## TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control 80 Department of Agriculture and In	ndustries
Rule No. 80-10-206	
Rule Title: Requirements For Dealers in Sweet Poplants.	otato Seed and Sweet Potato
New; X Amend; Repeal; Add	opt 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?	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
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Does the proposed rule have any economic impact?	No
If the proposed rule has an economic impact, the be accompanied by a fiscal note prepared in accompanied by a foode of Alabama 1975.	e proposed rule is required to ordance with subsection (f) or
**************************************	*****
I certify that the attached proposed rule has be compliance with the requirements of Chapter 22, 1975, and that it conforms to all applicable fil Administrative Procedure Division of the Legi <b>è</b> la	Title 41, <u>Code of Alabama</u> Ling requirements of the
Signature of certifying officer John MCM	illa
Date: 3-21-11	

(DATE FILED) (STAMP)

## ALABAMA DEPARTMENT OF AGRICULTURE AND INDUSTRIES DIVISION OF PLANT INDUSTRY

## NOTICE OF INTENDED ACTION

Agency Name: Alabama Department of Agriculture and Industries

Rule Nos. & Titles: 80-10-2-.06 Requirements For Dealers in Sweet Potato Seed and Sweet Potato Plants.

Intended Action: To Amend.

Substance of Proposed Action: Amended to add Sweet Potato Table Stock to the list of of article requirements that a dealer must abide by. Amended to add Sweet Potato Table Stock to the list of articles that can be confiscated.

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, May 10, 2011, at 10:00 a.m., in the Board Room of the Richard Beard Building, 1445 Federal Drive, Montgomery, Alabama.

Final Date for Comment and Completion of Notice: May 10, 2011.

Contact Person at Agency: Robert J. Russell, Assistant Attorney General and Legal Counsel, Department of Agriculture and Industries, 1445 Federal Drive, Montgomery, Alabama 36107-1123, Telephone No. 240-7117.

Date

3-21-11

Aohn McMillan,

Commissioner of Agriculture and Industries

## 80-10-2-.06 Requirements For Dealers In Sweet Potato Seed And Sweet Potato Plants.

- (1) All requirements as provided herein for certification and for the sale and distribution of propagating material apply where sweet potato seed, and sweet potato plants, sweet potato table stock are sold, offered for sale, or kept for sale by a person or firm engaged in the business of buying and reselling sweet potato seed, of sweet potato plants, sweet potato table stock.
- (2) Sweet potato seed, or sweet potato plants or sweet potato table stock not meeting the requirements herein for certification and for the sale and distribution of propagating material shall be subject to confiscation.

Author: Charles H. Barnes, Robert J. Russell

Statutory Authority: Code of Ala. 1975, §§2251, et seq.

**History:** Filed April 19, 1982 as Rule No. 80-10-1-.02. Rules reformatted Rule No. changed to Chapter 80-1-02: Filed June 19, 1986. **Amended:** Filed March 21, 2011.