

**ADOPTED REGULATION OF THE
STATE QUARANTINE OFFICER**

LCB File No. R123-02

Effective November 4, 2002

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §1, NRS 587.360.

Section 1. NAC 587.355 is hereby amended to read as follows:

587.355 1. The United States Standards for Grades of Potatoes set forth in 7 C.F.R. §§ 51.1540 to 51.1566, inclusive, as these sections existed on March 27, 1991, are adopted by reference as the standards for grades of potatoes in Nevada ~~[-]~~, *except for the minimum diameter size and weight of a U.S. No. 1 potato. The minimum diameter size and weight of a U.S. No. 1 potato in Nevada are 2 inches and 4 ounces, respectively.*

2. These standards may be acquired from the department at no cost.

NOTICE OF ADOPTION OF PROPOSED REGULATION
LCB File No. R123-02

On October 23, 2002, the State Board of Agriculture adopted regulations assigned LCB file number R123-02, which pertains to chapter 587 of the Nevada Administrative Code. A copy of the regulations as adopted is attached hereto.

Notice date: 7/22/2002
Hearing date: 8/26/2002

Date of adoption by agency: 10/23/2002
Filing date: 11/4/2002

INFORMATIONAL STATEMENT

1. A public workshop was held on August 26, 2002, in Reno, Nevada, at the Nevada Department of Agriculture Office, 350 Capitol Hill Avenue, Reno, Nevada.
2. A public hearing was held on August 26, 2002, in Reno, Nevada, at the Nevada Department of Agriculture Office, 350 Capitol Hill Avenue, Reno, Nevada.

Notice of workshop and notice of hearing was posted at all six Department offices, the Nevada State Library in Carson City, Nevada, and all Nevada county libraries. The notice of workshop and hearing was posted on the Department's web-site. Copies could be requested from the Nevada Department of Agriculture by writing to 350 Capitol Hill Avenue, Reno, Nevada, 89502, calling (775) 688-1180, contacting all other Department offices, the Nevada State Library in Carson City, and all Nevada county libraries. All persons who have requested to be notified of amendments were notified by fax or e-mail.

3. Workshop held August 26,2002 – Reno

Number attended:	0
Number testified:	0
No written statements were submitted:	0

Summary of comments: None.

4. Hearing held August 21,2002 – Reno

Number attending:	0
Number testifying:	0
Number of written statements submitted:	1

One written statement was received form Winnemucca Farms Inc, supporting adoption of the amendments to the regulation.

5. Comments were solicited from business and the public by posting in public locations and through direct fax and e-mail notices as outlined in #1 above. A copy of the comments and oral and written testimony may be obtained by calling the Nevada Department of Agriculture office, (775) 688-1180.

The Nevada Board of Agriculture adopted the amendments without changes.

6. The economic effects of the adopted amendments on the business which it is to regulate include:
 - a. Adverse effects:
None
 - b. Beneficial effects:
The higher standard will improve marketing and improve the quality control of the potatoes offered for sale.
 - c. Immediate and long-term economic effects:
The adverse and beneficial effects are the same for immediate and long-term.
7. Economic effects of the proposed amendments on the public include:
 - a. Adverse effects:
None
 - b. Beneficial effects:
None.
 - c. Immediate and long-term economic effects:
The adverse and beneficial effects are the same for the immediate and long-term.
8. Economic cost to the agency for the enforcement of the regulation:

There will not be any additional cost to the agency to enforce the amendments adopted.
9. There are no other state or federal agency regulations which the adopted amendments overlap or duplicate.
10. The amendments adopted do not include any provisions more stringent than any federal regulation with the same activity.
11. This regulation does not establish or increase any fees.