

250.571 Director to promulgate administrative regulations -- Notice.

- (1) The director is authorized to promulgate administrative regulations for commercial feeds and pet foods that are specifically authorized in KRS 250.491 to 250.631 and other reasonable administrative regulations as may be necessary for the efficient enforcement of KRS 250.491 to 250.631. In the interest of uniformity the director shall by administrative regulation adopt, unless he determines that they are inconsistent with the provisions of KRS 250.491 to 250.631 or are not appropriate to conditions which exist in this state, the following:
 - (a) The official definitions of feed ingredients and official feed terms adopted by the Association of American Feed Control Officials and published in the official publication of that organization; and
 - (b) Any regulation promulgated pursuant to the authority of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. secs. 301 et seq.), provided, that the director would have the authority under KRS 250.491 to 250.631 to promulgate the administrative regulations.
- (2) Before the issuance, amendment, or repeal of any regulation authorized by KRS 250.491 to 250.631, the director shall publish the proposed administrative regulation, amendment, or notice to repeal an existing administrative regulation in a manner reasonably calculated to give interested parties, including all current registrants, adequate notice and shall afford all interested persons an opportunity to present their views thereon, orally or in writing, within a reasonable period of time. After consideration of all views presented by interested persons, the director shall take appropriate action to issue the proposed administrative regulation or to amend or repeal an existing administrative regulation. The provisions of this subsection notwithstanding, if the director, pursuant to the authority of KRS 250.491 to 250.631, adopts the official definitions of feed ingredients and official feed terms of the Association of American Feed Control Officials, or regulations promulgated pursuant to the authority of the Federal Food, Drug, and Cosmetic Act, any amendment or modification adopted by the association or by the Secretary of Health and Human Services in the case of regulations promulgated pursuant to the Federal Food, Drug, and Cosmetic Act shall be adopted automatically under KRS 250.491 to 250.631 without regard to the publication of the notice required by this subsection, unless the director specifically determines that the amendment or modification shall not be adopted.

Effective: July 15, 1996

History: Amended 1996 Ky. Acts ch. 68, sec. 9, effective July 15, 1996. -- Created 1972 Ky. Acts ch. 24, sec. 10.