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DEPARTMENT OF AGRICULTURE

FILING CAPTION: Amending Commercial Feed Rules, Updating AAFCO Reference, and Adopting Enforcement Framework

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RULES:
603-058-0110, 603-058-0115, 603-058-0116, 603-058-0117, 603-058-0120, 603-058-0250, 603-058-0300

AMEND: 603-058-0110

NOTICE FILED DATE: 11/26/2025

RULE SUMMARY: Update and add definitions for terms utilized in regulations.

CHANGES TO RULE:

603-058-0110
Definitions ¶

In addition to the definitions set forth in ORS 633.006, and unless the context requires otherwise, the following shall apply to ORS 633.015 to 633.089 and OAR 603-058-0110 to 603-058-0290:¶
(1) "~~Medicated Feed" means a commercial feed in combination with a drug, as defined in subsection (10) of ORS 633.006.¶~~
~~(2) "Director" means the Director of the Oregon Department of Agriculture~~AAFCO Official Publication" means the 2025 edition of the Official Publication of the Association of American Feed Control Officials (AAFCO).¶
(~~3~~2) "Consultant-~~F~~formulated" feed means commercial feed manufactured for a final purchaser based upon formula and/or specifications developed ~~for the feed purchaser~~ by an independent consultant or feed manufacturer.¶
(3) "Director" means the Director of the Oregon Department of Agriculture.¶
(4) "Independent consultant" means any person who provides animal nutritional formulation to a feed purchaser as a service rather than the sale of feed.¶
(5) ~~Principal Display Panel means the out-facing side of the feed tag, or if no tag, the part of the label that is most likely to be displayed, presented, shown or examined under normal or customary conditions of sale~~"Labeling" means all labels and other written or graphic materials in print or electronic form,¶
(a) Upon a product or any of its containers for wrappers, or¶
(b) Accompanying or promoting such product.¶
(6) "Lot identifier" means a unique identifier for each lot, batch or production run that enables the manufacturer to accurately trace the complete manufacturing and distribution history of the product. A lot identifier is an individual lot, batch or production run number, code, date, or other suitable identification applied to the label,

container, or package. In the case of bulk feed the lot identifier is on a label, invoice, or shipping document accompanying the feed.¶
(7) "Medicated feed" means a commercial feed in combination with a drug as defined in subsection (10) of ORS 633.006.¶
(8) "Principal display panel" means the out-facing side of the feed tag, or if no tag, the part of the label that is most likely to be displayed, presented, shown or examined under normal or customary conditions of sale.¶
(9) "Product" means an item readily distinguishable from any other item by its content, formula, formulation, brand name, trade name, manufacturer, use as specified in labeling, or other distinction, but not including packaging size or quantity.¶
(10) "Repeat violation" means the same or similar violation by a person for which the Department has pursued an enforcement action, including alternative enforcement actions such as a letter of advisement, within the past five years, including a violation which is the subject of a pending appeal, but not including a violation addressed in an order that has been withdrawn or successfully appealed. Without limiting the foregoing, a person's failure to register a commercial feed product after receiving a letter of advisement regarding nonregistration of a different commercial feed product, or a person's sale of an unregistered product after receiving a letter of advisement regarding the sale of a different unregistered product, shall be considered a repeat violation.
Statutory/Other Authority: ORS 633.006-089, 633.992, 561.605, 561.620
Statutes/Other Implemented:

AMEND: 603-058-0115

NOTICE FILED DATE: 11/26/2025

RULE SUMMARY: Utilize AAFCO Official Publication definition, update CFR reference, adopt 5 state-approved ingredients.

CHANGES TO RULE:

