseback. The OCA Ranch Rodeo featured 12 Oklahoma ranch teams who not only vied for bragging rights, but also had the goal of supporting the Children's Hospital Foundation. Coined as the "Cowboys Helping Kids" event. OCA has raised more than \$531,000 to help children over the past 12 years.

Grievance Manager Training | Morgan Vance went through the state grievance manager training course and became certified through the OK Merit Protection Commission.



AYC Session One | Our 2020-2021 Agriculture Youth Council met for the first time on August 12.

During their first session, the AYC members got to meet Sec. Blayne Arthur, all State Board of Agriculture members, and some ODAFF directors. Later in the day, they listened to Mike Schulte with the Oklahoma Wheat Commission and heard from Heather Buckmaster Schulte with the Oklahoma Beef Council. They asked countless questions, were plugged-in the ENTIRE day and truly proved to be an exceptional group of young agriculturists. We can't wait to see what the rest of this year holds!



Knowledge Trough | On August 25, we hosted our first Knowledge Trough webinar. These webinars will cover a variety of topics for personal and professional development. Our goal is to provide an opportunity for ODAFF employees to take a break from their day to day responsibilities and gain valuable information that they can use in the workplace and in life. For our first speaker, we had Ridge Hughbanks, a past National FFA Officer, talk about how to efficiently and effectively work remotely as a team and individual.

Ag Youth Council Members Job Shadow the Communications Dept. – Abby Bell and Paike McNiel, two of our Agricultural Youth Council members tagged along for a day at the office to complete one of their two job shadow requirements. Here are some of the things they did during their visit at ODAFF:

- Assisted in putting on the ODAFF state fair – hot dog eating contest
- Took the remaining hot dogs to a local OKC shelter
- Dropped off produce to a correctional facility from our garden in front of the building
- Put together a video about the ODAFF garden and our DOC partnership
- Put their writing skills to work with social media posts and letters coming from the Dept. to ODAFF employees.



We enjoyed having Abby and Paike at ODAFF for the day. It is evident their future in agriculture is bright.

ODAFF Garden and DOC Partnership – Our garden has been put to great use this harvest season. We have recently partnered with the Dept. of Corrections to donate all produce from our garden to their program for use by the inmates during their daily lunches.

All the produce harvested will be donated to the Kate Barnard Women’s Correctional Facility here in Oklahoma City. As of today, we have donated over 90 pounds of produce, all with the help of Micah Anderson from Langston University. This is a great opportunity for the agency to help increase nutritional value to the meals at the facility and help DOC meet their goal of serving more locally sourced produce.



This has proven to be a great partnership and we look forward to working with them in the future.

Standing Ovation – The Agriculture Educators Standing Ovation award is designed to recognize the hard work and dedication that agriculture educators and instructors across our state put in daily to make a difference in future generations.

Mr. Brandon Vicknair, the agricultural education instructor and FFA Chapter Advisor at Grandfield FFA, is our first Standing Ovation awardee. Mr. Vicknair has been teaching for four years with three of those being at Grandfield. Brandon was nominated by his student, Addy Atchley, who says he doesn't blink an eye when he is asked for help.



Addy says Mr. Vicknair teaches so much more than just simply agriculture - he teaches everything from tangible skills in the shop to life lessons in the classroom.

“He spreads the value of agriculture in his everyday life by teaching six agriculture classes a day, working at the school farm year-round, helping students with their livestock and being the best this town has seen,” said Addy Atchley, Grandfield student.

Agency Enhancement Committee | In an effort to better utilize the vast talent among the staff of the Oklahoma Department of Agriculture, Food, and Forestry and maximize the potential of our agency as a state entity and employer, ODAFF has convened the Agency Enhancement Committee. This group will consist of two staff members from each division and meet regularly to develop and implement ideas that will improve our agency as a workplace and service provider to Oklahomans. Each meeting will be dedicated to a specific topic. A prompt or questions will be shared with committee members prior to each meeting and members will be asked to come to the meeting with thoughts and ideas to share to the group.

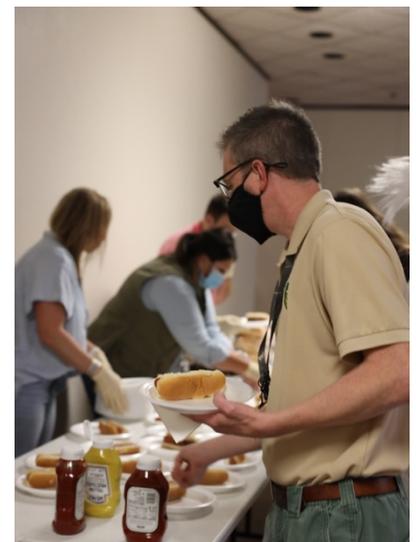
Focuses of the committee will include; Customer Service, Public Engagement, Employee Incentives, Talent Recruitment, Agency Efficiency, Cross-Division Collaboration, Youth Development, and Industry Promotion.

The first meeting was held on August 19. This was used as an introduction meeting and for staff to share their favorite and least favorite things about working at ODAFF. Lots of good discussion was had and some solutions were created, please see chart below for problems and solutions. The next meeting will be October 15, staff were challenged with thinking on how their division handles customer service and how could they improve.

What do other divisions within the agency do?	We are dedicating a future Knowledge Trough session to our division directors to elaborate on what their area does and how it can affect you.
How to navigate your desk phone	A User Guide as sent to the agency on August 19.
How to become more involved within the agency and how to meet other employees	We are currently building out a roster of activities and agency wide events
ODAFF renovations regarding first floor	ODAFF first floor is already on the Capital Renovation Plan
Communicating process and procedure changes to the agency	We are working to enhance the current Mid-Week pick Me Up to include the following: New Hires Division Transfers Retirees Years of Service Various Updates within the Agency
Beautification to ODAFF building	We are putting plans in place to add various pieces of artwork and greenery to the atrium to create a welcoming entrance.

ODAFF State Fair | Through our work with the agency enhancement committee, we discovered ODAFF employees were looking for events to bring our department together and get employees out of the office for a bit. We know how important the state fair is to Oklahoma and due to it being cancelled, we decided to bring our own version of it to the department.

September 21-25, we hosted the first ODAFF State Fair. This week was set to have all things fair, including a hot dog eating contest, a cake decorating contest and bingo. Although the week was cut short, we did enjoy having the cake decorating contest and the hot dog eating contest. The winner of the hot dog eating contest was Jason Smith from Investigative Services. The winners of the cake baking and decorating contest were General Counsel for taste and Laboratory services for decorating. Congratulations!



OCTOBER 13, 2020 BOARD MEETING

PURCHASES/CONTRACTS

Administrative Services

Tulsa State Fair (TSF) - \$16,242 – Cares Funding reimbursable expense - This year, the TSF has been canceled due to COVID-19 with the exception of the junior livestock show, as the Tulsa County Public Facilities Authority (TCPA) recognized the importance of allowing the junior livestock shows to continue despite the need to cancel the rest of the event to minimize potential spread of the virus. This expenditure will allow the TSF to live stream all junior livestock shows for spectators and family to watch safely from home. Broadcasting the event online means individuals that would normally support exhibitors and the event by watching the show in person can continue their support but limit risks of virus exposure and spread by minimizing the number of people at the event.

Consumer Protection Services

Tablet Computers --\$38,000.00

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

This is to replace the 18 current CPS field inspector's tablets. The current tablets are 4 to 5 years old and are past the coverage of their replacement insurance. Currently EPA has provided us with a grant to cover the cost of purchasing the laptops.

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

Inspectors begin to have computer issues which cause downtime from their work. Data may be lost that is stored on the computer.

Vehicle --\$19,500.00

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

ODAFF CPS has a 2006 vehicle needing replaced, it has high mileage and is currently broke down. Due to its high mileage and age the vehicle will continue to be prone to breaking down and will be expensive to fix in comparison to its value. Replacing the vehicle will prevent down time for the inspection staff and would allow them to complete their work.

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

This vehicle is needed to be able to complete our inspections and sampling activities.

Laboratory Services

Request approval for purchase of a service contract for the HPLC-MSMS Triple Quadrupole System. Effective 10/01/20 - 9/30/2021. Total cost not to exceed \$27,693.00. CPS will fund this purchase.

Purchase of Preventative Maintenance Agreement for the HPLC-MSMS Triplequad in the Pesticide Section ensures continuous and consistent operation of the instrument and improve overall quality of the data being reported.

Market Development

FY 2021 – Christmas tree magnets – Funded entirely by Specialty Crop Block Grant - \$5,105.40

FY 2021 – Agritourism U-Pick Graphic Design services – Funded entirely by Specialty Crop Block Grant - \$20,000.00

FY 2021 – Ag in the Classroom Harvest of the Month educational activity sheets – Funded entirely by Specialty Crop Block Grant - \$10,000.00

FY 2021 – Meat Processing Development & Expansion Grants – Funded by the CARES Act - \$10,000,000.00

Meat Processing Development and Expansion Grants - \$10,000,000.00

The COVID-19 pandemic has directly and adversely impacted Oklahoma's food supply chain. From livestock harvesting and processing, to distribution, and retail availability for consumers, every aspect from farm to plate has been affected. For the first time, the current generation of Oklahomans has faced empty grocery store shelves while producers, processors, and transporters of agricultural and food products have dealt with oversupply of raw materials and been unable to get their products to market. This CARES Act funding would provide grants up to \$1,000,000 for Oklahoma meat processors to build or expand their businesses and create additional meat processing capacity in Oklahoma, mitigating risks of plant shutdowns and ensuring continued meat availability.

