

THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



Department of Agricultural Resources

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DEPARTMENT OF AGRICULTURAL RESOURCES NOTICE OF PUBLIC HEARING

Notice is hereby given that the Department of Agricultural Resources, under its authority pursuant to the Code of Massachusetts Regulations Title 330, and in accordance with M.G.L. c. 30A, will hold a public hearing on proposed amendments to the regulations at 330 CMR 35.00, Regulations Implementing the Act to Prevent Cruelty to Farm Animals, to remove language stricken from the Act in recent federal litigation; exempt transshipped product, which is otherwise covered product produced outside of Massachusetts that subsequently enters and exits Massachusetts without additional processing or repackaging, exclusively for the purpose of sale or export outside of Massachusetts, from the Act's coverage to address constitutional concerns raised in a second federal case; clarify the existing ground or comminuted pork exemption; and, address other minor corrections.

A public hearing will be held on 330 CMR 35.00 on the following date:
September 23, 2026, from 11:00 A.M – 1:00 P.M. Eastern Time

Please note this hearing will be held virtually via Zoom. To join the hearing, please use either the link or the call-in telephone number below:

Topic: Q3 Regulations Public Hearing

Time: Sep 23, 2026 11:00 AM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/9015262660?pwd=aGZnbIVpMllvMDBGL3F4NFhS29YZz09&omn=87856696903>

Meeting chat link

<https://us06web.zoom.us/jc/87856696903>

Meeting ID: 901 526 2660

Passcode: 425578

One tap mobile

+13092053325,,9015262660#,,, *425578# US

+13126266799,,9015262660#,,, *425578# US (Chicago)

Join by SIP

- 9015262660@zoomcrc.com

Join instructions

https://us06web.zoom.us/join/87856696903?signature=4SOXvhB7e_GqVcdRscyKiiY0jKA2JDFw3soGh5s8-tI

Testimony may be presented orally at the virtual hearing or in writing. Written comments will be accepted until **October 8, 2026, at 5:00 P.M.** Written testimony must be submitted by e-mail to Michael.Cahill@mass.gov or by mail to the Department of Agricultural Resources, Division of Animal Health, 100 Cambridge Street, 9th Floor, Boston, MA 02114.

The proposed regulations are available on the MDAR website at <https://www.mass.gov/info-details/mdar-proposed-amendments-to-regulations> or may be obtained by emailing Michael Cahill at Michael.Cahill@mass.gov. For special accommodations for this event or to obtain this information in an alternative format, you may contact ADA and Diversity Manager, Gabriella Knight, at Gabriella.Knight@mass.gov or call 857-268-0629.

Small Business Impact Statement

(As required by M.G.L. c. 30A §§ 2, 3 & 5)

CMR No: 330 CMR 35.00

Estimate of the Number of Small Businesses Impacted by the Regulation:

- **Will small businesses have to create, file, or issue additional reports?**
No. The amendment will not require additional reports.
- **Will small businesses have to implement additional recordkeeping procedures?**
No. The amendment will not require additional recordkeeping.
- **Will small businesses have to provide additional administrative oversight?**
No. No additional oversight is required.
- **Will small businesses have to hire additional employees in order to comply with the proposed regulation?**
No. No additional employees are needed to comply.
- **Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, accountant, engineer, etc.)?**
No. No other professionals are needed to comply.
- **Does the regulation require small businesses to purchase a product or make any other capital investments in order to comply with the regulation?**
No. No purchases or capital investments are needed to comply.
- **Are performance standards more appropriate than design/operational standards to accomplish the regulatory objective?**
(Performance standards express requirements in terms of outcomes, giving the regulated party flexibility to achieve regulatory objectives and design/operational standards specify exactly what actions regulated parties must take.)
No. N/A. The statute establishes performance standards, not design/operational standards, and the regulations implement the statute.
- **Do any other regulations duplicate or conflict with the proposed regulation?**
No. There are no similar or related regulations.
- **Does the regulation require small businesses to cooperate with audits, inspections or other regulatory enforcement activities?**
No. The amendment creates no new enforcement activities.
- **Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements?**
No. No educational services are needed.
- **Is the regulation likely to *deter* the formation of small businesses in Massachusetts?**
No.
- **Is the regulation likely to *encourage* the formation of small businesses in Massachusetts?**
No.
- **Does the regulation provide for less stringent compliance or reporting requirements for small businesses?**
No. The amendment does not provide different compliance or reporting requirements for small businesses.
- **Does the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses?**
No. No change to any schedule or deadline.
- **Did the agency consolidate or simplify compliance or reporting requirements for small businesses?**
Yes. Requirements for businesses engaged solely in transshipment to be compliant were eliminated. Others remain the same.
- **Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective?**
No. N/A. The regulations do not establish design or operational standards.
- **Are there alternative regulatory methods that would minimize the adverse impact on small businesses?**
No. This is the method chosen by ballot initiative.