



Office of Small Business and Entrepreneurship
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August 12, 2016

Sarah Simpson, JD
Director of Legal Affairs, Licensing and Enforcement
Indiana Board of Animal Health
Discovery Hall, Suite 100
1202 East 38th Street
Indianapolis, IN 46205

Dear Ms. Simpson,

Pursuant to IC 4-22, the Indiana Office of Small Business and Entrepreneurship (OSBE) has reviewed the economic impact analysis for small business associated with rule changes contained in LSA Document 16-220 proposed by the Indiana Board of Animal Health (BOAH). The proposed rule amends 345 IAC 9-2.1-1 to change the incorporation by reference from January 1, 2013, to January 1, 2016. Amends 345 IAC 9-21.5-2 to change the incorporation by reference from January 1, 2012 to January 1, 2016. Amends 345 IAC 10-1-1 to include the definition of a limited permit. Amends 345 IAC 10-2-3 and 345 IAC 10-2-4 to clarify when poultry products slaughtered and processed for human food are not required to be produced in an official establishment. Adds 345 IAC 10-2-6 to set forth the requirements for poultry slaughter and processing under a limited permit. Adds 345 IAC 10-2-7 to establish labeling requirements for all poultry products produced in an establishment operating under an exemption or limited permit described in IC 15-17-5-11(a). Amends 345 IAC 10-2.1-1 to change the incorporation by reference from January 1, 2013 to January 1, 2016. Effective 30 days after filing with the Publisher.

The economic impact statement prepared by BOAH states the proposed rule does not increase annual reporting, record keeping, or other administrative costs for regulated small businesses under IC 4-22-2.1-5. BOAH also does not anticipate the proposed rule will increase compliance costs for regulated entities. Because the proposed rule does not impose requirements beyond what is required by federal law and House Enrolled Act (HEA)1267, BOAH did not examine alternative methods with regard to the rule changes.

In the opinion of BOAH, the proposed rule does not impose a requirement or cost beyond what is expressly required by federal or state law. With regard to the official and custom exempt facilities, the proposed rule does not impose requirements above the incorporated federal standards. In addition, the proposed rule does not impose a requirement or cost beyond what is expressly required by HEA1267 for small scale poultry slaughter and processing. BOAH estimates that the total estimated impact (cost) will be less than \$500,000.

Based upon this analysis, OSBE does not object to the economic impact to small business associated with the proposed rule. If you have any questions about the comments contained herein please contact me at 317.232.5679 or ombudsman@osbe.in.gov.

Regards,

A handwritten signature in black ink, appearing to read "R. Warner", is written over a horizontal line.

Robert Warner