

PUBLIC NOTICE

The Ohio Department of Agriculture will hold a public hearing for the purpose of accepting testimony on the proposed adoption of rules in Chapter 901:1-8 of the Ohio Administrative Code.

The proposed rules in Chapter 901:1-8 of the Ohio Administrative Code set out regulations for the sale of dogs from pet stores in Ohio. These rules are being promulgated pursuant to Senate Bill 331 of the 131st General Assembly. This bill generally regulates all transactions involving the sales of dogs at a pet store, from the dog breeder to the future dog owner. Additionally, the bill requires that the Ohio Department of Agriculture establish rules and procedures governing pet stores, including requirements and procedures governing the licensing of pet stores.

The hearing will be held on:

April 4, 2018 at 9:00 A.M.

**Ohio Department of Agriculture
Bromfield Administration Building
Hearing Room 129 (Seminar "A")
8995 East Main Street
Reynoldsburg, Ohio 43068-3399.**

The rules established pursuant to this bill are outlined below:

OAC 901:1-8-01 outlines the definitions as used in the chapter. These definitions mirror the definitions found in Chapter 956 of the Ohio Revised Code.

OAC 901:1-8-02 sets forth the licensing procedures for pet stores in the state of Ohio. Applicants must submit a completed application along with a license fee of \$500 in order to be considered a complete application. The \$500 license fee is established in ORC 956.20. Further, licenses shall expire one year from issuance and must be renewed prior to expiration.

OAC 901:1-8-03 outlines the microchip requirements for all dogs displayed, offered for sale, delivered, bartered, auctioned, brokered, given away, transferred, or sold by a pet store. Specifically, the rule allows for microchips using 125 kHz, 129 kHz, or 134.2 kHz frequencies. These frequencies are the most common types of microchips used today.

OAC 901:1-8-04 outlines the recordkeeping requirements of pet stores. These requirements mirror those requirements found in ORC 956.20. Specifically, the rule requires that pet stores document the following information within twenty-four hours of obtaining a dog: The name and address of the source which supplied the dogs; the date the pet store took possession of the dog; the breed, gender, color, and any identifying marks of the dogs; the dog's date of birth; the permanent implanted microchip number for the dog; and the certificate of veterinary inspection that accompanied the dog.



Further, if the dog was acquired by a qualified breeder or dog retailer the pet store shall document additional information. This documented information does not need to be submitted to the Department rather the information needs to be made available to the Department upon request.

OAC 901:1-8-05 outlines the recordkeeping requirements of dog retailers. These requirements mirror those requirements found in ORC 956.051. Specifically, the rule requires that dog retailers document the following information within twenty-four hours of obtaining a dog: The name and address of the source which supplied the dogs; the date the dog retailer took possession of the dog; the breed, gender, color, and any identifying marks of the dogs; the dog's date of birth; the permanent implanted microchip number for the dog; and the certificate of veterinary inspection that accompanied the dog. Further, if the dog was acquired from a qualified breeder the dog retailer shall document additional information. This documented information does not need to be submitted to the Department rather the information needs to be made available to the Department upon request.

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.

