

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 901:1-1-04

Rule Type: New

Rule Title/Tagline: Identification requirements.

Agency Name: Department of Agriculture

Division: Animal Industry

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I. Rule Summary

1. **Is this a five year rule review?** No
 - A. **What is the rule's five year review date?**
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?** 943.24
5. **What statute(s) does the rule implement or amplify?** 943.24
6. **What are the reasons for proposing the rule?**

The rule is up for five year rule review.

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

OAC 901:1-1-04 outlines the identification requirements for all animals inside the facility. Specifically, all animals over twelve months of age must bear two types of identification: official identification and another form of unique visible identification. Official identification is limited to an official USDA metal eartag bearing

an alphanumeric identification number, approved visual or electronic radio frequency identification, or a microchip using described frequencies.

8. **Does the rule incorporate material by reference? Yes**
9. **If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.71 to 121.76, please explain the basis for the exemption and how an individual can find the referenced material.**
Pursuant to section 121.76 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.
10. **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

11. **As a result of this proposed rule, please estimate the increase / decrease in revenues or expenditures affecting this agency, or the state generally, in the current biennium or future years. If the proposed rule is likely to have a different fiscal effect in future years, please describe the expected difference and operation.**

This will have no impact on revenues or expenditures.

0.00

Not applicable.

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

All animals over twelve months of age must bear two types of identification: official identification and another form of unique visible identification. The Department provides the USDA metal ear tags at no cost. Visual or electronic radio frequency identification and microchips are more expensive however they do not cost more than \$10 per device.

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

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

III. Common Sense Initiative (CSI) Questions

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

16. 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? Yes

All captive whitetail deer owners must be licensed or registered in accordance with OAC 901:1-1-02.

- 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

Failure to comply with the terms may result in criminal or civil penalties being levied against the violator.

- C. Does this rule require specific expenditures or the report of information as a condition of compliance? No

All animal identification numbers must be reported to the Department in accordance with OAC 901:1-1-06.