

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

From: Julie K. Phillips
Assistant Chief Legal Counsel
Ohio Department of Agriculture

Date: October 7, 2013

Subject: CSI Review – Walnut Twig Beetle Quarantine Rules (OAC 901:5-58-01, 02, 03, 04, and 05)

Thank you for your recent review of the rules process for Ohio Administrative Code Chapter 901:5-01 through 05. 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.

AMENDED: Upon additional review and recommendation of the Plant Health Division, ODA is further amending 901:5-58-02 with two revisions. Paragraph (B) which defines “Compliance agreement” is modified to cover those agreements under which regulated articles from a regulated area may qualify for entry through the state of Ohio, as well as any other state.

The previous language only identified those agreements which regulated entry into the state of Ohio. We have added this language to reflect the possibility of compliance agreements for the movement of articles from Butler County to other parts of Ohio, and the compliance agreements that are used to meet Indiana's requirements for Ohio walnut now that Butler County is positive for the presence of Walnut Twig Beetle.

