

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 901:1-18-02
Rule Type: Amendment
Rule Title/Tagline: Definitions.
Agency Name: Department of Agriculture
Division: Animal Industry
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, 941.03, 941.10
5. **What statute(s) does the rule implement or amplify?** 941.02, 941.041, 941.07, 941.09
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 901:1-18 of the Ohio Administrative Code outline the rules and requirements for animals which are imported into or moved within Ohio for exhibition purposes. Pursuant to section 941.02 of the Revised Code, the Department, through

the Chief of the Division of Animal Health, shall promote and protect the livestock, poultry, and other animal interests of the state, prevent the spread of dangerously contagious or infectious disease, provide for the control and eradication of such disease, and to cooperate with the United States Department of Agriculture in such work. The rules of this chapter meet this directive. More specifically, the rules outline the disease testing requirements as well as proof of ownership of all animals coming into Ohio. These rules are necessary in ensuring that all animals in the state of Ohio remain disease free.

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

OAC Rule 901:1-18-02 sets forth the definitions as used in the Chapter. The rule is being amended to replace "approved veterinarian" with "official veterinarian," deletes definitions which are already defined in the C.F.R. or the Revised Code when applicable, adds the definition for official eartag and updates the edition of 21 C.F.R. 556 from 2017 to 2019.

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?

Not Applicable

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? No

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

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? No

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