

Notice of Intent to Adopt a Rule

LSA Document #17-566

Under [IC 4-22-2-23](#), the Indiana State Board of Animal Health intends to adopt a rule concerning the following:

OVERVIEW: Amends [345 IAC 8-2-2.1](#) to remove the effective date schedule for manufacturing grade milk plants to comply with the federal Food Safety Modernization Act (FSMA) regulations at 9 CFR 117, which are incorporated by reference in this section, and clarify that milk received by a manufacturing grade milk plant must be from a permitted source. Amends [345 IAC 8-3-1](#) to update the incorporation by reference of the Food and Drug Administration (FDA) Grade A Pasteurized Milk Ordinance (PMO) and other FDA food safety regulations. Amends [345 IAC 8-4-1](#) to align records retention standards with the PMO and clarify the actions that must be taken by the state veterinarian when milk is found to test as a confirmed positive for drug residues. Repeals the manufacturing grade milk plant construction, operation, and sanitation standards at [345 IAC 8-2-2](#) and [345 IAC 8-2-2.5](#) in order to align with the FSMA regulations incorporated at [345 IAC 8-2-2.1](#). Makes other updates and amendments to rules governing milk and milk products. Questions and comments concerning the proposed rule may be sent to the Small Business Regulatory Coordinator for this rule. Statutory authority: [IC 15-18](#).

For purposes of [IC 4-22-2-28.1](#), the Small Business Regulatory Coordinator for this rule is:

Sarah Simpson
Director of Legal Affairs, Licensing, and Enforcement
Indiana State Board of Animal Health
Discovery Hall, Suite 100
1202 East 38th Street
Indianapolis, IN 46205
(317) 544-2410
sasimpson@boah.in.gov

For purposes of [IC 4-22-2-28.1](#), the Small Business Ombudsman designated by [IC 5-28-17-6](#) is:

Katelyn Colclazier
Small Business Ombudsman
Indiana Economic Development Corporation
One North Capitol, Suite 700
Indianapolis, IN 46204
(317) 431-1560
kcolclazier@iedc.in.gov

Resources available to regulated entities through the small business ombudsman include the ombudsman's duties stated in [IC 5-28-17-6](#), specifically [IC 5-28-17-6\(9\)](#), investigating and attempting to resolve any matter regarding compliance by a small business with a law, rule, or policy administered by a state agency, either as a party to a proceeding or as a mediator.

Posted: 12/13/2017 by Legislative Services Agency

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