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States' Animal Identification Statutes:

Oklahoma



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Okla. Stat. tit. 2 § 1-3 Okla. Stat. tit. 2, Ch. 1, Art. 4

Current with legislation of the Second Regular Session of the 59th Legislature (2024) effective as of October 1, 2024. Some sections may be more current, see credits for details.

Okla. Stat. tit. 2 § 1-3. Definitions.

For the purposes of the Oklahoma Agricultural Code, unless the context indicates otherwise:

1. "Authorized agent" means a person who has been authorized by the State Board of Agriculture to act on behalf of the Board in making investigations, inspections, performing other services, or doing any particular act or acts which have been vested by the Oklahoma Agricultural Code in the Board. A written or printed commission signed by the President of the Board shall be proof that the holder has lawful authority to act on behalf of the Board in implementing the Oklahoma Agricultural Code;
2. "Beef" means the flesh of a bovine animal;
3. "Beef product" means the edible products produced in whole or in part from beef, excluding milk and milk products;
4. "Board" means the State Board of Agriculture;
5. "Code" means the Oklahoma Agricultural Code;
6. "Department" means the Oklahoma Department of Agriculture, Food, and Forestry and its employees, officers, and divisions. Whenever the name "Department of Agriculture" appears in any law, contract or other document, it shall be deemed to refer to the Oklahoma Department of Agriculture, Food, and Forestry;
7. "Director" means the Director of a division established in the Oklahoma Department of Agriculture, Food, and Forestry;
8. "License" means a written document issued by the Board granting authority to a person to engage in a business, occupation, or activity;



9. "Livestock" or "animals" means any cattle, bison, horses, sheep, goats, asses, mules, swine, domesticated rabbits, and chickens, turkeys, and other domesticated fowl, and any animal or bird in captivity;
10. "Official identification" means any official method of identification approved by USDA, as described by 9 C.F.R. § 86.1, or the State Veterinarian. Official identification for specific species may be further defined within the applicable section of the Oklahoma Administrative Code. Backtags shall not be considered official identification unless the animal is shipped directly to slaughter. The term "official ear tag" is synonymous with "official identification";
11. "Permit" means a written document issued by the Board giving consent for a person to engage in an activity;
12. "Person" means the state, any municipality, political subdivision, institution, individual, public or private corporation, partnership, association, firm, company, public trust, joint-stock company, trust, estate, state or federal agency, other governmental entity, or any other legal entity or an agent, employee, representative, assignee or successor thereof;
13. "Pork" means the flesh of a porcine animal;
14. "Pork products" means a product or byproduct produced in whole or in part from pork;
15. "President" means the President of the State Board of Agriculture. The President of the State Board of Agriculture shall also be designated as the Commissioner of Agriculture;
16. "Producer" means any person planting, raising, growing, or harvesting agricultural products;
17. "Quarantine" means a written document issued by the Board to restrict the movement of animals, birds, plants, or agricultural commodities into or out of a specified area for the control or prevention of diseases or pests; and
18. "Stop sale order" or "stop use order" means a written or printed order signed by the President or authorized agent of the Board, prohibiting the sale, offering for sale, exposure for sale, or use of any agricultural product, article, device, service, or commodity covered by the Oklahoma Agricultural Code.

Okla. Stat. tit. 2 § 4-1. [Repealed].

Okla. Stat. tit. 2 § 4-2. Definitions.

For the purposes of this article:



1. "Animal" or "livestock" means any cattle, horse, or mule;
2. "Brand" means a permanent identification mark of which the letters, numbers, and figures used are each three (3) inches or more in length or diameter and are impressed into the hide of a live animal either with a hot iron or by the process commonly referred to as "cold" or "freeze" branding, and includes the location on the animal. The term means both the mark and location;
3. "Organization" means a statewide livestock organization; and
4. "Statewide livestock organization" means an organization headquartered in the State of Oklahoma that represents the majority of livestock producers in Oklahoma.

