



PUBLIC NOTICE

The Ohio Department of Agriculture will hold a public hearing for the purpose of accepting testimony on the proposed amendments made to Chapter 901:5-4 of the Ohio Administrative Code.

The rules in this package were originally enacted pursuant to Senate Bill 150 of the 130th General Assembly. The rules established a fertilizers certification program, which required training, certification, and record keeping for individuals who apply fertilizer to over 50 acres of land for agricultural production. The amendments found in this chapter have been proposed to fine tune the certification program after its first two years.

Rules 901:5-4-02 outlines requirements for obtaining a fertilizer certificate from the Department. The rule is being amended to clarify the definition of a person acting “under the instructions and control” of a certificate holder. Further, the rule adds a 180-day grace period for those who have completed their educational requirements but have failed to submit a timely application.

Rules 901:5-4-03 sets forth the education requirements for obtaining a fertilizer certificate. The rule is amended to clarify the education requirements for initial and renewal applicants. Additionally, the rule establishes an exam, which individuals may elect to take, rather than attend a course.

Rule 901:5-4-04 outlines record keeping requirements. The rule is proposed to add “number of acres” and “total amount of fertilizer, by weight or volume” to the list of received information to be documented.

The hearing will be held on:

July 27, 2017 at 9:00 A.M.

**Ohio Department of Agriculture
Bromfield Administration Building
Hearing Room 133 (Seminar “B”)
8995 East Main Street
Reynoldsburg, Ohio 43068-3399.**

The hearing will be conducted in accordance with Chapter 119 of the Revised Code. Any person affected by the no change rule package may appear and be heard in person, by his attorney, or both, may present his position, arguments, or contentions, orally or in writing, offer and examine witnesses, and present evidence tending to show that the no change rule package, if adopted or effectuated, will be unreasonable or unlawful.



More information on the rule package, including a business impact analysis and copies of the rules, can be found at <http://www.agri.ohio.gov/proposedrules/proposedrules.aspx> or by visiting the Register of Ohio at www.registerofohio.state.oh.us.

Any person who wishes to present his position, arguments, or contentions in writing, other than at the public hearing, may do so by either mailing his or her written comments to the Ohio Department of Agriculture, c/o Legal Section, 8995 East Main Street, Reynoldsburg, Ohio 43068; by email at ecomments@agri.ohio.gov, or by transmitting by facsimile at (614) 995-4585. Written comments sent by mail shall be postmarked no later than the day of the hearing. Written comments transmitted by facsimile shall be received no later than 5:00 p.m. on the day of the hearing.