603-058-0115
Ingredient Names
(1) For the purposes of ORS 633.006 to 633.089 ~~&~~, 633.992, and OAR 603-058-110 to 603-058-290, when required on the label, the ingredient names shall be the common or usual name. It shall accurately identify or describe, in as simple and direct terms as possible, the basic nature of the ingredient or its characterizing properties. The name shall be uniform among all identical or similar ingredients and may not be confusingly similar to the name of any other ingredient that is not reasonably encompassed within the same name. Each ingredient shall be given its own common or usual name that states, in clear terms, what it is in a way that distinguishes it from other ingredients. Common or usual names shall be:¶
(~~1~~a) As listed in chapter 6 of the ~~2024 edition of the~~AAFCO Official Publication ~~of the Association of American Feed Control Officials (AAFCO), or~~;¶
(~~2~~b) As listed in the Code of Federal Regulations, Title 21 ~~effective as of the date these rules are promulgated,~~(January 1, 2025 edition); or¶
(~~3~~c) Common foods marketed prior to 1958 which are commercially available and suitable for use in animal food but are not defined by OAR 603-058-0116 (1), including but not limited to certain whole seeds, vegetables, or fruits. Common food for animals may include common human foods that are known to be safe for the intended use in animal food.¶
(4~~2~~) The following ingredients are approved for use in Oregon in the specified species, under the specified limitations. If listed, the specified precautionary statements must be listed on the label according to OAR 603-011-0170.¶
(a) 3-nitrooxypropanol¶
(A) Common/alternative names: Bovaer¶
(B) Approved Species: Lactating dairy cows¶
(b) ~~Chondroitin Sulphate¶~~
~~(A) Common/alternate names: Chondroitin¶~~
~~(B) Approved Species: Horses not intended for food¶~~
(~~c~~Bromoform (CHBr3)¶
(A) Common/alternative names: tribromomethane, trimethylbromide¶
(B) Approved Species: Ruminating beef cattle and non-lactating dairy cattle¶
(C) Limitations: Not to exceed 20ppm in diets to not exceed 0.4mg per kg of body weight per day.¶
(c) Butyrivibrio fibrisolvens ASCUSDY19 Fermentation Product¶
(A) Common/alternative names: Dried Butyrivibrio fibrisolvens ASCUSDY19 Fermentation Product¶
(B) Approved Species: Lactating dairy cows¶
(d) Chondroitin Sulphate¶
(A) Common/alternate names: Chondroitin¶
(B) Approved Species: Horses not intended for food¶
(e) Clostridium beijerinckii ASCUSDY20 Fermentation Product¶
(A) Common/alternative names: Dried Clostridium beijerinckii ASCUSDY20 Fermentation Product¶
(B) Approved Species: Lactating dairy cows¶
(f) Collagen hydrolysate¶
(A) Common/alternate names: Hydrolyzed collagen¶
(B) Approved Species: Horses not intended for food¶
(C) Limitations: Must not contain Specified Risk Materials (SRMs).¶
(~~d~~g) Glucosamine sulphate¶
(A) Common/alternate names: 2-Amino-2-deoxy-D-glucose sulfate¶
(B) Approved Species: Horses not intended for food¶
(C) Precautionary Statement: Do not use in pregnant or lactating animals¶
(~~e~~h) Methyl sulfonyl methane¶
(A) Common/alternate names: Dimethyl sulfone, MSM, Sulfonylbismethane¶
(B) Approved Species: Horses not intended for food¶
(~~f~~i) Pichia kudriavzevii ASCUSDY21 Fermentation Product¶

(A) Common/alternative names: Dried Pichia kudriavzevii ASCUSDY20 Fermentation Product¶
(B) Approved Species: Lactating dairy cows¶
(j) Ruminococcus bovis ASCUSDY21 Fermentation Product¶
(A) Common/alternative names: Dried Ruminococcus bovis ASCUSDY20 Fermentation Product¶
(B) Approved Species: Lactating dairy cows¶
(k) Sodium hyaluronate¶
(A) Common/alternate names: Hyaluronic acid¶
(B) Approved Species: Horses not intended for food¶
(C) Precautionary Statement: Must not contain Specified Risk Materials (SRMs)
Statutory/Other Authority: 663.055
Statutes/Other Implemented: ORS 633.006-089, 633.992, 561.605, 561.620, ORS 663.067

AMEND: 603-058-0116

NOTICE FILED DATE: 11/26/2025

RULE SUMMARY: Utilize AAFCO Official Publication definition, update CFR reference.

CHANGES TO RULE:

603-058-0116
Ingredient Definitions
For the purposes of ORS 633.006 to 633.089 ~~&~~, 633.992, and OAR 603-058-110 to 603-058-290, when required to conform with an ingredient definition, the following definitions shall be used:¶
(1) As listed in chapter 6 of the ~~2024 edition of the~~AAFCO Official Publication ~~of the Association of American Feed Control Officials (AAFCO), or;~~¶
(2) As listed in the Code of Federal Regulations, Title 21 ~~effective as of the date these rules are promulgated,~~(January 1, 2025 edition); or¶
(3) An ingredient name and definition designated by the Department in OAR 603-058-0115.
Statutory/Other Authority: ORS 663.067, 633.055
Statutes/Other Implemented: ORS 633.006-089, 633.992, 561.605, 561.620

AMEND: 603-058-0117

NOTICE FILED DATE: 11/26/2025

RULE SUMMARY: Utilize AAFCO Official Publication definition.

