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States' Farm Animal Welfare Statutes: *Oregon*



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A National Agricultural Law Center Research Publication

States' Farm Animal Welfare Statutes: Oregon

Or. Rev. Stat. § 600.150

Effective January 1, 2012

Current through Chapter 2 enacted in the 2022 Regular Session of the 81st Legislative Assembly.

§ 600.150. Restrictive confinement of a pregnant pig

(1) As used in this section:

(a) "Pig" means a porcine animal of a type maintained as livestock.

(b) "Turning around freely" means having the ability to turn in a complete circle in an enclosure without an impediment, including a tether, and without touching any side of the enclosure.

(2) A person commits the offense of restrictive confinement of a pregnant pig if the person confines a pregnant pig for more than 12 hours during any 24-hour period in a manner that prevents the pregnant pig from:

(a) Lying down and fully extending its limbs; or

(b) Turning around freely.

(3) Subsection (2) of this section does not apply to a pregnant pig:

(a) That is being transported;

(b) In a rodeo exhibition, a state or county fair exhibition or a similar exhibition;

(c) During the slaughtering process;

(d) During lawful scientific or agricultural research;

(e) During an examination, operation or test by a veterinarian or during temporary treatment for veterinary purposes; or

(f) In the seven-day period before the pig farrows.

(4) The offense of restrictive confinement of a pregnant pig is a Class A violation.



States' Farm Animal Welfare Statutes: Oregon

Or. Rev. Stat. § 632.835

Note: The amendments to 632.835 by section 6, chapter 686, Oregon Laws 2019, become operative January 1, 2024. See section 13, chapter 686, Oregon Laws 2019 for text that becomes operative in 2024.

§ 632.835. Definitions for ORS 632.835 to 632.850

As used in ORS 632.835 to 632.850:

- (1) "Commercial farm" means the land, buildings and support facilities that are used for the commercial production of animals or animal products used for food or fiber.
- (2) "Commercial farm owner or operator" means any person who owns or controls the operation of a commercial farm. "Commercial farm owner or operator" does not mean a contractor, consultant or nonmanagement employee.
- (3) "Egg" means an egg, in the shell, from an egg-laying hen.
- (4) "Egg-laying hen" means any female domesticated chicken, turkey, duck, goose or guinea fowl that is kept for the purpose of egg production.
- (5) "Egg products" has the meaning given that term in ORS 632.705, except that "egg products" does not include the following products when those products are prepared from inspected egg products or eggs and contain no more restricted eggs than are allowed in the official standards for United States Consumer Grade B shell eggs:
 - (a) Freeze-dried products;
 - (b) Imitation egg products;
 - (c) Egg substitutes;
 - (d) Dietary foods;
 - (e) Dried no-bake custard mixes;
 - (f) Eggnog mixes;
 - (g) Acidic dressings;
 - (h) Noodles;
 - (i) Milk and egg dips;
 - (j) Cake mixes;
 - (k) French toast; and
 - (L) Sandwiches containing eggs or egg products.
- (6) "Enclosure" means any cage, crate or other structure used to confine an egg-laying hen.



States' Farm Animal Welfare Statutes: Oregon

Or. Rev. Stat. § 632.840

Note: The amendments to 632.840 by section 9, chapter 436, Oregon Laws 2011, become operative January 1, 2024. See section 10, chapter 436, Oregon Laws 2011, as amended by section 9, chapter 686, Oregon Laws 2019 to see text that is operative on and after January 1, 2024.

§ 632.840. Manner of confining egg-laying hen; business plan for compliance; rules; penalty

(1) The State Department of Agriculture shall adopt rules regulating the manner in which egg-laying hens may be confined in an enclosure for purposes of ORS 632.835 to 632.850. The rules must:

(a) Be designed to promote humane welfare standards;

(b) Be effective in protecting consumers from food-borne pathogens;

(c) Require that enclosures constructed or otherwise acquired before January 1, 2012, meet standards equivalent to the requirements for certification established in the United Egg Producers' Animal Husbandry Guidelines for U.S. Egg Laying Flocks; and

(d) Require that enclosures constructed or otherwise acquired on or after January 1, 2012, meet standards equivalent to the requirements for certification of enriched colony facility systems established in the American Humane Association's farm animal welfare certification program. In no event may the rules authorize confining an egg-laying hen in an enclosure that provides less than 116.3 square inches of individually usable floor space per hen.

