

TITLE 3. FOOD AND AGRICULTURE

NOTICE OF A REQUESTED HEARING

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture (Department) has proposed to amend section 1180.1 of Article 37, amend section 1180.3.2 of Article 37.1, amend section 1180.20, and repeal and adopt section 1180.24 of Article 42, Subchapter 2, Chapter 4, Division 2, of Title 3 of the California Code of Regulations. The proposal was published in the *California Regulatory Notice Register* on June 8, 2012 [Register 2012, No. 23-Z] but no hearing was scheduled. The Department has received a request for a public hearing; therefore, the hearing will be held in accordance with Government Code section 11346.8 for the proposal relating to the regulation of transporters of inedible kitchen grease.

Food and Agricultural Code section 407 authorizes the Department to adopt such regulations that are reasonably necessary to carry out the provisions of the Food and Agricultural Code which it is authorized to administer or enforce. Section 19305 and sections 19310 through 19317 of the Food and Agricultural Code authorize the Department to regulate, in part, shipments and transactions of renderers, collection centers, and transporters of inedible kitchen grease, and to establish a tracking system for the pick-up, transport, and disposal of inedible kitchen grease.

This proposal amends the requirements for transporters of inedible kitchen grease and implements a manifest tracking system under Articles 37, 37.1 and 42 of Subchapter 2, Chapter 4, Division 2, of Title 3 of the California Code of Regulations. This proposal also incorporates by reference a manifest, MPES Form 79-120 (Est. 03/12) Manifest-Inedible Kitchen Grease Transport utilized by the Meat, Poultry and Egg Safety Branch of the Department for use by the rendering industry.

Hearing Date, Time, Location

August 21, 2012

9:30 a.m. – 11:00 a.m. (or until all public testimony has been completed)

Department of Food and Agriculture, Animal Health and Food Safety Services
2800 Gateway Oaks Drive, Room 101, Sacramento, CA 95833

Public Comments

Any interested person, or his or her duly authorized representative, may appear and be heard and provide written and/or oral testimony. Written comments may be faxed or emailed by 5:00 p.m., August 21, 2012, to the contact person named in this Notice. Any person who submitted a written comment during the 45-day public comment period ending July 23, 2012, remains in the Department's official rulemaking file.

Contact Persons

Inquiries or comments concerning the substance of the proposed regulations are to be addressed to:

Douglas Hepper, DVM, Branch Chief
Department of Food and Agriculture, Meat, Poultry and Egg Safety Branch
1220 N Street, Sacramento, CA 95814
Telephone (916) 900-5004, Fax (916) 900-5334, douglas.hepper@cdfa.ca.gov

The backup contact person is:

Nancy Grillo, Regulation/Legislation Coordinator
Department of Food and Agriculture, Animal Health and Food Safety Services
1220 N Street, Sacramento, CA 95814
Telephone (916) 900-5033, Fax (916) 900-5332, nancy.grillo@cdfa.ca.gov

Website Access

Materials regarding this proposal can be found at <http://www.cdfa.ca.gov/ahfss/regulations.html>