

Public Notice

The Department of Agriculture, State of Ohio, will hold a public hearing for the purpose of accepting testimony on the proposed rescission of existing administrative rule **901:4-1-01** and amendment of existing rules **901:4-6-01**; **901:4-6-02**; and **901:4-6-06**.

Rule **901:4-1-01** establishes state grades for tomatoes. The rule is being proposed for rescission because tomatoes grown in Ohio are graded by U. S. Department of Agriculture inspectors using Federal standards in accordance with Revised Code section 925.26. Rules **901:4-6-01** and **901:4-6-06** relate to the establishment and administration of the Ohio Proud marketing program. These rules are being amended to change the references in the rules to the Division of Markets which administers the program. The amendment to rule **901:4-6-02** changes the program's logo "TM" symbol with to an "®" to indicate the logo is now a registered trademark.

The hearing will be held Tuesday, May 4, 2004, at 8:30 a.m., in Hearing Room 133 (Seminar 'B') Bromfield Administration Building, Ohio Department of Agriculture, 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 proposed changes to the rules may appear and be heard in person, by an attorney, or both, may present their position, arguments, or contentions, orally or in writing, offer and examine witnesses, and present evidence tending to show that the proposed changes, if adopted or effectuated, will be unreasonable or unlawful.

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