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## **NOTICE OF PROPOSED RULEMAKING**

INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 603

**DEPARTMENT OF AGRICULTURE**

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**FILED: 06/29/2026 4:05 PM**

ARCHIVES DIVISION SECRETARY OF STATE

FILING CAPTION: Updates to Livestock ID Program (Brands) Rules

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 07/31/2026 5:00 PM

*The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.*

**CONTACT:**

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Salem, OR 97301

**Filed By:**

Sunny Summers  
Rules Coordinator

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**HEARING(S)**

*Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.*

DATE: 07/16/2026

TIME: 9:00 AM - 10:00 AM

OFFICER: Sunny Summers

**REMOTE HEARING DETAILS**

MEETING URL: [Click here to join the meeting](#)

PHONE NUMBER: 503-446-4951

CONFERENCE ID: 292724017032618

**SPECIAL INSTRUCTIONS:**

Meeting ID: 292 724 017 032 618

Passcode: Yp7w7jq7

Dial in by phone

+1 503-446-4951,,666925593#

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**NEED FOR THE RULE(S):**

The purpose of this rulemaking is to amend Oregon Administrative Rules (OAR) Chapter 603, Division 14 to address three areas of program administration relating to livestock identification and inspection services. First, we will codify the process for how new brands can be established in Oregon and define what constitutes a conflict with another similar brand or mark. Next, we will establish a Livestock Identification Program Advisory Committee that includes voices from across the livestock industry who can advise on their parts of the industry in Oregon and nationally. Finally, we will increase fees for sheep activations and renewals pursuant to Senate Bill 1019 (2025) to ensure that the program is generating revenue in all areas of the program requiring staff time and expertise.

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DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

Oregon Revised Statutes – OLIS website.

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STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE:

ODA does not anticipate a direct impact on racial equity as a result of the proposed fee increases to sheep activations and renewals. The fee adjustments apply uniformly to all sheep owners and brand holders and do not differentiate based on race, ethnicity, or other protected characteristics.

However, ODA acknowledges that access to land, capital, and participation in livestock production has historically been inequitable, with Black, Indigenous, and other people of color facing systemic barriers in agriculture. While these rule changes are intended to support the financial sustainability of Oregon's livestock identification program, even incremental increases in fees could disproportionately affect historically underserved producers operating with narrower profit margins.

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FISCAL AND ECONOMIC IMPACT:

Minimal fiscal impact to state agencies, units of local government, or the average citizen.

The fees for sheep brand renewal and activation were increased from \$40 to \$50 pursuant to Senate Bill 1019 (2025).

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COST OF COMPLIANCE:

*(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).*

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s):

State Agencies:

Oregon Department of Agriculture is the agency responsible for enforcing these rules. The sheep brand renewal and activation fees are used to fund the program.

Local Government:

None

Members of the Public:

The proposed rule amendments will primarily affect current and new sheep brand owners who are members of the public. These individuals will experience increased costs for sheep brand activation and renewal.

(2) Effect on small businesses: (a) estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

- (a) There are currently 69 recorded sheep brands in Oregon. On average, three new sheep brands are recorded each year. The additional costs proposed in this rule would impact small businesses that currently hold sheep brands (through the renewal fees) or those that register new brands (through the activation fee).
- (b) The proposed rules do not create any new reporting, recordkeeping, or administrative requirements.
- (c) None.

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DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

Members of the livestock industry, many of whom own or operate a small business, were invited members of the Rules Advisory Committee. The RAC also included representation from the Oregon Cattleman's Association, Oregon Dairy Farmers Association, Oregon Farm Bureau, and Tribal representation. Small businesses were also involved through the legislative process for Senate Bill 1019 (2025).

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WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? YES

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RULES PROPOSED:

603-014-0006, 603-014-0017, 603-014-0030, 603-014-0035, 603-014-0045, 603-014-0047, 603-014-0049

ADOPT: 603-014-0006

RULE SUMMARY: Adds definitions section.

CHANGES TO RULE:

603-014-0006

Definitions

Unless the context or a specifically applicable definition requires otherwise, the following definitions shall apply to OAR 603-014-006 to 0310.

