

Rule Summary and Fiscal Analysis (Part A)**Agriculture**

Agency Name

Food Safety

Division

Peter Esselburne

Contact

8995 E. Main St. Reynoldsburg OH 43068 - 3399

Agency Mailing Address (Plus Zip)

614-728-6430

Phone

614-995-4585

Fax

901:3-1-04

Rule Number

NEW

TYPE of rule filing

Rule Title/Tag Line

Sanitary Operations.**RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **No**

2. Are you proposing this rule as a result of recent legislation? **No**

3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **119.03**

4. Statute(s) authorizing agency to adopt the rule: **3715.02, 3715.021**

5. Statute(s) the rule, as filed, amplifies or implements: **3715.03, 3715.59, 3715.62**

6. State the reason(s) for proposing (i.e., why are you filing,) this rule:

The wrong version was filed.

To establish requirements necessary for sanitary conditions and sufficient repair of buildings, fixtures, and equipment to prevent contamination of food products and packaging.

7. If the rule is an AMENDMENT, then summarize the changes and the content of the proposed rule; If the rule type is RESCISSION, NEW or NO CHANGE, then summarize the content of the rule:

Provides requirements for: general maintenance, substances used in cleaning and

sanitizing, storage of toxic materials, pest control and sanitation of food contact surfaces.

8. If the rule incorporates a text or other material by reference and the agency claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

Incorporated material is a section of the Revised Code.

9. If the rule incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material electronically, provide an explanation of why filing the text or other material electronically was infeasible:

Incorporated material is generally available to persons who reasonably can be expected to be affected by the rule.

10. If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation of why filing the text or other material was infeasible:

Not Applicable.

11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so:

(B)(2) Deleted sentence, "All relevant rules promulgated by other federal agencies and the Ohio department of agriculture for the application, use, or holding of these products shall be followed." (D) Deleted "and non food contact" from tagline. (D) Inserted words "frequently as necessary" between words "cleaned" and "to protect". Deleted paragraph (D)(3) concerning non-food contact surfaces. Renumbered paragraph (D)(4) as (D)(3). Deleted paragraph (E) Storage and handling of equipment and utensils.

12. 119.032 Rule Review Date:

(If you answered NO to question No. 1, provide the scheduled review date. If you answered YES to No. 1, the review date for this rule is the filing date.)

NOTE: At time of final filing, two dates are required: the current review date plus

a date not to exceed 5 years from the effective date for Amended rules or a date not to exceed 5 years from the review date for No Change rules.

FISCAL ANALYSIS

13. Estimate the total amount by which *this proposed rule* would **increase / decrease** either **revenues / expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will have no impact on revenues or expenditures.

\$ 0.00

This proposed rule will not change the Agency's projected budget during the current biennium.

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

Item: N/A

Expenditure: N/A

15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

Unknown. These are standards already being followed by industry.

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **No**