

Department of Agriculture and Rural Development

1. Rule(s) to be **processed** between July 1, 2023 and June 30, 2024. [Give brief description.]

- **Bodies of Dead Animals (2023-4 AC) – public hearing scheduled for July 21, 2023. The proposed changes will align disease management and mitigation requirements with those of the United States Department of Agriculture, and update adopted resource documents.**
- **Eggs. Under the Animal Industry Act, MCL 287.746, shell eggs sold in the state beginning December 31, 2024, will have to comply with standards described in that section. MDARD is reviewing whether provisions regarding compliance, certification, and labeling need to be addressed through rulemaking.**

2. Rules that are obsolete or superseded and can be **rescinded** between July 1, 2023 and June 30, 2024. Also, please identify the rules or rule sets that are least important to the mission and function of the agency, or are otherwise strong candidates for rescission.

**Obsolete:**

**R.285.112.1 Importation of Dogs**

**R 285.600.1 Cherry Pests (obsolete only in part)**

**R 285.601.1 Raspberry plant inspection and certification.**

**R 285.606.1 Blueberry nursery stock.**

**R 285.609.1 Strawberry plant inspection and certification.**

**R 285.617.1 Black stem rust of small grains.**

**Least Important:**

**R 285.505 (Honey), R 285.537 (Cucumbers for Pickling), and R 285.552 (Unclassified Potatoes) are not actively used by the Department. The rules may be used by industry. Further investigation is needed to ensure there are no negative impacts if rescinded.**

3. Has the agency failed to promulgate any statutorily required rules **or** failed to utilize any statutorily required rules? Please explain.

**2011 PA 15, Shopping Reform and Modernization Act. MCL 445.313: “As the state director of weights and measures, he or she shall promulgate rules under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, to implement and administer sections 7 and 8.” To date, the Department has not found that the language of the Act needs additional clarification for implementation; therefore, no rules are needed.**

4. Please indicate the rules that are most problematic to industry and could be reviewed to determine the most business-friendly method of regulation.

**MDARD has reviewed our regulations and we continues to do so to ensure that our rules meet the needs of both the regulated industries and of the public health and environment. The only comments calling for changes of existing rules received from any of the regulated industries was regarding composting requirements in the rules for Bodies of Dead Animals, which is being addressed.**

- A. Describe whether there is a continued need for the rules.

**The Department regularly engages the food and agriculture industry through a variety of stakeholder meetings and events to seek input about the current state of legislative and regulatory provisions.**

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- B. Provide a summary of any complaints or comments received from the public concerning the rules.

**The only comment in the last year was regarding the provisions on composting as part of livestock disease response in the rules for Bodies of Dead Animals, which came from the regulated industry and is being addressed in current rulemaking.**

- C. Describe the complexity of complying with the rules.

**We have not gotten complaints about complexity of complying with any MDARD rules.**

- D. Describe whether the rules conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

**We are not aware of any conflicts or duplicative rules. In 2022, the Department conducted a thorough review of our animal feed rules as part of the self-assessment for the Food and Drug Administration's Animal Feeds Regulatory Program Standards. No conflicts were identified. It is possible that standards in Regulations 505, 537, and 552 may be part of USDA grading rules, and staff will review and engage with industry over the next year to evaluate**

- E. Provide the date of the last evaluation of the rules and the degree, if any, to which technology, economic conditions, or other factors have changed regulatory activity covered by the rules.

**MDARD conducted a comprehensive review of rules per the Executive Directive in 2011 and annual reviews have been conducted since. Since 2011, MDARD has repealed 45% of its rules.**

5. Please provide the URL link the department or bureau is currently using to display their administrative rules.

<https://www.michigan.gov/mdard/about/laws>

6. Please provide a list of the items identified for action in the 2023 ARP that have been completed and those that remain outstanding.

**Completed: Reg. 623, Field Seed Certification**