(1) "Brand" means a distinctive design, mark or other means of identification applied to a designated location of the hide, wool, or skin of livestock.

(2) "Character" means a letter, number, or symbol that is used in a brand. Approved characters for Oregon brands include the following:

(a) A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y and Z.

(b) 2, 3, 4, 5, 6, 7, 8, and 9

(c) Symbols are figures that are typically used in branding livestock and are not known to result in blotching when applied to a hide.

(3) Department means the Oregon Department of Agriculture.

(4) "Equidae" means a horse, mule, or ass.

(5) "Livestock" means cattle, Equidae, and sheep.

(6) "Oregon Brand Conflict List" means a list of character conflicts that could preclude registration of new brand due to confusion between similar marks.

Statutory/Other Authority: ORS 561, 604

Statutes/Other Implemented: ORS 604.005

AMEND: 603-014-0017

RULE SUMMARY: Clarifies which locations on livestock can be used for herd or breed identification to be consistent with industry practice.

CHANGES TO RULE:

603-014-0017

Location of Herd or Breed Identification Markings ¶

~~As provided by ORS 604.021(2), the following areas and markings may be used for herd or breed identification:¶~~

~~(1) The gaskins of cattle, on either side, may be used for herd identification markings. Such identification markings may be used as follows:¶~~

~~(1) Markings shall consist of three or more letters or figure numbers, or any combination thereof, and may be placed either vertically or horizontally.¶~~

~~(2) No designs or connected figure characters may be used.¶~~

~~(23) The necks of horses, on either side, Markings may not be used for breed association identification markings so as to conflict with or be confused with a recorded brand.~~

Statutory/Other Authority: ORS 561, 604

Statutes/Other Implemented: ORS 604.021

AMEND: 603-014-0030

RULE SUMMARY: Clarifies when the department may record ear or flesh marks and the purpose.

CHANGES TO RULE:

603-014-0030

~~No Ear or Flesh Marks Not Entitled to Be Recorded~~ May be Documented ¶

~~No ear or flesh marks shall be recorded for any species of livestock. However, the Department encourages the owner of~~ Ear marks and flesh marks may be documented alongside a recorded brands to submit such marks with the application for recording of brand and published in the brand book for informational purposes.

Statutory/Other Authority: ORS 561

Statutes/Other Implemented: ORS 561.190

AMEND: 603-014-0035

RULE SUMMARY: Describes the departments process for reviewing new brand designs for conflicts with current Oregon brands.

CHANGES TO RULE:

603-014-0035

Conflict Check: Adjustment of Conflicting Brands.

~~Should~~ (1) The Department deem it necessary to adjust conflicting brands, such adjustment will be made on the basis of priority of continuous record; provided, however, that the owners of conflicting brands may make such adjustments between themselves if satisfactory to the Department. will review new brand applications for conflicts with existing brands.

(2) After review, A brand will be recorded if the requested design:

(a) Is not already recorded in the same location on the same species of livestock.

(b) Has at least one distinguishing difference between itself and a recorded brand.

(c) Does not contain a character on the Oregon Brand Conflict List that would make it in conflict with a recorded brand.

(d) Is not likely to result in blotching and is easily distinguishable from another brand on an animal.

(e) Is not in violation of any other requirements of this chapter or ORS Chapter 604.

(3) The Department may use the Livestock Brand Advisory Committee to review brands conflicts and provide advice.

Statutory/Other Authority: ORS 561.190, 604.021

Statutes/Other Implemented: ~~ORS~~ 604.021

AMEND: 603-014-0045

RULE SUMMARY: Increases fee for sheep brand activations to \$50.

CHANGES TO RULE:

603-014-0045

Application and Activation Fees for New Certificates of Recordation of Brands ¶¶

(1) If a person desires to record a distinctive brand on a location on a species of livestock, the person may apply for a certificate of recordation as provided in this section.¶¶

(2) To receive a certificate of recordation, the person shall submit a written application, submit all other requested documents, and pay an application fee plus an activation fee.¶¶

(a) The person may submit a written application for a certificate of recordation. The application fee must accompany the application. The amount of the application fee is \$25 for each location on each species of livestock.¶¶

