

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

DEPARTMENT: Office of the Attorney General

STATE OF MINNESOTA

OFFICE MEMORANDUM

DATE: August 21, 1990

TO: CAROL MILLIGAN
Agriculture Department
Planning Division

FROM: MARTHA J. CASSERLY MJC
Special Assistant by cbe
Attorney General

PHONE: 296-9421

SUBJECT: In the Matter of the Adopted Rule Relating to Minnesota Grown Labeling Statements

The above-referenced rule has been approved as to its legality by the Attorney General on August 20, 1990.

Enclosed is your copy of the approved rule. This office has already filed two copies with the Secretary of State, who will forward one copy to the Revisor of Statutes. The fourth is being retained by this division of the Attorney General's Office for its records.

Also enclosed are any petitions, requests, submissions or comments along with any extra copies of documents which you submitted to the Attorney General.

Your next step is to arrange for publication of the Notice of Adoption in the State Register. In a day or two, you should receive from the Revisor's Office three copies of the notice of adoption of your rule. You should submit two copies of the Notice of Adoption to the State Register for publication. A permanent rule without a hearing does not become effective until five days after a notice of adoption is published in the State Register in accordance with Minn. Stat. § 14.27. An emergency rule becomes effective five working days after approval by the Attorney General; however, the agency must publish a notice in the State Register in accordance with Minn. Stat. § 14.34.

If you have any questions in this regard, please contact me.

CBE:sc

Enclosures

cc: Scott Strand
William Brown, Chief Judge
MaryAnn Hruby

Department of Agriculture

Adopted Permanent Rules Relating to Minnesota Grown Labeling Statements

Rules as Adopted

1556.0110 DEFINITIONS.

[For text of subpart 1, see M.R.]

Subp. 2. **Agricultural products.** "Agricultural products" means livestock or livestock products, dairy products, poultry or poultry products, fish, fruit, vegetables, grains, including natural and cultivated wild rice, bees, apiary products, and floral and nursery crops.

[For text of subps 3 and 4, see M.R.]

Subp. 4a. **Hand harvested wild rice.** "Hand harvested wild rice" means 100 percent natural lake or river grown wild rice which was hand harvested in accordance with Minnesota Statutes, section 84.111.

[For text of subps 5 to 7, see M.R.]

Subp. 8. **Producer.** "Producer" means an individual, partnership, family farm, family farm corporation, authorized farm corporation, or cooperative association engaged in the production for sale or harvest for sale of agricultural products.

[For text of subps 9 and 10, see M.R.]

1556.0120 "MINNESOTA GROWN" AND "2,000 MILES FRESHER" LABELING STATEMENTS.

[For text of subps 1 to 3, see M.R.]

Subp. 4. **Appearance of labeling statement.** The labeling statement may be added to an eligible product or display in any color or color combination, except on cultivated wild rice or products containing cultivated wild rice labeling statements may not be printed in navy blue and red or other color combinations designed to make the labeling statement similar in appearance to the "hand harvested wild rice" labeling statement.

1556.0132 "HAND HARVESTED WILD RICE" LABELING STATEMENT.

Subpart 1. **Eligible products.** Agricultural products containing hand harvested wild rice may be identified with the labeling statement if all of the wild rice contained in the product was hand harvested in Minnesota.

Subp. 2. **Use of the "hand harvested wild rice" labeling statement.** A producer licensed under part 1556.0160 may use the "hand harvested wild rice" labeling statement on an eligible agricultural product. A processor licensed under part 1556.0160 may use the "hand harvested wild rice" labeling statement on an eligible product if the wild rice was processed in a plant located partially or completely in Minnesota.

Subp. 3. **Use by retailers and wholesalers.** A retailer or wholesaler may use the "hand harvested wild rice" labeling statement without a license in order to display and advertise eligible products.

Subp. 4. **Availability and appearance of labeling statement.** The labeling statement may only be purchased from the commissioner at cost in the form of stickers. The stickers will only be made available in the color combination of navy blue and red.

1556.0134 "CULTIVATED WILD RICE" LABELING STATEMENT.

