

LEGISLATIVE REVIEW OF ADOPTED REGULATIONS--NRS 233B.066
Informational Statement
LCB File No. R-088-15

1. A clear and concise explanation of the need for the adopted regulation.

Required by NRS 587.699 these proposed regulations create a Craft Food Industry that does not presently exist. This is a voluntary business enterprise that will allow individuals to prepare canned acidified food products in their homes and sell the food at farmer's markets and through individual sales.

2. Description of how public comment was solicited, a summary of public response, and an explanation of how other interested persons may obtain a copy of the summary.

Copies of the proposed regulations, notices of workshop and notices of intent to act upon the regulation were sent by U.S. mail and email to persons who were known to have an interest in the subject of Craft Foods, as well as any persons who had specifically requested such notice. There was no public response at the workshop or the hearing. These documents were also made available at the website of the Nevada Department of Agriculture (NDA) www.agri.nv.gov, mailed to all county libraries in Nevada and posted at the following locations:

Nevada Department of Agriculture
405 South 21st Street
Sparks, NV 89431-5566

Nevada Department of Agriculture
2150 Frazer Avenue
Sparks, NV 89431

Nevada Department of Agriculture
2300 McLeod
Las Vegas, NV 89104-4314

Nevada Department of Agriculture
4780 E. Idaho Street
Elko, NV 89801-4672

Interested persons may obtain a copy of the summary by contacting:

Nevada Department of Agriculture
Attn: Anna Vickrey
405 South 21st Street
Sparks, NV 89431

3. The number of persons who:

- (a) Attended each hearing:**
- (b) Testified at each hearing:**
- (c) Submitted written comments:**

Workshop date: 9/10/2015
Number in attendance: 1
Number testifying: 0
Written statements submitted: 0

Hearing date: 11/18/2015
Number in attendance: 0
Number testifying: 0
Written statements submitted: 0

- 4. For each person identified in paragraphs (b) and (c) of number 3 above, the following information if provided to the agency conducting the hearing:**

There were no comments submitted either in person or in writing.

- 5. A description of how comment was solicited from affected businesses, a summary of their response and an explanation of how other interested persons may obtain a copy of the summary.**

Since these regulations create a Craft Food Industry there are no small business currently effected. The adoption of the regulations will allow individuals to prepare canned acidified food products in their homes and sell the food at farmer's markets or through individual sales. Sales are limited in quantity and must be sold by the individual that prepared the food therefore no businesses will be effected. At the hearing and workshop there was no public response to the proposed regulations.

Interested persons may obtain a copy of the summary by contacting:

Nevada Department of Agriculture
Attn: Anna Vickrey, Operations Manager, Food & Nutrition Division
405 South 21st Street
Sparks, NV 89431

- 6. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.**

The proposed regulations were written with the assistance of several individuals interested in becoming Craft Food processors. Food safety specialists within the agency also participated to ensure that the methods used would provide for a safe product. No changes were made to the proposed regulations before the adoption.

- 7. The estimated economic effect of the regulation on the business which it is to regulate and on the public.**

(a) Estimated economic effect on the businesses which they are to regulate.

These regulations should have a beneficial economic impact. While there is an immediate adverse impact due to the initial fee to train, test and register, becoming a registered Craft Food Processor allows the registrant to sell acidified foods for a profit. The registration will cover a 3-year period allowing for greater profits in the second and third year, thus a long term beneficial effect.

(b) Estimated economic effect on the public which they are to regulate.

The public is not regulated by these changes. There is a benefit, both immediate and long term to the public that wishes to purchase locally sourced foods.

8. The estimated cost to the agency for enforcement of the proposed regulation:

The testing and permitting fees will cover the costs to the agency and we do not anticipate any additional costs.

9. A description of any regulations of other State or governmental agencies which the regulation overlaps or duplicates and a statement explaining why the duplication or overlap is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

Does not apply.

10. If the regulation includes provisions that are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

Does not apply.

11. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

SB 441 creates a 3-year registration. We anticipate the annual revenue to approximate \$80.00 per registrant for about 100 registrants. The money will be used to offset the Department's costs to train, test and register applicants and to approve recipes. The anticipated revenue will total \$8,000.00.