



Common Sense Initiative

Mike DeWine, Governor
Jon Husted, Lt. Governor

Joseph Baker, Director

Business Impact Analysis

Agency, Board, or Commission Name: Ohio Department of Agriculture

Rule Contact Name and Contact Information: Renee Schmauch
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Regulation/Package Title (a general description of the rules' substantive content):

Ohio Proud Program

Rule Number(s): 901:4-6-01, 03, 04, 05

Date of Submission for CSI Review: 12/5/2023

Public Comment Period End Date: 12/27/2023

Rule Type/Number of Rules:

New/ rules

No Change/ 1 rules (FYR? yes)

Amended/ 3 rules (FYR? yes)

Rescinded/ rules (FYR?)

The Common Sense Initiative is established in R.C. 107.61 to eliminate excessive and duplicative rules and regulations that stand in the way of job creation. Under the Common Sense Initiative, agencies must balance the critical objectives of regulations that have an adverse impact on business with the costs of compliance by the regulated parties. Agencies should promote transparency, responsiveness, predictability, and flexibility while developing regulations that are fair and easy to follow. Agencies should prioritize compliance over punishment, and to that end, should utilize plain language in the development of regulations.

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Reason for Submission

1. **R.C. 106.03 and 106.031 require agencies, when reviewing a rule, to determine whether the rule has an adverse impact on businesses as defined by R.C. 107.52. If the agency determines that it does, it must complete a business impact analysis and submit the rule for CSI review.**

Which adverse impact(s) to businesses has the agency determined the rule(s) create?

The rule(s):

- a. ☒ **Requires a license, permit, or any other prior authorization to engage in or operate a line of business.**
- b. ☐ **Imposes a criminal penalty, a civil penalty, or another sanction, or creates a cause of action for failure to comply with its terms.**
- c. ☐ **Requires specific expenditures or the report of information as a condition of compliance.**
- d. ☐ **Is likely to directly reduce the revenue or increase the expenses of the lines of business to which it will apply or applies.**

Regulatory Intent

2. **Please briefly describe the draft regulation in plain language.**

Please include the key provisions of the regulation as well as any proposed amendments.

Created in 1993, the Ohio Proud Program increases sales and consumer awareness of Ohio made and grown agricultural products. Since the program's inception, membership has grown to more than 300 members who make value-added products, raise livestock and grow fresh produce and nursery stock. These rules have been reviewed and amended pursuant to the five-year rule review process. The rules and their amendments are as follows:

OAC 901:4-6-01 outlines the definitions as used in the chapter. ODA proposes that no changes be made to this rule.

OAC 901:4-6-03 sets forth the application and registration process for participating in the Ohio Proud program. The rule has been amended to make clarifications which should assist in reader comprehension. No substantive changes have been made to the rule.

OAC 901:4-6-04 outlines the products which are eligible for participation in the Ohio Proud program. The rule has been amended to make one clarification which should assist in reader comprehension. No substantive changes have been made to the rule.

OAC 901:4-6-05 sets the fee for registration of products. The rule has been amended with a stylistic change and to make clarifications which should assist in reader comprehension. No substantive changes have been made to the rule.

3. Please list the Ohio statute(s) that authorize the agency, board or commission to adopt the rule(s) and the statute(s) that amplify that authority.

ORC 901.171

4. Does the regulation implement a federal requirement? Is the proposed regulation being adopted or amended to enable the state to obtain or maintain approval to administer and enforce a federal law or to participate in a federal program?
If yes, please briefly explain the source and substance of the federal requirement.

No

5. If the regulation implements a federal requirement, but includes provisions not specifically required by the federal government, please explain the rationale for exceeding the federal requirement.

Not Applicable

6. What is the public purpose for this regulation (i.e., why does the Agency feel that there needs to be any regulation in this area at all)?

Food and agriculture are one of Ohio's top industries, contributing more than \$123 billion to the state's economy. Ohio is home to more than 1,000 food processing companies and produces more than 200 commercial crops. The Ohio Proud program provides prospective consumers with a quick and reliable way for consumers to identify Ohio-made and grown goods.

Studies have shown that people are more willing to purchase products that are grown and produced locally over those that were not. Further, every dollar spent on Ohio Proud products reinvests in the state's economy. Ohio Proud allows consumers to support local farmers and food processors, their community, and Ohio's livelihood by purchasing Ohio Proud products.

