

RULE IMPACT STATEMENT

TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY CHAPTER 15. ANIMAL INDUSTRY

(A) PURPOSE OF THE PROPOSED RULE:

This rule is necessary to protect the cervid industry in Oklahoma from unnecessary injury or fatality to cervidae. Testing of cervidae for Brucellosis was on the same schedule as Tuberculosis for maintenance of Certified Brucellosis Free herd status. The Tuberculosis requirements were changed earlier this year from three tests to two tests annually and to increase the time period for recertification from two years to three years. Due to the fractious nature of cervidae, frequent testing often results in injury or death to the animals, and also can result in injury to the handler. This rule proposes to adopt the same time periods as the Tuberculosis testing for Brucellosis testing in cervidae. This rule was previously approved as an emergency rule.

(B) CLASSES OF PERSONS WHO MOST LIKELY WILL BE AFFECTED BY THE PROPOSED RULE AND ANY INFORMATION ON COST IMPACTS RECEIVED BY THE AGENCY FROM ANY PRIVATE OR PUBLIC ENTITIES:

This rule primarily affects persons who own cervidae that are Certified Brucellosis Free. The agency has not received any information on cost impacts from any private or public entities. Anecdotally, cervidae producers have indicated that cost savings will occur as a result of the passage of this rule due to the fact that the number of times needed to capture and test the animals will decrease.

(C) PERSONS WHO WILL BENEFIT FROM THE PROPOSED RULE:

Producers of cervidae who own Certified Brucellosis Free herds will benefit from the proposed rule.

(D) DESCRIPTION OF THE PROBABLE IMPACT OF THE PROPOSED RULE UPON AFFECTED CLASSES OF PERSONS:

The impact of this rule on affected classes of persons is the cervidae producers will be able to test less frequently while still maintaining the benefits of owning a Certified Brucellosis Free herd.

(E) PROBABLE COST AND BENEFITS TO AGENCY; SOURCE OF REVENUE FOR IMPLEMENTATION AND ENFORCEMENT OF THE PROPOSED RULE:

No additional cost to the agency is anticipated.

(F) DETERMINATION OF WHETHER IMPLEMENTATION WILL HAVE ANY ECONOMIC IMPACT ON ANY POLITICAL SUBDIVISION OR REQUIRE THEIR COOPERATION IN IMPLEMENTING OR ENFORCING THE PROPOSED RULE:

No effect on any political subdivision is anticipated by these rules.

(G) DETERMINATION OF WHETHER IMPLEMENTATION OF THE PROPOSED RULE WILL HAVE AN ADVERSE EFFECT ON SMALL BUSINESS AS PROVIDED BY THE OKLAHOMA SMALL BUSINESS REGULATORY FLEXIBILITY ACT:

These rules will not have an adverse effect on small business.

(H) DETERMINATION OF WHETHER THERE ARE LESS COSTLY METHODS OR NON-REGULATORY METHODS FOR ACHIEVING THE PURPOSE OF THE PROPOSED RULE:

No less costly or non-regulatory method will provide adequate protection for the state of Oklahoma.

(I) DETERMINATION OF THE EFFECT OF THE PROPOSED RULE ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT:

No adverse effect upon the public health, safety, or the environment will occur through the implementation of these rules.

(J) DETERMINATION OF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT:

No detrimental effect on public health, safety or the environment is anticipated by the adoption of these rules.

(K) DATE RULE IMPACT STATEMENT WAS PREPARED:

November 7, 2007