As the limited number of existing processing companies have faced workforce shortages due to COVID-19 that have drastically limited their ability to operate, the livestock and meat industries have also become acutely aware of the need for investment in Oklahoma's meat processing capacity in the state. With renewed emphasis on human health risks and necessary precautions to limit exposure in these types of facilities has come a recognition that changes within existing facilities as well as and more plants and larger plants would greatly help mitigate the effects on the food supply chain when some facilities are compromised.

Oklahoma is home to one major pork processor, two significant poultry processors, and has no large beef processing capacity. As a result, we depend very heavily on these few facilities, and ship a significant amount of livestock and products to other states to be made ready for end-users and repurchased by Oklahoma businesses and families. Additionally, due to COVID-19 the meat industry anticipates a permanent decrease in production at existing plants as these facilities adjust to a new normal of greater distances between personnel and increased standards in personal protective equipment that lower efficiency and ultimately mean a decrease in production.

In order to reduce Oklahoma's dependence on the current limited processors and lessen the risk of consequences of a facility shutting down (such as depopulation of healthy animals), it is pertinent for our state to bolster development of this industry through capital for new construction, expansion, and equipment to protect against spread of illness in current plants. Availability of grants for the development and expansion of Oklahoma's meat processing industry would alleviate effects of potential single plant shutdowns, help better ensure food availability, create job opportunities, especially in rural Oklahoma, and address the problem of shortages of meat at retailers and oversupply of livestock at processors that Oklahoma has experienced throughout the COVID-19 pandemic.

- Eastern Oklahoma State College \$600,000
- Kilgore Meat Processors Inc – Fred Kilgore \$35,000
- Chisholm Trail Meats LLC – Eldon Campbell \$300,000
- Walke Brothers Meat Processing – Joh Walke \$400,000
- Enid Packing Company LLC – Philip Terry \$350,000
- Schwab & Co Inc - \$375,000
- Tonkawas Processing Corp – Brian Lane \$350,000
- Freedom Processing LLC – Chris Rowell \$300,000
- Market 54 Inc – Don Regier \$500,000
- Keith's Butcher Shop LLC – Keith Schneberger \$300,000
- South Canadian Meats LLC – Rick Payne \$200,000
- Nowakowski Custom Processing – Josh Nowakowski \$400,000
- Chickasha Meat Company, LLC – Albertus Buitenhuis \$595,000
- 5th Avenue Cattle Processing – Teddy Good \$300,000
- Kay's Custom Company – Dana Kay \$500,000
- Ralph's Packing Company - \$375,000
- O'Steen Meat Specialties Inc - \$275,000
- Mountain View Meats Co Inc - \$275,000
- Oklahoma Panhandle State University - \$200,000
- Cooks Processing – Melvin Cook \$200,000
- Peck's Custom Butchering LLC – James Peck \$200,000
- Porters Custom Meat Processing LLC – James Porter \$100,000
- Rickman's Custom Meat Processing LLC – Eddie Rickman \$175,000
- Green Country Premium Beef – Bonnie Walkton \$200,000
- Watson Farms Meat Processing – Damon Watson \$150,000
- M&M Custom Butchering LLC – Kenny Jordan \$200,000
- Fort Cobb Locker Plant – Mark Dyer \$100,000
- Mitch's Meat Market Inc – Mitch Mills \$100,000
- Route 66 Meat Processing LLC – Bryan Jackson \$200,000
- Stubblefield Meat Processing – Connie Robertson \$150,000
- Magnolia Meats LLC – Brady Wilcox \$200,000
- Weaver Meat Processing – Wes Weaver \$150,000
- Scott Cattle Co – Luke Scott \$200,000
- Thompson Butcher Barn Inc – Paul Thompson \$75,000
- 3F's Poultry & Rabbit Processing – Shelley Lynch \$75,000

- Homestead Meats & Processing LLC – Shane Priddy \$175,000
- The Fatted Calf LLC – Cindy Nicolai \$200,000
- H&L’s Custom Processing – Gary Hensley \$120,000
- Mayes County Processing – Colten Barnes \$200,000
- Lawton Meat Processing LLC – Morgan Satterwhite \$200,000

Wildlife Services

\$ 7,500 - ODAFF Wildlife Services is requesting approval for the McGee Creek State Park Cooperative Agreement regarding the removal of feral swine. Not approving this purchase would result in a human health and safety hazard for the public.

\$ 29,040 - ODAFF Wildlife Services is requesting approval for the OKC Landfill Agreement regarding the removal of nuisance birds. Not approving this purchase would result in a human health and safety hazard for the public.

\$ 3,310 - ODAFF Wildlife Services is requesting approval for the General Services Administration Agreement regarding the removal of feral pigeons. Not approving this purchase would result in a human health and safety hazard for the public.

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

APPROVAL OF CASES

ON THIS 14th day of October 2020 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 14th day of October 2020.

Blayne Arthur
President
State Board of Agriculture

Exhibit A
Board of Agriculture
October 14, 2020

Cases Resolved by Stipulation

<u>Name</u>	<u>File No.</u>	<u>Division</u>	<u>Amount</u>
Harvey Bishop	OGC-20-428	AEMS	\$200.00
Mark Dedmon	OGC-20-426	AEMS	\$200.00
Robert Erwin	OGC-20-425	AEMS	\$200.00
Thai Le	OGC-20-420	AEMS	\$200.00
Mong-Duyen Tran	OGC-20-418	AEMS	\$200.00

<u>Name</u>	<u>File No.</u>	<u>Division</u>	<u>Amount</u>
Dollar General	OGC-19-372	CPS	\$450.00
Mid-America Feeds, Inc.	OGC-20-110,	CPS	\$900.00
	OGC-20-355, OGC-20-360	CPS	\$750.00
Turf Science of Oklahoma	OGC-19-991	CPS	

Cases Resolved by Consent Order

<u>Name</u>	<u>File No.</u>	<u>Division</u>	<u>Amount</u>
Eddie and Richard Robinson	OGC-19-823	AEMS	\$500.00
Hitch Enterprises, Inc.,	OGC-19-822	CPS	\$2,500.00

**OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY
v. HARVEY BISHOP
Case File No: OGC-20-428**

**HARVEY BISHOP
21067 E CR 1200 RD
KEOTA, OK 74941**

Summary of Facts: Respondent failed to supply all required information on their annual litter report.

Statute or Rule Violation: 2 O.S. § 10-9.7

Proposed Administrative Penalty: The penalty was assessed at \$200.00. Respondent stipulated and paid the penalty.

Deviations: None.

Other Actions Required: None.

OGC Attorney: Wendi Morse

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.)

HARVEY BISHOP)
21067 E CR 1200 RD)
KEOTA, OK 74941)

RESPONDENT.)

FILED
JUL 11 2020
STATE BOARD OF AGRICULTURE

Case No: OGC-20-428

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:

Harvey Bishop
Signature

Harvey Bishop
Printed Name and Title:

Date: 7-23-20

BEFORE THE STATE BOARD OF AGRICULTURE
STATE OF OKLAHOMA

FILED
JUL 14 2020
STATE BOARD OF AGRICULTURE

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

COMPLAINANT,)

v.)

HARVEY BISHOP)
21067 E CR 1200 RD)
KEOTA, OK 74941)

RESPONDENT.)

Case No: OGC-20-428

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 November 5, 2020** 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 owning/operating a poultry feeding operation located in Keota, Oklahoma.

16. Pursuant to 2 O.S. § 10-2, ODAFF has authority to regulate persons who own or operate poultry feeding operations.

ALLEGATIONS OF FACT

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

18. Pursuant to 2 O.S. § 10-9.7(I), all poultry feeding operations are required to file their annual report by September 1.

19. On or about August 1, 2019, the AEMS Division of the Department received an Annual Litter Report with missing information.

20. A letter of warning dated October 24, 2019 was sent requesting the missing information within 30 days.

21. To date no report with the requested information has been received by the department.

ALLEGED CONCLUSIONS OF LAW

22. Based upon the application of the above law to the aforementioned facts, Respondent is in violation of 2 O.S. § 10-9.7(I) by failing to provide all information required in the Annual Litter Report.

ATTORNEY CONFERENCES

23. 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.
24. 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.
25. Arrangements to discuss the matter before the Prehearing Conference are encouraged.

ENFORCEMENT PROCEEDINGS

26. 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.
27. 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.
28. Each animal, each action, or each day a violation continues may constitute a separate and distinct violation.

29. 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

30. 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

31. 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

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

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

34. 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.

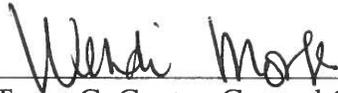
STIPULATION

35. If Respondent desires to resolve this matter without a hearing or further action, Complainant proposes an administrative penalty of **Two Hundred Dollars (\$200.00)**.

36. 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 14 day of July, 2020.

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



Teena G. Gunter, General Counsel, OBA # 17767

James Rucker, Deputy General Counsel, OBA # 14574

Wendi Morse, OBA # 33571

Kambi Maddy, OBA #13873

Shelby Rice, OBA # 34010

Assistants General Counsel

2800 N. Lincoln Blvd.

Oklahoma City, OK 73105-4298

Telephone: (405) 522-5997

Facsimile: (405) 522-5789

CERTIFICATE OF MAILING

This is to certify that on this 17th day of July, 2020, a true and correct copy of the forgoing instrument was mailed, via Certified Mail, Return Receipt

Requested, as follows:

HARVEY BISHOP
21067 E CR 1200 RD
KEOTA, OK 74941



GINA BLAYLOCK

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

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

COMPLAINANT,)

v.)

Case No: OGC-20-428

HARVEY BISHOP)
21067 E CR 1200 RD)
KEOTA, OK 74941)

RESPONDENT.)

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. MARK DEDMON
Case File No: OGC-20-426**

**MARK DEDMON
13327 BLACKFORD RD
HEAVENER, OK 74937**

Summary of Facts: Respondent failed to supply all required information on their annual litter report.

