

## IDAPA 02 – DEPARTMENT OF AGRICULTURE

### 02.06.02 – RULES PERTAINING TO THE IDAHO COMMERCIAL FEED LAW

DOCKET NO. 02-0602-1201

#### NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING

**AUTHORITY:** In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Section 25-2710, Idaho Code.

**MEETING SCHEDULE:** A public meeting(s) on the negotiated rulemaking will be held as follows:

July 11, 2012 at 10:00 a.m. (MDT) – Idaho State Department of Agriculture, 2270 Old Penitentiary Road, Boise, ID 83712

July 18, 2012 at 10:00 a.m. (MDT) – Idaho State Department of Agriculture, 2270 Old Penitentiary Road, Boise, ID 83712

August 1, 2012 at 10:00 a.m. (MDT) – Idaho State Department of Agriculture, 2270 Old Penitentiary Road, Boise, ID 83712

**METHOD OF PARTICIPATION:** Persons wishing to participate in the negotiated rulemaking must do the following: Interested members of the public who wish to participate must submit any written comments, questions, recommendations, or ideas to the Idaho State Department of Agriculture addressed to Kathryn Mink, Section Manager Feed, Fertilizer & Seed. Individuals may also attend the public meetings to be conducted on the above dates during which the Idaho State Department of Agriculture will allow oral comments or presentations to be made.

**DESCRIPTIVE SUMMARY:** The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principle issues involved:

Add a section, *011. Exemptions*, to define those processing byproducts and production wastes that will be exempt from registration. Products to be exempted TBD.

Add a section *020. Registration & Fees*, to set in rule a negotiated fee of not more than \$100 for registration of commercial feeds. Fee TBD.

Add a section *050.01.h*, Inclusion of statements and promotion on company websites or other internet based customer interfaces into the definition of “labeling.”

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING COPIES:** For assistance on technical questions concerning this negotiated rulemaking or to obtain a copy of the preliminary draft of the text of the proposed rule (*if available*), contact Kathryn Mink, Section Manager Feed, Fertilizer & Seed at (208) 332-8620.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and must be delivered on or before July 20, 2012.

DATED this 17<sup>th</sup> day of May, 2012

Brian J. Oakey, Deputy Director  
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