Rule Summary and Fiscal Analysis
Part A - General Questions

Rule Number: 901:4-6-04

Rule Type: Amendment

Rule Title/Tagline: Use of logotype, standards.

Agency Name: Department of Agriculture

Division:

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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?** 5/29/2018

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?** 901.171

5.   **What statute(s) does the rule implement or amplify?** 901.171

6.   **What are the reasons for proposing the rule?**

   This year 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 901:4-6-04 outlines the product which are eligible for participation in the Ohio Proud program. The rule has been amended to make stylistic changes which should assist in reader comprehension. No substantive changes have been made to the rule.

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?**

    As this program is voluntary there is minimal adverse impact from this regulation. However, interested individuals must complete necessary paperwork which takes a minimal amount of time. The proposed product registration fee is $50 annually which is an increase from $25.

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
>
>   This program is voluntary. However, if interested, an individual must register the product in order to use the logo.
>
>   **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
>
>   Use of the Ohio Proud logo and trademark without approval would subject an individual to civil and potentially criminal action.
>
>   **C.   Does this rule require specific expenditures or the report of information as a condition of compliance?** Yes
>
>   The proposed product registration fee is $50 annually which is an increase from $25. Persons wishing to participate in the Ohio proud program shall apply to the director of agriculture for a license on the forms provided by the department, provide all of the information required on the forms and any additional information if requested.