



TEMPORARY ADMINISTRATIVE ORDER
INCLUDING STATEMENT OF NEED & JUSTIFICATION
DOA 16-2025
CHAPTER 603
DEPARTMENT OF AGRICULTURE

FILED
07/03/2025 2:16 PM
ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Increases cattle brand inspection fee

EFFECTIVE DATE: 08/01/2025 THROUGH 01/27/2026

AGENCY APPROVED DATE: 07/03/2025

CONTACT: Casey Prentiss
541-212-3361
rulemaking@oda.oregon.gov

635 Capitol St NE
Salem, OR 97301

Filed By:
Sunny Summers
Rules Coordinator

NEED FOR THE RULE(S):

Senate Bill 1019 (2025), directs the Oregon Department of Agriculture (ODA) to increase the brand inspection fee for cattle to \$1.75 per head. ODA must implement this fee change immediately to comply with the law and to ensure the Livestock Identification Program is adequately funded.

JUSTIFICATION OF TEMPORARY FILING:

(1) Describe the specific consequences that result from the failure to immediately adopt, amend or suspend the rule(s):
If the Oregon Department of Agriculture (ODA) does not immediately amend the rule to reflect the \$1.75 per-head brand inspection fee authorized under SB 1019, the Department would be out of compliance with state law. Additionally, ODA would be unable to collect the increased fee, resulting in revenue shortfalls for the Livestock Identification Program. These shortfalls would impair ODA's ability to support critical services such as ownership verification, theft prevention, and disease traceability.

(2) Who would suffer these consequences:

ODA's Livestock Identification Program would experience operational and financial instability. Cattle producers, transporters, and industry partners would face reduced service capacity or delays in required inspections. This could also affect the integrity of livestock movement documentation and investigations related to stolen or improperly transported animals.

(3) Why or how failure to immediately take rulemaking action would cause these consequences:

The statutory fee increase authorized by SB 1019 becomes operative on August 1, 2025, under its emergency clause. Without emergency rulemaking, ODA would be forced to continue collecting the outdated \$1.35 fee after the effective date, leading to legal and administrative inconsistencies and denying the program the resources needed to maintain staffing and service levels. There would be no mechanism to collect the new rate until permanent rulemaking is finalized, creating a gap in compliance and funding.

(4) How the temporary action will avoid or mitigate those consequences:

Immediate adoption of this emergency rule ensures that ODA is in full compliance with SB 1019 beginning August 1, 2025. It enables timely implementation of the new fee, prevents disruption in brand inspection services, and sustains the financial viability of the Livestock Identification Program. Emergency rulemaking bridges the gap while ODA proceeds with the permanent rulemaking process, including public notice and comment.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

SB 1019 (2025) – Oregon Legislative Information website

AMEND: 603-014-0095

RULE TITLE: Brand Inspection Fee

RULE SUMMARY: Updates brand inspection fee

RULE TEXT:

- (1) The brand inspection fee for cattle shall be \$1.75 per head.
- (2) The brand inspection fee for cattle hides shall be \$1.50 per hide.
- (3) The brand inspection fee for self-inspection (E certificates) on cattle shall be \$1.75 per head.
- (4) The charge for cattle transportation certificates printed by the Department shall be \$3.50 per book plus postal or freight charges for shipping the requested certificate books sent first class or bulk rate based on weight.

STATUTORY/OTHER AUTHORITY: ORS 561.075, ORS 604.027, ORS 607.261

STATUTES/OTHER IMPLEMENTED: ORS 604.066, SB 1019 (2025)