

**PROPOSED REGULATION OF THE
STATE DAIRY COMMISSION**

LCB File No. R023-16

DIVISION OF FOOD & NUTRITION

**NOTICE OF INTENT TO ACT UPON A REGULATION
And
NOTICE OF HEARING FOR THE ADOPTION OF REGULATIONS**

The Nevada Department of Agriculture will hold a public hearing on May 19, 2016 at 12:00 PM, at the Department of Agriculture – 405 S. 21st Street, Sparks, NV 89431; Phone: (775) 353-3601. The purpose of the hearing is to receive comments from all interested persons regarding the Amendment of regulations that pertain to chapter 584 of the Nevada Administrative Code. The proposal has been designated as File No. R023-16 by the Nevada Legislative Counsel Bureau.

The following information is provided pursuant to the requirements of NRS 233B.0603:

The purpose is to solicit public comments from interested persons on the following proposed regulations: NAC 584.0361 to 584.6457; *a regulation relating to Dairy Products and Substitutes; and providing other matters properly relating thereto.*

The Nevada Dairy Commission is seeking to amend, repeal, and adopt regulations under Nevada Administrative Code (NAC) 584. The purpose of these changes is to clarify existing regulations, remove outdated language, update references, eliminate outdated regulations and make the regulations more business friendly.

1. The purpose of the proposed amendments to NAC 584.0361 to NAC 584.6457 is to benefit the people of the State of Nevada, including Nevada Department of Agriculture staff and small businesses by making the regulations more business friendly.
2. A copy of the proposed regulations may be obtained on the Legislature's website, at http://www.leg.state.nv.us/register/indexes/2016_NAC_REGISTER_KEYWORD.HTM:_at_www/agro/mv/gpv or by calling Kathleen Easley at 775-353-3615 or Anna Vickrey at 775-353-3605.
3. The purpose of these changes is to clarify existing regulations, remove outdated language, update references, eliminate outdated regulations and make the regulations more business friendly.
4. (a) There is expected to be no adverse economic impact on any regulated dairy business or the public. The change will benefit dairy licensees by clarifying and removing outdated regulations.
(b) The immediate and long-term effect of these regulation changes will be to provide dairy businesses and licensee's regulations that are up-to-date and easier to understand and work with.
5. Since this amendment is an administrative change, there will be no cost for enforcement.

6. The proposed regulation will not overlap or duplicate any regulations set by federal, state or local government agencies.
7. The proposed regulation is not required by federal law.
8. The proposed regulation does not include any provisions more stringent than a federal regulation that regulates the same activity.
9. The proposed regulation does not increase or establish any new fees.
10. NRS 233B.064(2) Statement: Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption, and incorporate therein its reason for overruling the consideration urged against its adoption.
11. Method for determining small business impact. A concerted effort was made to determine the impact of the proposed regulation on small businesses. Dairy Commission staff met with industry to discuss the revisions and has determined that they simplify the existing regulations and do not (a) impose a direct and significant economic burden upon any small businesses or (b) directly restrict the formation, operation or expansion of a small business, as there is no negative effect on the industry.

Persons wishing to comment upon the proposed action of the Nevada Department of Agriculture may appear at the scheduled public hearing or may address their comments, data, views, or arguments, in written form, to the address below.

Nevada Department of Agriculture
405 S. 21st Street
Sparks, NV 89431
ATTN: Anna Vickrey
(775) 353-3605
avickrey@agri.nv.gov

Written submissions must be received by the Nevada Department of Agriculture on or before May 16, 2016. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Nevada Department of Agriculture may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be amended will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be amended will be available at:

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

Nevada Department of Agriculture
2300 East St. Louis Avenue
Las Vegas, NV 89104

Nevada Department of Agriculture
4780 E. Idaho Street
Elko, NV 89445

And in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at <http://www.leg.state.nv.us>. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

NRS 233B.064(2) provides: Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption, and incorporate therein its reason for overruling the consideration urged against its adoption.

This notice of hearing has been posted at the following locations:

The Nevada State Library in Carson City, and all Nevada county libraries. The Department of Agriculture offices in Sparks, Las Vegas or Elko during the hours of 8:00 a.m. until 5:00 p.m. Monday through Friday.

Clark County Library, 833 Las Vegas Boulevard North, Las Vegas, NV 89101
Douglas County Library, 1625 Library Lane, Minden, NV 89423
Elko County Library, 720 Court Street, Elko, NV 89801
Esmeralda County Library, Corner of Crook & 4th Streets, Goldfield, NV 89013
Eureka Branch Library, 10190 Monroe Street, P.O. Box 293, Eureka, NV 89316
Humboldt County Library, 85 East 5th Street, Winnemucca, NV 89445
Lander County Library, 625 South Broad Street, Battle Mountain, NV 89820
Lincoln County Library, 63 Main Street, Pioche, NV 89043
Lyon County Library, 20 Nevin Way, Yerington, NV 89447
Mineral County Public Library, 110 1st Street, Hawthorne, NV 89415
Pershing County Library, 1125 Central Avenue, Lovelock, NV 89419
Storey County Public Library, 95 South R Street, Virginia City, NV 89440
Tonopah Public Library, 167 Central Street, Tonopah, NV 89049
Washoe County Library, 301 South Center Street, Reno, NV 89501
White Pine County Library, 950 Campton Street, Ely, NV 89301
Nevada State Legislature Website: www.leg.state.nv.us

MEETING NOTICE AND AGENDA

Public Hearing

Notice of Intent to Act Upon a Regulation

LOCATION: Nevada Department of Agriculture
405 S. 21st Street
Sparks, NV 89431
Phone: 775-353-3601

Video-conference to: Nevada Department of Agriculture
2300 East St. Louis Avenue
Las Vegas, NV 89104
Phone: 702-668-4590

DATE AND TIME: May 19th, 2016 at 12:00 PM

Public comment will be taken on the intent to adopt a regulation. The purpose is to solicit public comments from interested persons on the following proposed regulation: NAC 584.0361 to 584.6457; *a regulation relating to Dairy Products and Substitutes; and providing other matters properly relating thereto.*

Note: We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify The Dept. of Agriculture in writing at 405 S. 21st Street, Sparks, NV 89431 or contact Jerri Conrad at 775-353-3619.

Copies of both the State of Nevada Dairy Commission with supporting documentation and Open Meeting Minutes are available, at no charge, for inspection at the Dept. of Agriculture 405 S. 21st Street, Sparks, NV, 89431 or Dept. of Agriculture website at www.agri.state.nv.us. For additional information contact Jerri Conrad at 775-353-3619.

Notice of this meeting was posted on or before 9:00 a.m. 30 days before the meeting at the following locations: Nevada Department of Agriculture, 405 S. 21st Street, Sparks, NV 89431, Nevada Department of Agriculture, 2150 Frazer Ave., Sparks, NV 89431, Nevada Department of Agriculture, 4780 E. Idaho Street, Elko, NV 89801, Nevada Department of Agriculture, 2300 East St. Louis Ave., Las Vegas, NV 89104, State of Nevada Capital Building, Carson City NV, State Library and Archives, Carson City.