Subpart 1. **Eligible products.** Agricultural products containing cultivated wild rice may be identified with the labeling statement if no less than 80 percent of the wild rice contained in the product was produced in Minnesota.

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REPEALER. Minnesota Rules, part 1556.0130 is repealed.

APPROVED AS TO FORM AND LEGALITY

August 20 1990

HUBERT H. HUMPHREY, III
ATTORNEY GENERAL

BY MJ Cassidy
SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
AUG 21 1990

Joan Anderson Growe
Secretary of State

2:04 PM

MJC

2 Copies of the rules will have to be made

RULE REVIEW CHECKLIST

File No. 1723
DATE RECEIVED 8/9/90
REVIEW DATE 8/20/90
DUE DATE 8-23-90
(DIS)APPROVED 8.20-90mjc
WITHDRAWN _____

Docket No. 05.0039.0986
ADOPTED W/O HEARING _____
EMERGENCY RULE _____
TO REVISOR ON 8/10/90
REVISOR (DIS)APPROVED 8-14-90
FILED W/SEC. OF STATE 8-21-90
RETURNED TO AGENCY _____

✓ Rule as adopted (4 copies)

_____ Notice to Solicit Outside Information/Opinion (if applicable)

_____ Date published in State Register

_____ Comments

_____ Board's Authorizing Resolution

_____ Date adopted

✓ Proposed Rule

✓ Revisor's Certificate

✓ Notice of Intent to Adopt Rule

17.102 subd 6 Statutory Authority

NA Small Business Statement

NA Expenditure of public money statement

Jim Nichols Signature

✓ Statement of Need and Reasonableness (if applicable)

NA Small Business Statement

_____ ~~Fees - § 16A.128~~

✓ Affidavit of Mailing Notice of Intent to Adopt Rule

June 27, 1990 Dated (30)/25 days before adoption

✓ Notice attached indicates it is attached

_____ Copy of rule or summary attached

✓ Publication in State Register

July 2, 1990 Date (30)/25 days before adoption

✓ 180-day deadline from:

✓ Effective date of law requiring rule

✓ (14.12) (both rules) NA- amendments
end of comment period (§ 14.26) (rules without hearing)

_____ effective date of statutory authority (§ 14.29) (emergency rules)

_____ Resolution Adopting

_____ Date adopted

✓ Findings of Fact, Conclusions & Order Adopting

August 2, 1990 Date

✓ Declaration of Attorney

Scott Strand Name of SAAG representing agency

_____ Notice of Submission to Attorney General (if applicable)

_____ Affidavit of Mailing Notice to Attorney General (if applicable)

Stat Auth. 17.102 subd 6
The Commissioner shall promulgate rules authorizing and licensing the use of the logo or labeling statement.

Rules - 1556.0110
Natural and cultivated wild ~~rice~~ rice should be defined

1556.0120 - "or other color combinations similar in appearance - ambiguous

~~1556.0130~~

1556.0132 - ~~I don't understand why a producer processor can use "hand harvested wild rice"~~

1556.0132 subp 4
How does Ag know if the rice was hand harvested in MN - what proof does the person need in purchasing the labels is there any penalty if it doesn't meet the eligibility requirements

if the producer can use "hand harvested wild rice or cultivated wild rice" if the product was harvested in MN and the processor can use it if the product was processed in a plant located partially or

completely in MN - are there 2 labels = what if the product was hand harvested in MN but not processed in MN what kind of label would it have. Also Wouldn't the label be put on by the end

I think these are very poor rules

Department of Agriculture

Proposed Permanent Rules Relating to Minnesota Grown Labeling Statements

Rules as Proposed

1556.0110 DEFINITIONS.

[For text of subpart 1, see M.R.]

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Approved by Revisor

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Approved
by Revisor _____

1 without a license in order to display and advertise eligible
2 products.
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4 statement may be added to an eligible product or display in any
5 color or color combination except navy blue and red or other
6 color combinations designed to make the labeling statement
7 similar in appearance to the "hand harvested wild rice" labeling
8 statement.
9
10 REPEALER. Minnesota Rules, part 1556.0130 is repealed.

