

MARYLAND REGISTER

Proposed Action on Regulations

Transmittal Sheet PROPOSED OR REPROPOSED Actions on Regulations	Date Filed with AELR Committee	TO BE COMPLETED BY DSD
	09/12/2016	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

1. Desired date of publication in Maryland Register: 10/28/2016

2. COMAR Codification

Title Subtitle Chapter Regulation

10 15 07 01

3. Name of Promulgating Authority

Department of Health and Mental Hygiene

4. Name of Regulations Coordinator Telephone Number
Michele Phinney 410-767-5623

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201 W. Preston Street

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Title 10
DEPARTMENT OF HEALTH AND MENTAL HYGIENE
Subtitle 15 FOOD

10.15.07 Shellfish Sanitation

Authority: Health-General Article, §§ 18-102, 21-211, 21-234, 21-304, 21-321, and 21-346—21-350, Annotated Code of Maryland

Notice of Proposed Action

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The Secretary of Health and Mental Hygiene proposes to amend Regulation .01 under COMAR 10.15.07 Shellfish Sanitation.

Statement of Purpose

The purpose of this action is to update to the most recent revision of the incorporation by reference of the National Shellfish Sanitation Program Guide for the Control of Molluscan Shellfish.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Michele Phinney, Director, Office of Regulation and Policy Coordination, Department of Health and Mental Hygiene, 201 West Preston Street, Room 512, Baltimore, MD 21201, or call 410-767-6499; TTY:800-735-2258, or email to dhmh.regs@maryland.gov, or fax to 410-767-6483. Comments will be accepted through November 28, 2016. A public hearing has not been scheduled.

Economic Impact Statement Part C

- A. Fiscal Year in which regulations will become effective: FY 2017
- B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?
- C. If 'yes', state whether general, special (exact name), or federal funds will be used:
- D. If 'no', identify the source(s) of funds necessary for implementation of these regulations:
- E. If these regulations have no economic impact under Part A, indicate reason briefly: Updating the incorporation by reference of the National Shellfish Sanitation Program Guide for the Control of Molluscan Shellfish to the 2015 version will not have an economic impact because the regulated industry already complies with these standards.
- F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.
See E. above.
- G. Small Business Worksheet:

Attached Document:

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10.15.07.01 (accessed June 15, 2016)

.01 Incorporation by Reference.

In this Chapter, the following documents are incorporated by reference:

A. National Shellfish Sanitation Program Guide for the Control of Molluscan Shellfish [2013] 2015 Revision, Section I. Purpose [and] & Definitions and Section II. Model Ordinance except for Chapter IV, Shellstock Growing Areas; and

B. (text unchanged)

VAN T. MITCHELL

Secretary of Health and Mental Hygiene

Incorporation by Reference
APPROVAL FORM

Date: September 7, 2016
COMAR: 10.15.07.01

Michele Phinney
Department of Health and Mental Hygiene
201 West Preston Street
5th Floor
Baltimore, MD 21201

Dear Michele:

The document entitled National Shellfish Sanitation Program (NSSP), Guide for the Control of Molluscan Shellfish, 2015 Revision, is approved for incorporation by reference.

Please note the following special instructions: In the table of contents, pages 10 and 11 are missing the page numbers. Also, there is no page number on page 100.

Attach a copy of this approval form when submitting an emergency or proposed regulation to the AELR Committee and when submitting a proposed regulation to DSD for publication in the Maryland Register. If submitting through ELF, include as part of the attachment.

Any future changes to the incorporated documents do not automatically become part of the regulation. If there are subsequent changes to the incorporated documents, and the agency wishes those changes to become a part of its regulations, the agency must amend the regulation incorporating the documents.

Please call us if you have any questions.

Sincerely,
Gail S. Klakring
Senior Editor