



Tracking #: A210-2018-2
Status: DFM Analyst: Recommended 04/13/18
 Gov's Office: Recommended 04/24/18
 DFM Admin: Approved 04/24/18

Administrative Rules Request Form

Agency Name: Agriculture, Department of Primary Contact: Leah Clark Phone: 208-332-8684 Secondary Contact: Phone: Person Authorizing Rule: Brian Oakey Phone: 208-332-8500	Submitted on: 04/12/2018 Email: leah.clark@isda.idaho.gov Email: Email: Brian.Oakey@ISDA.Idaho.gov
Statutory Authority for the rule making (Idaho Code, Federal Statute or Regulation): Idaho Code Section 22-112	
Title, Chapter, and Possible Docket (IDAPA) Number: 02.01.04	
This rule is: <input checked="" type="checkbox"/> Proposed <input type="checkbox"/> Temporary <input type="checkbox"/> Proposed/Temporary	Effective Date:
Agency has determined according to Idaho Code 67-5220(1): <input checked="" type="checkbox"/> This rule is to be negotiated Agency certifies that the rule : <input type="checkbox"/> has been <input checked="" type="checkbox"/> will be negotiated with interested persons as outlined in Idaho Code 67-5220(3). <input type="checkbox"/> Negotiation of this rule is not feasible <input type="checkbox"/> Rule is temporary; or <input type="checkbox"/> Lack of identifiable representatives of affected interests; or <input type="checkbox"/> Rule is simple in nature; or <input type="checkbox"/> Affected interests are not likely to reach consensus; or <input type="checkbox"/> Other.	
Please explain:	
Provide a fiscal impact statement for all programs affected. Be sure to reflect both positive and negative impacts and to include all fund sources including both the General Fund and dedicated funds: There will be no fiscal impact of this rule change.	
Provide a short explanation of the need for this rule: The Idaho Wine Commission has requested that the requirements for wineries to qualify for Idaho Preferred® be changed from 95% Idaho grapes to 75% Idaho grapes. The 95% level is very difficult to achieve in years where weather conditions lead to loss of grapes due to late freeze or other conditions.	
Does this rule adopt amendments to materials previously incorporated by reference? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Filename:	
Provide a short summary of the changes this rule makes: Current: 04. Wine. Wines shall contain a minimum of ninety-five percent (95%) Idaho grapes. (4-6-05. Proposed: 04. Wine. Wines shall contain a minimum of seventy-five percent (75%) Idaho grapes.	
Provide a list of those persons or interested group(s) affected by the rule: Idaho wine grape growers, Idaho wineries, Idaho Beer & Wine Distributors Association.	
DFM Analyst: Amber Christofferson Recommendation: <input checked="" type="checkbox"/> Recommended <input type="checkbox"/> Not Recommended <input type="checkbox"/> Pending Date: 04/13/2018	
Comments:	
Fiscal Impact Comments: There is no fiscal impact to the State.	

Special Assistant: Katrine Franks

Recommendation: Recommended Not Recommended

Date: 04/24/2018

Comments:

Decreases labeling requirements for Idaho Preferred wines from 95% to 75%. 95% is hard to achieve in bad weather years, like last year. Should be negotiated. Proceed.

DFM Administrator Action:

04/24/2018

Authorized to Advance to Rulemaking Process, DFM to review draft rule prior to publication

Approved Not Approved