

**MEMORANDUM**

TO: David Miran, Ohio Department of Agriculture
FROM: Christopher Smyke, Regulatory Policy Advocate
DATE: November 13, 2017
RE: **CSI Review – Animal Importation Requirements (OAC 901:1-17-01 to 901:1-17-12, and 901:1-17-15)**

On behalf of Lt. Governor Mary Taylor, and pursuant to the authority granted to the Common Sense Initiative (CSI) Office under Ohio Revised Code (ORC) section 107.54, the CSI Office has reviewed the abovementioned administrative rule package and associated Business Impact Analysis (BIA). This memo represents the CSI Office's comments to the Agency as provided for in ORC 107.54.

Analysis

This rule package consists of thirteen amended¹ rules submitted by the Ohio Department of Agriculture (ODA). The rules have been reviewed pursuant to the statutory five-year rule review requirement. The rules were submitted to CSI on October 2, 2017 and the public comment period was held open until October 20, 2017. No stakeholder comments were received during the CSI review period.

The rules in this package govern the requirements for individuals who wish to import animals into the state of Ohio. The package covers all of the rules in Ohio Administrative Code (OAC) Chapter 901:1-17, except for the two rules pertaining to fish. The rules under consideration cover definitions, general requirements, areas from which swine may be imported, and import requirements for slaughter animals and non-domestic animals. The rules also include animal-specific importation and shipment requirements for cattle, bison, dogs, cats, goats, horses, sheep, llamas, and alpacas. The proposed amendments to these rules are largely non-substantive in nature

¹ Ohio Administrative Code (OAC) 901:1-17-09 is being amended to the extent that the Legislative Service Commission requires the Department to rescind the rule and replace it with a new rule of the same rule number.

and include restructuring the format of several rules, clarifying language and dates, and updates to grammar and style, as well as adding and clarifying numerous terms. The draft rules also add paragraphs pertaining to official individual identification for goats, sheep, llamas, and alpacas.

The BIA includes a comprehensive list of stakeholders contacted during the early stakeholder period. ODA did not receive any input during the early outreach period. In addition, no comments were received during the CSI public comment period.

OAC Chapter 901:1-17 impacts any individual or entity that wishes to import animals into the state of Ohio. The BIA notes that there are no license fees or fines associated with the rules; however an importer must obtain a Certificate of Veterinary Inspection and conduct the necessary testing. Any animal that tests positive for an infectious disease would not be permitted to be imported. The BIA declines to provide a quantitative estimate of the financial impact, as the cost of veterinary inspections can vary greatly depending on location, veterinarian, and species of animal. The rules are intended to avert or eradicate any potential animal disease outbreaks by supporting an effective animal disease traceability system.

Following review of the draft rules and BIA, it has been determined that the standards espoused by the CSI Office have been met, and the adverse impacts of the draft rules are justified.

Recommendations

For the reasons discussed above, the CSI Office does not have any recommendations for this rule package.

Conclusion

Based on the above comments, the CSI Office concludes that the Ohio Department of Agriculture should proceed with the formal filing of this rule package with the Joint Committee on Agency Rule Review.

CC: Emily Kaylor, Lt. Governor's Office