

LEGISLATIVE REVIEW OF ADOPTED REGULATIONS--NAC 576.300-576.440
Informational Statement
LCB File No. R-086-15

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

The new federal requirements under the Food Safety Modernization Act mandate the ability to trace food sources in the event of a food borne illness event. We have no way to do that without registering producers of products destined for human consumption.

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.

Public Comment was solicited in the following manner: Posting were done on August 24, 2015, Notice of workshop and October 22, 2015, Notice of hearing date. Notices of workshop and notices of intent to act upon the regulation were sent by U.S. mail or email to persons who were known to have an interest in changes to NAC 576, as well as any persons who had specifically requested such notice. 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 21 st Street Sparks, NV 89431-5566	Nevada Department of Agriculture 2150 Frazer Avenue Sparks, NV 89431
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Nevada Department of Agriculture 2300 McLeod Street Las Vegas, NV 89104-4314	Nevada Department of Agriculture 4780 E. Idaho Street Elko, NV 89801-4672
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Interested persons may obtain a copy of the summary by contacting:
Nevada Department of Agriculture
Attn: Ruth Tietjen
405 S. 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: September 10, 2015
Number in attendance: 3 (NDA Staff)
Number testifying: 1
Written statements submitted: 0

Hearing: November 23, 2015
Number in attendance: 1 (NDA Staff)
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:**
- (a) **Name;**
 - (b) **Telephone number;**
 - (c) **Business address;**
 - (d) **Business telephone number;**
 - (e) **Electronic mail address; and**
 - (f) **Name of entity or organization represented.**

None.

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.**

Public Comment was solicited in the following manner: Posting were done on August 24, 2015, Notice of workshop and October 22, 2015, Notice of hearing date. Notices of workshop and notices of intent to act upon the regulation were sent by U.S. mail or email to persons who were known to have an interest in changes to NAC 576, as well as any persons who had specifically requested such notice. 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

Nevada Department of Agriculture
Attn: Bart O'Toole, Consumer Equitability Division
2450 Frazer Ave.
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.**

No changes were requested or required.

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

The estimated economic effect on the business these registrations is minimal.

There is no estimated or calculated economic effect on the public for this fee increase.

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

There is no additional cost to the agency for the enforcement of this regulation.

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.

There are no other state or government agency regulations that the proposed amendments duplicate

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

These regulations are not more stringent than federal regulations.

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.

The fee for added registrants for Producers Certificates was waived. The \$50.00 fee that applies to our Producers Certificate holders now applies to Produce Vendors who market products in Nevada. We expect fewer than 50 registrants annually. Revenue generated will be used to offset the cost of registration enforcement.