35:40-5-1. Definitions
The following words or terms, when used in this Subchapter, shall have the following meaning, unless the context clearly indicates otherwise:

"Agricultural product" means a product of cultivating the soil, growing crops, or raising livestock, horticultural commodity, silvicultural commodity, or agricultural product, horticultural product, viticulture, or silvicultural product, or bees and honey, planting seed, rice, livestock or livestock product, or poultry or poultry product, produced in this state, either in its natural state or as processed by the producer.

"Agricultural producer" means a person engaged in the business of cultivating, growing, raising, or processing for commercial purposes an agricultural commodity.

"Agritourism" means a working farm or ranch that is open to the public for purposes of purchasing products, public learning opportunities, recreational activities and stimulate economic growth and viability in rural communities by promoting and fostering agritourism ventures in Oklahoma.

"Applicant" means a person who is requesting loans or grants from the Oklahoma Agriculture Enhancement and Diversification Program.

"Application" means a form provided by the Department, that is used to request funds in the form of a loan or grant.

"Board" means the State Board of Agriculture or its designee.

"Borrower" means an individual, group of individuals, or an individual acting on behalf of a group or a corporation, which have been lent funds, as a loan.

"Contract" means a signed agreement between the State Board of Agriculture and the borrower or grantee outlining the terms and conditions of the loan or grant, including repayment schedules and other guidelines.

"Cooperative" means a group of individuals working together, who have an informal or formal agreement.

"Family farm" means a single family unit or multiple family members of the same lineage engaged in the business of producing or causing to be produced for commercial purposes an agriculture commodity.

"Grant" means funds awarded to an entity by the State Board of Agriculture, with no reimbursement required.

"Grantee" means an individual, group of individuals, or an individual acting on behalf of a group or a corporation that has been awarded funds as a grant.

"Loan" means funds provided by the State Board of Agriculture. Terms and conditions of the loan shall be outlined in a contract between the State Board of Agriculture and the borrower.
"Nontraditional crops" "nontraditional livestock" means any crops, livestock or agricultural products except wheat, corn, soybeans, milo, peanuts, cotton, hay, oats, beef cattle, dairy cattle, swine, poultry, and equine.

"Proposal" means a portion of the application that includes the executive summary, project narrative, list of funding sources and a breakdown of planned expenditures by those sources and the project budget.

"Veteran farmer" means an individual who served in the United States Army, Navy, Marine Corps, Air Force, or Coast Guard, including the reserve components thereof, and who was discharged or released under conditions other than dishonorable.

"Young farmer" means an individual under forty-five (45) years of age.

PART 3. APPLICANT ELIGIBILITY

35:40-5-31. Applicant eligibility
(a) An Applicant shall be individual person of at least twenty-one (21) years of age and a legal resident of the state of Oklahoma, Oklahoma corporation or legal entity, or Oklahoma governmental subdivision.
(b) Eligibility may be given to those applicants whose:
   (1) Projects demonstrate a shared commitment for funding or in kind services from the applicant and other private or public sources, if any;
   (2) Industrial and nonfood production processes utilize agricultural products;
   (3) Food, feed, and fiber products and their uses are innovative and add to the value of agricultural products;
   (4) Applications demonstrate a high feasibility of job creation and return-on-investments;
   (5) Proposals demonstrate a high feasibility of rapid commercialization;
   (6) Proposals center efforts on non-urban locales;
   (7) Principals are individuals, a group of individuals, an individual acting on behalf of a group, or corporations which meet the criteria set forth in Section 951 of Title 18 of the Oklahoma Statutes, to market a product or formulate or implement a marketing plan for agricultural products which have not been marketed through existing marketing cooperatives produced or processed in Oklahoma;
   (8) Proposals contain the potential to create additional income for the farm unit;
   (9) Proposals provide for new and innovative plans for marketing the product;
   (10) Proposals feature research that is innovative as well as commercially feasible; or
   (11) Proposals shall result in creation create or expansion of expand viable agritourism venues.
(c) Eligibility may be given for new agricultural event applicants that:
   (1) Highlight an agricultural commodity;
   (2) Include an educational component;
   (3) Enhance the economic impact of the agricultural commodity;
   (4) Impact a large geographic region of the state; and
   (5) Are endorsed by a governmental subdivision or local Chamber of Commerce.
(d) Eligibility may be given for an established agricultural event applicants that:
   (1) Enhance the economic impact of an agricultural commodity;
   (2) Include an educational component;
   (3) Include proposals to increase participation and attendance;
(4) Are endorsed by a governmental subdivision or local Chamber of Commerce; and
(5) Provide supporting documents demonstrating the economic impact of prior agricultural events.