7. How will the Agency measure the success of this regulation in terms of outputs and/or outcomes?

The Department will continue to review the Ohio Proud program to determine its impact on Ohio Proud products.

8. Are any of the proposed rules contained in this rule package being submitted pursuant to R.C. 101.352, 101.353, 106.032, 121.93, or 121.931?

If yes, please specify the rule number(s), the specific R.C. section requiring this submission, and a detailed explanation.

No

Development of the Regulation

9. Please list the stakeholders included by the Agency in the development or initial review of the draft regulation.

If applicable, please include the date and medium by which the stakeholders were initially contacted.

All 439 Ohio Proud stakeholders were contacted via email on September 18, 2023, for a public comment period which remained open until October 2, 2023.

CompanyName	First	Last
7 Wonders Farm	Jennifer	Bayne
80 Acres Farms	Rebecca	Haders
A Pup and A Cup Tea Company	Mashell	Brown
A to Z Portion Control Meats	Lee Ann	Kagy
	Savannah	Broadman
Acorn Farms, Inc.	Jill	Bartholomew
All Things Alpaca, LLC	Kimberly	Buechner Fouse
Al's Delicious Popcorn	Jan	Baird
Annarino Foods	Jon	Annarino
Arps Dairy, Inc.	TJ	Boyers
	Denny	Roehrig
Athens Foods Inc.	Michael	Pecoraro
Atlantic Veal & Lamb DBA Ohio Farms Packing	Michael	Barrett
	Marianne	Kolb
Auburn Acres	Shari	Bailey
Ayars Family Farm	John	Ayars
	Bonnie	Ayars
Ballreich's Potato Chips	Chelsie	Huebner
	Linda	Reis
Barking Squirrel Farms	Merritt	Brown
Barney's Frathouse Chiles	Barney	Spontak
Bauman Orchards, Inc.	Dianna	Bauman
Beetanicals/Beessential	Amy	Rzepka
Bee Wild Honey Farm, LLC	Rich	Stewart
Bella's Fine Foods, LLC	Sandy	Colopy
Bellevue Meats	Cindy	Dendinger
Bellisari's (The Annette James Group LLC)	Jim	Bellisari
Ben's Mustard	Ben	Neff
Benesafe Solutions	Esther	Salada
Berlin Natural Bakery, Inc.	Cindy	Widder
Bertman Original Ball Park Mustard	Gayle	Vos
Biery Cheese Company	Linda	Taylor
Big Axe spic+A51e, LLC	Mike	Diano
Big Jacks Gut Shack	Jeremiah	Jackson

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Billy Jim's BBQ Seasoning & Rub	Billy	Bird
Billy's Chillies	Billy	Colbert
Birdfish Brewing Co, LLC	Josh	Dunn
Bissell Maple Farm	Nathan	Bissell
	Jody	Brinker
	Tina	Smith
BJs Gourmet Garlic Farm	Jacob	Campbell
Blissful Biscuits	Susan	Jacobs
Bliss in a Bottle	Cheryl	Sher
Blue Jacket Dairy	Angela	King
Blue Ribbon Meats, Inc.	Loretta	Maynard
Blue To Green Acres	Randy	Porter
Bluescreek Farm Meats	Jamie	Johnson
Bokes Creek Winery	Mike	Frasca
Bonner Farms Beef & Market	Cindy	Cassidy
Boss Bison Ranch	Karen	Sticht
	James	Sticht
Bowman & Landes Turkey, Inc.	Drew	Bowman
	Julie	Burrowes
Brick & Thistle Farms	Christine	Rupp
Brinkman Turkey Farms, Inc.	Gene	Brinkman
	Dustin	Brinkman
BRM Cincinnati LLC dba Brandy Meats	Robert	Baldhoff
Brownie Points Inc.	Lisa	King
Buckeye Family Farms, LLC	Shannon	George
Buckeye Fresh	Kim	Hookway
Buckeye Shroomery	Sara	Coakley
Buckeye Valley Beef Coop.	Aubrey	Bolender
	Lori	Nethero
Buckeye Vodka/Crystal Spirits, LLC	Jim	Finke
	Tom	Rambasek
Buckhead Meat and Seafood of Ohio (Malcolm Meats)	Bob	Fritz
	Christalynn	Lotz
Butcher Family Maple Products	Justin	Butcher
Buurma Farms, Inc.		
	Nathan	Buurma
	Chadd	Buurma
Campbell Farm Market	Abby	Campbell
Carl Rittberger Sr. Inc.	Andy	Rittberger