Approved
by Revisor _____

Office of the Revisor of Statutes

Administrative Rules

TITLE: Proposed Permanent Rules Relating to Minnesota Grown Labeling Statements

AGENCY: Department of Agriculture

MINNESOTA RULES: Chapter 1556

The attached rules are approved for publication in the State Register

Craig E. Lindeke

Craig E. Lindeke
Senior Assistant Revisor

STATE OF MINNESOTA
DEPARTMENT OF AGRICULTURE

In the Matter of the Proposed Rule
of the Department of Agriculture
Governing Use of the Minnesota
Grown Labeling Statements

Statement of Need
and Reasonableness

Introduction

The subject of this rulemaking is the proposed adoption by the Minnesota Department of Agriculture of a rule governing use of the Minnesota Grown labeling statements. Minnesota Statutes, section 17.102, subd. 6, requires the commissioner to adopt rules authorizing and licensing the use of the labeling statements. These rules are in addition to previously implemented rules and are designed to allow for more effective marketing of Minnesota's wild rice crop. Consulting with industry representatives has led us to believe that we can adopt these rules as noncontroversial in accordance with Minnesota Statutes, section 14.22 through 14.28.

Small Business Impact

Minnesota Grown labeling statements have been developed to provide an additional marketing tool for small agricultural producers and processors in Minnesota. The program is completely voluntary and the only reporting requirement is an annual license application. The application includes a license fee as stated in Minnesota Statutes, section 17.102. Additional small business considerations are not needed as the program exists to provide marketing opportunities for small agricultural businesses.

Need for and Reasonableness of the Proposed Rule

1556.0110
Subp. 2.
The additional phrase is necessary to assure that natural and cultivated wild rice are included as agricultural products and are therefore eligible to use the Minnesota Grown labeling statement.

Subp. 4a.
The definition is necessary to assure that the phrase is clearly understood by those who will use the labeling statement as well as those consumers who will look for the labeling statement.

Subp. 8.
The additional phrase is necessary to include natural wild rice which is not produced in the usual sense but is harvested.

1556.0120
Subp. 4
This subpart is necessary to assure that the products using the hand harvested logo may be clearly differentiated from products containing cultivated wild rice. The use of one color combination for the hand harvested labeling statement will allow consumers to easily recognize the hand harvested wild rice. The premium image of hand harvested wild rice will be enhanced by the fact that cultivated wild rice products are not allowed to use the same color combination.

1556.0132
A "hand harvested wild rice" labeling statement is necessary to allow consumers to differentiate hand harvested wild rice from cultivated wild rice. A separate labeling statement for hand harvested wild rice will be of benefit to hand harvesters as well as processors and marketers of hand harvested wild rice. In the past, the natural wild rice industry has been hurt by confusion among consumers and marketers who were unable to differentiate the two types of wild rice. The hand harvested labeling statement will be in compliance with the labeling requirements of Minnesota Statutes, section 30.49.

Subp. 1
The relatively narrow definition of eligible products is necessary to comply with Minnesota Statutes, section 30.49. By assuring that only 100% natural hand harvested wild rice may carry the labeling statement, harvesters, processors and marketers of hand harvested wild rice can receive greater benefit from the premium image associated with natural wild rice.

Subp. 2.
This subpart is necessary to clearly state who may use the labeling statement.

Subp. 3.
This subpart is necessary to clearly state that retailers and wholesalers may use the labeling statements without a license as stated in Minnesota Statutes, Section 17.1012.

Subp. 4.
This subpart is necessary to assure that the department has complete control over use of the logo. As a result of past labeling concerns between the hand harvesters and the cultivated wild rice producers, it is necessary for the department to maintain responsibility for printing and distribution of the stickers. It is reasonable for the department to assume this responsibility as it will assure a timely supply of stickers to all producers and marketers regardless of their size. The department will be able to supply small marketers with labels cheaper than if the marketers purchased them separtately. All hand harvesters will benefit by having the labeling statement controlled by the department as it will increase consumer confidence in the labeling statement.