(e) Consideration shall not be given to applications for:
(1) Research or marketing plans which do not clearly meet the stated objectives of the Oklahoma Agriculture Enhancement and Diversification Program;
(2) Proposals which are aimed solely at business expansion or creation without regard to agricultural products utilization; and
(3) Research or marketing plans that cannot reasonably be expected to result in a viable commercial application, or that are or have been duplicated by other research efforts; or
(4) Proposals for growing or any other aspect of medical marijuana.

PART 5. EVALUATION AND FUNDING CRITERIA

35:40-5-51. Evaluation and funding criteria
(a) The Department shall evaluate each proposal.
(b) Each application evaluation shall be based on the following criteria:
   (1) An evaluation of the likelihood of the proposal's success.
   (2) Demonstration of a high probability of job and wealth creation.
   (3) A review of credibility, merit, technical, and commercial feasibility; innovative and commercially plausible research; and relative competence and technical qualifications of project principals.
   (4) Demonstration that the proposal can be implemented quickly and has a high probability of rapid commercialization.
   (5) Demonstration of a shared commitment for funding from other private or public sources or the applicant in the form of cash, in-kind services, or both. Indirect costs may qualify for matching funds. Preference shall be given to the applications with shared cash funding however, disbursement of funds shall be contingent on the production of evidence that matching funds have been allocated to the proposal.
   (6) Centering of efforts on non-urban or rural locales except when the proposal requires specific research that cannot possibly be carried out in rural Oklahoma, consideration shall be given to the ultimate development and commercialization of the results of the proposal, with the same rural preference.
(c) Each application evaluation for new or established agricultural events shall be based on the following criteria:
   (1) The completeness of the application;
   (2) The likelihood of success;
   (3) Level of economic impact of the agricultural event;
   (4) A review of educational component;
   (5) The impact to Oklahoma agriculture;
   (6) The size of geographic region of the state impacted;
   (7) The use of grant funds; and
   (8) Endorsements by governmental subdivisions, local Chambers of Commerce, and other community organizations.
(d) The Department shall not consider any portion of an application requesting funding for the purchase of real property, live animals, or motorized vehicles including, but not limited to, automobiles, sport utility vehicles, all-terrain vehicles, and utility terrain vehicles.

PART 11. TERMS OF LOANS OR AND GRANTS

35:40-5-111. Terms of loans or and 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 Value-Added Agriculture, Farm Diversification, agritourism venue development and expansion, and Basic Product Development and Applied Research projects may be awarded in amounts up to but not exceeding $10,000.
(1) Grants awarded for less than in the amount of $2,500 or less shall not be required to provide matching funds.
(2) Grants awarded for $2,501 to $5,000 shall require a fifty percent (50%) matching contribution of funds or in-kind.
(3) Grants awarded in excess the amount of $5,001 or more 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 $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 $50,000 shall have supporting documents projecting an economic impact of more than $75,000.

PART 13. MARKETING AND UTILIZATION LOANS [REVOKED]

35:40-5-131. Marketing and utilization loans [REVOKED]
A marketing and utilization loan may be used to assist in the development or implementation of sound domestic or foreign marketing plans for Oklahoma agricultural products, by-products, agritourism venues, or new or better uses for existing agricultural products by the financing of marketing feasibility studies, business plans, and test marketing,
(1) Proposals shall encourage the creation of jobs and industry within the agricultural sector of the state.
(2) Applicants shall encourage the use of funds to seek new markets and marketing ideas, both domestically and internationally.
PART 15. COOPERATIVE MARKETING VALUE-ADDED AGRICULTURE LOANS AND GRANTS