Statute or Rule Violation: 2 O.S. § 10-9.7

Proposed Administrative Penalty: The penalty was assessed at \$200.00. Respondent stipulated and paid the penalty.

Deviations: None.

Other Actions Required: None.

OGC Attorney: Wendi Morse

BEFORE THE STATE BOARD OF AGRICULTURE
STATE OF OKLAHOMA

FILED
SEP 17 2020
STATE BOARD OF AGRICULTURE

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

COMPLAINANT,)

v.)

Case No: OGC-20-426

MARK DEDMON)
13327 BLACKFORD RD)
HEAVENER, OK 74937)

RESPONDENT.)

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: 7-30-20

BEFORE THE STATE BOARD OF AGRICULTURE
STATE OF OKLAHOMA

FILED
JUL 14 2020
STATE BOARD OF AGRICULTURE

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

COMPLAINANT,)

v.)

MARK DEDMON)
13327 BLACKFORD RD)
HEAVENER, OK 74937)

RESPONDENT.)

Case No: OGC-20-426

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 November 5, 2020** 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.

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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 owning/operating a poultry feeding operation, located in Heavener, Oklahoma.

16. Pursuant to 2 O.S. § 10-2, ODAFF has the authority to regulate persons who own or operate poultry feeding operations.

ALLEGATIONS OF FACT

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

18. Pursuant to 2 O.S. § 10-9.7(I), all poultry feeding operations are required to file their annual report by September 1.

19. On or about August 21, 2019 the AEMS Division of the Department received an Annual Litter Report that was missing information regarding the mailing address and telephone number of the person(s) the poultry waste was sold or transferred to.

20. A letter of warning dated October 25, 2019, for the missing information was sent with response requested within 30 days.

21. On November 5, 2019, AEMS received a response, but the report did not provide the requested information.

ALLEGED CONCLUSIONS OF LAW

22. Based upon the application of the above law to the aforementioned facts, Respondent violated 2 O.S. § 10-9.7 by failing to provide all information required in the Annual Litter Report.

ATTORNEY CONFERENCES

23. 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.

24. 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.

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

ENFORCEMENT PROCEEDINGS

26. 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.

27. 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.

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

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OKLAHOMA SMALL BUSINESS REGULATORY FLEXIBILITY ACT

30. 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

31. 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

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

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

34. 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

35. If Respondent desires to resolve this matter without a hearing or further action, Complainant proposes an administrative penalty of Two Hundred Dollars (\$200.00).

36. 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 14 day of July, 2020.

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



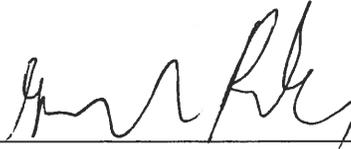
Teena G. Gunter, General Counsel, OBA # 17767
James Rucker, Deputy General Counsel, OBA # 14574
 Wendi Morse, OBA # 33571
Kambi Maddy, OBA #13873
Shelby Rice, OBA # 34010
Assistants General Counsel
2800 N. Lincoln Blvd.
Oklahoma City, OK 73105-4298
Telephone: (405) 522-5997
Facsimile: (405) 522-5789

CERTIFICATE OF MAILING

This is to certify that on this 14th day of July, 2020, a true and correct copy of the forgoing instrument was mailed, via Certified Mail, Return Receipt

Requested, as follows:

MARK DEDMON
133327 BLACKFORD RD
HEAVENER, OK 74937



GINA BLAYLOCK

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

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

COMPLAINANT,)

v.)

Case No: OGC-20-426

**MARK DEDMON)
13327 BLACKFORD RD)
HEAVENER, OK 74937)**

RESPONDENT.)

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 ERWIN
Case File No: OGC-20-425**

**ROBERT ERWIN
40112 E CR 1290
McCURTAIN, OK 74944**

Summary of Facts: Respondent failed to supply all required information on their annual litter report.

Statute or Rule Violation: 2 O.S. § 10-9.7

Proposed Administrative Penalty: The penalty was assessed at \$200.00. Respondent stipulated and paid the penalty.

Deviations: None.

Other Actions Required: None.

OGC Attorney: Wendi Morse

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

FILED
JUL 14 2020
STATE BOARD OF AGRICULTURE

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

COMPLAINANT,)

v.)

Case No: OGC-20-425

**ROBERT ERWIN)
40112 E CR 1290)
McCURTAIN, OK 74944)**

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.

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

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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 owning/operating a poultry feeding operation located in McCurtain, Oklahoma.
16. Pursuant to 2 O.S. § 10-2, ODAFF has authority to regulate persons who own or operate poultry feeding operations.

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 November 12, 2019 the AEMS Division of the Department sent a letter of warning regarding Respondents missing Annual Litter Report.
19. On November 20, 2019, AEMS received a response with the Report; however, the report did not include the amount of poultry waste that was removed.
20. A letter of warning dated November 22, 2019 was sent for the missing information with a response requested within 30 days.
21. To date, AEMS has not received a response regarding the violation.

ALLEGED CONCLUSIONS OF LAW

22. Based upon the application of the above law to the aforementioned facts, Respondent violated 2 O.S. § 10-9.7 by failing to provide all information required in the Annual Litter Report.

ATTORNEY CONFERENCES

23. 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.

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30. 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

31. 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.*

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DATED THIS 14 day of July, 2020.

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

Wendi Morse

Teena G. Gunter, General Counsel, OBA # 17767
James Rucker, Deputy General Counsel, OBA # 14574
~~Wendi Morse, OBA # 33571~~
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Shelby Rice, OBA # 34010
Assistant General Counsel
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ROBERT ERWIN
40112 E CR 1290
McCURTAIN, OK 74944



GINA BLAYLOCK

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

COMPLAINANT,)

v.)
ROBERT ERWIN)
40112 E CR 1290)
McCURTAIN, OK 74944)

Case No: OGC-20-425

RESPONDENT.)

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. THAI LE
Case File No: OGC-20-420**

**THAI LE
1070 CRAIG RD
BROKEN BOW, OK 74728**

Summary of Facts: Respondent failed to supply all required information on their annual litter report.

Statute or Rule Violation: 2 O.S. § 10-9.7

Proposed Administrative Penalty: The penalty was assessed at \$200.00. Respondent stipulated and paid the penalty.

Deviations: None.

Other Actions Required: None.

OGC Attorney: Wendi Morse

BEFORE THE STATE BOARD OF AGRICULTURE
STATE OF OKLAHOMA

FILED
SEP 03 2020
STATE BOARD OF AGRICULTURE

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

COMPLAINANT,)

v.)

Case No: OGC-20-420

THAI LE)
1070 CRAIG RD.)
BROKEN BOW, OK 74728)

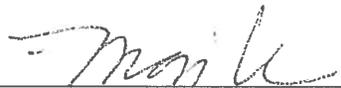
RESPONDENT.)

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

THAI LE

Printed Name and Title:

Date: 08/30/20

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

FILED

JUL 14 2020

STATE BOARD OF AGRICULTURE

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

COMPLAINANT,)

v.)

THAI LE)
1070 CRAIG RD.)
BROKEN BOW, OK 74728)

RESPONDENT.)

Case No: OGC-20-420

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 1, 2020** 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 owning/operating a poultry feeding operation, located in Broken Bow, Oklahoma.

16. Pursuant to 2 O.S. § 10-2, ODAFF has authority to regulate persons who own or operate poultry feeding operations.

ALLEGATIONS OF FACT

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

18. Pursuant to 2 O.S. § 10-9.7(I), all poultry feeding operations are required to file their annual report by September 1.

19. Respondent's report was received on September 5, 2019 with missing information.

20. On or about October 11, 2019, the Agricultural Environmental Management Services (AEMS) Division of the Department sent Respondent a Letter of Warning regarding their missing information and requested a response within 30 days.

21. On November 15, 2019, a response was received from Respondent with the requested information missing.

22. To this date, all required information has still not been received by the AEMS Division.

ALLEGED CONCLUSIONS OF LAW

23. Based upon the application of the above law to the aforementioned facts, Respondent violated 2 O.S. § 10-9.7 by failing to provide all information required in the Annual Litter Report.

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 Two Hundred Dollars (\$200.00).

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

DATED THIS 14 day of July, 2020.

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

Wendi Morse

Teena G. Gunter, General Counsel, OBA # 17767

James Rucker, Deputy General Counsel, OBA # 14574

~~W~~endi Morse, OBA # 33571

Kambi Maddy, OBA #13873

Shelby Rice, OBA # 34010

Assistant General Counsel

2800 N. Lincoln Blvd.

Oklahoma City, OK 73105-4298

Telephone: (405) 522-5997

Facsimile: (405) 522-5789

CERTIFICATE OF MAILING

This is to certify that on this 14th day of July, 2020, a true and correct copy of the forgoing instrument was mailed, via Certified Mail, Return Receipt Requested, as follows:

THAI LE
1070 CRAIG RD.
BROKEN BOW, OK 74728



GINA BLAYLOCK

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

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

COMPLAINANT,)

v.)

Case No: OGC-20-420

**THAI LE)
1070 CRAIG RD.)
BROKEN BOW, OK 74728)**

RESPONDENT.)

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. MONG-DUYEN TRAN
Case File No: OGC-20-418**

**MONG-DUYEN TRAN
323 RED ARROW RD
BROKEN BOW, OK 74728**

Summary of Facts: Respondent failed to supply all required information on their annual litter report.

Statute or Rule Violation: 2 O.S. § 10-9.7

Proposed Administrative Penalty: The penalty was assessed at \$200.00. Respondent stipulated and paid the penalty.

Deviations: None.

Other Actions Required: None.