1556.0134
A "cultivated wild rice" labeling statement is necessary to allow consumers to differentiate hand harvested wild rice from cultivated wild rice. The labeling statement will allow the producers, processors and marketers of cultivated wild rice to take advantage of the Minnesota Grown labeling statement and still remain in compliance with Minnesota Statutes, section 30.49.

Subp. 1.
The 80% requirement is necessary to assure that the labeling statements are only used on products produced in Minnesota and to allow for a reasonable variation which may be caused by unfavorable growing conditions or other uncontrollable circumstances. The requirements for processed products are also needed to assure that only Minnesota products are being identified with the logo and to give processors the extra flexibility they need in order to make use of the labeling statements.

Subp. 2
This subpart is necessary to clearly state who may use the labeling statements.

Subp. 3.
This subpart is necessary to clearly state that retailers and wholesalers may use the labeling statement without a license as stated in Minnesota Statutes, section 17.102.

Subp. 4.
This subpart is necessary to assure that the hand harvested wild rice logo is differentiated from the cultivated wild rice logo.

Repealer. 1556.0130
It is necessary to repeal this section because the "wild rice state grain" labeling statement has been replaced by two new labeling statements for wild rice. Because the "state grain" labeling statement did not specify whether the wild rice was cultivated or natural, it created confusion among wild rice consumers and marketers.

Department : AGRICULTURE

STATE OF MINNESOTA
Office Memorandum

Date : August 8, 1990

To : Patty Nolte
Attorney General's Office

From : Carol Milligan
Planning Division

Phone : 296-6906

Subject : **Review of Proposed Rule Governing Minnesota Grown Labeling Statements**

The Department of Agriculture adopted the above-mentioned rule pursuant to Minnesota statutes, sections 14.22-14.28. Enclosed with this memo are the documents which are required to be submitted to the Attorney General for review prior to final approval of the rule. A list of the documents is attached for your convenience.

Please contact me if you have any questions.

cc: Jim Nichols, Commissioner
Herb Halvorson, Assistant Commissioner
Paul Strandberg, Special Assistant Attorney General
Jerry Heil, Planning Division
Ralph Groschen, Marketing Division
Paul Hugenin, Marketing Division

RECEIVED

AUG - 9 1990

Office of the Attorney General
Government Services Section
Capitol Office Bldg. - Suite 500
525 Park Street
St. Paul, MN 55103

LIST OF ATTACHED DOCUMENTS

A. Rule as Proposed

B. Notice of Intent

C. Statement of Need

D. Affidavit of Mailing

E. Mailing List Certificate

F. *State Register* Photocopy

G. Rule as Adopted (four copies)

H. Findings of Fact

I. Declaration of Counsel

Department of Agriculture

Marketing Division

In the Matter of the Proposed Adoption of the Rule of the State Department of Agriculture Governing Minnesota Grown Labeling Statements

NOTICE OF INTENT TO ADOPT A RULE WITHOUT A PUBLIC HEARING

(1) Notice is hereby given that the Minnesota Department of Agriculture intends to amend the above-entitled rule without a public hearing following the procedures set forth in the Administrative Procedures Act for adopting rules without a public hearing in Minnesota Statutes, sections 14.22-14.28. The statutory authority to adopt this rule is Minnesota Statutes, section 17.102, subdivision 6.

(2) All persons have 30 days in which to submit comment in support of or in opposition to the proposed amendments or any part or subpart of the amendments. Comment is encouraged. (3) Each comment should identify the portion of the proposed amendments addressed, the reason for the comment, and any change proposed.

(4) Any person may make a written request for a public hearing on the amendments within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. (6) Any person requesting a public hearing should state their name and address, and is encouraged to identify the portion of the proposed amendments addressed, the reason for the request, and any proposed change. (7) If a public hearing is required, the department will proceed according to Minnesota Statutes, sections 14.131-14.20.

(5) Comments or written requests for a public hearing must be submitted to: Carol Milligan, Minnesota Department of Agriculture, 90 West Plato Boulevard, St. Paul, MN 55107, (612) 296-6906.

