

PUBLIC NOTICE

The Ohio Department of Agriculture will hold a public hearing for the purpose of accepting testimony on the proposed amendments made to rules 901:1-5-12 and 901:1-5-13 of the Ohio Administrative Code.

The hearing will be held on:

October 5, 2018 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 rules in this package regulate the disease known as *Brucella canis* which is designated under section 901:1-21-02 of the Ohio Administrative Code (OAC) as dangerously contagious and infectious. Pursuant to authority in section 941.02 of the Ohio Revised Code, the Director of Agriculture has authority to use all proper means in the prevention and eradication of infectious and contagious diseases which pose a threat to public health or animal health.

The rules set forth in this package create testing standards as well as standards recognizing dog kennels as *Brucella canis* free. The Department has reviewed the rules with its stakeholders and have proposed the following amendments:

901:1-5-12 outlines testing standards of *Brucella canis*. The rule outlines the acceptable types of tests as well as the entities which may perform the tests. Further, the rule outlines three types of *Brucella canis* classification: positive, suspect, and negative. The rule requires that upon the diagnosis of either a *Brucella canis* positive or suspect that the animal be quarantined until further testing. Additionally, the rule outlines potential restrictions on the movement of animals which are positive or suspect.

The rule has been amended to remove the canine antibody test (more commonly referred to as the “card test”) and the polymerase chain reaction test (PCR) as accepted tests for *Brucella canis*. Through independent verification by the Department these tests have been found to be unreliable in the testing of *Brucella canis*. In addition, the rule has been amended to update the process from being released from quarantine. Animals which successively test negative to a *brucella canis* test at least sixty days apart can be properly determined to be free of *brucella canis*.

901:1-5-13 sets forth the procedures for a kennel licensed under chapter 956 of the Revised Code to become certified as a *Brucella canis* free kennel. A kennel may be awarded that designation if the kennel has had two successive whole kennel negative tests, continues required testing, and ensures



that all additions to the kennels comply with the rules. This certification is currently voluntary and has been requested by the industry as an opportunity to show consumers that their facility is a clean, safe, and reputable business.

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 by visiting the [Department's Administrative Rule](#) page 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.