Okla. Stat. tit. 2 § 4-3. Approval of brands – Certificates – Conflicts – Brand book.

The State Board of Agriculture may designate a statewide livestock organization to approve brands for registration, issue certificates, and serve as an adjudicating committee in resolving conflicts. The organization shall publish a State Brand Book which shall contain a facsimile of each registered brand with the owner's name and address. In the event the Board determines that the statewide livestock organization fails to perform the duties designated in the brand law or is no longer representative of the majority of livestock producers in Oklahoma, the Board shall designate a new statewide livestock organization or shall perform the duties associated with the brand law, including maintenance of the State Brand Book, receipt of fees for application processing and other duties.

Okla. Stat. tit. 2 § 4-4. Custodian of county brand books – Certified copies – Fees.

The statewide livestock organization shall be the legal custodian of county brand record books which were maintained under prior laws. Upon request, the organization shall provide a certified copy of the record of any brand appearing in the county brand record books. The organization may charge a reasonable fee for each brand.

Okla. Stat. tit. 2 § 4-5. Application for registration – Fees – Contents.

- A. Any application for the registration of a brand shall be:
1. On a form prepared by the statewide livestock organization; and
 2. Accompanied by a reasonable fee set by the organization for each brand.



B. The application for the registration of a brand shall show the brand location to the following body regions of animals: right or left shoulder, neck, rib, or hind quarter. Previously registered brands are not affected.

C. The applicant shall list at least three distinct brands and three locations in the preferred order.

Okla. Stat. tit. 2 § 4-6. Use of unregistered brands – Duplication.

A. It shall be unlawful for any person to knowingly place upon any livestock a brand which has not been registered with the statewide livestock organization if the brand duplicates one that is registered.

B. For purposes of this section, "duplication" means the use of a similar brand in any location on the animal designated for a registered brand.

Okla. Stat. tit. 2 § 4-7. Publication of revised book – Reregistration – Fees – Copies to officials.

A. The statewide livestock organization shall publish a revised State Brand Book at least every five (5) years. Supplements may be published as necessary.

B. Prior to publication of a revised State Brand Book all registered brand owners and assignees shall be notified in writing that the brand registrations are being terminated.

C. The organization shall set a reasonable renewal fee for the registration of each brand for the ensuing five-year period or fraction thereof.

D. The State Brand Book and supplements shall be available to the public at a price commensurate with the cost of preparation, printing, and delivery thereof. Upon written request the organization shall provide without charge all brand books and supplements to the county clerk and sheriff of each county, any inspection agency, any livestock association, or any entity approved by the organization.

Okla. Stat. tit. 2 § 4-8. Brands in current edition as prima facie evidence of ownership.

Brands in the current edition of the State Brand Book and supplements shall be prima facie evidence of ownership. An owner whose brand does not appear in the State Brand Book or a supplement shall produce evidence to establish title to the property in the event of controversy.

Okla. Stat. tit. 2 § 4-9. Questionable ownership of animals at markets – Withholding of funds pending determination.



A. Any peace officer of the state or any livestock association in the State of Oklahoma qualifying under federal law to perform brand inspection services at specified markets shall have the authority to order funds of an animal of questionable ownership held until ownership is established.

B. If ownership is not established within thirty (30) days, the funds shall be provided to the State Board of Agriculture and held for one (1) year. If the ownership to the animal cannot be ascertained, the funds shall be deposited in the State Department of Agriculture Revolving Fund.

Okla. Stat. tit. 2 § 4-10. Brands reserved to state.

The state reserves the brands of "B", "T", "PI+" and "A" on the tailhead of cattle. It shall be unlawful for any person other than authorized agents of the State Board of Agriculture to use any of such brands. The Board may reserve additional brands and promulgate rules identifying the reserved brand.

Okla. Stat. tit. 2 § 4-11. Brands in current edition subject to sale, transfer, etc. – Recording – Fees.

