

Rules

RULE

Department of Agriculture and Forestry Office of Forestry

Logos for State Products
(LAC 7:V.2901, 2903, and 2905)

In accordance with the Administrative Procedure Act, R.S. 49:950 et seq., and pursuant to the authority set forth in R.S. 3:1652, the Department of Agriculture and Forestry (department) has amended LAC 7:V.2901, 2903 and 2905 in order to create standards for the use of new logos for Certified Louisiana Craft Beverage and Certified Louisiana Farm to Table designations. This Rule is hereby adopted on the day of promulgation.

Title 7

AGRICULTURE AND ANIMALS

Part V. Advertising, Marketing and Processing

Chapter 29. Logos for State Products

§2901. Purpose; Definitions

A. This Chapter is adopted pursuant to R.S. 3:4721 et seq., and shall govern the department's logo program.

B. For purposes of this Chapter, the following terms shall have the meaning hereafter ascribed to them, unless the context clearly indicates otherwise:

Commissioner—the commissioner of the Louisiana Department of Agriculture and Forestry.

Department—the Louisiana Department of Agriculture and Forestry.

License—written authorization from the Louisiana Department of Agriculture and Forestry for the non-exclusive use of the logo.

Licensee—applicant who applied to the department for a license to use the logo(s) and whose application was approved.

Logo—the logos adopted by the department pursuant to R.S. 3:4721 to promote products made, grown, manufactured, processed, produced or substantially transformed in the state of Louisiana. The logos include:

- a. certified Louisiana;
- b. certified Louisiana Cajun;
- c. certified Louisiana Creole;
- d. certified Louisiana Farm to Table; and
- e. certified Louisiana Craft Beverage.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4721.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Forestry, LR 42:393 (March 2016), repromulgated LR 42:540 (April 2016), amended LR 44:440 (March 2018), LR 46:10 (January 2020).

§2903. Eligibility

A. The department shall have sole discretion to determine whether an agricultural product, restaurant or agritourism activity is eligible to be labeled with one of the certified logos. To be eligible, a company must possess and be in compliance with all applicable state and federal permits, licenses and laws.

B. In order for an agricultural product to be eligible for inclusion in the logo program, it must be made, grown, manufactured, processed, produced or substantially transformed in the state of Louisiana.

C. In order for an agricultural product to be eligible to use the certified Louisiana Creole logo, at least 50 percent of the product must be made, grown, produced, manufactured, processed or packed in Louisiana.

D. In order for an agricultural product to be eligible to use the certified Louisiana Cajun logo, the product must be representative of the culture that is generally of Acadian descent and be at least 50 percent of the product must be made, grown, produced, manufactured, processed or packed in Louisiana.

E. In order for an agricultural product to be eligible to use certified Louisiana Farm to Table logo, the product must be produced and sourced as locally as possible, within Louisiana and or less than 200 miles from its origin, which means going directly from the farm to the table.

F. In order for a craft beverage product to be eligible to use the certified Louisiana Craft Beverage logo, the product must be crafted, bottled, brewed, vinified and/or distilled in the state of Louisiana. The use of this logo shall be applicable to beer, wine, spirits, and craft beverages.

G. In order for a restaurant to be eligible to use the certified Louisiana Farm to Table logo, a majority of the restaurant's raw and value added products shall be produced and sourced as locally as possible, within Louisiana and or less than 200 miles from its origin, which means going directly from the farm to the table.

H. In order for an establishment that serves alcoholic beverages to be eligible to use the certified Louisiana Craft Beverage logo, the establishment must serve at least one certified Louisiana Craft Beverage beer, wine, and spirit on a regular basis. If an establishment that serves alcoholic beverages does not serve all three categories (beer, wine, and spirits), it must serve at least three certified Louisiana Craft Beverages from the categories that it does serve in order to be eligible to use the Louisiana Craft Beverage logo.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4721.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Forestry, LR 42:393 (March 2016), repromulgated LR 42:540 (April 2016), amended LR 44:440 (March 2018), LR 46:10 (January 2020).

§2905. Application Process and Product Verification

A. Applications for use of the logos shall be made in writing on a form prescribed by the department or by completing an online application on the department's website.

B. In order for a product to be eligible for inclusion in the logo program, it must be made, grown, manufactured, processed, produced or substantially transformed in the state of Louisiana.

C. In order for a product to be eligible to use the certified Louisiana Creole logo, at least 50 percent of the product must be made, grown, produced, manufactured, processed or packed in Louisiana.

D. In order for an agricultural product to be eligible to use the certified Louisiana Cajun logo, the product must be representative of the culture that is generally of Acadian descent and be at least 50 percent of the product must be made, grown, produced, manufactured, processed or packed in Louisiana.

