

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control 80 Department of Agriculture and Industries

New Rule No.: 80-1-5-.16

Rule Title: Bovine Spongiform Encephalopathy (BSE) Prevention.

x New;        Amend;        Repeal;        Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety?        No

Is there a reasonable relationship between the State's police power and the protection of the public health, safety or welfare?        Yes

Is there another less restrictive method of regulation available that could adequately protect the public?        No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? Minimum        No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule?        No

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public?        Yes

\*\*\*\*\*  
Does the proposed rule have any economic impact?        No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

\*\*\*\*\*  
Certification of Authorized Official  
I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer John Miller

Date: 6-16-14

(DATE FILED)  
(STAMP)

APA-2

ALABAMA DEPARTMENT OF AGRICULTURE AND INDUSTRIES  
DIVISION OF MARKETING

NOTICE OF INTENDED ACTION

Agency Name: Alabama Department of Agriculture and Industries

Rule No. & Title: 80-1-5-.16 Bovine Spongiform Encephalopathy (BSE) Prevention

Intended Action: To Create rule.

Substance of Proposed Action: To prevent Bovine Spongiform Encephalopathy (BSE) and to bring feed regulations up-to-date with FDA feed regulations.

Time, Place, Manner of Presenting Views: Views may be presented in writing to the contact person below or in person on the meeting date Tuesday, August 12, 2014, at the ALFA Building, 961 S. Donahue, Auburn, AL 36849, at 10:00 A.M.

Final Date for Comment and Completion of Notice: August 12, 2014,

Contact Person at Agency: Patrick B. Moody, Legal Counsel, Department of Agriculture and Industries, 1445 Federal Drive, Montgomery, Alabama 36107-1123, Telephone No. 240-7117.

6-16-14  
Date

  
John McMillan  
Commissioner of Agriculture  
And Industries

**80-1-5-.16 Bovine Spongiform Encephalopathy (BSE) Prevention.**

To prevent the establishment and amplification of Bovine Spongiform Encephalopathy (BSE) in Alabama, the following U.S. Food and Drug Administration regulations are incorporated by reference and shall be enforced by the Alabama Department of Agriculture and Industries:

- (1) 21 C.F.R. § 589.2000
- (2) 21 C.F.R. § 589.2001

**Author:** Patrick B. Moody

**Statutory Authority:** Code of Ala. 1975, §2-21-25

**History:**