Only brands appearing in the current edition of the State Brand Book or supplement thereto shall be subject to sale, assignment, transfer, devise, or bequest. The transfer of title shall be recorded with the statewide livestock organization. A reasonable fee for recording the transfer of title shall be set by the organization.

Okla. Stat. tit. 2 § 4-12. Sale of branded livestock – Written transfer of ownership.

All persons selling livestock with a registered brand shall upon request provide a written transfer of ownership to the purchaser.

Okla. Stat. tit. 2 § 4-13. "Dog Iron" brand.

The brand known as the "Dog Iron" brand, as shown and listed on page 107 at line 23 of the 1950 Oklahoma Brand Book, and which brand was used during his lifetime by the late Will Rogers of Oologah and Claremore, Oklahoma, shall be reserved to the State of Oklahoma for historical purposes. It shall be unlawful for any person to use the brand for the branding or marketing of animals, provided that the statewide livestock organization may register the brand in the name of any blood relative or descendant of Will Rogers, so the brand may be perpetuated and preserved for historical purposes and in honor of the memory of Will Rogers.

Okla. Stat. tit. 2 § 4-14. [Repealed].

Okla. Stat. tit. 2 § 4-20. Animal Identification Program.



A. The Oklahoma Department of Agriculture, Food, and Forestry shall be the official animal identification agency of the state and shall be the official agency of the state in any dealings between this state and the United States Department of Agriculture, any other federal agency, or any agency or person of this or another state on matters pertaining to animal identification.

B. It is the intent of the Oklahoma State Legislature to direct and authorize the Oklahoma Department of Agriculture, Food, and Forestry to develop, implement, and administer an Oklahoma Animal Identification Program that achieves the following goals:

1. Enhance disease preparedness by rapidly identifying animals exposed to disease, thus allowing quick detection, containment, and elimination of disease threats;
2. Promote continued confidence in animal products and to protect the health status of Oklahoma's herds and flocks;
3. Identify infected and exposed premises, animals, and groups of animals;
4. Develop a comprehensive infrastructure that utilizes state-of-the-art national and international standards with the best available and practical technologies for the collection and recording of livestock and food animal movements; and
5. Be dynamic and flexible, and incorporate new and proven technologies as they become available.

C. The Department shall be authorized to promulgate rules for the implementation and administration of the Oklahoma Animal Identification Program, if one of the following occurs:

1. The United States Department of Agriculture issues proposed or final rules or requirements for the implementation of a national animal identification or premises registration program;
2. The United States Congress enacts requirements for a national animal identification or premises registration system; or
3. Another state establishes requirements for animal identification or premises registration affecting the importation of livestock from Oklahoma.

D. Any rules promulgated by the Department pursuant to this section that may be reasonably necessary to implement the Oklahoma Animal Identification Program may include the following:



1. Premises identification;
2. Individual animal identification;
3. Group and lot animal identification;
4. Specifications and standards for the identification technologies used to track and trace animal movements;
5. Record keeping; and
6. Protecting and improving the health of Oklahoma livestock and food animals.

E. The Department may charge fees; however, the fees shall be limited to the actual costs of the Department for the implementation and administration of the Oklahoma Animal Identification Program.

F. Pursuant to this section and rules promulgated pursuant thereto, any data or records provided to the Department by persons regarding premises or animal identification, including the name and address of the provider, shall be kept confidential except in the following circumstances:

1. Federal law requires the information for a National Animal Identification program;
2. The Department deems release of confidential information to other state and federal agencies is necessary for disease control and disease traceback;
3. The information is needed to assist law enforcement officials in livestock recovery and theft investigations; and
4. The Department may release information as needed to assist in criminal investigations or tracebacks concerning violations of state or federal pharmacy acts and drug residues.

G. In the event that information regarding premises or animal identification is provided to other individuals or entities, the information shall be specific and not cumulative.

H. A court shall quash any subpoena commanding the disclosure of confidential information or records of the Department.