Caruso's Coffee Company	Dominic	Caruso
	Gayle	Bragg
Cassie's Country Cupboard	Cassie	Menchhofer
Cheff Gerrie	Gerrie	Bielefeld
Cherry Blend Coffee Roasters Ltd.	Terry	Miller
Chocolates by Erin	Erin	Rohr
Cincinnati Microgreens	Tiffany	Shiffer
CinSoy Foods	Sam	Pellerito
	Jessica	Saydah
CKE Acquisition Co., LLC DBA C.Krueger's Finest Baked Goods	Laura	Dubenion
Cleveland Ketchup Company	Matt	McMonagle
Cockeye Creamery	Stacey	Hoover
Columbus Artisan Growers	James	Hu
Conn's Potato Chip Company	Thomas	George
Cooper Farms – Cooked Meats	Cassie Jo	Arend
	Neil	Diller
Cooper Farms/Hatchery, Inc.	Gary	Colliflower
Copey's Butcher Shop, Inc.	Melissa	Janow
Cornerstone Homestead, LLC	Megan	Williams
County Line Wholesale Produce Auction LTD	Bruce	Imhoff
Country Manor Mixes, LLC	Marybeth	Hodson
CrimsonCup Coffee & Tea	Greg	Ubert
Curly's Custom Meats Inc.	Josh	Schmerge
DB Yummers, LLC	Jeff	Detty
Decker's Nursery, Inc.	Brian	Decker
	Mike	Miller
Dei Fratelli / Hirzel Canning Company & Farms	Kirstie	Bell
Destination: Canal Winchester	Karen	Stiles
DeMassimo's LLC	Michael	DeMassimo
Dirty Fingernails Marketing, LLC DBA Livin Greens	Neal	Klabunde
D J Waskowski Inc. dba House of Pasta	Dave	Waskowski
DNO, Inc.	Anthony	Dinovo
	Alex	DiNovo
	Jeremy	Taylor
Donatos Pizza/Jane's Dough	Jennifer	Johnson
Double Comfort	Mary	Lyski
Double M Hilltop Farm	Victoria	Leonard
Doug Walcher Farms	Ken	Holthouse

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	Becky	Phillips
Draper's Apiary	Jeremy	Draper
Eban's Bakehouse	Adrienne	Novak
	Eric	Braddock
Edible Garden AG Incorporated	Jim	Kras
Elfrink Farms	Chris	Greiner
Elk Creek Honey Farm LLC	Tim	Moore
Elsass Farms, Inc.	Mark	Elsass
	William	Elsass
Emling Agricultural Services DBA Root 42 Harvests	Jacob	Emling
Epallet	Paul	Haynes
ETC Produce	Toncia	Chavez
Evans Family Ranch	Chad	Watkins
Ezzo Sausage Co.	Jon	Ezzo
	Mitch	Lebrasseur
Fibonacci Brewing Company	Betty	Bollas
Filkorn Market	Rebecca	Filkorn
Fisher's Gardens	Kristen	Caines
	Dan	Caines
Fitch Pharm Farm Maple Syrup	Doug	Fitch
Flour Pasta Company	Mick	McLean
Foertmeyer & Sons Greenhouse Company	Daniel	Foertmeyer
Forty Acres & Some Trees, LLC	Victoria	McDonald
Fresh 4 You Farm Market	Jill	Davie
Freshwater Farms of Ohio	David	Smith
From Thy Bounty	Tracy	Grosick
Fruits of My Desires	Desiree	Hall
Fuhrmann Orchards, LLC.	Abigail	Fuhrmann
Gardner Pie Company	Tom	Cavanaugh
Gearhart Farms LLC	Karl	Gearhart
Georgette's Grounds & Gifts	Tiffany	Regent
Gerber's Poultry, Inc.	Lisa	Gerber
	Chelsea	Smith
Gertie's Food Co., LLC	Michael	Pool
Gold Ribbon Gourmet	Maria	Paxos
G.R.A.C.E. Elderberry Co. LLC	Shanda	Amundsen
Gracious Farm	Crystal	Judge
Graminex LLC	Colleen	May
Grass Powered Poultry & Meats	Dana	Workman