OGC Attorney: Wendi Morse

BEFORE THE STATE BOARD OF AGRICULTURE
STATE OF OKLAHOMA

FILED
AUG 27 2020
STATE BOARD OF AGRICULTURE

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

COMPLAINANT,)

v.)

Case No: OGC-20-418

MONG-DUYEN TRAN)
323 RED ARROW RD.)
BROKEN BOW, OK 74728)

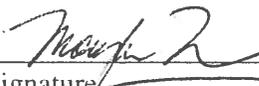
RESPONDENT.)

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

Mong-Duyen Tran owner of
Printed Name and Title: D+C LLC

Date: 7/22/20

**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.)

**MONG-DUYEN TRAN)
323 RED ARROW RD.)
BROKEN BOW, OK 74728)**

RESPONDENT.)

FILED

JUL 14 2020

STATE BOARD OF AGRICULTURE¹

Case No: OGC-20-418

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 1, 2020** 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 owning/operating a poultry feeding operation, located in Broken Bow, Oklahoma.

16. Pursuant to 2 O.S. § 10-2, ODAFF has authority to regulate persons who own or operate poultry feeding operations.

ALLEGATIONS OF FACT

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

18. Pursuant to 2 O.S. § 10-9.7(I), all poultry feeding operations are required to file their annual report by September 1.

19. On or about November 13, 2019, the Agricultural Environmental Management Services (AEMS) Division of the Department sent Respondent a Letter of Warning regarding their missing Annual Litter Report.

20. On or about January 2, 2020, a response was received with the Report but the response did not include a copy of the required litter analysis.

21. To this date, all required information has still not been received by the AEMS Division.

ALLEGED CONCLUSIONS OF LAW

22. Based upon the application of the above law to the aforementioned facts, Respondent violated 2 O.S. § 10-9.7 by failing to provide all information required in the Annual Litter Report.

ATTORNEY CONFERENCES

23. 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.

24. 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.

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

ENFORCEMENT PROCEEDINGS

26. 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.

27. 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.

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

29. 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

30. 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

31. 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

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

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

34. 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

35. If Respondent desires to resolve this matter without a hearing or further action, Complainant proposes an administrative penalty of Two Hundred Dollars (\$200.00).

36. 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 14 day of July, 2020.

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

Wendi Morse

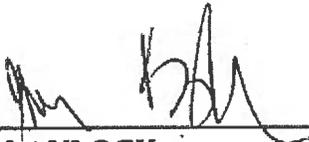
Teena G. Gunter, General Counsel, OBA # 17767
James Rucker, Deputy General Counsel, OBA # 14574
✓ Wendi Morse, OBA # 33571
Kambi Maddy, OBA #13873
Shelby Rice, OBA # 34010
Assistants General Counsel
2800 N. Lincoln Blvd.
Oklahoma City, OK 73105-4298
Telephone: (405) 522-5997
Facsimile: (405) 522-5789

CERTIFICATE OF MAILING

This is to certify that on this 14th day of July, 2020, a true and correct copy of the forgoing instrument was mailed, via Certified Mail, Return Receipt

Requested, as follows:

MONG-DUYEN TRAN
323 RED ARROW RD.
BROKEN BOW, OK 74728



GINA BLAYLOCK

**OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY
v. DOLLAR GENERAL
Case File No: OGC-20-372**

**DOLLAR GENERAL
824 N. SHEB WOOLEY
ERICK, OK 73645**

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

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

Proposed Administrative Penalty: The proposed penalty for this case was Four Hundred and Fifty Dollars (\$450.00) (Six violations at \$75.00 per violation). Respondent stipulated to and paid the penalty.

Other Actions Required: None

OGC Attorney: Kambi Maddy

BEFORE THE STATE BOARD OF AGRICULTURE
STATE OF OKLAHOMA

FILED
JUL 11 2020
STATE BOARD OF AGRICULTURE

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

COMPLAINANT,)

v.)

Case No: OGC-20-372

DOLLAR GENERAL)
824 N. SHEB WOOLEY)
ERICK, OK 73645)

RESPONDENT.)

STIPULATION

Respondent accepts and stipulates to the proposed administrative penalty or fine of **Four Hundred and Fifty Dollars (\$450.00)** for this action and has accordingly signed this Resolution by Stipulation and returned it along with a check or money order in full payment of the proposed penalty or fine to: Office of General Counsel, Oklahoma Department of Agriculture, Food, and Forestry, 2800 N. Lincoln Blvd., Oklahoma City, OK 73105-4298.

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

RESPONDENT:

Mia Savaloja

Signature

Mia Savaloja

Printed Name

Sr Director, Store Operations

Job Title

7/28/2020

Date

BEFORE THE STATE BOARD OF AGRICULTURE
STATE OF OKLAHOMA

FILED
JUN 22 2020
STATE BOARD OF AGRICULTURE

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

COMPLAINANT,)

v.)

DOLLAR GENERAL)
824 N. SHEB WOOLEY)
ERICK, OK 73645)

RESPONDENT.)

Case No: OGC-20-372

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 3, 2020**, 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.

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.

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

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

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

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

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

HEARING AND RIGHT TO COUNSEL

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

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

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

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

DEFAULT

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

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

JURISDICTION, VENUE, AND APPLICABLE LAW

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

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

15. Based upon current information and belief, at all relevant times hereto, Respondent has, among other things, engaged in the business of selling consumer items under the business name of Dollar General, located at 824 N. Sheb Wooley, in Erick, Oklahoma.

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

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

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

ALLEGATIONS OF FACT

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

20. On or about January 15, 2020, a price verification inspection was performed by an Oklahoma Department of Agriculture, Food, and Forestry inspector at Dollar General in Erick, Oklahoma. The inspection revealed that five (5) of the fifty (50) products inspected were offered at a price which exceeded the publicly communicated price.

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

22. On or about March 17, 2020, a price verification inspection was performed by an Oklahoma Department of Agriculture, Food, and Forestry inspector at Dollar General in Erick, Oklahoma. The inspection revealed that six (6) of the fifty (50) products inspected were offered at a price which exceeded the publicly communicated price.

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

ALLEGED CONCLUSIONS OF LAW

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

ATTORNEY CONFERENCES

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

ENFORCEMENT PROCEEDINGS

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

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

ENFORCEMENT OF JUDGMENTS

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

INFORMAL DISPOSITION OF AN INDIVIDUAL PROCEEDING

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

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

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

STIPULATION

36. If Respondent desires to resolve this matter without a hearing or further action, Complainant proposes an administrative penalty of Four Hundred and Fifty Dollars (\$450.00). (6 violations at \$75.00 per violation).

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

DATED THIS 18th day of June, 2020.

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



Teena G. Gunter, General Counsel, OBA # 17767

James Rucker, Deputy General Counsel, OBA # 14574

Wendi Morse, OBA # 33571

★ Kambi Maddy, OBA # 13873

Shelby Rice, OBA # 34010

Assistants General Counsel

2800 N. Lincoln Blvd.

Oklahoma City, OK 73105-4298

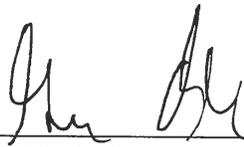
Telephone: (405) 522-5997

Facsimile: (405) 522-5789

CERTIFICATE OF MAILING

This is to certify that on this 2nd day of June, 2020, a true and correct copy of the forgoing instrument was mailed, via Certified Mail, Return Receipt Requested, as follows:

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



Gina Blaylock

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

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

COMPLAINANT,)

v.)

Case No: OGC-20-372

**DOLLAR GENERAL)
824 N. SHEB WOOLEY)
ERICK, OK 73645)**

RESPONDENT.)

STIPULATION

Respondent accepts and stipulates to the proposed administrative penalty or fine of **Four Hundred and Fifty Dollars (\$450.00)** for this action and has accordingly signed this Resolution by Stipulation and returned it along with a check or money order in full payment of the proposed penalty or fine to: Office of General Counsel, Oklahoma Department of Agriculture, Food, and Forestry, 2800 N. Lincoln Blvd., Oklahoma City, OK 73105-4298.

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

RESPONDENT:

Signature

Printed Name

Job Title

Date



**OKLAHOMA DEPARTMENT OF AGRICULTURE
FOOD, AND FORESTRY
PRICE VERIFICATION REPORT**

CPS 152 Rev 1/06

INSPECTOR NUMBE 20-RLF-0071 **RECD CP9ATE*** 3/17/2020 COUNTY Beckham
 LOCATION* _____ CORPORATE _____
 AGN NUMBER AGN017682 **2020 MAR 24 A 11: 23** AGN NUMBER _____
Dollar General Store #19665 _____
824 N Sheb Wooley _____
Erick Ok 73645- _____
 MANAGER _____ INSPECTION TYP Followup Original Insp# 20-RLF-0052
 TELEPHONE* (580) 447-5611 Other Store Type _____ ITEM STATUS NON-SALE
 TYPE OF STORE MASS MERCHANDISER _____

PRODUCT	UPC CODE	OFFERED PRICE	PRICE CHARGED	PRICE ERROR
<u>Scunci 72pcs</u>	<u>043194233359</u>	<u>\$3.15</u>	<u>\$3.25</u>	<u>(\$0.10)</u>
<u>Hanes tagless Boys Tshirt 3pk</u>	<u>075338041407</u>	<u>\$5.95</u>	<u>\$6.50</u>	<u>(\$0.55)</u>
<u>ProStrength dumbell 7lb</u>	<u>672125047767</u>	<u>\$8.00</u>	<u>\$8.50</u>	<u>(\$0.50)</u>
<u>DG Home DBL zipper bags 1qt 31ct</u>	<u>840323104227</u>	<u>\$2.00</u>	<u>\$2.25</u>	<u>(\$0.25)</u>
<u>DG Home Ultra fabric softner 41 oz</u>	<u>059647510809</u>	<u>\$2.75</u>	<u>\$2.95</u>	<u>(\$0.20)</u>
<u>Good&Smart 100% Apple Juice 64oz</u>	<u>041152102501</u>	<u>\$2.75</u>	<u>\$2.85</u>	<u>(\$0.10)</u>

Total Number Checked 50 Total Number Of Violations 6 Accuracy 88 % Inspection Result Notice of Violati

REMARKS

Follow up #1

WITNESS 

INSPECTOR*

Richard Folsom 

OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY
v. MID AMERICA FEED
Case File Nos: OGC 20-110; OGC 20-355; OGC 20-360

MID AMERICA FEED
PO BOX 11
TALALA, OK 74080

Summary of Facts:

The Oklahoma Weights and Measures Act makes it unlawful for any person to sell, offer, or expose for sale a quantity less than the quantity represented. The Department weighed bagged feed at the Respondent's location on five different occasions in which the bagged feed was less than the marketed net by weight by more than 0.50 lbs.

