
DEPARTMENT OF AGRICULTURE

Wine tax diversion to Ohio Grape Industries Fund

- Makes permanent the 2¢ per-gallon earmark of wine tax revenue that is credited to the Ohio Grape Industries Fund, which is used to support and promote the Ohio grape and wine industry.

Farmers market registration

- Eliminates the voluntary registration of farmers markets with the Department of Agriculture (ODA) and the corresponding inspection of registered farmers markets by ODA.

Ohio Proud Program merchandise

- Requires all fees assessed for participation in the Ohio Proud Program to be credited to the existing Ohio Proud, International, and Domestic Market Development (Ohio Proud) Fund, rather than the GRF as under former law.
- Authorizes ODA to sell merchandise that promotes the Program, and requires the Director of Agriculture to deposit proceeds from the merchandise sales in the Ohio Proud Fund.

Liming material sampling and analyzing

- Allows the Director to enter into an agreement with a person to perform inspections, sampling, and analysis of liming material on behalf of ODA.
- Allows the person to enter on property at any reasonable time to conduct the authorized inspections.
- Requires the Director to annually audit the inspection records.

Southern Ohio Agricultural and Community Development Foundation

- Abolishes the Southern Ohio Agricultural and Community Development Foundation, effective December 30, 2021.

Wine tax diversion to Ohio Grape Industries Fund

(R.C. 4301.43)

The act makes permanent the 2¢ per-gallon earmark of wine tax revenue that is credited to the Ohio Grape Industries Fund, which is used to support and promote the Ohio grape and wine industry. The earmark was set to expire on June 30, 2021.

Continuing law imposes a tax on the distribution of wine, vermouth, and sparkling and carbonated wine and champagne at rates ranging from 30¢ per gallon to \$1.48 per gallon. From

the taxes paid, a portion is credited to the Ohio Grape Industries Fund for the encouragement of the state's grape and wine industry. The remainder is credited to the GRF.

Farmers market registration

(R.C. 3717.221 and 3717.22)

The act eliminates the option to voluntarily register a farmers market with the Department of Agriculture (ODA). It also eliminates the corresponding inspection of registered farmers markets by ODA. However, local boards of health retain their authority to inspect farmers markets.

A farmers market is a location where producers congregate to offer fruits, vegetables, and other items for sale.

Ohio Proud Program merchandise

(R.C. 901.171)

The act requires all fees assessed for participation in the Ohio Proud Program to be credited to the Ohio Proud, International, and Domestic Market Development (Ohio Proud) Fund. Former law required those fees to be deposited in the GRF. The Ohio Proud Program promotes food and agricultural products made and grown in Ohio.

The act authorizes ODA to sell merchandise that promotes the Ohio Proud Program. It also requires the Director of Agriculture to deposit proceeds from the merchandise sales in the Ohio Proud Fund.

Liming material sampling and analyzing

(R.C. 905.59)

The act allows the Director to enter into an agreement with a person that authorizes the person to perform inspections, sampling, and analysis of liming material on behalf of ODA. The person may enter on property at any reasonable time to conduct the authorized inspections. The Director must annually audit the records relating to the inspections, sampling, and analysis performed by the person.

Liming material is used for fertilizer purposes and has a calcium and magnesium content used to neutralize soil acidity. Under continuing law, ODA may continue to conduct inspections of liming material. ODA officials may enter public or private property to conduct inspections.

Southern Ohio Agricultural and Community Development Foundation

(R.C. 183.12 through 183.17, repealed; R.C. 102.02, 183.021, and 183.33; Section 518.30)

The act abolishes the Southern Ohio Agricultural and Community Development Foundation on December 30, 2021. As a result of that elimination, it does the following:

1. Eliminates the Foundation's board of trustees;
2. Provides for the winding down of the Foundation's affairs by ODA;

3. Eliminates the Southern Ohio Agricultural and Community Development Foundation Endowment Fund and requires the Treasurer of State to transfer the cash balance in the fund to the Ohio Proud Marketing Fund; and

4. Eliminates the Southern Ohio Agricultural and Community Development Operating Expenses Fund and requires the Director of the Office of Budget and Management to transfer the cash balance in the fund to the Ohio Proud Marketing Fund.

The Foundation was created in 2000 by S.B. 192 of the 123rd General Assembly as a result of the 1998 Tobacco Master Settlement Agreement reached between Ohio and other states and major tobacco manufacturers. Generally, the Foundation was tasked when it was created with assisting southern Ohio farmers in replacing their tobacco production with other agricultural products and mitigating the adverse economic impact of reduced tobacco production in the region by:

1. Increasing the variety, quantity, and value of agricultural products other than tobacco produced in southern Ohio;

2. Preserving agricultural land and soils in southern Ohio;

3. Making strategic investments in communities that were affected by the reduction in the demand for tobacco; and

4. Providing education and training assistance to tobacco growers that helped them make the transition out of tobacco production.

The Southern Ohio Agricultural and Community Development Foundation Endowment Fund originally consisted of money derived from the Tobacco Master Settlement Agreement. It also consisted of grants and donations made to the Foundation and investment earnings of the fund. The Foundation used money in the fund to award grants to assist farmers according to the Foundation's mission.

The Southern Ohio Agricultural and Community Development Operating Expenses Fund consisted of money transferred to it from the Southern Ohio Agricultural and Community Development Foundation Endowment Fund. The Foundation used money in the Southern Ohio Agricultural and Community Development Operating Expenses Fund solely to pay the Foundation's employees.