E. In order for a restaurant to be eligible to use the certified farm to table logo, a majority of the restaurant's raw and value added products shall be produced and sourced as locally as possible, within Louisiana and or less than 200 miles from its origin, which means going directly from the farm to the table.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4721.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Forestry, LR 42:393 (March 2016), repromulgated LR 42:540 (April 2016), amended LR 44:441 (March 2018), LR 46:10 (January 2020).

Mike Strain, DVM
Commissioner

2001#059

RULE

Department of Children and Family Services Division of Child Welfare

Adoption Subsidy Program and Adoption Petition Program (LAC 67:V.4901, 4903, 5101, 5103, and 5105)

In accordance with the provisions of the Administrative Procedure Act R.S. 49:953 (A), the Department of Children and Family Services (DCFS), proposes to amend LAC 67:V, Subpart 6 Adoptions, Chapter 49 Adoption Subsidy Program, Sections 4901 and 4903 and Chapter 51, Adoption Petition Program, Sections 5101, 5103, and 5105.

The amendment will allow the department to extend the adoption subsidy support to children who exited foster care to a subsidized adoption and who continue to be under the care and responsibility of the adoptive parent after reaching age 18 and who meet the same eligibility criteria as children eligible for the department's Extended Foster Care Program by facilitating the expenditure of IV-E funds for extended foster care services to the estimated 20 children who are currently eligible for these adoption subsidy services initiated after their sixteenth birthday as specified in Act 649 of the Regular Session of the Louisiana Legislature. This Rule is hereby adopted on the day of promulgation and is effective February 1, 2020.

Title 67

SOCIAL SERVICES

Part V. Child Welfare

Subpart 6. Adoptions

Chapter 49. Adoption Subsidy Program

§4901. Subsidizing the Adoption of Children with Special Needs

A. Overview of Program Purpose

1. The Subsidized Adoption Program enables the Department of Children and Family Services to make payments to adoptive parents on behalf of a child who otherwise might not be adopted because of special needs or

circumstances. Subsidy payments shall be limited to a child(ren) for whom adoption is indicated but placement through existing resources is unavailable because of the child's physical or mental condition, race, age, membership in a sibling group which should not be separated, or other serious impediments or special needs. The adoption subsidy applies to a special needs child for whom the Department of Children and Family Services holds full and permanent custody prior to the adoptive placement or to a special needs child, SSI or AFDC eligible, for whom a private nonprofit agency holds custody and to nonrecurring adoption expenses only for special needs children who are adopted independently. The adoption subsidy may be extended for children who were adopted from foster care and initially began receiving the subsidy after age 16, but prior to age 18, if the adoptive parents remain financially responsible for the child, and the child meets the same eligibility criteria as children eligible for the department's Extended Foster Care program. No child may have an adoption subsidy initiated for the first time after age 18. The adoption laws of the state of Louisiana shall be adhered to, and the granting of a subsidy shall not affect the legal status of the child nor the rights and responsibilities of the adoptive parents.

2. The prospective adoptive family must meet basic adoption eligibility requirements in all respects except for the ability to assume complete financial responsibility for the child's care.

B. Types of Subsidy. The child may be subsidized for the following services up to age 18, or up to age 21 if eligible for an extension of the adoption subsidy.

1. Maintenance. The maintenance subsidy includes basic living expenses such as board, room, clothing, spending money, and ordinary medical and dental costs. The maintenance supplement may be ongoing, but must be renewed on a yearly basis. An extension of an adoption subsidy for youth who have turned 18 must be reviewed quarterly to ensure ongoing eligibility, but only needs to be renewed annually as long as eligibility criteria continue to be met. The amount of payment shall not exceed 80 percent of the state's regular foster care board rate based on the monthly flat rate payments for the corresponding age group. Changes in the maintenance subsidy rate care may occur once a year and the adjustment is made at the time of a change in the child's age group. The monthly maintenance shall not be based on specialized foster care arrangements such as subsidized foster care, alternate family care, or therapeutic foster care.

2. Special Board Rate

a. Foster parents adopting a foster child for whom a special board rate was received may request up to a maximum of 80 percent of the special board rate amount of \$300. This includes adoptive parents who were not previously certified as the child's foster parent(s), if the care and needs of the child in the adoptive home warrant this same special board rate. Therefore, under the Adoption Subsidy Program, the special board component for these type homes shall not exceed \$240. The continued need for the special board rate shall be reviewed at the time of the annual review for children under age 18. At age 18, the extension of an adoption subsidy shall be reviewed a minimum of quarterly.