

RULE REVIEW

Department of Agriculture and Markets

Pursuant to Section 207 of the State Administrative Procedure Act, notice is hereby provided of the continuation without modification of the following rule which the Department of Agriculture and Markets has reviewed in 2007. Notice that a review of this regulation would be conducted and public comment on its continuation or modification accepted until April 2, 2007 was published in the January 3, 2007 State Register. All section and Part references are to Title 1 of the New York Code of Rules and Regulations.

Section 139.2 Control of the Asian Long Horned Beetle.

Statutory authority: Agriculture and Markets Law sections 18, 164 and 167, State Administrative Procedure Act section 202.

Justification: The Department has determined that the continuation of this regulation without modification is necessary to preserve the Asian Long Horned Beetle quarantine in certain areas of Brooklyn, Queens and Manhattan, New York. The quarantine area has been repeatedly expanded in an effort to control the spread of the beetle, most recently in 2003.

Assessment of Public Comment: None received.

Part 351 Animal Health Requirements for Admission to Fairs.

Statutory authority: Agriculture and Markets Law sections 18, 31-b, 72, 74, and 287.

Justification: The Department has determined that continuation of this regulation without modification is necessary to maintain health certification requirements for animal exhibited at fairs. Livestock exhibitions at fairs have the potential to facilitate the spread of communicable or infectious diseases among the domestic animal population of the state. The public is also exposed directly to these animals during the exhibitions, increasing the risk of transmission of certain diseases from animals to humans.

Assessment of Public Comment: None received.