CHANGES TO RULE:

603-058-0117
Feed Terms
For the purposes of ORS 633.006 to 633.089 ~~&~~, 633.992, and OAR 603-058-110 to 603-058-290 the feed terms used in reference to commercial feed ingredients shall be those found in chapter 6 of the ~~2024 edition of the~~AAFCO Official Publication ~~of the Association of American Feed Control Officials (AAFCO)~~.
Statutory/Other Authority: ORS 663.067, 633.055
Statutes/Other Implemented: ORS 633.006-~~.~~089, 633.992, 561.605, 561.620

AMEND: 603-058-0120

NOTICE FILED DATE: 11/26/2025

RULE SUMMARY: Provide exemption for Animal Drugs and Veterinary Biologics regulated by FDA and USDA from feed labeling requirements if those products meet federal labeling requirements.

CHANGES TO RULE:

603-058-0120
Label Format for Commercial Feeds ¶

(1) Commercial feed, other than custom mixed feed or those exempt under OAR 603-058-0120(3), shall bear the information prescribed in this regulation on the label of the product and in the following format:¶
(a) Product name and brand name, if any, as stipulated in OAR 603-058-0130(1);¶
(b) If a drug is used, label as stipulated in OAR 603-058-0130(2);¶
(c) Purpose statement as stipulated in OAR 603-058-0130(3);¶
(d) Guaranteed analysis as stipulated in OAR 603-058-0130(4);¶
(e) Feed ingredients as stipulated in OAR 603-058-0130(5);¶
(f) Directions for use and precautionary statements as stipulated in OAR 603-058-0130(6);¶
(g) Name and principal mailing address of manufacturer or persons responsible for distributing the feed as stipulated in OAR 603-058-0130(7);¶
(h) Quantity statement as stipulated in OAR 603-058-0130(8);¶
(i) Lot Number as stipulated in OAR 603-058-0130(9).¶
(2) Principal Display Panel:¶
(a) The information as required in OAR 603-058-0120(1)(a), (b), (c) and (h) must appear in its entirety on the principal display panel;¶
(b) The information as required in OAR 603-058-0120(1)(d), (e), (f), (g) and (i) shall be displayed in a prominent place on the feed tag or label, but not necessarily on the principal display panel;¶
(c) None of the information required by OAR 603-058-0120 shall be subordinated or obscured by other statements or designs.¶
(3) The following commercial feed products are exempt from the label requirements specified under this rule:¶
(a) Veterinary biologics regulated under the Federal Virus-Serum-Toxin Act and labelled in accordance with 9 CFR Part 112 (January 1, 2025 edition); and¶
(b) Animal drugs regulated under the Federal Food, Drug, and Cosmetic Act and labelled in accordance with 21 CFR Part 500 (January 1, 2025 edition).
Statutory/Other Authority: ORS 663.067
Statutes/Other Implemented: ORS 633.006-089, 633.992, 561.605, 561.620

AMEND: 603-058-0250

NOTICE FILED DATE: 11/26/2025

RULE SUMMARY: Include explicit requirement to register products annually with information required as part of registration.

CHANGES TO RULE:

603-058-0250
~~Feed Product~~ Registration and Fees ¶

~~The annual registration fee for each formula, product or formulation of commercial feed under each brand shall be $40, which fee is payable at the time an application for registration is made to~~(1) Each commercial feed product manufactured, compounded, delivered, distributed, or exposed for sale in this state must be registered annually using a form provided by the department, and including the following information in addition to any other information requested by the Department:¶
(a) The complete product name as it appears on the product labeling including, if applicable, the unique brand, formulation, and/or concentration of the product.¶
(b) Each Universal Product Code (UPC) displayed on labeling. If multiple UPCs are utilized by a single product, a description of distinguishing factors (distributor, package size, etc) between each UPC must also be included.¶
(c) The complete product label bearing all information required in ORS 633.026, OAR 603-058-0120 and 603-058-0130¶
(d) For products exempt from labeling requirements under OAR 603-058-120(3), in addition to whatever additional documents the~~a~~t Department~~. A firm must hold a manufacturing license or non-manufacturing license~~ requests to verify compliance with applicable labeling requirements, a copy of the product license issued by the US Food and Drug Administration or the US Department of Agriculture.¶
(2) The annual registration fee for each commercial feed product is $40.¶
(3) A firm must hold a license issued under ORS 633.029 to register feed products.
Statutory/Other Authority: ORS 633.006-089, 633.992, 561.605, 561.620
Statutes/Other Implemented: ORS 633.006-089

ADOPT: 603-058-0300

NOTICE FILED DATE: 11/26/2025

RULE SUMMARY: Adopt civil enforcement framework inline with 2025 SB 832.

