

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 901-19-07

**Rule Type:** Amendment

**Rule Title/Tagline:** Quality assurance.

**Agency Name:** Department of Agriculture

**Division:**

**Address:** 8995 E. Main St. Reynoldsburg OH 43068

**Contact:** Renee Schmauch **Phone:** 614-728-6295

**Email:** renee.schmauch@agri.ohio.gov

#### **I. Rule Summary**

1. Is this a five year rule review? Yes
  - A. What is the rule's five year review date? 3/8/2024
2. Is this rule the result of recent legislation? No
3. What statute is this rule being promulgated under? 119.03
4. What statute(s) grant rule writing authority? 901.72
5. What statute(s) does the rule implement or amplify? 901.72
6. Does the rule implement a federal law or rule in a manner that is more stringent or burdensome than the federal law or regulation requires? No
  - A. If so, what is the citation to the federal law or rule? Not Applicable
7. What are the reasons for proposing the rule?

This rule is being filed in accordance with the five year rule review process.

The rules in Chapter 901-19 of the Ohio Administrative Code outline the regulations for the exhibition of livestock in the state of Ohio. Exhibition of livestock generally occurs at a livestock show held at the Ohio State Fair or a fair under the control of a county

or independent agricultural society. The rules in this chapter set forth the governance and administration of these exhibitions and standards related to food safety and the health, safety, and welfare of livestock including grooming, commercial, or medical practices that are generally accepted in the community. The rules have been reviewed by the Advisory Committee on Livestock Exhibitions which advises the Director on topics pertaining to the administration of the exhibition of livestock program.

Pursuant to Ohio Revised Code 901.72, the rules adopted under which apply to exhibition related food safety and the health, safety, and welfare of livestock shall apply to every exhibition. However, exhibitions may choose to adopt rules which do not apply to those issues. The rules as drafted indicate which rules are mandatory and which rules are optional for adoption by the exhibition.

**8. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

OAC 901-19-07 requires that all exhibitors at county and independent fairs as well as the Ohio state fair complete a quality assurance program prior to exhibition. The rule is being amended to change "lactating dairy cattle and lactating goats" to "lactating dairy animals" and changes that exhibitors who fail to attend a quality assurance program or pass the exam from "may be" subject to disciplinary action to "are" subject to disciplinary actions.

**9. Does the rule incorporate material by reference? Yes**

**10. If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75, please explain the basis for the exemption and how an individual can find the referenced material.**

Pursuant to section 121.75 of the Revised Code, the code sections incorporated into this rule are exempt from compliance with sections 121.71 to 121.74 of the Revised Code.

**11. If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.**

*Not Applicable*

## **II. Fiscal Analysis**

**12. Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.**

This will have no impact on revenues or expenditures.

0.00

Not Applicable

**13. What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?**

There is no additional cost of compliance associated with this rule.

**14. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No**

**15. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No**

**16. If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.**

Not Applicable

### **III. Common Sense Initiative (CSI) Questions**

**17. Was this rule filed with the Common Sense Initiative Office? Yes**

**18. Does this rule have an adverse impact on business? Yes**

**A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? No**

The rules do not impose any sort of licensing fees on exhibitions or exhibitors. Any entrance or licensing fees would be established by the exhibition themselves.

**B. Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? Yes**

The rules do provide guidelines as to permitted and prohibitive practices. Violations of the rules may result in a fine of any proceeds received from an exhibition. The exhibitions are required to keep records of drug testing all livestock animals entered into exhibitions.

- C. Does this rule require specific expenditures or the report of information as a condition of compliance? No
- D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No

**IV. Regulatory Restriction Requirements under S.B. 9. Note: This section only applies to agencies described in R.C. 121.95(A).**

**19. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? No**

- A. How many new regulatory restrictions do you propose adding to this rule?  
Not Applicable
- B. How many existing regulatory restrictions do you propose removing from this rule?  
Not Applicable
- C. If you are not removing existing regulatory restrictions from this rule, please list the rule number(s) from which you are removing restrictions.  
Not Applicable
- D. Please justify the adoption of the new regulatory restriction(s).  
Not Applicable