

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY NRS
233B.066**

LCB FILE R100-15

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) Chapter NAC 587 relating to licensure to manufacture, distribute or be a guarantor of commercial feed.

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

- The purpose of the proposed regulation change to NAC 587 is to benefit Nevada Department of Agriculture staff and small businesses by registering commercial feed distributors and manufactures in Nevada in order to comply with the federal Food Safety Modernization Act.

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

- Copies of the proposed regulation were sent by U.S mail and emailed to persons who were known to have interest in feed manufacturing in addition to seven businesses that identified themselves as being feed manufactures. These documents were also made available at the Nevada Department of Agriculture website, <http://agri.nv.gov/>, mailed to all county libraries in Nevada and posted at the locations listed below.

**Elko Brands Office
4780 E. Idaho Street
Elko Nevada, 89801**

**Las Vegas Office
2300 McLeod Street
Las Vegas Nevada, 89104**

**Reno/ Sparks Office
405 S. 21st Street
Sparks, Nevada 89431**

The Nevada Department of Agriculture's board was presented with the proposal to amend the proposed regulation where it was unanimously accepted to move forward with regulation change process.

The amendment to the regulation was presented at numerous events where interested persons were in attendance and public comment was taken. Some of these events included: the Nevada Farm Bureau Annual Meeting, and the Nevada Cattlemen's Association.

Surveys were distributed via U.S mail, email and social media outlets for interested persons to give feedback on the proposed amendment.

A workshop was held September 10, 2015 for interested persons to attend and review the impact on small business and make public comment.

A public hearing was held on November 30, 2015 where the intent to adopt the regulation as a permanent regulation was formally announced and discussed.

The number persons who:

Attended at each hearing: January 15, 2015-November 30, 2015 : 0

Testified at each hearing: January 15, 2015- November 30, 2015 : 0

Submitted to the agency written comments: No written comment was submitted.

A list of names and contact information, including telephone number, business address, business telephone number and electronic mail address and the name of entity or organization represented for each person identified above in #3, as provided to the agency, is attached as Exhibit A.

****No attendees at hearing or workshop.**

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

Comments were solicited from affected business in the same manner as they were solicited from the public. The summary may be obtained as instructed in the response to question #1.

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 permanent regulation was adopted December 1, 2015.

The estimated economic effect of the adopted regulation on the businesses which it is to regulate and on the public. These must be stated separately, and each case must include:

There will be minimal economic effects to businesses regulated. The \$75 annual fee per business entity is a small effect when considering it is necessary to comply with federal law and help ensure the safety of Nevada citizens. The total economic impact to the feed production and distribution industry will be under \$100,000.

The positive effects will be much greater by ensuring businesses can continue to operate in Nevada under the federal law requirements. These effects will be immediate and continue long term.

The estimated cost to the agency for enforcement of the adopted regulation.

The agency estimates a cost of less than \$100,000 dollars to enforce the adopted regulation.

A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

These provisions are mandated by the federal Food Safety Modernization Act.
The FDA requests that individual states to implement the act.

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

There are no more stringent federal regulations that apply.

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.

The agency expects to collect less than \$100,000 in fees from this regulation.
These fees will be used to enforce the regulations through an inspector, equipment and associated expenses.