

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 80 Department of Agriculture and Industries

Rule No.: 80-3-18-.10

Rule Title: Prohibition Against Assembling Poultry to be Sold

 New; x Amend; Repeal; Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? YES

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? YES

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 Muller
Date: 9-21-15

(DATE FILED)
(STAMP)

APA-2

ALABAMA DEPARTMENT OF AGRICULTURE AND INDUSTRIES
FOOD SAFETY

NOTICE OF INTENDED ACTION

Agency Name: Alabama Department of Agriculture and Industries

Rule No. & Title: 80-3-18-.10 Prohibition Against Assembling
Poultry to be Sold

Intended Action: To Amend

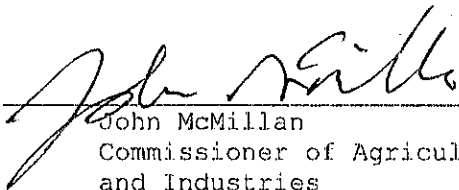
Substance of Proposed Action: To ensure that poultry imported into Alabama have been tested for Avian Influenza or originated in flocks certified being free of Avian Influenza.

Time, Place, Manner of Presenting Views: Views may be presented in writing to the contact person below or in person on Tuesday, November 10, 2015 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: November 10, 2015.

Contact Person at Agency: Patrick B. Moody, Legal Counsel, Department of Agriculture and Industries, 1445 Federal Drive, Montgomery, Alabama 36107-1123, Telephone No. (334) 240-7117.

9-21-15
Date


John McMillan
Commissioner of Agriculture
and Industries

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80-3-18-.10 **Prohibition Against Assembling Poultry To Be Sold** . The concentration, collection, or assembly of poultry of all types, including waterfowl and wild and exotic birds, from one or more premises, at a private or public place, for purposes of sale, ~~is~~ can be prohibited as determined by the Commissioner or the State Veterinarian.

Author: Charles H. Barnes, Patrick B. Moody

Statutory Authority: Code of Ala. 1975 , §§2-15-170, 41-22-5(b).

History: Emergency adoption effective March 9, 1984. Permanent adoption: Filed June 7, 1984. **Amended:**