CHANGES TO RULE:

603-058-0300
Enforcement Guidelines
(1) The Department may use alternative enforcement actions in addition to, or instead of, assessing a civil penalty. Alternative enforcement actions may include but are not limited to: a letter of advisement; a notice of violation; a withdrawal from distribution order; and license/registration revocation, suspension or denial.¶
(2) In addition to any other penalty provided by law, the Director may assess civil penalties for commission of acts prohibited by ORS 633.006 to 633.089, OAR 603-058-0110 to 603-058-0290, or any order issued under those authorities. Civil penalties will be assessed in accordance with the magnitude of the violation. Prohibited acts are categorized by magnitude of violation as follows:¶
(a) Category 1: In addition to taking any alternative enforcement action deemed necessary to protect the public interest, the Department will issue a civil penalty for a Category 1 violation. Category 1 violations include:¶
(A) Registering or attempting to register any product using fraudulent or deceptive practices in an effort to evade or attempt to evade the requirement of ORS 633.006 to 633.089 or rules adopted there-under;¶
(B) Submitting false or fraudulent applications, records, invoices or reports; and¶
(C) Impeding, obstructing, hindering or otherwise preventing or attempting to prevent the Department from performing its duties under ORS 633.006-633.089.¶
(D) Selling, offering for sale, or distributing a commercial feed that is adulterated under ORS 633.045(1)-(2), 633.045(5)-(6), or OAR 603-058-0200(3)-(4).¶
(E) Selling, offering for sale, distributing, or otherwise disposing of a commercial feed subject to a written withdrawal from distribution order issued under ORS 633.088.¶
(b) Category 2: In addition to taking any alternative enforcement action deemed necessary to protect the public interest, the Department may issue a civil penalty for a Category 2 violation. Category 2 violations include:¶
(A) Operating an animal feed manufacturing plant, distributing commercial feeds other than at retail, distributing custom mixed feed, or repackaging or relabeling a commercial feed manufactured by another person without a license issued by the Department under ORS 633.029.¶
(B) Making any false or misleading representation in connection with the sale, offer for sale, or distribution of a commercial feed.¶
(C) Selling, offering for sale, or distributing a commercial feed that is misbranded under ORS 633.055.¶
(D) Selling, offering for sale, or distributing a commercial feed that is adulterated under ORS 633.045(3)-(4), 633.045(7), or OAR 603-058-0200(1)-(2).¶
(c) Category 3: Except for a repeat violation, for which the Department may immediately issue a civil penalty, prior to issuing a civil penalty for a Category 3 violation, the Department will take written alternative enforcement action and will allow a specified amount of time to take corrective action. Failure to complete the corrective action within the specified time period or repeat violations may result in the immediate issuance of a civil penalty. Category 3 violations include:¶
(A) Selling, offering for sale, or distributing a commercial feed product that is not registered with the Department under ORS 633.015.¶
(B) Failing, refusing, or neglecting to pay registration fees required under ORS 633.015.¶
(3)(a) Maximum civil penalties are not to exceed the following:¶
(A) Category 1¶
(i) First violation - $1,000,¶
(ii) Second violation - $3,000, and¶
(iii) Third or subsequent violations - $10,000.¶
(B) Category 2¶
(i) First violation - $500,¶
(ii) Second violation - $1,500, and¶
(iii) Third or subsequent violations - $5,000.¶
(C) Category 3¶
(i) First violation - $250,¶
(ii) Second violation - $750, and¶
(iii) Third or subsequent violations - $2,500.¶
(b) In determining whether a violation is first, second, or third violation, the Department will focus on the nature of

the actions and not the specific product involved, and may consider a subsequent failure to register a product or a subsequent sale of an unregistered product, even if a different product than involved in the earlier violation, a second or third violation. ¶

(4) Notwithstanding sections (2) and (3) of this rule, any violation that arises from gross negligence or willful misconduct and results in substantial harm to human health, animal health, or the environment may be subject to a civil penalty of not more than $10,000 for the initial violation or any subsequent violation. In the context of the acts prohibited in this section, "refusing" constitutes willful misconduct that is subject to a civil penalty of not more than $10,000 for the initial violation or any subsequent violation.

Statutory/Other Authority: SB 832 (2025)

Statutes/Other Implemented: ORS 633.006-089