(2) The department may impose a civil penalty pursuant to ORS 183.745, not to exceed \$2,500, for violation of a provision of ORS 632.835 to 632.850.

(3) The department shall inspect at reasonable times commercial farms engaged in the production of eggs for the purpose of enforcing the provisions of ORS 632.835 to 632.850.

(4) The department may fix, assess and collect, or cause to be collected, from commercial farm owners or operators fees for the inspections performed by employees or agents of the department under subsection (3) of this section. The fees must have a uniform basis and must be in an amount reasonably necessary to cover the costs of the inspections and related administrative duties under ORS 632.835 to 632.850. The department shall adjust the fees under this subsection to meet any expenses necessary to carry out subsection (3) of this section and may prescribe a different fee scale for different localities. The department may prescribe a reasonable charge to be paid by commercial farm owners or operators for travel expenses and other related services if inspections under this section involve unusual cost to the department. Moneys from fees and charges collected by the department under this subsection must be deposited in the Department of Agriculture Service Fund and are continuously



appropriated to the department to be used for the purpose of enforcing ORS 632.835 to 632.850.

(5)

(a) Upon renewal of an egg handler's license described in ORS 632.715 or a commercial egg breaker's permit described in ORS 632.730, a commercial farm owner or operator that is engaged in the commercial production of eggs in this state shall provide the department with a business plan describing the manner by which the commercial farm intends to comply with the aspirational goals established by the Legislative Assembly in section 8a, chapter 436, Oregon Laws 2011, and the rules adopted pursuant to the amendments to this section by section 9, chapter 436, Oregon Laws 2011. Notwithstanding ORS 192.345 or 192.355, the business plan is a public record subject to full disclosure.

(b) The department shall report annually to the Legislative Assembly on the rate at which commercial farm owners or operators that are engaged in the commercial production of eggs in this state are complying with the business plans submitted to the department under paragraph (a) of this subsection. [2011 c.436 §4; 2011 c.436 §§5,7]

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Or. Rev. Stat. § 632.845

Note: The amendments to 632.845 by section 8, chapter 686, Oregon Laws 2019, become operative January 1, 2024. See section 13, chapter 686, Oregon Laws 2019 to see text that will become operative in 2024.

§ 632.845. Prohibition against improper confinement of egg-laying hen.

A commercial farm owner or operator may not confine an egg-laying hen in an enclosure that fails to comply with the rules adopted by the State Department of Agriculture under ORS 632.840.

ORS 632.847 Commerce in eggs or egg products from noncompliant production

Note: becomes operative January 1, 2024.

(1) Except as provided under subsection (2) of this section, a person may not buy, sell, offer to buy or sell, transport or offer to transport in intrastate commerce, or accept receipt of, an egg or egg product that was not produced in compliance with ORS 632.845 (Prohibition against improper confinement of egg-laying hen).

(2) Subsection (1) of this section does not apply to a sale of eggs or egg products at an official plant, as defined in 21 U.S.C. 1033, where mandatory inspection is maintained under the federal Egg Products Inspection Act (21 U.S.C. 1031 et seq.). For purposes of this subsection, sale occurs at the location where the buyer takes physical possession of the eggs or egg products. [2019 c.686 §3]



ORS 632.849 Production exempt from compliance

ORS 632.835 (Definitions for ORS 632.835 to 632.850) to 632.850 (Prohibition against selling products of improperly confined egg-laying hen) do not apply to:

- (1) A commercial farm owner or operator with annual egg production from a flock of not more than 3,000 egg-laying hens; or
- (2) Eggs produced by a commercial farm owner or operator described in subsection (1) of this section.

632.850 Prohibition against selling products of improperly confined egg-laying hen.

Note: 632.850 is repealed January 1, 2024.

A person may not sell eggs or egg products that the person knows, or reasonably should know, are the product of an egg-laying hen that has been confined, during the production of the eggs, in an enclosure that fails to comply with the rules adopted by the State Department of Agriculture under ORS 632.840.