Statute or Rule Violation: Respondent is alleged to have violated 2 O.S. §14-38(B)(1)(a) of the Oklahoma Weights and Measures Act by selling, offering, or exposing for sale a quantity less than the quantity represented with a deviation greater than 0.50 lbs.

Proposed Administrative Penalty: The proposed penalty for this case was Nine Hundred Dollars (\$900.00). (9 counts at \$100.00 per count) Respondent stipulated and paid the penalty.

Deviations: None.

Other Actions Required: None.

OGC Attorney: Kambi Maddy

Receipt # 13352
ck# 047189
\$ 900-

BEFORE THE STATE BOARD OF AGRICULTURE
STATE OF OKLAHOMA

FILED

SEP 22 2020

STATE BOARD OF AGRICULTURE

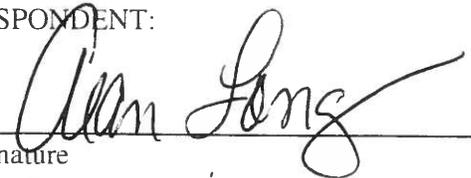
THE OKLAHOMA DEPARTMENT OF)
AGRICULTURE, FOOD, AND FORESTRY,)
BY AND THROUGH THE)
OFFICE OF GENERAL COUNSEL)
)
COMPLAINANT,)
v.)
)
MID AMERICA FEEDS, INC.)
P.O. BOX 11)
TALALA, OK 74080)
)
RESPONDENT.)

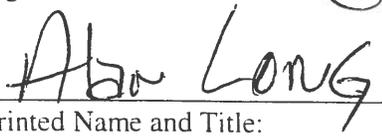
Case Nos: OGC: 20-110
20-355
20-360

STIPULATION

Respondent accepts and stipulates to the proposed administrative penalty or fine of Nine Hundred Dollars (\$900.00) 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: 8-20-20

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

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

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

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

HEARING AND RIGHT TO COUNSEL

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

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

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

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

DEFAULT

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

JURISDICTION, VENUE, AND APPLICABLE LAW

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

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

15. Based upon current information and belief, at all relevant times hereto, Respondent has, among other things, engaged in the business of selling weighted bags of feed under the business name of Mid America Feeds, Inc. located at P.O. Box 11 in Talala, Oklahoma.

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

17. Under the provisions of 2 O.S. § 14-38(B)(1)(a), it is unlawful for any person to sell, offer, or expose for sale a quantity less than the quantity represented.

ALLEGATIONS OF FACT

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

19. On or about March 20, 2019, a standard package inspection was performed by an Oklahoma Department of Agriculture, Food, and Forestry inspector at Mid America Feeds, Inc. in Talala, OK. The inspection revealed the average was .948 lb. less than the marked net weight. On this date, there were 8 Maximum Allowed Variations.

20. On or about December 17, 2019, a standard package inspection was performed by an Oklahoma Department of Agriculture, Food, and Forestry inspector at Mid America Feeds, Inc.

in Talala, OK. The inspection revealed the average was .731 lb. less than the marked net weight. On this date, there were 18 Maximum Allowed Variations. A letter of warning was sent.

21. On or about February 3, 2020, a standard package inspection was performed by an Oklahoma Department of Agriculture, Food, and Forestry inspector at Mid America Feeds, Inc. in Talala, OK. This inspection revealed the average was .818 lb. less than the marked net weight. On this date, there were 6 Maximum Allowed Variations.

22. On or about March 17, 2020, a standard package inspection was performed by an Oklahoma Department of Agriculture, Food, and Forestry inspector at Mid America Feeds, Inc. in Talala, OK. It revealed the average was .594 lb. less than the marked net weight. On this date, there were 5 Maximum Allowed Variations. A letter of warning was sent.

23. On or about June 2, 2020, a standard package inspection was performed by an Oklahoma Department of Agriculture, Food, and Forestry inspector at Mid America Feeds, Inc. in Talala, OK. It revealed the average was .999 lb. less than the marked net weight. On this date, there were 9 Maximum Allowed Variations. A letter of warning was sent.

ALLEGED CONCLUSIONS OF LAW

24. Based upon the application of the above law to the aforementioned facts, Respondent has violated 2 O.S. § 14-38(B)(1)(a) by selling, offering, or exposing for sale a quantity less than the quantity represented.

ATTORNEY CONFERENCES

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

26. Additionally, OGC attorneys will be available for consultation on a first-come, first-served basis from 9:00 a.m. to 12:00 p.m. on the date of the Prehearing Conference.
27. Arrangements to discuss the matter before the Prehearing Conference are encouraged.

ENFORCEMENT PROCEEDINGS

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

OKLAHOMA SMALL BUSINESS REGULATORY FLEXIBILITY ACT

32. The provisions of the Oklahoma Small Business Regulatory Flexibility Act, 75 O.S. § 501 *et seq.*, may apply to this action; please review the full act to determine if it applies to you.

ENFORCEMENT OF JUDGMENTS

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

INFORMAL DISPOSITION OF AN INDIVIDUAL PROCEEDING

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

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

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

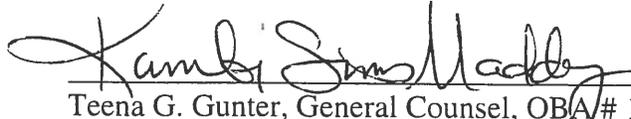
STIPULATION

37. If Respondent desires to resolve this matter without a hearing or further action, Complainant proposes an administrative penalty of Nine Hundred Dollars (\$900.00) (9 counts at \$100.00 per count).

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

DATED THIS 23rd day of June, 2020.

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



Teena G. Gunter, General Counsel, OBA # 17767

James Rucker, Deputy General Counsel, OBA #14574

Wendi Morse, OBA #33571

* Kambi Maddy, OBA #13873

Shelby Rice, OBA #34010

Assistants General Counsel

2800 N. Lincoln Blvd.

Oklahoma City, OK 73105-4298

Telephone: (405) 522-5997

Facsimile: (405) 522-5789

CERTIFICATE OF MAILING

This is to certify that on this 24th day of June, 2020, a true and correct copy of the forgoing instrument was mailed, via Certified Mail, Return Receipt Requested, as follows:

**MID AMERICA FEEDS, INC.
P.O. BOX 11
TALALA, OK 74080**



Gina Blaylock

**OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY
v. TURF SCIENCE OF OKLAHOMA
Case File No: OGC-19-991**

**TURF SCIENCE OF OKLAHOMA
PO BOX 6158
MOORE, OK 73149**

Summary of Facts: Respondent made commercial pesticide applications without a certified applicator's license and failed to properly display the company number of the side of the company vehicle.

Statute or Rule Violation: OAC 35:30-17-15 and OAC 35:30-17-25

Proposed Administrative Penalty: The penalty was assessed at \$750.00. Respondent paid the fine in full.

Deviations: None.

Other Actions Required: None.

OGC Attorney: Shelby Rice

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

FILED

SEP 04 2020

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-19-991

TURF SCIENCE OF OKLAHOMA)
PO BOX 6158)
MOORE, OK 73149)

RESPONDENT.)

STIPULATION

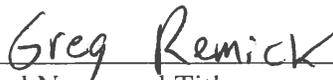
Respondent accepts and stipulates to the proposed administrative penalty or fine of **Seven Hundred Fifty Dollars (\$750.00)** for this action and has accordingly signed this Resolution by Stipulation and returned same along with a check or money order in full payment of the proposed penalty or fine 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:



Signature



Printed Name and Title

Date: 9-4-20

BEFORE THE STATE BOARD OF AGRICULTURE
STATE OF OKLAHOMA

FILED

MAY 20 2020

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-19-991

TURF SCIENCE OF OKLAHOMA)
PO BOX 6158)
MOORE, OK 73149)

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 Thursday, September 6, 2020** 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 application of pesticides in the State of Oklahoma.
16. Pursuant to Okla. Sta. Ann. 2 § 2-4(A)(3), ODAFF has authority to regulate persons who violate the Oklahoma Agricultural Code by initiating and prosecuting administrative, civil, or criminal actions and proceedings necessary under the Oklahoma Agricultural Code.

OAC 35:30-17-15

All vehicles, including nurse tanks and self-propelled ground applicators, used by a commercial applicator during the conduct of business shall be identified by displaying the name and the 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.

OAC 35:30-17-25

- (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.

- On or about December 4, 2019, an inspector for ODAFF observed an application being made at 9928 S McKinley Ave in Oklahoma City, OK.
- As a result of this, it was discovered that neither of the employees making the applying were certified applicators or service technicians.
- As such, the individuals should not have been making applications without a certified applicator present.
- It was further noted that the company number was not properly displayed on both sides of a vehicle.
- On or about December 6, 2019, a Letter of Warning that detailed the above violation was sent to Respondent.

