

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 901:5-5-03
Rule Type: Rescission
Rule Title/Tagline: Sample analysis.
Agency Name: Department of Agriculture
Division: Plant Industry
Address: 8995 East Main Street Reynoldsburg OH 43068
Contact: David E Miran
Email: david.miran@agri.ohio.gov **Phone:** 614-728-6390

I. Rule Summary

1. **Is this a five year rule review?** Yes
 - A. **What is the rule's five year review date?** 7/26/2018
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?** 905.61
5. **What statute(s) does the rule implement or amplify?** 905.61
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.**

The rules in chapter 901:5-5 of the Ohio Administrative Code regulate the sale of agricultural lime in the state of Ohio. The rules ensure that individuals seeking to purchase agricultural liming material have the consumer confidence to expect that the product they seek to purchase meets their expectations.

OAC 901:5-5-03 has been proposed to be rescinded. The existing rule set forth a requirement that ODA make at least two analyses of agricultural lime each year.

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. 121.71 to 121.76, 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. **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?**

Not applicable.

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? 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**