

REGULATORY AGENDA

Department of Agriculture and Markets

Pursuant to subdivision 1 of section 202-d of the State Administrative Procedure Act, notice is hereby provided of the following rules which the Department of Agriculture and Markets is considering proposing but for which a rulemaking proceeding has not been commenced. All section and Part references are to Title 1 of the New York Code of Rules and Regulations, except where noted.

DIVISION OF ANIMAL INDUSTRY

Part 46: Consider amending the program for the control and eradication of brucellosis to remove obsolete provisions and adopt updated federal standards.

Part 50: Consider amending regulations pertaining to livestock disinfection procedures and removing obsolete provisions.

Part 53: Consider amendments relative to the movement of cattle into New York State.

Part 57: Consider repealing sections 57.7 through 57.23 pertaining to the salmonella enteritidis testing program.

Part 58: Consider amendments to incorporate by reference the USDA cattle tuberculosis program.

Part 60: Consider amending requirements governing the intrastate movement of deer in light of amendments to health requirements for captive cervids (Part 68).

Part 61: Consider adopting recordkeeping requirements for swine, cervid, camelid, goat and sheep dealers.

Part 64: Consider amending sections 64.4, 64.7 and 64.8 to clarify the requirement that veterinarians must have Class 2 USDA accredited status in order to submit samples for official equine infectious anemia (Coggins) tests.

Part 68: Consider amending animal health requirements to require tuberculosis surveillance on all captive cervid herds; to provide owners of herds of chronic wasting disease (CWD) susceptible species with a one-time option to move such animals to a special purpose herd; and to exempt special purpose herds of less than 10 animals from sampling requirements.

Part 77: Consider amending the standards of care for seized dogs, clarify the definition of a dog dealer and conform the definition of euthanasia to State law.

Part 82: Consider adding animal exercise requirements for pet dealers.

Name of agency contact: David C. Smith, DVM, Director, Division of Animal Industry, 10B Airline Dr., Albany, NY 12235, (518) 457-3502, david.smith@agriculture.ny.gov

DIVISION OF FOOD SAFETY AND INSPECTION

Part 245: Consider amending regulations concerning structural and sanitary requirements for slaughterhouses.

Parts 250, 252, 259; sections 261.8, 261.9, 262.1, 265.1, 266.1, 267.1, 271-4.7, 271-5.3(h), 271-5.3(j), 271-5.4(g); and Parts 277, 279, 280 and 281: Consider amending these Parts/sections to incorporate by reference the most recent Federal regulations (2015).

Part 262: Consider amending regulations regarding fish processing and smoking establishments.

Name of agency contact: Stephen D. Stich, Director, Division of Food Safety and Inspection, 10B Airline Dr., Albany, NY 12235, (518) 457-4492, stephen.stich@agriculture.ny.gov

DIVISION OF PLANT INDUSTRY

Part 140: Consider amending the plum pox virus quarantine to deregulate areas in Niagara, Wayne and Orleans Counties.

Part 141: Consider amending the emerald ash borer regulations to expand existing quarantined areas.

Name of Agency Contact: Christopher Logue, Director, Division of Plant Industry, 10B Airline Dr., Albany, NY 12235, (518) 457-2087, christopher.logue@agriculture.ny.gov

BUREAU OF WEIGHTS AND MEASURES

Section 220.2: Consider adopting national standards for the specifications, tolerances and regulations for commercial weighing and measuring devices as published in the 2015 edition of NIST Handbook 44.

Section 220.4: Consider increasing fees for metrology laboratory testing.

Section 220.12: Consider increasing fees for type evaluations.

Part 221: Consider adopting NIST Handbook 130 standards for packaging and labeling and for methods of sale.

Section 221.11: Consider adopting national standards for the checking of the net contents of packaged goods as published in the 2015 edition of NIST Handbook 133.

Part 224: Consider adopting diameter size requirements for diesel fuel dispensers.

Part 224: Consider adopting current standards of the American Society for Testing Materials (ASTM) regarding gasoline (D 4814), diesel (D 975) and kerosene (D 3699). Also consider adopting stricter standards for levels of water in storage tanks.

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