

CONCISE EXPLANATORY STATEMENT

In accordance with the Administrative Procedures Act, Section § 42-35-2.6 of the General Laws of Rhode Island, following is a concise explanatory statement:

AGENCY: Department of Environmental Management

DIVISION: Agriculture and Forest Environment

RULE IDENTIFIER: 250-RICR-40-00-2

RULE TITLE: PRODUCE SAFETY RULE (250-RICR-40-00-2)

REASON FOR RULEMAKING: Rhode Island Department of Environmental Management is proposing to amend the existing state Produce Safety Regulations to adopt the updated federal Food and Drug Administration Produce Safety Rule, Subpart E – Agricultural Water. This should be prefaced by stating the definition of Agricultural Water will not be changed, just the process to which it will be found acceptable.

ANY FINDING REQUIRED BY LAW AS A PREREQUISITE TO THE EFFECTIVENESS OF THE RULE: *(if any) None*

TESTIMONY, COMMENTS AND OBJECTIONS: The Department received no objections to this direct final rulemaking during the public notice period.

CHANGE TO TEXT OF THE RULE: In the development of the proposed amendment consideration was given to: (1) the benefits and costs of a reasonable range of regulatory alternatives reflecting the scope of discretion; (2) alternative approaches; (3) overlap or duplication with other statutory and regulatory provisions; and (4) significant economic impact on small business. No alternative approach, duplication, or overlap was identified based upon available information.

DATE THE FINAL RULE WAS SIGNED BY THE AGENCY HEAD:

7/30/2026