

**NOTICE OF PROPOSED RULEMAKING**

**NOTICE IS HEREBY GIVEN** that the New Mexico Department of Agriculture (NMDA), pursuant to the Commercial Feed Act, Sections 76-19A-1 to 76-19A-17, NMSA 1978, proposes to amend 21.18.3 NMAC, COMMERCIAL FEEDS.

**PURPOSE AND SUMMARY OF THE PROPOSED RULES** During the 2020 legislative session SB 57 PET FOOD FEE FOR NEUTERING & SHELTERING was signed into law. This amended the New Mexico Commercial Feed Act (Section 76-19A-1 NMSA 1978) to add a new section "SPAY AND NEUTER PROGRAM FEE". The legislation grants NMDA the regulatory authority to impose an additional fee on pet food registration for dogs and cats to fund the dog and cat spay and neuter assistance program and the animal sheltering act.

The amendment adds new definitions and adds a new section, Spay and Neuter Program Fee.

**STATUTORY AUTHORITY:** Granted to the board of regents of New Mexico State University under the New Mexico Commercial Feed Act, Chapter 76, Article 19A Sections 1 - 17, NMSA 1978 Compilation.

Copies of the Notice of Proposed Rulemaking and proposed rules are available by electronic download from the New Mexico Department of Agriculture website (<https://www.nmda.nmsu.edu>)

NMDA will hold a public video/telephonic hearing on the proposed rules on July 29, 2020 at 9:00 a.m.,

Join via Video:

Meeting URL: <https://nmsu.zoom.us/j/97456254575>

Meeting ID: 974 5625 4575

Join via Phone:

+1 346 248 7799 or +1 669 900 6833

Meeting ID: 974 5625 4575

Oral comments will be accepted at the video/telephonic hearing from members of the public and any interested parties. Written comments will be accepted through 5:00 pm on July 29, 2020. Comments may be submitted via email to [comments@nmda.nmsu.edu](mailto:comments@nmda.nmsu.edu) or may be filed by sending original copies to:

New Mexico Department of Agriculture, Office of Director  
MSC 3189, PO Box 30005, 3190 S. Espina, Las Cruces, NM 88003-8005

Only signed statements, proposals or comments will be accepted. Scanned or electronic signatures conforming to federal and state court requirements will be accepted with the understanding that if there is any dispute regarding a signature, NMDA reserves the right to require that original signatures be provided to verify the electronic or facsimile signature.

**SPECIAL NEEDS:** If you are an individual with a disability who needs a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact NMDA at (575) 646-3702 at least one week prior to the meeting or as soon as possible.

The Director will consider all oral comments, and will review all timely submitted written comments and responses.