

**Idaho State Department of Agriculture**

**IDAPA 02.02.02 through 02.06.10 Consolidation and Reorganization of Chapters under ISDA**

**November 14, 2019**

**Brian Oakey, Facilitator**

Present: Nichole Drake, Tessengerlo Kerley – Crop Vitality; Laura Thomas, ISDA; Cindy Stark, ISDA; Dr. Bill Barton, ISDA; Nic Zurfluh, ISDA; Dr. Scott Leibsle, ISDA; Lloyd Knight, ISDA; Jeremy Varley, ISDA; Brian Oakey, ISDA; Katy DeVries, Office of Attorney General – ISDA; Janis Perry, ISDA

**AGENDA ITEMS**

**WELCOME**

Brian Oakey convened the meeting at 9:05 a.m. Brian explained that the purpose of the meeting is to review what ISDA has done to consolidate rules and provide comments. The governor directed all agencies to look at all rules to eliminate redundancy. ISDA has combined chapters that have similar functions. A chart showing the combinations was distributed. Brian indicated that change can be a challenge. He noted that typically the summer months are used for negotiated rulemaking, not November. He stated that there are opportunities on the ISDA website to participate and comment on the rules. He indicated that three divisions are affected by the consolidation and that representatives of each are present. No substantive changes have been made. The majority of the rules are in place because industry asked the agency to help level the playing field. The next step is that these thirteen rules will be published in the January Bulletin as pending rules and then they will go to the legislative committees for review in mid-January.

Nichole Drake asked that the rules involving inspection of potatoes, fertilizer, bee inspections, soil and plant amendments and livestock auctions be discussed.

Cindy Stark, Ag Inspections Administrator, explained IDAPA 02.02.02 Rules Governing Grading and Controlled Atmosphere Storage of Apples and IDAPA 02.02.05 Rules Governing Grading of Stone Fruit. She discussed the purpose of each rule and indicated where the Subchapters were added.

Dr. Barton, Animal Industries Administrator, discussed IDAPA 02.04.26 Rules Governing the Public Exchange of Livestock. In response to Nichole Drake’s question, he explained that horses are included in this rule as part of the definition of livestock. He stated that the rule regulates the sale and exchange of livestock, including proof of ownership. He noted that if the definitions were included in statute they were removed from the rule. Nichole asked if branding had changed. Dr. Barton explained that branding is handled under Idaho State Police, not ISDA.

Lloyd Knight, Plant Industries Administrator, discussed IDAPA 02.06.02 Rules Governing Registrations and Licenses. This new consolidated rule includes fertilizer, soil and plant amendments and bee inspections. The rule outlines the product registration and label requirements so that “what’s on the bag is in the bag.” In response Nichole Drake’s question regarding liquid fertilizer, Lloyd responded yes it is

covered but not sampled every year. He noted that the rule references the Association of American Feed control Officials (AAFCO) publication which standardizes the requirements nationwide. Regarding bee inspection and registration, the rule helps get a handle on where bees come from so that disease can be prevented.

Brian Oakey pointed out where on the website to find information on all ISDA rulemaking. Comments for these consolidated rules must be submitted by November 27.

Brian Oakey adjourned the meeting at 9:45 a.m.

Respectfully submitted by Janis Perry