

JOHN R. MCGINLEY, JR., ESQ., CHAIRMAN  
ALVIN C. BUSH, VICE CHAIRMAN  
DANIEL F. CLARK, ESQ.  
ARTHUR COCCODRILLI  
MURRAY UFBERG, ESQ.  
ROBERT E. NYCE, EXECUTIVE DIRECTOR  
MARY S. WYATTE, CHIEF COUNSEL



PHONE: (717) 783-5417  
FAX: (717) 783-2664  
irrc@irrc.state.pa.us  
<http://www.irrc.state.pa.us>

**INDEPENDENT REGULATORY REVIEW COMMISSION**

333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

October 7, 2004

Honorable Dennis C. Wolff, Secretary  
Department of Agriculture  
211 Agriculture Building  
2301 North Cameron Street  
Harrisburg, PA 17110

Re: Regulation #2-146 (IRRC #2431)  
Department of Agriculture  
Amendments to Lifetime Licensure

Dear Secretary Wolff:

The Independent Regulatory Review Commission approved the subject regulation today. Our Order is enclosed and will be available on our website at [www.irrc.state.pa.us](http://www.irrc.state.pa.us).

We appreciate the joint effort that went into producing a regulation that meets the criteria and intent of the Regulatory Review Act.

Sincerely,

  
John R. McGinley, Jr.

Chairman

evp

Enclosure

cc: Honorable Arthur D. Hershey, Majority Chairman, House Agriculture and Rural Affairs Committee  
Honorable Peter J. Daley, II, Democratic Chairman, House Agriculture and Rural Affairs Committee  
Honorable Mike Waugh, Chairman, Senate Agriculture and Rural Affairs Committee  
Honorable Michael A. O'Pake, Minority Chairman, Senate Agriculture and Rural Affairs Committee

**INDEPENDENT REGULATORY REVIEW COMMISSION  
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held October 7, 2004

John R. McGinley, Jr., Esq., Chairman  
Alvin C. Bush, Vice Chairman  
Daniel F. Clark, Esq.  
Arthur Coccodrilli  
Murray Ufberg, Esq.

Regulation No. 2-146  
Department of Agriculture  
Amendments to Lifetime Licensure

On September 1, 2004, the Independent Regulatory Review Commission (Commission) received this regulation from the Department of Agriculture (Department). This rulemaking amends 7 Pa. Code Chapter 21. Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*. On September 17, 2004, the Department of Agriculture tolled and resubmitted the final-omitted regulation to the Commission with revisions.

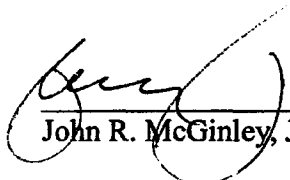
This rulemaking amends the Department's existing regulations to bring them into compliance with revisions to the Veterinary Medicine Practice Act (63 P.S. §§ 485.1 – 485.35) (Act). The amendments to the regulation remove the requirement that only a licensed veterinarian can apply a tattoo and specify that a microchip must be implanted by a licensed veterinarian or a person authorized to implant microchips under the Act or the State Board of Veterinary Medicine's regulations.

We have determined this regulation is consistent with the statutory authority of the Department (3 P.S. § 459-201(b)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

**BY ORDER OF THE COMMISSION:**

This regulation is approved.



  
\_\_\_\_\_  
John R. McGinley, Jr., Esq., Chairman