

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 3717-1-08.4

Rule Type: Amendment

Rule Title/Tagline: Special requirements: acidified white rice preparation criteria.

Agency Name: Ohio Uniform Food Safety Code

Division:

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I. Rule Summary

1. Is this a five year rule review? Yes
 - A. What is the rule's five year review date? 11/13/2018
2. Is this rule the result of recent legislation? No
3. What statute is this rule being promulgated under? 119.03
4. What statute(s) grant rule writing authority? 3717.04; 3717.05
5. What statute(s) does the rule implement or amplify? 3717.04; 3717.05
6. What are the reasons for proposing the rule?

This rule is being proposed due to the required five year review as well as updating the rules to be consistent to the current version of the Food and Drug Administration's (FDA) Model Food Code. Section 3717.05 (B)(1) of the Revised Code requires the Ohio uniform food safety code to be based on the most current version of the FDA model food code.

7. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

This rule provides requirements for acidification of white rice in food service operations and retail food establishments. Proposed changes included: (B)(4) Replace "must" with "shall" between "rice" and "have"; added "," and replace "and an equilibrium" with "not to exceed a" between "4.1" and "pH"; and replaced "4.6 or less" with "4.3"; (B)(5) replace "must" with "shall" between "solution" and "be"; (C) (1) Add "," and replace "and an equilibrium" with "not to exceed a" between "4.1" and "pH"; replace "4.6 or less" with "4.3" at the end of the paragraph; (C)(2) Move "Blending the slurry for approximately twenty seconds to create a thorough mix" from the end of the paragraph to new section (C)(3); (C)(3) New section "Blending the slurry for approximately twenty seconds to create a thorough mix."; (C)(4) Add "to ensure a pH of 4.3 or less is achieved." behind "slurry"; and remove "Repeated measurements with a new slurry from the same batch of rice must be taken to assure the equilibrium pH of 4.6 or less is achieved."; (E) Replace "Describes" with "A description of".

8. Does the rule incorporate material by reference? No
9. If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.71 to 121.76, please explain the basis for the exemption and how an individual can find the referenced material.

Not Applicable

10. If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.

Not Applicable

II. Fiscal Analysis

11. As a result of this proposed rule, please estimate the increase / decrease in revenues or expenditures affecting this agency, or the state generally, in the current biennium or future years. If the proposed rule is likely to have a different fiscal effect in future years, please describe the expected difference and operation.

This will have no impact on revenues or expenditures.

0.00

Not Applicable.

12. What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?

The estimated cost would include purchasing food, equipment and supplies; and staff time to ensure compliance.

- 13. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No
- 14. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No

III. Common Sense Initiative (CSI) Questions

- 15. Was this rule filed with the Common Sense Initiative Office? Yes
- 16. Does this rule have an adverse impact on business? No
 - A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? No
 - B. Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? No
 - C. Does this rule require specific expenditures or the report of information as a condition of compliance? No