

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 901:3-45-02

Rule Type: No Change

Rule Title/Tagline: Optional ingredients.

Agency Name: Department of Agriculture

Division: Food Safety

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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?** 1/31/2024 and 01/31/2029
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?** 3715.24
5. **What statute(s) does the rule implement or amplify?** 3715.24, 3715.25, 3715.59, 3715.60
6. **What are the reasons for proposing the rule?**

This rule has been reviewed in accordance with the five year rule review process.
7. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

OAC 901:3-45-02 sets out the optional ingredients which are allowed in maple products. These optional ingredients match those ingredients allowed in federal law (See 21 C.F.R. 168.140). This rule is being submitted as a no change.
8. **Does the rule incorporate material by reference?** No

9. **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.**

Not Applicable

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. **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

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

All maple/tree syrup, sorghum, and honey production operations are prohibited from producing adulterated products. Further, maple/tree syrup, sorghum, and honey production operations may subject themselves to voluntary inspection.

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**

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

There is no cost for this registration.

III. Common Sense Initiative (CSI) Questions

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

17. 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

Maple/tree syrup, sorghum, and honey production operations which produce foods that are misbranded or adulterated would be subject to embargo and destruction of their products.

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