

**MEMORANDUM**

TO: David Miran, Ohio Department of Agriculture

FROM: Jacob Ritzenthaler, Regulatory Policy Advocate

DATE: February 2, 2018

RE: **CSI Review – Livestock Exhibition Quality Assurance (OAC 901-19-07)**

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 contains one amended rule proposed by the Ohio Department of Agriculture (ODA) for its statutorily-required five-year review. The rule package was submitted to the CSI Office on September 11, 2017 and the public comment period was held open through September 29, 2017. No public comments were received during this time.

Ohio Administrative Code (OAC) Chapter 901-19 sets forth requirements for the exhibition of livestock at shows or fairs. OAC 901-19-07 establishes that sponsors of livestock exhibition events must require exhibitors to demonstrate requisite knowledge in order to participate. Exhibitors may be required to participate in a quality assurance program or exam before exhibiting livestock. The rule is being amended to update the appendix, which sets forth the minimum standards for youth food animal quality assurance programs. The amendments include changes to the language that clarify the scope of requirements and the age limits of exhibitors.

During early stakeholder outreach, the rule was reviewed by members of the Ohio Advisory

77 South High Street | 30th Floor | Columbus, Ohio 43215-6117
CSIOhio@governor.ohio.gov

Committee on Livestock Exhibitions, which is made up of relevant livestock industry stakeholders. The amended rule was unanimously approved by the Committee. No comments were received during the CSI public comment period.

The business communities impacted by this rule include all sponsors of exhibition events, exhibitors, and owners of exhibited livestock. The adverse costs created by the rule include fines on exhibitors for violations of the rule and time spent maintaining compliance. Violation of the rule may result in fines equal to the prize winnings of the exhibitor, which can cost thousands of dollars. ODA states in the BIA that these rules protect the safety of livestock animals by ensuring exhibitors are qualified and that the burden placed on exhibitors is necessary to prevent deceptive competition. After reviewing the proposed rule and the BIA, the CSI Office has determined that the rule satisfactorily meets the standards espoused by the CSI Office, and the purpose of the rule package is justified.

Recommendations

For the reasons described above, the CSI Office has no recommendations on this rule package.

Conclusion

Based on its review of the proposed rule package, the CSI Office recommends the Ohio Department of Agriculture should proceed in filing the proposed rules with the Joint Committee on Agency Rule Review.