



## PUBLIC NOTICE

The Ohio Department of Agriculture will hold a public hearing for the purpose of accepting testimony on the proposed amendments made to Chapter 901:1-25 of the Ohio Administrative Code.

Ohio Revised Code (ORC) Chapter 946 sets forth statutes regarding the identification of property it applies to livestock in the state of Ohio. In Ohio and across the country, this is accomplished through the use of livestock brands. Specifically, ORC § 924.07 states that the director of the Ohio Department of Agriculture “shall record livestock brands and maintain a central registry of brands.” Ohio Administrative Code (OAC) Chapter 901:1-25 outlines the regulations for the registration and recording of those brands. The rules are more specifically outlined on the following page.

The hearing will be held on:

**May 19, 2016 at 9:00 A.M.**

**Ohio Department of Agriculture  
Bromfield Administration Building  
Hearing Room 129 (Seminar “A”)  
8995 East Main Street  
Reynoldsburg, Ohio 43068-3399.**

The hearing will be conducted in accordance with Chapter 119 of the Revised Code. Any person affected by the no change rule package may appear and be heard in person, by his attorney, or both, may present his position, arguments, or contentions, orally or in writing, offer and examine witnesses, and present evidence tending to show that the no change rule package, if adopted or effectuated, will be unreasonable or unlawful.

**More information on the rule package, including a business impact analysis and copies of the rules, can be found at <http://www.agri.ohio.gov/proposedrules/proposedrules.aspx> or by visiting the Register of Ohio at [www.registerofohio.state.oh.us](http://www.registerofohio.state.oh.us).**

Any person who wishes to present his position, arguments, or contentions in writing, other than at the public hearing, may do so by either mailing his or her written comments to the Ohio Department of Agriculture, c/o Legal Section, 8995 East Main Street, Reynoldsburg, Ohio 43068; by email at [ecomments@agri.ohio.gov](mailto:ecomments@agri.ohio.gov), or by transmitting by facsimile at (614) 995-4585. Written comments sent by mail shall be postmarked no later than the day of the hearing. Written comments transmitted by facsimile shall be received no later than 5:00 p.m. on the day of the hearing.



**The rules to be reviewed are as follows:**

**OAC § 901:1-25-01** outlines the procedures for recording of livestock brands. The rule defines certain terms that are used in the chapter as well as outlining the important renewal deadlines. Additionally, the rule sets forth particular requirements for brand construction, including the prohibition of certain symbols and position of letters. These particulars preemptively eliminate confusion when reading two brands. The rule is being amended to add definitions to the rule as well as to make stylistic changes which should enable easier comprehension of the rule.

**OAC § 901:1-25-02** sets forth the fees for the registration of brands. The rule requires a fee of twenty-five dollars for each recorded, renewal, and re-recording of brands, as well as, ten dollars for the transfer of ownership and five dollars for each additional certificate requested. The rule is being amended to eliminate potential ambiguities in the rule by clarifying that renewal registrations must also pay a \$25 fee.

**OAC § 901:1-25-03** states that the director of the Ohio Department of Agriculture may designate a livestock identification law administrator. This rule is being rescinded as it is not currently in use by the Department. Further, there is no statutory requirement that the Director nominate such a position. Therefore, the rule is being rescinded.

**OAC § 901:1-25-04** states that individuals need to contact the Department upon the following occurrences: change in ownership, address, or name under which a brand is recorded. The rule is being amended to remove language that is unnecessary for the enforcement of the rule. There are no substantive changes to the rule.

**OAC § 901:1-25-05** states that in the event that any livestock is lost due to theft or suspect theft the owner shall contact the Department and the sheriff's office immediately. The rule is being amended to remove a toll-free number that is no longer in use by the Department.

**OAC § 901:1-25-06** outlines specific brands that the Department and the United States Department of Agriculture reserve the rights to use exclusively. These brands are primarily used for disease control and identification. For example, positive equine infectious anemia animals shall have a letter "A" branded on their bodies. The rule is being amended to come into conformity with USDA's current branding regulations. This is not a federal requirement however, it is important for uniformity. The amendments change where the brands of certain diseases are located.