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Great Lakes Growers, LLC	John	Bonner
	Alicia	Lillibridge
Great Sidney Farmer's Market	Amy	Breinich
Guggisberg Cheese	Ursula	Guggisberg-Bennet
Haessly Hardwood Lumber Co	Mark	Haessly
Happy Honey Bee Co.	Stephanie	Turney
Hartford Orchards LLC	Jessica	King
Hartville Kitchen Foods, Inc.	Sharon	Ailstock
	Christa	Kozy
Harvest Bell Farm	Tiffany	Mushrush-Mentzer
Henke Wine, LLC	Joe	Henke
Herbal Scent Creations	Pamela	Hoehn
Hickory Harvest Foods	Diane	Stevenson
	Joe	Swiatkowski
	Elizabeth (Betsy)	Meehan
High Desert Greens		
HMV Salvatori LLC	Hector	Salvatori
Hocking Hills Roastery LLC	Lori	Schrader
Holiday Italian Sausage, Inc.	Patrick	Casa
Honey Sweetie Acres	Regina	Bauscher
HTH Farm Market	Dennis	Kerr
Indian Creek Creamery, LLC	Ray	Jackson
Ingram Acres, LLC	Eliza	Ingram
J & K Specialty Foods	Dave	Johnson
Jac's Gingerbread LLC	Jackie	Maddern
James Tea Company	James	Kekelis
JB's Best (Milo's Whole World)	Jonathan	Leal
Jeff & Sheila's Apiary	Jeffrey	Dicken
Johnny J's Pub & Grille	Lisa	Falcon
Johnsons Real Ice Cream	Lisa	Wilcoxon
Jubie's Creamery	Julie	Domicone
Just Farmin'	Stephen	Willis
Just Mike's Jerky Company	Christine	Bowman-Fullard
	Karlie	White
Just Pizzelles	Christina	Benton
Kampfire Coffee Roasters, LLC	Jesse	Mohler
Karn Meats, Inc.	Colby	Karn
	Cheyenne	Craycraft
	Alexandra	Marquardt

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Katie's Snack Foods	Katie	Levesque
Kernels by Chrissie	Patrick	Fahey
Killik Hot Sauce	Michael	Killik
King & Sons Poultry Services	Levi	King
Kroger Company	Amy	McCormick
Kutz Farms Popcorn LLC	Alexander	Kutz
La Dolce 'Nola	Greg	Dolce'
Lake Erie Distillery	Cathy	Wisen
L. Marie, Ltd.	Pandoleen	Mack
	Pam	Mack
Lanning's Foods	Susan	Combs
Lavender Meadows LLC	Vicki	Wissler
Lehnert Meats	Robert	Lehnert
Lifegreens LLC	Steve	Aston
Link's Country Meats	Janice	Link
Little Miami Farms (Arthur Farms LLC)	Krista	Arthur
Livita, LLC DBA The Blonde Italian, Garden Garlic Seasoning	Lauren	Falcione
Local Roots Produce	CJ	Tucker
Lohstroh Family Farms	Michelle	Lohstroh
Lynd Fruit Farm	Debbie	Patton
Made w/out Grain/The Brown&Blond Bakery	Kathy	Wegner
MaiRo & Co – Dog Treat Bakery	Stephen	Drace
Maple Valley Maple Products	Bryce	Sanor
Mark's Homemade Ice Cream LLC	Jenny Lynne	Pfeifer
	Mark	Pfeifer
Marsha's Buckeyes, LLC	Brad	Smith
	Shannon	Smith
Martha's Bath and Body	Ben	Gorringe
Martig Farms, Inc.	John	Martig
Maverick Chocolate	Paul	Picton
McMaster Farms LLC	Carrie	McMaster
	Megan	McMaster
Meier's Wine Cellars/J.C. Meier Juice Co.	Ralph	Belling
	Ivy	Gaulin
Michael Farms Inc.	Scott	Michael
Middle West Spirits	Josh	Daily
Mike-Sell's Potato Chip Company	Luke	Mapp
	Phil	Kazer
Millcreek Gardens	Megan	Armstrong

