

PUBLIC NOTICE

The Ohio Department of Agriculture will hold a public hearing for the purpose of accepting testimony on the proposed amendments made to Chapter 901:11-3 of the Ohio Administrative Code.

Chapter 901:11-3 of the Ohio Administrative Code regulates the production of frozen desserts in the state of Ohio. These rules contained in this package mirror federal regulations in order to allow Ohio's frozen dessert processors to be able to ship all across the country. Frozen desserts are defined in OAC 901:11-3-02 but generally includes products such as ice cream and frozen custard. Without proper safeguards, the manufacturing process can result in the growth of highly dangerous pathogens such as *Clostridium botulinum*, *E. coli* 0157:H7, *Salmonella*, and *Listeria monocytogenes*. These bacteria can result in human illnesses including respiratory problems, pneumonia, diarrhea, vomiting, and in some cases can result in the death of the infected individual. Due to this high level of risk there is significant regulation to monitor the frozen dessert production industry which is designed to prevent illness and protect consumers.

The hearing will be held on:

May 2, 2018 at 9:00 A.M.

**Ohio Department of Agriculture
Bromfield Administration Building
Hearing Room 129 (Seminar "A")
8995 East Main Street
Reynoldsburg, Ohio 43068-3399.**

The hearing will be conducted in accordance with Chapter 119 of the Revised Code. Any person affected by the no change rule package may appear and be heard in person, by his attorney, or both, may present his position, arguments, or contentions, orally or in writing, offer and examine witnesses, and present evidence tending to show that the no change rule package, if adopted or effectuated, will be unreasonable or unlawful.

More information on the rule package, including a business impact analysis and copies of the rules, can be found at <http://www.agri.ohio.gov/proposedrules/proposedrules.aspx> or by visiting the Register of Ohio at www.registerofohio.state.oh.us.

Any person who wishes to present his position, arguments, or contentions in writing, other than at the public hearing, may do so by either mailing his or her written comments to the Ohio Department of Agriculture, c/o Legal Section, 8995 East Main Street, Reynoldsburg, Ohio 43068; by email at ecomments@agri.ohio.gov, or by transmitting by facsimile at (614) 995-4585. Written comments sent by mail shall be postmarked no later than the day of the hearing. Written comments transmitted by facsimile shall be received no later than 5:00 p.m. on the day of the hearing.