(8) The proposed amendments may be modified if the modifications are supported by the data and views submitted to the department and do not result in a substantial change in the proposed amendments as noticed.

(11) A copy of the proposed amendments is attached to this notice.

(12) A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed amendments and identifies the data and information relied upon to support the proposed amendments has been prepared and is available upon request from Ms. Milligan.

(14) The department has determined that small business will be minimally affected by these amendments because they expand and clarify an existing rule, and therefore, do not affect any small businesses not already covered by the rule. Additionally, the program is completely voluntary and the only reporting requirement is an annual license application

(9) If no hearing is required, upon adoption of the final amendments, the amendments and the required supporting documents will be submitted to Attorney General for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted amendments must submit a written request to Ms. Milligan.

STATE OF MINNESOTA

June 13 1990
Date

Jim Nichols, Commissioner
Department of Agriculture

Department : Agriculture

STATE OF MINNESOTA
Office Memorandum

Date : June 15, 1990

To : Maryanne Hruby, Director
LCRAR

From : Carol Milligan
Planning Division

Phone : 296-6906

Subject : **Rules Governing Minnesota-Grown Labeling Statements**

As required by Minnesota Statutes, sections 14.131 and 14.23, attached is the Statement of Need and Reasonableness for the above-captioned rule. The Notice of Intent to Adopt and the rule will be published in the *State Register* on 7/2/90.

Attachment

In the Matter of the Proposed Adoption of the Rule of the State Department of Agriculture Governing Minnesota-Grown Labeling Statements

AFFIDAVIT OF MAILING THE NOTICE OF INTENT TO ADOPT A RULE WITHOUT A PUBLIC HEARING

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Marie Skerbitz, being sworn, says:

That on the 27th day of June, 1990, at the City of St. Paul, County of Ramsey, State of Minnesota, I mailed the attached Notice of Intent to Adopt a Rule Without a Public Hearing by depositing in the State of Minnesota Central Mail System for United States mailing a copy thereof, with postage prepaid, to all persons and associations who have requested, pursuant to Minnesota Statutes, sections 14.14, subdivision 1a and 14.22 or 14.30, that their names be placed on the Minnesota Department of Agriculture rulemaking mailing list.

Marie Skerbitz
Mail Room Clerk

Subscribed and sworn to before me
this 27th day of June, 1990.

Jennifer L Hance

JENNIFER L. HANCE
NOTARY PUBLIC — MINNESOTA
RAMSEY COUNTY
My commission expires 9-3-90

In the Matter of the Proposed Adoption
of the Rule of the State Department of
Agriculture Governing Minnesota-
Grown Labeling Statements

CERTIFICATE OF MAILING LIST

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Carol Milligan, being sworn, says:

I hereby certify that the list of persons and associations who have requested, pursuant to Minnesota Statutes, sections 14.14, subdivision 1a, and 14.22 or 14.30, that their names be placed on the Minnesota Department of Agriculture rulemaking mailing list is accurate, complete and current as of this 27th day of June, 1990.

Carol Milligan
Management Analyst

Subscribed and sworn to before me
this 27th day of June, 1990.

Jennifer L. Hance

JENNIFER L. HANCE
NOTARY PUBLIC — MINNESOTA
RAMSEY COUNTY
My commission expires 9-3-90

Proposed Rules

Pursuant to Minn. Stat. §§ 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing, as long as the agency determines that the rules will be noncontroversial in nature. The agency must first publish a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. The notice must advise the public:

1. that they have 30 days in which to submit comment on the proposed rules;
2. that no public hearing will be held unless 25 or more persons make a written request for a hearing within the 30-day comment period;
3. of the manner in which persons shall request a hearing on the proposed rules; and
4. that the rule may be modified if the modifications are supported by the data and views submitted.

If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.14-14.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

Pursuant to Minn. Stat. §§ 14.29 and 14.30, agencies may propose emergency rules under certain circumstances. Proposed emergency rules are published in the *State Register* and, for at least 25 days thereafter, interested persons may submit data and views in writing to the proposing agency.

