

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 901:1-5-13  
**Rule Type:** Amendment  
**Rule Title/Tagline:** Designating a kennel brucella canis free status.  
**Agency Name:** Department of Agriculture  
**Division:** Animal Industry  
**Address:** 8995 East Main Street Reynoldsburg OH 43068  
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#### I. Rule Summary

1. **Is this a five year rule review?** Yes
  - A. **What is the rule's five year review date?** 9/4/2018
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?** 941.02, 941.03, 941.22
5. **What statute(s) does the rule implement or amplify?** 941.02
6. **What are the reasons for proposing the rule?**

This 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.**

901:1-5-13 sets forth the procedures for a kennel licensed under chapter 956 of the Revised Code to become certified as a Brucella canis free kennel. A kennel may be awarded that designation if the kennel has had two successive whole kennel negative tests, continues required testing, and ensures that all additions to the kennels comply with the rules. This certification is currently voluntary and has been requested by the

industry as an opportunity to show consumers that their facility is a clean, safe, and reputable business.

The rule has been amended to use consistent terminology with OAC 901:1-5-12. Further, clarifications have been made to the rule to ensure proper enforcement.

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?**

There is no direct cost for a kennel to become designated as a Brucella canis free. However, in order to be designated, a kennel must perform tests on its animals to comply with the requirements. Additionally, they must fill out a Brucella canis certification form and send it to the Department.

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? 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? Yes

Failure to comply may result in criminal or civil charges.

C. Does this rule require specific expenditures or the report of information as a condition of compliance? Yes

Pursuant to ORC 941.03 and OAC 901:1-21-02 the owner of any animal which receives a diagnosis of Brucella canis, will be obligated to use business time to notify the Department of the presence of the disease, which should not exceed more than a half hour after discovery of the disease. Further, any individual who wishes to become Brucella canis certified free must submit a form to the Department.