

NOTICE OF INTENT
Department of Health
Office of Public Health
Marine and Fresh Water Animal Food Products
(LAC 51:IX.135)

Under the authority of R.S. 40:4 and 40:5, and in accordance with R.S. 49:950 et seq., the Administrative Procedure Act, notice is hereby given that the surgeon general, acting through the Department of Health, Office of Public Health (LDH/OPH), intends to amend certain Section 135 of Chapters 1 of Part IX (Marine and Fresh Water Animal Food Products) of Title 51 (Public Health—Sanitary Code).

Title 51
Public Health—Sanitary Code
Part IX. Marine and Fresh Water Animal Food Products

Chapter 1. Shellfish Growing Areas

§135. Fees for Services
[formerly paragraph 9:002-17]

- A. ...
- B. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:4.A.(1) , R.S. 40:5.A.(2)(3)(5)(7)(9)(15)(17)(19)(20), R.S. 40:5.3 and R.S.40:31:35.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, LR 28:1300 (June 2002); amended by the Department of Health, Office of Public Health, LR 48; amended LR 51:

Family Impact Statement

The proposed Rule should not have any known or foreseeable impact on family formation, stability, and autonomy. In particular, the proposed Rule has no known or foreseeable impact on:

1. the stability of the family;
2. the authority and rights of persons regarding the education and supervision of their children;
3. the functioning of the family;
4. family earnings and family budget;
5. the behavior and personal responsibility of children; or
6. the ability of the family or a local government to perform the function as contained in the proposed Rule.

Poverty Impact Statement

The proposed Rule should not have any known or foreseeable impact on any child, individual or family as defined by R.S. 49:973(B). In particular, there should be no known or foreseeable effect on:

1. the effect on household income, assets, and financial security;
2. the effect on early childhood development and preschool through postsecondary education development;
3. the effect on employment and workforce development;
4. the effect on taxes and tax credits; or
5. the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Small Business Statement

The proposed Rule should have no adverse impact on small businesses as defined in the Small Business Protection Act.

Provider Impact Statement

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of the 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the staffing level requirements or qualifications required to provide the same level of service;
2. the total direct and indirect effect on the cost to the providers to provide the same level of service; or
3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments on the proposed rule. Such comments must be received no later than Tuesday, December 10, 2024 at COB, 4:30 pm, and should be addressed to Tiffany Meche, Director, Sanitarian Services, P.O. Box 4489, Baton Rouge, LA 70821.

Public Hearing

Interested persons may submit a written request to conduct a public hearing either by U.S. mail to the Office of the Secretary ATTN: LDH Rulemaking Coordinator, Post Office Box 629, Baton Rouge, LA 70821-0629; however, such request must be received no later than 4:30 p.m. on Tuesday, December 10, 2024. If the criteria set forth in R.S. 49:953(A)(2)(a) are satisfied, LDH will conduct a public hearing at 10 am on Monday, December 30, 2024, in Room 118 of the Bienville Building, which is located at 628 North Fourth Street, Baton Rouge, LA. To confirm whether or not a public hearing will be held, interested persons should first call Allen Enger at (225) 342-1342 after Tuesday, December 10, 2024. If a public hearing is to be held, all interested persons are invited to attend and present data, views, comments, or arguments, orally or in writing. In the event of a hearing, parking is available to the public in the Galvez Parking Garage which is located between North Sixth and North Fifth/North and Main Streets (cater-corner from the Bienville Building). Validated parking for the Galvez Garage may be available to public hearing attendees when the parking ticket is presented to LDH staff at the hearing.

Dr. Ralph Abraham
Surgeon General

and
Michael Harrington, MBA, MA
Secretary

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES**

Person Preparing Statement:	<u>Jennifer Armentor</u>	Dept.:	<u>Louisiana Department of Health</u>
Phone:	<u>225-342-7539</u>	Office:	<u>Office of Public Health</u>
Return Address:	<u>PO Box 4489 Bin #10 Box #13</u>	Rule Title:	<u>Title 51 Part 9 Sanitary Code</u>
	<u>Baton Rouge, LA 70821</u>		
		Date Rule Takes Effect:	<u>Upon Promulgation</u>

SUMMARY
(Use complete sentences)

In accordance with Section 961 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a fiscal and economic impact statement on the rule proposed for adoption, repeal or amendment. THE FOLLOWING STATEMENTS SUMMARIZE ATTACHED WORKSHEETS, I THROUGH IV AND WILL BE PUBLISHED IN THE LOUISIANA REGISTER WITH THE PROPOSED AGENCY RULE.

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

LDH will no longer be required to obtain a laboratory contract, collect and transport statewide samples. LDH anticipates savings \$5200 in expenses. LDH anticipates \$266.25 in costs related to publishing of the rule.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The LDH Commercial Seafood Program will no longer collect the \$100 Imported Seafood Safety Fee from processors and distributors of imported seafood. ACT No. 667 has reassigned the fee to Louisiana Department of Culture, Recreation, and Tourism. In addition to the removal of fees, LDH will no longer collect imported seafood permit fees which is an estimated total fee reduction in collection of \$5200 for FY 2025.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NON-GOVERNMENTAL GROUPS (Summary)

.LDH will no longer be receiving permit fees, nor be required to obtain a laboratory contract, collect and transport statewide samples. Affected businesses will now pay fees to the Louisiana Department of Culture, Recreation and Tourism.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

No affect.

Signature of Head or Designee

Tonya Joiner

Assistant Secretary, Office of Public Health

Typed Name & Title of Agency Head or Designee

Legislative Fiscal Officer or Designee

Date of Signature

Date of Signature