



# SB 832: Civil Penalty Authority for Animal Health and Feed

## Overview

SB 832 grants the Oregon Department of Agriculture (ODA) authority to impose civil penalties for violations related to animal health, feed safety, and disease control, aligning with enforcement practices used in other program areas. This legislative concept provides ODA with a more proportionate enforcement mechanism by allowing for administrative penalties, reducing the reliance on criminal prosecution for minor violations, and focusing on corrective actions when appropriate.

## Problem Statement

The ODA is responsible for regulating livestock health, feed safety, and controlling disease outbreaks through quarantines and other measures. Currently, enforcement relies heavily on criminal charges, which can be disproportionate to minor administrative violations and may result in the creation of unnecessary criminal records. This reliance reduces ODA's ability to focus on corrective actions and compliance. The lack of a civil penalty option limits the program's flexibility in addressing infractions in a way that better supports public health and the agricultural industry.

## Proposed Solution

SB 832 proposes amending ORS 633 (Grades, Standards, and Labels for Feed, Soil Enhancers, and Seeds), ORS 596 (Disease Control Generally), and ORS 600 (Swine) to expand civil penalty authority for violations in these areas. While ORS 596.995 already provides some civil penalty authority for disease control, SB 832 enhances this by introducing or expanding civil penalty provisions for violations in commercial animal feed and swine-related activities. Civil penalties will be capped at \$10,000 per violation for commercial feed and \$5,000 or \$1,000 depending on the specific animal health violations, such as those under ORS 596. This approach prioritizes administrative enforcement actions where they can be most effective, without eliminating the possibility of criminal prosecution where necessary.

## Contact

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## Key Points

- 1 Civil Penalty Framework:** Introduces or expands civil penalty authority for violations under ORS 633 (Commercial Animal Feed), ORS 596 (Disease Control), and ORS 600 (Swine). Penalties are capped at \$10,000 per violation for feed-related offenses and up to \$5,000 or \$1,000 for livestock and disease control violations, depending on the infraction.
- 2 Scalable Enforcement:** Allows ODA to issue civil penalties as a first step in enforcement, ensuring penalties are proportional to the violation. This approach encourages compliance and limits the creation of criminal records where administrative enforcement is effective.
- 3 Standardized Practices:** Brings enforcement practices in animal health, feed, and disease control into alignment with other program areas in Oregon and with enforcement methods used in other states, ensuring fair and consistent regulatory treatment.

## Budgetary Context

The introduction of civil penalties will not result in direct fiscal impacts or changes to staffing requirements at ODA. The Animal Health and Feed Programs are primarily funded through Other Funds, including licensing, registration, and service fees. Civil penalties provide ODA with an additional enforcement tool without the need for new funding or resources.

**Total Budget for Animal Health and Feed Program:  
\$5.49 million**

- **Other Funds: \$2.56 million**
- **General Funds: \$2 million**
- **Federal Funds: \$829,000**
- **FTE Supported: 10.3**