35:40-5-151. Cooperative marketing Value-added agriculture loans and grants

Cooperative marketing loans or Value-added agriculture loans and grants are to be available to entities or individuals wishing to work together to develop or establish production, processing or marketing of agricultural products and to establish or expand agritourism ventures. The purpose of this category is to provide funding for promoting productivity, providing added value to agricultural products, stimulating and fostering agricultural diversification, and encouraging processing innovations. Proposals for a value-added agriculture loan or grant shall:

1) Preference shall be given to principals who are individuals rather than existing corporations. Demonstrate ability to produce a viable product and include completed research relating to product development, recipe scaling, packaging, and ingredient sourcing;
2) Proof of a cooperative agreement, either formal or informal, shall be provided to the Advisory Board. Show a feasible marketing plan that includes profitability and sales outlets; and
3) Proposals should provide an outlet for products normally not marketed through existing marketing cooperatives.
4) A well-researched, feasible marketing plan for the specific crop, livestock, or on-farm, value-added processing shall be included in the proposal. Include a description of how production will create jobs and enhance the community.

PART 17. FARM DIVERSIFICATION GRANTS

35:40-5-171. Farm diversification grants

Farm diversification grants are to be used for projects dealing with the diversification of family farms or ranches or agritourism venues, to nontraditional crops, nontraditional livestock, on-farm, value-added processing of agricultural commodities, or development of an agritourism venue that will promote access to a new market. Proposals for a farm diversification grant shall be evaluated as follows:

1) Proposals shall have the potential to create additional income for the farm unit; and
2) Proposals shall demonstrate a well-researched plan for production and marketing which includes exploration and research of possible markets for the product and probable income; and
3) Proposals shall contain new and innovative plans for marketing the product.

PART 18. BASIC AND APPLIED PRODUCT DEVELOPMENT AND RESEARCH LOANS OR GRANTS

35:40-5-181. Basic and applied Product development and research loans or grants

Business creation, expansion, or research which shall likely lead to a marketable product shall include but is not limited to Product development and research grants and loans shall be used to create or expand agricultural business through research including, but not limited to,
feasibility studies, test marketing costs, and product development. Proposals for a product
development and research loan or grant shall:
  (1) Focused research which enhances the value of an agricultural product or by-product;
  Show there is no similar research on the proposed product; and
  (2) Feasibility studies; Demonstrate how the proposed research will lead to a marketable
  product
  (3) — Product development costs;
  (4) — Projects that are driven by an entrepreneur or the industry and
  (5) — Agritourism.

PART 23. AGRICULTURE EVENT GRANTS

35:40-5-221. Agriculture event grants
(a) Agriculture event grants shall be for the purpose of creating used to create a new agricultural
event, highlighting that highlights an agricultural commodity, expanding product or expands the
economic benefits benefit of an established agricultural event, increasing agricultural
productivity and participation, or enhancing economic impact of the event on local or regional
ecommerce.
(b) An agricultural event grant shall include an Proposals for an agriculture event grant shall:
  (1) Illustrate the educational component of the event; and
  (2) Demonstrate the economic impact of the event.

PART 25. VETERAN OR YOUNG FARMER LOANS AND GRANTS

35:40-5-231. Veteran or young farmer loans and grants
Veteran or young farmer loans and grants shall be for a veteran or young farmer who is
engaged in the creation or expansion of an agricultural business. Proposals for a veteran or
young farmer loan or grant shall:
  (1) Demonstrate financial need of the veteran or young farmer; and
  (2) Provide a strong business plan which includes a minimum of five (5) years projected
productivity and income.

SUBCHAPTER 23. MADE IN OKLAHOMA

35:40-23-4. Product eligibility
(a) Products eligible to use the Made in Oklahoma logo shall:
  (1) Be processed or manufactured in an Oklahoma facility;
  (2) Meet or exceed all federal and State of Oklahoma standards and regulations; and
  (3) Include an Oklahoma address on each label.
(b) Products produced, sold, or resold pursuant to the provisions of Section 5-4.1 et seq. of Title
2 of the Oklahoma Statutes shall not be eligible to use the Made in Oklahoma logo.