

To: Mark Hamlin
Director of Regulatory Policy
Ohio Lieutenant Governor's Office

From: Howard Henry
Staff Counsel
Ohio Department of Agriculture

Date: May 20, 2013

Subject: **Agency Response – Fertilizer Five-Year Review (OAC Chapters 901:5-1, 901:5-2, 901:5-3, and 901:5-5)**

Thank you for your recent review of the rules process for Ohio Administrative Code Chapter 901:5-1, 901:5-2, 901:5-3, and 901:5-5. Based upon your recommendation for no change to the rules, the Ohio Department of Agriculture will proceed with the formal filing of this rule package with the Joint Committee on Agency Rule Review.

Update: ODA is filing three rules in this package as amended rules, instead of no change. During the filing process a reference to ORC 905.31(F) was found in three rules, and this is an incorrect paragraph in ORC 905.31. The reference is being updated, and no other changes are being made to the rules. The rules being amended are: 901:5-1-01, 901:5-1-04, and 901:5-1-06.

