

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Proposed Rules  
Governing the Minnesota Food Code,  
Minnesota Rules Chapter 4626

**CHIEF ADMINISTRATIVE LAW JUDGE'S  
ORDER ON REVIEW OF RULES UNDER  
MINN. STAT. § 14.16, SUBDS. 1, 2 AND  
MINN. R. 1400.2240, SUBPS. 4, 5**

This matter came on for review by the Chief Administrative Law Judge pursuant to Minn. Stat. § 14.16, subds. 1 and 2 (2016), and Minn. R. 1400.2240, subps. 4 and 5 (2017).

The Minnesota Departments of Health and Agriculture (Departments) propose to adopt the above-entitled rules pursuant to Minn. Stat. § 14.16 (2016). The proposed rules came on for public hearings on January 11 and 12, 2018.

The Administrative Law Judge disapproved portions of the rules in a Report dated March 19, 2018, including the proposed repeal of Minn. R. 4626.1855 (2017). The Chief Administrative Law Judge concurred with the determinations of the Administrative Law Judge by Order dated March 29, 2018.

On May 8, 2018, the Departments resubmitted the proposed rules to the Chief Administrative Law Judge for review and approval. By Order dated May 15, 2018, the Chief Judge again disapproved the Departments' proposed repeal of Minn. R. 4626.1855. All other modifications to the proposed rules were approved.

On July 13, 2018, the Departments requested that the Chief Administrative Law Judge review and approve modifications to the proposed rules, including minor stylistic changes and a correction of a misspelled word. Pursuant to the Chief Judge's May 15, 2018 order, the Departments reinstated Minn. R. 4626.1855.

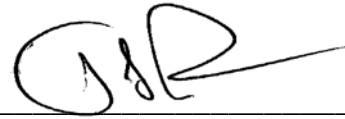
The Chief Administrative Law Judge finds that the defects identified in the prior orders have been corrected. In addition, the Chief Judge finds that the Departments' proposed modifications do not render the final proposed rules substantially different from those published in the *State Register* on November 27, 2017, and proposed at the public hearing.

Based upon a review of the modifications made by the Departments as presented in their July 13, 2018, submissions, and the rulemaking record,

**IT IS HEREBY ORDERED THAT:**

The proposed rules, as modified and approved by the Revisor on June 7, 2018, are approved as to legality.

Dated: July 20, 2018

A handwritten signature in black ink, appearing to read 'TLP', is written above a horizontal line.

TAMMY L. PUST  
Chief Administrative Law Judge