



REQUEST FOR PUBLIC COMMENT Produce Safety – New Rules Review

The rules in this package have been reviewed pursuant to Chapter 119 of the Revised Code and are being proposed as follows. **The comment period will remain open through September 22, 2017.** Comments may be emailed to ecomments@agri.ohio.gov or mailed to Legal Section, Ohio Department of Agriculture, 8995 E. Main St., Reynoldsburg, Ohio 43068.

The rules in this package adopt the produce safety processes as set forth in Title 21 of the Code of Federal Regulations part 112. These regulations focus on setting standards for the production, harvest, and handling of fruits and vegetables, in an effort to reduce foodborne illnesses and to prevent microbial contamination associated with fresh produce. These rules contained in this package mirror federal regulations in order to allow Ohio's producer growers to be able to ship all across the country. The rules below have been reviewed in accordance with Chapter 119 of the Ohio Revised Code and are being proposed as being as follows:

OAC 901:3-12-01 incorporates by reference all the food safety regulations housed in 21 CFR 112.

OAC 901:3-12-02 amends the code of federal regulations adopted in OAC 901:3-12-01 to ensure that the proper terminology is used state wide. Specifically, we amend terminology used in the CFR to ensure that the terminology matches what is used other Ohio Revised Code sections.

OAC 901:3-12-03 sets forth the regulations housed in 21 C.F.R. part 112 which are deleted under the rules. The deleted portions relate to enforcement procedures which only apply to FDA and do not apply to the Department.

OAC 901:3-12-04 sets forth the regulations which are amended under the rules. Many of the amendments have been made to ensure that the correct terminology is accurate for the state of Ohio.

OAC 901:3-12-05 outlines the compliance dates associated with this rule. These dates correspond with the timeline for implementation as directed by the federal government.

OAC 901:3-12-06 establishes a voluntary registration. At the request of several farms, ODA has created a voluntary registration which would allow farms that are otherwise exempt to be inspected and regulated by ODA. These farms have indicated to ODA that their clients are requesting that they be inspected pursuant to these laws. ODA will work with these farms to ensure that they are properly regulated and thereby opening their businesses to a larger marketplace

