

**MEMORANDUM**

**TO:** David Miran, Ohio Department of Agriculture

**FROM:** Travis Butchello, Regulatory Policy Advocate

**DATE:** December 8, 2017

**RE:** **CSI Review – Animal Health: Poultry Rules (OAC 901:1-15-01 through 901:1-15-05)**

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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This rule package consists of five rescinded rules proposed by the Ohio Department of Agriculture as part of the statutory five-year rule review requirement. The rule package was submitted to the CSI Office on September 25, 2017 and the public comment period was held open through October 13, 2017. No public comments were received during this time.

The rules pertain to poultry animals moved within or imported into Ohio. Specifically, the rules establish protocols around reporting flocks found diseased, investigations, and quarantines. As part of the five-year rule review, the Department has requested the rules be rescinded because the aforementioned protocols exist in other Ohio Administrative Code rules.

As part of the early stakeholder outreach process, the Department consulted with the Ohio Poultry Association to seek input on the proposed rescission. After discussions with the Association, it was determined that other rules ensure the requirements still exist and therefore decided to proceed with the rescission.

No public comments were received during the CSI public comment period.

The rules impact any business or individual wishing to move within or import a poultry animal into Ohio. While the BIA notes that no additional adverse impact exists, CSI is required to address any adverse impact as part of the five-year rule review requirement. Based upon this analysis, CSI has determined that associated costs of compliance with the rules may include reporting requirements to the Department, costs and/or fines for non-compliance, and associated administrative costs to complete and file requisite forms.

### **Recommendation**

For the reasons explained above, this office does not have any recommendations regarding 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.