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Miller's Creamery	Mandi	Miller
	Gladys	Miller
Miller's Sugar Camp, LLC	Robin	Wegner
Mimi's 331 Grandpa Sauce LLC	Cynthia	Sloan
Mini-Cakes Bakery, LLC	Stephanie	Struk
MKM Farms LLC	Mark	Hedman
	Bridget	Cramsey
Mom's Gourmet, LLC	Sally	Koepke
MRG Farm	Dave	Grohman
Mucci Farms/ Mimi Farms	Emily	Murracas
	Jeanette	Mack
Mucky Boots LLC	Heather	Jobson
My Brothers Backyard	Christopher	Lavdas
Na*Kyrsie Meats	Nate	Fagnilli
Nate's Nectar	Nathan	Davis
Nature's Health Food	Tony	Siebeneck
Nature's Honey Tree	Diane	Kruger
NatureFresh Farms	Kara	Badder
Naturiffic LLC	Jody	Shepard
New Albany Farmers Market/Healthy New Albany	Kristina	Jenny
	Emily	Snyder
No Bull Treats, LLC	Lynnette	Clouse
North Country Charcuterie, LLC	James	Forbes
Oakland Nursery	Paul	Reiner
	Kathy	Friedberg
Ohio Prairie Nursery	Emily	Riddell
Ohio Processors, Inc.	Kyle	Smith
Ohio Till Farmstead	Tim	Schacht
Ohio Valley Hops LLC	Dave	Volkman
Old Forge Dairy, LLC	Rebecca	Oravets
Old Homestead Soaps & Lotions	Ashley	Breitigam
Old World Foods	Andy	Emrisko
Old World Marketplace (The Cheese Guy)	Brent	Delman
	Jim	D'Ottavio
Olde Village Meats	KC and Jeff	Smith
Olympia Candies	Bob	McGrath
On-The-Rise Farm	Debbie	McCullough
One T Cidercraft LLC dba One T Mixcraft	Mathew	Vross
Onion Boy, Inc.	Tim	Hanline

Patter Fam Sauces	Sam	Peters
Peaceful Fruits, LLC	Keila	Hamed
Pearl Valley Cheese Company	John	Stalder
	Sally	Ellis
Phillips Processing Plant	Dale	Phillips
Pierre's Ice Cream Company, Inc.	Shelley	Roth
	Laura	Hindulak
Poppets Coffee LLC	Michael	Thomas
Possum Products, LLC	Russ	Riggle
Poured LLC/Fruit Symphony	Josie	Grim
Premium Meats	George	Kassos
Price Farms Organics, Ltd.	Tricia	Kalmar
PUR Spices Limited	Sonya	Patel
Quarry Hill Orchards	Benjamin	Gammie
	Brooke	Gammie
Queen City Farms	LeeAnn	Wells
R Farm of Northwest Ohio, LLC	Melissa	Rupp
R&R Candles, LLC	Brenda	Refice
Ravines Edge Maple Co.	Carly	Galvak
Ray's Sausage Company	Leslie	Lester
Red Cedar Coffee Company	Anne	Denton
	Larry	Denton
Redex Industries	Linda	Kuzior
RHF All-Natural Beef LLC	Randy	Raber
Rhoads Farm Inc.	Carly	Neff
	Kathleen	Rhoads
Richards Maple Products, Inc.	Jennifer	Freeman
Rich Life Farm & Fungi	Emalee	Richman
Ridiculously Good Salsa, LLC	Vickie	Nortz
Ripe Food Sales	Michael	Storer
Road Hog Willy's Real-Pit Barg-B-Q	William	Wheeler
Roaming Goat Coffee Company	Jason	Thomas
(RGCC Coffee Shop Address)		
Rockside Winery and Vineyards	Robin	Coolidge
	Valerie	Coolidge
Rooster's Organic	Tonya	Wallick
Roothouse Aquaponics, LLC	Mike	McGraw
Root's Meat Market LLC DBA Root's Poultry	Annette	Reed
Rosebuds Ranch & Garden	Amber	Stephenson

