



Jeff Youtz
Director

Legislative Services Office Idaho State Legislature

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MEMORANDUM

TO: Rules Review Subcommittee of the Senate Agricultural Affairs Committee and the House Agricultural Affairs Committee

FROM: Principal Legislative Research Analyst - Katharine Gerrity

DATE: September 05, 2014

SUBJECT: Idaho Potato Commission

IDAPA 29.01.02 - Rules Governing Payment of Tax and Usage of Certification Marks and Trademarks - Proposed Rule (Docket No. 29-0102-1401)

The Idaho Potato Commission submits notice of proposed rule at IDAPA 29.01.02 - Rules Governing Payment of Tax and Usage of Certification Marks and Trademarks. According to the commission, changing circumstances in the way labels are marked on potato containers as well as how containers are made have led the industry to request the rules be updated. The commission states that the type of containers used for packing potatoes, the size of the seal used on potato containers and the manner in which variety labeling takes place will be reviewed for bringing the rules current. The commission adds that the Food and Safety Modernization Act as well as Good Agricultural Practices also impact the industry, particularly as it relates to traceability.

The commission states that negotiated rulemaking was not conducted because the proposed changes were recommended by the commission's marketing committee which is made up of potato growers, shippers and container manufacturers. The commission notes that a formal hearing will, however, be held to provide opportunity for additional industry input. The hearing is scheduled for September 24, 2014. The rulemaking appears to be authorized pursuant to Section 22-1207, Idaho Code.

cc: Idaho Potato Commission
Pat Cole