(b) If the department determines after a review of the application that the requested brand is available, the department will project an expiration date for a certificate of recordation, inform the applicant of the projected expiration date and of the amount of the activation fee, and may request additional documents from the applicant.¶¶

(c) The amount of the activation fee for each certificate of recordation will be calculated based on the livestock species and on the number of days between the date that the department determined that the requested brand is available and the projected expiration date. For all livestock species except sheep, the activation fee for a certificate of recordation shall be \$0.14 per day, up to a maximum of \$200. For sheep, the activation fee for a certificate of recordation shall be \$0.03 per day, up to a maximum of \$450.¶¶

(d) Upon receiving the information described in paragraph (b), the applicant may submit the activation fee to the department. If the applicant does not submit the activation fee and all requested documents to the department so that the department receives them within three months of the date that the department determined that the requested brand is available, then the department's determination will be deemed rescinded without further action.¶¶

(3) Upon receipt of a written application, the application fee, the activation fee, and all other requested documents as provided in this section, the department will issue a certificate of recordation for the distinctive brand on the location on the species of livestock. The certificate shall allow use of the brand until the expiration date.

Statutory/Other Authority: ORS 561.180, 604.027, 607.261

Statutes/Other Implemented: ~~ORS 604.027, SB 1019 (2025)~~

AMEND: 603-014-0047

RULE SUMMARY: Increases fee for sheep brand renewals to \$50.

CHANGES TO RULE:

603-014-0047

Renewal Fees for Certificates of Recordation of Brands ¶¶

(1) All certificates of recordation expire on their expiration dates, unless the department receives the renewal fee by the first January 4th that follows an attempt by the department to notify the holder of the need to renew.¶¶

(2) The department will attempt to notify the holder during the September that precedes the expiration date of the certificate of recordation that the certificate needs to be renewed.¶¶

(3)(a) The amount of the renewal fee depends on whether the new expiration date will be adjusted under OAR 603-014-0046.¶¶

(b) If the new expiration date will not be adjusted, the certificate of recordation will be effective for four years and the amount of the renewal fee will be based on the species of livestock. For all livestock species except sheep, the renewal fee shall be \$200. For sheep, the renewal fee shall be \$450.¶¶

(4) The department will mail the notifications described in this section to a holder of a certificate of recordation at the holder's last known address as shown on the department's records.

Statutory/Other Authority: ORS 561

Statutes/Other Implemented: ORS 604.027(1), 604.027(2), SB 1019 (2025)

ADOPT: 603-014-0049

RULE SUMMARY: Creates a Livestock Identification Program Advisory Committee and describes its purpose, and membership representation and terms.

CHANGES TO RULE:

603-014-0049

Livestock Identification Program Advisory Committee

(1) The Director will establish an advisory committee for the Livestock Identification Program. The Committee's primary role is to advise the Director on matters relating to the administration of the Livestock Identification Program and may make recommendations concerning the inspection and certification services rendered by the Department. A subcommittee of this group may review and make recommendations regarding conflicts for new brand applications.

(2) The Livestock Identification Program Advisory Committee will consist of 11 members representing industry involved in the Livestock Identification Program as follows:

(a) one (1) designee of the Oregon Cattleman's Association.

(b) three (3) cow-calf producers.

(c) one (1) designee of the Oregon Dairy Farmers Association.

(d) one (1) one dairy producer.

(e) one (1) feedlot industry member.

(f) one (1) Tribal liaison.

(g) one (1) auction yard representative.

(h) one (1) slaughter facility representative, and

(i) one (1) member of the Board of Agriculture.

(3) The term of each member will be three years from the date of appointment, except initial terms of one, two and three years will be used to stagger the terms of the Committee members. Vacancies in office will be filled by appointment for the unexpired term.

(4) The Committee will meet at the call of the Director or an official representative at least once annually.

(5) Each member of the Committee, may, with the approval of the Director, be reimbursed for the actual and necessary expenses incurred in the performance of his or her official duties. However, members may not receive any consideration for serving on the Committee. The reimbursement shall be made at the rate established by the Department of Administrative Services. The Department will provide Committee members with the State of Oregon Travel Expense Detail Sheets to be completed within 60 days of incurred expenses.

Statutory/Other Authority: ORS 561

Statutes/Other Implemented: ORS 561