

7026.0050 WAIVERS.

Subpart 1. **Waiver eligibility.** Upon request of a manufacturer or group of manufacturers, the commissioner must waive all or part of the information required under part 7026.0030 if the commissioner determines that substantially equivalent information is publicly available.

Subp. 2. **Waiver request.** A manufacturer or group of manufacturers requesting a waiver must submit the request annually in a format specified by the commissioner. The request must contain:

- A. the information required under part 7026.0030, subpart 1, items E to G;
- B. a description of the products or components for which a waiver is requested;
- C. a list of the requirements under part 7026.0030 for which the manufacturer seeks a waiver;
- D. a description of the publicly available records that contain substantially equivalent information to the information required under part 7026.0030;
- E. a statement that the publicly available information identified in item D is accurate and that the data is verified by the manufacturer or group of manufacturers. Verification may include certification from a third-party contractor with expertise in the relevant field to ensure accuracy and compliance; and
- F. a link to or copy of all publicly available and substantially equivalent information described by the manufacturer.

Subp. 3. **Reporting to Department of Agriculture.** A manufacturer or group of manufacturers that reports information to the Department of Agriculture under Minnesota Statutes, section 116.943, subdivision 3, paragraph (b), satisfies the requirements of Minnesota Statutes, section 116.943, subdivision 2.

Subp. 4. **Requirements not waived.** A manufacturer or group of manufacturers must still submit a report for any requirements under part 7026.0030 that are not waived.

Subp. 5. **Waiver request deadline.**

A. A manufacturer or group of manufacturers must submit the waiver request to the commissioner at least 30 days before the applicable reporting due date.

B. If the commissioner denies a waiver request, the manufacturer or group of manufacturers must submit their report according to part 7026.0030 or 7026.0040 within 30 days of the notice of denial or by the established reporting due date, whichever is later.

Subp. 6. **Fee required.** For submission of the waiver request under subpart 2 to be considered complete, a manufacturer or group of manufacturers must submit the fee required under part 7026.0100, subpart 4.

Statutory Authority: *MS s 116.943*

History: *50 SR 537*

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