ALLEGED CONCLUSIONS OF LAW

Based upon the application of the above law to the aforementioned facts, Respondent violated OAC 35:30-17-15 and OAC 35:30-17-25 by allowing employees to spray without the supervision of a certified applicator and failing to properly display the company number on both sides of a vehicle.

ATTORNEY CONFERENCES

18. 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.
19. 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.
20. Arrangements to discuss the matter before the Prehearing Conference are encouraged.

ENFORCEMENT PROCEEDINGS

21. 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.
22. 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.
23. Each animal, each action, or each day a violation continues may constitute a separate and distinct violation.

24. 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

25. 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

26. 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

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

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

29. 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

30. 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)**.

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.

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



Teena G. Gunter, General Counsel, OBA # 17767

James Rucker, Deputy General Counsel, OBA # 14574

Wendi Morse, OBA # 33571

Kambi Maddy, OBA #13873

✓ Shelby Rice, OBA #34010

Assistants General Counsel

2800 N. Lincoln Blvd.

Oklahoma City, OK 73105-4298

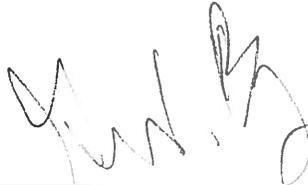
Telephone: (405) 522-5997

Facsimile: (405) 522-5789

CERTIFICATE OF MAILING

This is to certify that on this 20th day of May, 2020, a true and correct copy of the forgoing instrument was mailed, via Certified Mail, Return Receipt Requested, as follows:

**TURF SCIENCE OF OKLAHOMA
PO BOX 6158
MOORE, OK 73149**



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-19-991

**TURF SCIENCE OF OKLAHOMA)
PO BOX 6158)
MOORE, OK 73149)**

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:

Signature

Printed Name and Title

Date: _____

**OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY
v. HITCH ENTERPRISES, INC.
Case File No: OGC-19-822**

**HITCH ENTERPRISES, INC.
PO BOX 1308
GUYMON, OK 73942**

Summary of Facts:

Respondent reported as unapproved discharges at one of its licensed swine feeding operations, identified as Hitch Nursery 7 on August 1, 2019 and August 22, 2019.

Statute or Rule Violation: Respondent violated 2 O.S. §18.1(A) by causing pollution to waters of the state.

Proposed Administrative Penalty: The proposed penalty was \$10,000.00.

Deviations: Respondent performed extensive remediation together with equipment replacements and upgrades. As a result ODAFF and the Respondent entered into a Consent Order with an agreed penalty of \$2500.00. Respondent paid the proposed fine.

Other Actions Required: None

OGC Attorney: James W. Rucker

FILED
AUG 31 2020
STATE BOARD OF AGRICULTURE

THE OKLAHOMA DEPARTMENT OF)
AGRICULTURE, FOOD, AND FORESTRY,)
BY AND THROUGH THE)
OFFICE OF GENERAL COUNSEL)
)
COMPLAINANT,)
v.)
)
HITCH ENTERPRISES, INC.)
PO BOX 1308)
GUYMON, OK 73942)
)
RESPONDENT.)

Case No: OGC: 19-822

SETTLEMENT AGREEMENT AND CONSENT ORDER

PARTIES

1. This Settlement Agreement and Consent Order (the "Agreement") is between the Oklahoma Department of Agriculture, Food, And Forestry (the "Department") and Hitch Enterprises (the "Respondent").
2. The facility which is the subject of this Agreement is owned and operated by Hitch Enterprises and located at Hitch Nursery Number 7 (the "Facility").

AUTHORITY

3. The Department has authority over this matter pursuant to Okla. Const. Art. VI, Section 31 and 2 O.S. § 2-4(7).

DEPARTMENT'S NOTICE

4. On January 6, 2019, the Department issued a Notice of Violation in Case No. OGC: 19-822, ("Notice") to the Facility, which is attached hereto as Exhibit A. The Allegations of Fact and Summary of Applicable Law of that Notice are incorporated herein by reference.

ORDER AND AGREEMENT

5. In compromise and full settlement of this matter, respondent shall pay to the Department an administrative penalty of Two Thousand Five Hundred Dollars (\$2,500.00). Upon the execution of this agreement by both parties, payment shall immediately be made by Respondent payable to the "Oklahoma Department of Agriculture, Food, And Forestry" and mailed to the following address:

Office of General Counsel
Oklahoma Department of Agriculture, Food, and Forestry
2800 N. Lincoln Blvd.
Oklahoma City, OK 73105-4298

EFFECT OF THE AGREEMENT

6. In exchange for Respondent's compliance with the terms of this Agreement, the Department agrees not to initiate any further administrative, civil, or criminal proceedings against Respondent, its officers, directors, agents, customers, servants, employees, representatives, parents, subsidiaries, successors and assigns, based or relating to the facts alleged in the Department's Notice. This release shall not prevent the Department from enforcing the terms of this Agreement and does not release Respondent from liability for other unknown or undiscovered past violations or potential future violations of state or federal law. This Agreement relates only to claims within the jurisdiction of the Department and specifically does not release Respondent from actions initiated by other state or federal agencies having jurisdiction over related matters.
7. Respondent and the Department recognize there is risk and expense inherent in any litigation. Thus, the parties agree to enter into this compromise and settlement to avoid incurring any further cost and expense arising as a result of this dispute. Respondent and the Department each do not waive and each expressly reserves all of its rights in any future proceeding against it.
8. The Department does not by entering into this Agreement concede that its factual basis for initiating this Action, and violations found based upon those facts, are not true and accurate. Respondent, without admitting the truth of said factual averments and having previously contested the alleged violations in informal discussions with representatives of the Department, voluntarily waives its right to a formal evidentiary hearing to contest such factual averments. By entering into this agreement, Respondent does not admit or consent to the truth of the factual averments set forth in the Notice. The Department and Respondent are avoiding further contention, including litigation of this matter, through settlement of this Action by this Agreement.

NO ADMISSION.

9. This Agreement and any proceedings taken hereunder are not intended and shall not in any event be construed as, or deemed to be, an admission or concession or evidence of any liability or any wrongdoing whatsoever on the part of any party. The parties hereto specifically disclaim and deny any liability or wrongdoing whatsoever with respect to the allegations and claims asserted against them in this action and enter into this Agreement solely to avoid the further expense, inconvenience, burden and uncertainty of litigation.

NON-ADMISSIBILITY.

10. These settlement negotiations have been undertaken by the parties in good faith and for settlement purposes only, and neither this Agreement nor any evidence of negotiations hereunder, shall be offered or received in evidence in this Action, or any other action or proceeding, for any purpose other than in an action or proceeding to enforce the terms of this Agreement.

HEARING WAIVER

11. Respondent hereby agrees to waive its right to a hearing and its opportunity to appeal or contest this Agreement. Respondent enters into this Agreement freely and voluntarily.

NOTICE

12. Unless otherwise specified, reports, notice, or other submissions required under this Agreement shall be in writing and shall be sent to:

For the Oklahoma Department of Agriculture, Food, and Forestry:

James W. Rucker
Deputy General Counsel
2800 N. Lincoln Blvd.
Oklahoma City, OK 73105-4298

For Hitch Enterprises:

Jason Hitch, CEO
Hitch Enterprises
PO Box 1308
309 Northridge Circle Dr.
Guymon, OK 73942

MISCELLANEOUS

13. This Agreement may be amended only by mutual agreement of the Department and Respondent. Such amendments shall be in writing, shall have as their effective date the date on which they are signed by both parties, and shall be incorporated into this agreement.
14. The undersigned representative of the Office of General Counsel, Oklahoma Department of Agriculture, Food, and Forestry agrees to propose and recommend this Agreement to the State Board of Agriculture (the "Board"). Furthermore, Respondent understands that the Office of General Counsel Representative neither possesses the legal power to bind the Board nor can the Office of General Counsel Representative promise acceptance of

this Agreement by the Board. Respondent understands that it may attend the meeting of the Board but is not required to do so.

15. Payment for the administrative penalty shall be presented upon the execution of this Agreement. Such payment will be tendered upon acceptance of this Agreement by the Board at its next regularly scheduled public meeting.
16. In the event the Board accepts this Agreement, Respondent shall receive a copy of the Approval. Compliance with this Agreement shall constitute full and complete settlement.
17. In the event the Board does not approve this Agreement, then Respondent or the Department is free to make a counterproposal for the Board's consideration, or the Parties may choose to go through a formal administrative hearing on the above charges, and the recitations herein will be held for naught and are inadmissible in any future proceedings.
18. No breach of any provision of this Agreement can be waived by any undersigned party unless in writing. Waiver of any one breach by an undersigned party shall not be deemed to be a waiver of any other breach of the same or any other provision of this Agreement.
19. This Agreement shall be governed by the laws of the State of Oklahoma.