Run Amuck Farm, LLC	Liberty	Armstrong
Rus-Men Farms Beef, Pork, and Chicken	Elaina	Newcome
Rust Belt Pepper Company	Christina	
Rustic Brew Farm	Matt	Cunningham
Sam Okun Produce Co.	Shelly	Okun
Sarah's Sweets/ Tucker Family Farm	Sarah	Tacker
Satya Health Foods LLC DBA Litt Kombucha	Bhoomi	Pandat
Sauced & Glazed LLC	Robert	Rice
Sauder's Amish Country Eggs	Wayne	Troyer
Saums Market	Sheila	Hamm
Scherer Foods LLC	Scott	Scherer
Schlessman Seed Co.	Keith	Adams
	Nancy	Scherer
Schumaker Farms	Jim	Schumaker
Scott Farms	Erik	Scott
Seldom Seen Farm	Kevin	Holy
Shagbark Seed & Mill Company	Brandon	Jaeger
	Michelle	Ajamian
Shaker Valley Foods/ Atlantic Foods	Tiffany	Manolakis
Signature Beef-Berry Family Farm	Brad	Berry
Silver Bridge Coffee Company	Lorraine	Walker
	Aimee	Dursch
Simply Sweet Bakery	Aaron	Veyan
Sixth City Sauce Co. DBA Sixth City Provisions	Vicki	Camardo
Smith Brother's Sweets	Jeremy	Smith
Smith Dairy Products, Co.- Smith Foods, Inc.	Penny	Baker
Smokin' Bettie's BBQ	David	Ball
Snacks with a Twist by Nay's Creative Ways	Nay	Dismore
Snowville Creamery	Victoria	Taylor
	Anna	Shields
	Emily	Church
Sonnenberg Farms	Dusty	Sonnenberg
Stadium Salsa, LLC	Greg	Shepherd
St. Paris Farmer's Market	Ron	Prince
Stan Hess Family Maple Syrup	Stanley	Hess
Stanley's Market	Andrew	Zychowicz
Stauf's Coffee Roasters/Cup O'Joe	Robert	Metzger
	Lili	Soldaini
Stillwater Farms, LLC	Ashley	Weekly

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Streb's Meats, Inc.	Shelly	Streb
Strider Coffee Roasters	Eric	Irwin
Sugardale Foods/Superior's Brand Meats	Emily	Anthony
Sycamore Grove Farm	Dianne	Moore
Tank's Meats Inc.	Kurt	Amstutz
Terry Thomsen LLC (Pizagel)	Terry	Thomsen
That Dam Jam Company LLC	Barbie	Hahn
The Beckman and Gast Co.	William	Gast
The Bratworks LTD (Smith Family Frosted Foods, LLC)	Cheryl	Bowerman
The Cleveland Caramel Corn Co.	Pam	McClain
The Cone of West Chester	Keith	Wren
	Tabitha	Wren
The Fremont Company	Pam	Hufford
	Katie	Smith Peterson
The Gourmet Farm Girl	Deborah	Mahon
The Mustard Man Inc.	Tim	Campbell
	Annette	Campbell
The Preston Family Farm	Trish	Preston
The Slovak Gourmet	D.	Stefansky
The Treehugger Soap Company	Julia	Rothwell
Tiger Mushroom Farms	Te'Lario	Watkins
Tilly's Tasty Treats	Dave	Waskowski
Toft Dairy, Inc.	Sue	Dole
	Morgan	Miller
Tonn's Honey	Philip	Beachy
	Diane	Beachy
Tri State Cheese LLC	Nelson	Hershberger
Troutman Vineyards	Deanna	Troutman
Trumbull County Junior Fair Livestock Sale	Laurie	Jones
Turkeyfoot Creek Elderberry Farm	Janice	Hogrefe
Twin Oak Farms, LLC	Fred	Workman
Tyler's Farm LLC	Tyler	Gogolek
Underworld Feast	Lucia	Herrera
United Dairy Inc.	Doug	Longenette
	Jennifer	Cook
Urban Stead Cheese	Andrea	Siefring-Robbins
Velvet-View Farmstead, Ltd.	Brandi	Schlauch
Vino De Milo/ Milo's	Jonathan	Leal
	Jacqin	Herman

W Bench Farms, LLC	Shawn	Woods
Wayne Wilkins Backyard Bees	Wayne	Wilkins
Weaver Brothers, Inc.	Timothy	Weaver
	Rodney	Foote
Weaver Meats, Inc.	Michael	Weaver
Weber Rose Farms LLC	Jennifer	Rose
Welly's Sauces, LLC.	Mark	Damschroder
	Annette	Reed
West Branch Malts & Distillery	Randy	Thatcher
Wet Wood Farm, LLC	Ashley	O'Hara
White House Fruit Farm	Debbie	Pifer
Whitewater Processing Co/Kopps Turkey	Kevin	Kopp
	Kristina	Feller
Wiers Farm	Jim	Wiers
	Tyler	Weirs
Wilenstein Hospitality, LLC	Jonathan	Miller
Will-O-Wood Lamb Co., LLC	Don	Van Nostran
Windy Corner Apiaries	Edward	Nice
Wishwell Farms	Jason	Wish
Witten Farm Market & Greenhouse	Julie M.	Witten
Woeber Mustard Company	Francie	Adams
	Wally	Miller
Wolf Creek Vineyards	Andy	Troutman
	Deanna	Troutman
WoodBottom Quail Farms LLC	M	Segrist
Wyandotte Winery	Robin	Coolidge
	Valerie	Coolidge
Yarian Quality Malts	Sam	Yarian
Ye Olde Grist Mill (Fitch Pham Farm)	Doug	Fitch
Young's Jersey Dairy, Inc.	Dan	Young
Your Deli	Debbie	Dixon
Z's Cream & Bean	Loralie	Zirker DePiero
Zappia Enterprises, LLC DBA Zappia Foods	Daniel	Zappia

