



Ohio Administrative Code Rule 901:2-2-07 Refusal to grant inspection.

Effective: January 18, 2024

Pursuant to rule 901:2-2-01 of the AdministrativeCode, 9 C.F.R. 500.7 shall read as follows:

(A) The department may refuse to grant inspection because an applicant:

- (1) Does not have a HACCP plan as required by 9 C.F.R. 417;
- (2) Has not developed an SSOP as required by 9 C.F.R. 416 or a written recall procedure as required in 9 C.F.R. 418;
- (3) Has not demonstrated that adequate sanitary conditions exist in the establishment as required by 9 C.F.R. 416;
- (4) Has not demonstrated that livestock will be handled and slaughtered humanely as defined in 9 C.F.R. 301.2 or 9 C.F.R. 313; or

(B) The department may refuse to grant inspection to an applicant because an applicant or one of his supervisors, employees, contractors, volunteers, or agents has or has attempted to:

- (1) Willfully made any misrepresentation or any other fraudulent or deceptive practice in connection with any application or request for service under the regulations in this chapter;
- (2) Give a loan, money, favor, or other thing of value, for any purpose to any employee of the department authorized to perform any function under the regulations in this chapter;
- (3) Interfere or obstruct any employee of the department in the performance of his duties under the regulations in this chapter by intimidation, threats, assaults, abuse, or any other improper means;
- (4) Knowingly falsely made, issued, altered, forged, or counterfeited any official certificate,



memorandum, mark, or other identification, or device for making any such mark or identification authorized or issued under this chapter;

(5) Knowingly uttered, published, or used as true any such falsely made, issued, altered, forged, or counterfeited certificate, memorandum, mark, identification, or device;

(6) Knowingly obtained or retained possession of any such falsely made, issued, altered, forged or counterfeited certificate, memorandum, mark, identification or device, or of any carcass or meat or meat food product bearing any such falsely made, issued, altered, forged, or counterfeited certificate, memorandum, mark, or identification.

(7) Knowingly represented that any carcass, meat, or meat food product has been officially inspected and passed (by an authorized inspector) under this chapter when it had not in fact been so inspected;

(8) Within the previous ten years, been convicted of any felony or more than one misdemeanor under any law based upon the acquiring, handling, or distributing of adulterated, mislabeled, or deceptively packaged food, or fraud in connection with transactions in food, or any felony indicating a lack of the integrity needed for the conduct of operations affecting the public health; or

(9) Violated any provision of Chapter 918. of the Revised Code or any of the rules adopted under it.

(C) If the department refuses to grant inspection, the applicant will be provided the opportunity for a hearing in accordance with Chapter 119. of the Revised Code.