Executed by the Parties on the dates set forth below:

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



James W. Rucker
Deputy General Counsel
2800 N. Lincoln Blvd.
Oklahoma City, OK 73105-4298
Telephone: (405) 522-5997
Facsimile: (405) 522-5789

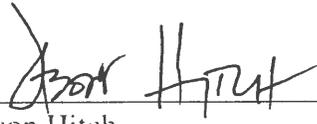
COMPLAINANT

Date: _____



- and by -

HITCH ENTERPRISES



Jason Hitch
Chief Executive Officer
Hitch Enterprises
PO Box 1308
309 Northridge Circle Dr.
Guymon, OK 73942

RESPONDENT

Date: 2nd Sept 2020

Exhibit A

BEFORE THE STATE BOARD OF AGRICULTURE
STATE OF OKLAHOMA

FILED
JAN 06 2019
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: 19-822

HITCH ENTERPRISES, INC.)
PO BOX 1308)
GUYMON, OK 73942)

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 Thursday, March 5, 2019 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 swine feeding operation (SFO) under the name Houston Contracting Farm, with a primary business address at 10000 E. Yost Rd, Glencoe, 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 § 20- 10 (B)(1):

B. The criteria for Best Management Practices shall be promulgated by rule by the Board, based upon existing physical and economic conditions, opportunities and constraints and shall include, but not be limited to, the following:

1. There shall be no discharge of process wastewater to waters of the state except in accordance with the provisions of the Oklahoma Swine Feeding Operations Act;

OAC 35: 17- 3- 14 (b)(3)(A):

b) The swine waste management plan shall include:

3) All calculations and all factors and assumptions used in determining land application rates, acreage, and crops for both solid and liquid swine wastes. Land application rates shall take into account the plant available nutrient contribution of any land applied swine wastes. The following requirements shall apply to land application of swine waste on land owned or leased by the owner:

A) Runoff from swine waste is prohibited where it results in a discharge to surface or groundwaters of the State. The owner shall provide controls for runoff and erosion as appropriate for site conditions.

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 August 1, 2019, Respondent notified ODAFF of an unauthorized discharge at the Hitch Nursery 7.
- b) On or about August 22, 2019, Respondent notified ODAFF of another unauthorized discharge at the Hitch Nursery 7.

ALLEGED CONCLUSIONS OF LAW

18. Based upon the application of the above law to the aforementioned facts, Respondent has violated:

- a) 2 O.S. §20-10(B)(1) and OAC 35:17-3-14(b)(3)(A) by having unauthorized discharges of swine waste to Waters of the State.

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.*

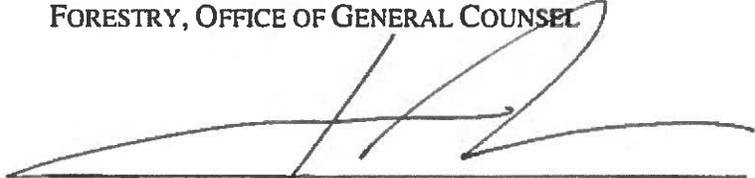
INFORMAL DISPOSITION OF AN INDIVIDUAL PROCEEDING

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 Ten Thousand Dollars (\$10,000.00). (2 counts at \$5,000.00 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.

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



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

**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: 19-822

**HITCH ENTERPRISES, INC.)
PO BOX 1308)
GUYMON, OK 73942)**

RESPONDENT.)

STIPULATION

Respondent accepts and stipulates to the proposed administrative penalty or fine of Ten Thousand Dollars (\$10,000.00) for this action and has accordingly signed this Resolution by Stipulation and returned same along with a check or money order in full payment of the proposed penalty or fine to: Office of General Counsel, Oklahoma Department of Agriculture, Food, and Forestry, 2800 N. Lincoln Blvd., Oklahoma City, OK 73105-4298.

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

RESPONDENT:

Signature

Printed Name and Title:

Date: _____

CERTIFICATE OF MAILING

This is to certify that on this 6 day of Jan, 2020, a true and correct copy of the forgoing instrument was mailed, via Certified Mail, Return Receipt Requested, as follows:

**HITCH ENTERPRISES
PO BOX 1308
GUYMON, OK 73942**



Gina Blaylock

OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY
v. EDDIE AND RICHARD ROBINSON
ROBINSON 15K FARM
Case File No: OGC-19-823

EDDIE AND RICHARD ROBINSON
ROBINSON 15K FARM
PO BOX 917
HOLDENVILLE, OK 74848

Summary of Facts:

Respondent failed to provide information to the Department as required and requested.

Statute or Rule Violation: Respondent violated 2 O.S. §20-7(E)(2)(c) and OAC 35:17-3-10 by failing to provide information to the Department as required and requested.

Proposed Administrative Penalty: The proposed penalty was \$1,000.00.

Deviations: Respondent provided the requested information. ODAFF and the Respondent entered into a Consent Order with an agreed penalty of \$500.00. Respondent paid the proposed fine.

Other Actions Required: None

OGC Attorney: James W. Rucker

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

FILED
JUL 09 2020
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: 19-823

EDDIE AND RICHARD ROBINSON)
ROBINSON 15K FARM)
PO BOX 917)
HOLDENVILLE, OK 74848)

RESPONDENT.)

SETTLEMENT AGREEMENT AND CONSENT ORDER

PARTIES

1. This Settlement Agreement and Consent Order (the "Agreement") is between the Oklahoma Department of Agriculture, Food, And Forestry (the "Department") and EDDIE AND RICHARD ROBINSON d/b/a ROBINSON 15K FARM (the "Respondent").
2. The facility which is the subject of this Agreement is owned and operated by EDDIE AND RICHARD ROBINSON and located at the NE 1/4 of Section 9, Township 6 North, Range 8 East, Hughes County, OK (the "Facility").

AUTHORITY

3. The Department has authority over this matter pursuant to Okla. Const. Art. VI. Section 31 and 2 O.S. § 2-4(7).

DEPARTMENT'S NOTICE

4. On January 6, 2020 the Department issued a Notice of Violation in Case No. OGC 19-823. ("Notice") to the Facility, which is attached hereto as Exhibit A. The Allegations of Fact and Summary of Applicable Law of that Notice are incorporated herein by reference.

ORDER AND AGREEMENT

5. In compromise and full settlement of this matter, respondent shall pay to the Department an administrative penalty of Five Hundred Dollars (\$500.00). Upon the execution of this agreement by both parties, payment shall immediately be made by Respondent payable to the "Oklahoma Department of Agriculture, Food, And Forestry" and mailed to the following address:

Office of General Counsel
Oklahoma Department of Agriculture, Food, and Forestry
2800 N. Lincoln Blvd.
Oklahoma City, OK 73105-4298

EFFECT OF THE AGREEMENT

6. In exchange for Respondent's compliance with the terms of this Agreement, the Department agrees not to initiate any further administrative, civil, or criminal proceedings against Respondent, its officers, directors, agents, customers, servants, employees, representatives, parents, subsidiaries, successors and assigns, based or relating to the facts alleged in the Department's Notice. This release shall not prevent the Department from enforcing the terms of this Agreement and does not release Respondent from liability for other unknown or undiscovered past violations or potential future violations of state or federal law. This Agreement relates only to claims within the jurisdiction of the Department and specifically does not release Respondent from actions initiated by other state or federal agencies having jurisdiction over related matters.
7. Respondent and the Department recognize there is risk and expense inherent in any litigation. Thus, the parties agree to enter into this compromise and settlement to avoid incurring any further cost and expense arising as a result of this dispute. Respondent and the Department each do not waive and each expressly reserves all of its rights in any future proceeding against it.
8. The Department does not by entering into this Agreement concede that its factual basis for initiating this Action, and violations found based upon those facts, are not true and accurate. Respondent, without admitting the truth of said factual averments and having previously contested the alleged violations in informal discussions with representatives of the Department, voluntarily waives its right to a formal evidentiary hearing to contest such factual averments. By entering into this agreement, Respondent does not admit or consent to the truth of the factual averments set forth in the Notice. The Department and Respondent are avoiding further contention, including litigation of this matter, through settlement of this Action by this Agreement.

NO ADMISSION.

9. This Agreement and any proceedings taken hereunder are not intended and shall not in any event be construed as, or deemed to be, an admission or concession or evidence of any liability or any wrongdoing whatsoever on the part of any party. The parties hereto specifically disclaim and deny any liability or wrongdoing whatsoever with respect to the

allegations and claims asserted against them in this action and enter into this Agreement solely to avoid the further expense, inconvenience, burden and uncertainty of litigation.

NON-ADMISSIBILITY.

10. These settlement negotiations have been undertaken by the parties in good faith and for settlement purposes only, and neither this Agreement nor any evidence of negotiations hereunder, shall be offered or received in evidence in this Action, or any other action or proceeding, for any purpose other than in an action or proceeding to enforce the terms of this Agreement.

HEARING WAIVER

11. Respondent hereby agrees to waive its right to a hearing and its opportunity to appeal or contest this Agreement. Respondent enters into this Agreement freely and voluntarily.

NOTICE

12. Unless otherwise specified, reports, notice, or other submissions required under this Agreement shall be in writing and shall be sent to:

For the Oklahoma Department of Agriculture, Food, and Forestry:

James W. Rucker
Deputy General Counsel
2800 N. Lincoln Blvd.
Oklahoma City, OK 73105-4298

For Robinson 15K Farm:

Richard Robinson
PO Box 917
Holdenville, OK 74848

MISCELLANEOUS

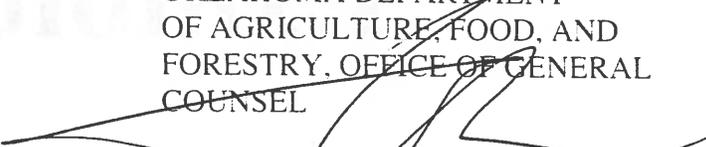
13. This Agreement may be amended only by mutual agreement of the Department and Respondent. Such amendments shall be in writing, shall have as their effective date the date on which they are signed by both parties, and shall be incorporated into this agreement.
14. The undersigned representative of the Office of General Counsel, Oklahoma Department of Agriculture, Food, and Forestry agrees to propose and recommend this Agreement to the State Board of Agriculture (the "Board"). Furthermore, Respondent understands that the Office of General Counsel Representative neither possesses the legal power to bind the Board nor can the Office of General Counsel Representative promise acceptance of

this Agreement by the Board. Respondent understands that it may attend the meeting of the Board but is not required to do so.