Department of Agriculture

Proposed Permanent Rules Relating to Minnesota Grown Labeling Statements

Notice of Intent to Adopt a Rule Without a Public Hearing

NOTICE IS HEREBY GIVEN that the Minnesota Department of Agriculture intends to amend the above-entitled rule without a public hearing following the procedures set forth in the Administrative Procedures Act for adopting rules without a public hearing in *Minnesota Statutes*, sections 14.22-14.28. The statutory authority to adopt this rule is *Minnesota Statutes*, section 17.102, subdivision 6.

All persons have 30 days in which to submit comment in support of or in opposition to the proposed amendments or any part or subpart of the amendments. Comment is encouraged. Each comment should identify the portion of the proposed amendments addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the amendments within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a public hearing should state their name and address, and is encouraged to identify the portion of the proposed amendments addressed, the reason for the request, and any proposed change. If a public hearing is required, the department will proceed according to *Minnesota Statutes*, sections 14.131-14.20.

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If no hearing is required, upon adoption of the final amendments, the amendments and the required supporting documents will be submitted to Attorney General for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted amendments must submit a written request to Ms. Milligan.

STATE OF MINNESOTA
Jim Nichols, Commissioner
Department of Agriculture

Dated: 13 June 1990

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Rules as Proposed

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[For text of subpart 1, see M.R.]

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Subp. 2. **Use of the "cultivated wild rice" labeling statement.** A producer licensed under part 1556.0160 may use the "cultivated wild rice" labeling statement on an eligible agricultural product. A processor licensed under part 1556.0160 may use the "cultivated wild rice" labeling statement on an eligible product if the cultivated wild rice was processed in a plant located partially or completely in Minnesota.

Subp. 3. **Use by retailers and wholesalers.** A retailer or wholesaler may use the "cultivated wild rice" labeling statement without a license in order to display and advertise eligible products.

Subp. 4. **Appearance of labeling statement.** The labeling statement may be added to an eligible product or display in any color or color combination except navy blue and red or other color combinations designed to make the labeling statement similar in appearance to the "hand harvested wild rice" labeling statement.

REPEALER. *Minnesota Rules*, part 1556.0130 is repealed.

STATE OF MINNESOTA

DEPARTMENT OF AGRICULTURE

In the Matter of the Proposed Adoption of the Rule of the State Department of Agriculture Governing Minnesota Grown Labeling Statements	FINDINGS OF FACT, CONCLUSIONS, AND ORDER ADOPTING RULE WITHOUT PUBLIC HEARING

(1) Notice of the Commissioner's intent to adopt the above-entitled rule was published in the *State Register* on July 2, 1990, and was sent by United States mail to all persons on the list maintained by the department pursuant to Minnesota Statutes, sections 14.14, subdivision 1a and 14.22 on June 27, 1990. (2) The statement of need and reasonableness was prepared before the notice of intent to adopt a rule without a public hearing was mailed to all persons on the rulemaking mailing list and published in the *State Register* and was available to the public.

(4) All persons were given the opportunity to submit comment on the rule for 30 days after the notice of proposed rulemaking. (5) No requests for a public hearing on the rule were received by the department.

(7) No submissions or comments on the rule were received by the department. No requests for notice of submission to the attorney general were received by the department.

(8) The above-captioned rule is needed and reasonable.

(9) NOW, THEREFORE, IT IS ORDERED that the rule identified as the rule governing Minnesota grown labeling statements is adopted this 2nd day of August, 1990, pursuant to authority vested in me by Minnesota Statutes, section 17.102.

Jim Nichols
Commissioner

In the Matter of the Adoption of the Rule of the State Department Agriculture Governing Minnesota Grown Labeling Statements`

DECLARATION OF COUNSEL

I, Scott Strand, ~~Special~~ Assistant Attorney General, do hereby declare that I have examined the above-captioned rule and the supporting rulemaking record, and that, based on my examination, the Administrative Procedure Act and Minnesota Rules, chapter 2010 have been followed. Any exceptions are listed below. For Attorney General billing purposes, the four-digit docket client code is 0986.

Scott Strand
~~Special~~ Assistant Attorney General

Dated: 8/6/90