10. What input was provided by the stakeholders, and how did that input affect the draft regulation being proposed by the Agency?

The Department received one stakeholder comment during the open comment period regarding the definition of “Produced in Ohio.” The division evaluated the definition and determined the definition should remain unchanged.

11. What scientific data was used to develop the rule or the measurable outcomes of the rule? How does this data support the regulation being proposed?

A 2007 consumer study found that 93 percent of those surveyed prefer to buy Ohio products over national brands. Of those surveyed, 90 percent indicated they would pay up to 50 cents more for items made in Ohio. Ohio agribusinesses, farmers, producers, manufacturers, and retailers help consumers identify Ohio-made and grown products using the Ohio Proud logo. This study provides scientific data to show that products that bear that Ohio Proud logo fare better in the marketplace.

12. What alternative regulations (or specific provisions within the regulation) did the Agency consider, and why did it determine that these alternatives were not appropriate? If none, why didn't the Agency consider regulatory alternatives?

Alternative regulations may include performance-based regulations, which define the required outcome, but do not dictate the process the regulated stakeholders must use to comply.

The lack of stakeholder participation in this rule package has indicated to the Department that this is the best regulatory scheme at this time. For those reasons, no other regulatory alternatives were considered.

13. What measures did the Agency take to ensure that this regulation does not duplicate an existing Ohio regulation?

The Department is given sole regulatory authority in ORC 901.171.

14. Please describe the Agency's plan for implementation of the regulation, including any measures to ensure that the regulation is applied consistently and predictably for the regulated community.

Only minor stylistic changes have been made to these rules and they are already implemented within the industry. The Department works with all Ohio Proud members to educate and inform them on the regulations. The Department ensures that all Ohio Proud members are treated in a similar manner.

Adverse Impact to Business

15. Provide a summary of the estimated cost of compliance with the rule(s). Specifically, please do the following:

- a. Identify the scope of the impacted business community, and**
Manufacturers and producers of any agricultural commodity, processed food, feed, fiber, or combinations thereof, that is produced in Ohio and wishes to join the Ohio Proud program.
- b. Quantify and identify the nature of all adverse impact (e.g., fees, fines, employer time for compliance, etc.).**

The adverse impact can be quantified in terms of dollars, hours to comply, or other factors; and may be estimated for the entire regulated population or for a representative business. Please include the source for your information/estimated impact.

As this program is voluntary there is minimal adverse impact from this regulation. However, interested individuals must complete necessary paperwork which takes a minimal amount of time. The proposed product registration fee remains unchanged at \$50.

- 16. Are there any proposed changes to the rules that will reduce a regulatory burden imposed on the business community? Please identify. (*Reductions in regulatory burden may include streamlining reporting processes, simplifying rules to improve readability, eliminating requirements, reducing compliance time or fees, or other related factors*).**

No

- 17. Why did the Agency determine that the regulatory intent justifies the adverse impact to the regulated business community?**

As stated above, the Ohio Proud program gives consumers a quick and reliable way for consumers to identify Ohio-made and grown goods. Every time consumers purchase an Ohio Proud product; consumers are reinvesting in their communities and the state of Ohio. As the program is voluntary and the impact that the Ohio Proud program has had on Ohio's economy for the last 24 years, the Department considers the adverse impact to be justified.

Regulatory Flexibility

- 18. Does the regulation provide any exemptions or alternative means of compliance for small businesses? Please explain.**

As this program is voluntary, no exemptions or alternative means of compliance are necessary.

- 19. How will the agency apply Ohio Revised Code section 119.14 (waiver of fines and penalties for paperwork violations and first-time offenders) into implementation of the regulation?**

Not applicable.

- 20. What resources are available to assist small businesses with compliance of the regulation?**

The Department has online resources and has field staff available to provide assistance. Training and seminars are also available.