15. Payment for the administrative penalty shall be presented upon the execution of this Agreement. Such payment will be tendered upon acceptance of this Agreement by the Board at its next regularly scheduled public meeting.
16. In the event the Board accepts this Agreement, Respondent shall receive a copy of the Approval. Compliance with this Agreement shall constitute full and complete settlement.
17. In the event the Board does not approve this Agreement, then Respondent or the Department is free to make a counterproposal for the Board's consideration, or the Parties may choose to go through a formal administrative hearing on the above charges, and the recitations herein will be held for naught and are inadmissible in any future proceedings.
18. No breach of any provision of this Agreement can be waived by any undersigned party unless in writing. Waiver of any one breach by an undersigned party shall not be deemed to be a waiver of any other breach of the same or any other provision of this Agreement.
19. This Agreement shall be governed by the laws of the State of Oklahoma.

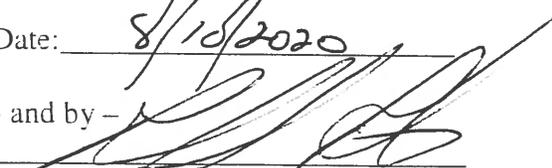
Executed by the Parties on the dates set forth below:

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


James W. Rucker, Deputy General Counsel
2800 N. Lincoln Blvd.
Oklahoma City, OK 73105-4298
Telephone: (405) 522-5997

COMPLAINANT

Date: 8/10/2020

- and by - 

Richard Robinson
Robinson 15K Farm
PO Box 917
Holdenville, OK 74848
(405) 379-3169

RESPONDENT

Date: 7-27-20

Exhibit A

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.)

EDDIE AND RICHARD ROBINSON)
ROBINSON 15K FARM)
PO BOX 917)
HOLDENVILLE, OK 74848)

RESPONDENT.)

Case No: OGC: 19-823

FILED
JAN 06 2019
STATE BOARD OF AGRICULTURE

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 Thursday, March 5, 2020** 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 swine feeding operation (SFO) under the name Houston Contracting Farm, with a primary business address at 10000 E. Yost Rd, Glencoe, 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. § 20- 7:

E. For transfer of a license to a new owner or operator, the following conditions shall be met:

(2) (c) failure of the new owner or operator to meet any other conditions or requirements for compliance established by the Department pursuant to the Oklahoma Swine Feeding Operations Act and rules promulgated pursuant thereto,

OAC 35:17-3-10:

In addition to the provisions of the Act, transfer of a license to a new owner or lessee shall meet the following conditions:

- (1) Upon approval of the transfer of a license, the transferee shall provide to the Department within thirty (30) calendar days, a notarized statement and other proof of ownership or occupancy as the Department requires;

ALLEGATIONS OF FACT

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

- (1) On September 25, 2018 ODAFF AEMS Division approved the transfer from DBJ Swine, Inc. to Robinson 15K Farms with compliance items.
- (2) An email was received from Richard Robinson on September 24, 2018 with an updated NMP.
- (3) The Compliance issues were not fully addressed and AEMS responded with comments on February 7, 2019.
- (4) AEMS emailed Nathan Pesta, P.E. with DeHaan, Grabs & Associates, LLC on June 20, 2019 to follow up on the comments addressed in the February 7, 2019 communication. Nathan Pesta responded that day telling AEMS that the comments/documents were “lost in the shuffle” and that they would get with the facility to get it “cleared up”.
- (5) AEMS emailed Nathan Pesta again on September 13, 2019 inquiring about any update on the progress on the response to the comments.
- (6) As of September 27, 2019 AEMS had not received a response. The original compliance items had not been addressed. A Letter of Warning was issued.

ALLEGED CONCLUSIONS OF LAW

18. Based upon the application of the above law to the aforementioned facts, Respondent has violated:

- (1) Okla. Stat. Ann. 2 § 20-7(E)(2)(c) and OAC 35:17-3-10 by failing to information to the Department as required and as requested.

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.

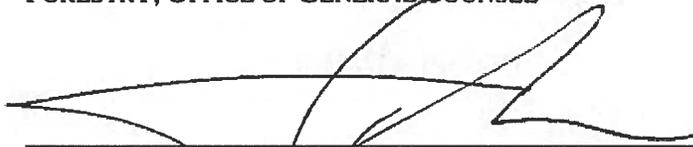
STIPULATION

31. If Respondent desires to resolve this matter without a hearing or further action, Complainant proposes an administrative penalty of One Thousand Dollars (\$1,000.00).

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.

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



Teena G. Gunter, General Counsel, OBA # 17767

James W. Rucker, Deputy General Counsel OBA #14574

Wendi K. Morse, OBA #33571

Kambi S. Maddy, OBA #13873

Shelby L. Rice, OBA #34010

Assistant General Counsel

2800 N. Lincoln Blvd.

Oklahoma City, OK 73105-4298

Telephone: (405) 522-5997

Facsimile: (405) 522-5789

**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: 19-823

**EDDIE AND RICHARD ROBINSON)
ROBINSON 15K FARM)
PO BOX 917)
HOLDENVILLE, OK 74848)**

RESPONDENT.)

STIPULATION

Respondent accepts and stipulates to the proposed administrative penalty or fine of One Thousand Dollars (\$1,000.00) for this action and has accordingly signed this Resolution by Stipulation and returned same along with a check or money order in full payment of the proposed penalty or fine to: Office of General Counsel, Oklahoma Department of Agriculture, Food, and Forestry, 2800 N. Lincoln Blvd., Oklahoma City, OK 73105-4298.

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

RESPONDENT:

Signature

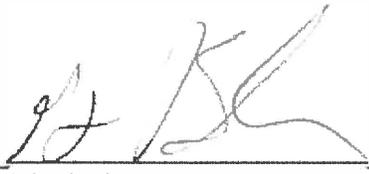
Printed Name and Title:

Date: _____

CERTIFICATE OF MAILING

This is to certify that on this 6 day of Jan, 2020, a true and correct copy of the forgoing instrument was mailed, via Certified Mail, Return Receipt Requested, as follows:

**EDDIE AND RICHARD ROBINSON
ROBINSON 15K FARM
PO BOX 917 HOLDENVILLE, OK 74848**



Gina Blaylock

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

CHAPTER 40. MARKET DEVELOPMENT

**SUBCHAPTER 5. AGRICULTURE ENHANCEMENT AND DIVERSIFICATION
PROGRAM**

PART 11. TERMS OF LOANS OR GRANTS

35:40-5-111. Terms of loans or grants

(a) Loan funds shall be provided at zero interest 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 Department to convert the balance from a loan to a grant. Petitions recommended for approval 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 in amounts up to but not exceeding ~~\$10,000~~ \$50,000.

(1) Grants awarded for less than \$2,500 shall not be required to provide matching funds.

(2) Grants awarded for \$2,501 to \$5,000 shall require a matching contribution of funds or in-kind.

(3) Grants awarded in excess of \$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~~ \$50,000.

(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~~ \$50,000 shall have supporting documents projecting an economic impact of more than \$75,000.

the 1990s, the number of people in the UK who are aged 65 and over has increased from 10.5 million to 13.5 million (15.5% of the population).

There is a growing awareness of the need to address the needs of older people, and the Government has set out a strategy for doing so in the White Paper on *Ageing Better: A Strategy for Meeting the Needs of Older People* (Department of Health 2000). This paper sets out the following objectives:

- to improve the health and well-being of older people;
- to improve the opportunities for older people to live independently and to participate in society;
- to improve the opportunities for older people to live in their own homes and communities;
- to improve the opportunities for older people to live in secure and comfortable accommodation.

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RULE IMPACT STATEMENT

TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY CHAPTER 40. MARKET DEVELOPMENT

- (A) **PURPOSE OF THE PROPOSED RULE:**
The proposed emergency rule amends the Agricultural Enhancement and Diversification Program to allow grants of up to \$50,000, rather than the existing \$10,000. Due to the extraordinary circumstances of COVID-19, many livestock and other agricultural shows and events are required to move to new venues to ensure the health and safety of their participants. Oklahoma is one of those venues that the events and shows can move to safely. However, in order to increase funding to bring the shows and events to Oklahoma, the current limit of \$10,000 is insufficient and must be increased to \$50,000. If Oklahoma is unable to bring in the shows and events, the state will lose a significant source of economic impact. As a result, in order to avoid serious prejudice to the public interest, the emergency rules should be approved.
- (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 emergency rule amendment primarily affects those persons participating in agriculture and livestock shows and events in Oklahoma.
- (C) **PERSONS WHO WILL BENEFIT FROM THE PROPOSED RULE:**
Persons who participate in agriculture and livestock shows and events shall benefit from the proposed emergency rules.
- (D) **DESCRIPTION OF THE PROBABLE IMPACT OF THE PROPOSED RULE UPON AFFECTED CLASSES OF PERSONS:**
Grant amounts will be increased to ensure grants and shows are able to locate to Oklahoma.
- (E) **PROBABLE COST AND BENEFITS TO AGENCY; SOURCE OF REVENUE FOR IMPLEMENTATION AND ENFORCEMENT OF THE PROPOSED RULE:**
There is no increased cost to the agency.
- (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 economic effect on any political subdivision is anticipated by the proposed emergency 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:**
No adverse impacts on small businesses are anticipated.

(H) **DETERMINATION OF WHETHER THERE ARE LESS COSTLY METHODS OR NON-REGULATORY METHODS FOR ACHIEVING THE PURPOSE OF THE PROPOSED RULE:**

No less costly or non-regulatory method is available.

(I) **DETERMINATION OF THE EFFECT OF THE PROPOSED RULE ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT:**

No effect on the public health, safety and environment will occur.

(J) **DETERMINATION OF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT:**

No detrimental effect upon the public health, safety, or environment is anticipated with the implementation of the proposed emergency rule amendments.

(K) **DATE RULE IMPACT STATEMENT WAS PREPARED:**

September 30, 2020.