

2014 -- H 7489

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LC004390
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

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A N A C T

RELATING TO FOOD AND DRUGS - SANITATION IN FOOD ESTABLISHMENTS

Introduced By: Representatives Finn, Edwards, O`Grady, Canario, and Serpa

Date Introduced: February 13, 2014

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 21-27-10 of the General Laws in Chapter 21-27 entitled "Sanitation
2 in Food Establishments" is hereby amended to read as follows:

3 **21-27-10. Registration of food businesses.** -- (a) No person shall operate a food business
4 as defined in section 21-27-1(8) unless he or she annually registers the business with the state
5 director of health; provided, that food businesses conducted by nonprofit organizations, hospitals,
6 public institutions, farmers markets, roadside farmstands, or any municipality shall be exempt
7 from payment of any required fee.

8 (b) In order to set the registration renewal dates so that all activities for each
9 establishment can be combined on one registration instead of on several registrations, the
10 registration renewal date shall be set by the department of health. The registration period shall be
11 for twelve (12) months commencing on the registration renewal date, and the registration fee
12 shall be at the full annual rate regardless of the date of application or the date of issuance of
13 registration. If the registration renewal date is changed, the department may make an adjustment
14 to the fees of registered establishments, not to exceed the annual registration fee, in order to
15 implement the changes in registration renewal date. Registrations issued under this chapter may
16 be suspended or revoked for cause. Any registration or license shall be posted in a place
17 accessible and prominently visible to an agent of the director.

18 (c) Registration with the director of health shall be based upon satisfactory compliance
19 with all laws and regulations of the director applicable to the food business for which registration

1 is required.

2 (d) The director of health is authorized to adopt regulations necessary for the
3 implementation of this chapter.

4 (e) Classification for registration shall be as follows:

5 (1) In state ~~and-out-of-state~~ food processors that sell food in Rhode Island (Wholesale)
6 (annual sales of fifty thousand dollars (\$50,000) or greater)

7 (2) ~~Food~~ In state food processors (Retail) (annual sales of fifty thousand dollars
8 (\$50,000) or greater)

9 (3) In state food processors (Wholesale and/or Retail) with annual sales less than fifty
10 thousand dollars (\$50,000)

11 ~~(3)~~(4) Food service establishments:

12 (i) 50 seats or less

13 (ii) More than 50 seats

14 (iii) Mobile food service units

15 (iv) Industrial caterer or food vending machine commissary

16 (v) Cultural heritage educational facility

17 ~~(4)~~(5) Vending machine sites or location:

18 (i) Three (3) or less machines

19 (ii) Four (4) to ten (10) machines

20 (iii) Eleven (11) or more machines

21 ~~(5)~~(6) Retail markets:

22 (i) 1 to 2 cash registers

23 (ii) 3 to 5 cash registers

24 (iii) 6 or more cash registers

25 ~~(6)~~(7) Retail food peddler (meat, seafood, dairy, and frozen dessert products)

26 ~~(7)~~(8) Food warehouses

27 (f) In no instance where an individual food business has more than one activity eligible
28 under this chapter for state registration within a single location shall the business be required to
29 pay more than a single fee for the one highest classified activity listed in subsection (e) of this
30 section; provided, that where several separate but identically classified activities are located
31 within the same building and under the management and jurisdiction of one person, one fee shall
32 be required. In each of the instances in this subsection, each activity shall be separately registered.

33 (g) Fees for registration of the above classifications shall be as set forth in section 23-1-
34 54.

1 SECTION 2. Section 23-1-54 of the General Laws in Chapter 23-1 entitled "Department
 2 of Health" is hereby amended to read as follows:

3 **23-1-54. Fees payable to the department of health.** -- Fees payable to the department
 4 shall be as follows:

5	PROFESSION	RIGL Section	Description of Fee	FEE
6	Barbers/hairdressers	5-10-10(a)	Renewal application	\$25.00
7	Barbers/hairdressers	5-10-10(a)	Renewal application:	
8	Manicuring		Instructors and manicurists	\$25.00
9	Barbers/hairdressers	5-10-10(b)	Minimum late renewal fee	\$25.00
10	Barbers/hairdressers	5-10-10(b)	Maximum late renewal fee	\$100.00
11	Barbers/hairdressers	5-10-11[c]	Application fee	\$25.00
12	Barbers/hairdressers	5-10-11[c]	Application fee: manicuring	\$25.00
13			Instructors and manicurists	\$25.00
14	Barbers/hairdressers	5-10-13	Demonstrator's permit	\$90.00
15	Barbers/hairdressers	5-10-15	Shop license: initial	\$170.00
16	Barbers/hairdressers	5-10-15	Shop license: renewal	\$170.00
17	Barbers/hairdressers	5-10-15(b)	Initial: per licensed chair/station	\$50.00
18	Veterinarians	5-25-10	Application fee	\$40.00
19	Veterinarians	5-25-11	Examination fee	\$540.00
20	Veterinarians	5-25-12(a)	Renewal fee	580.00
21	Veterinarians	5-25-12[c]	Late renewal fee\$	120.00
22	Podiatrists	5-29-7	Application fee	\$240.00
23	Podiatrists	5-29-11	Renewal fee: minimum	\$240.00
24	Podiatrists	5-29-11	Renewal fee: maximum	\$540.00
25	Podiatrists	5-29-13	Limited registration	\$65.00
26	Podiatrists	5-29-14	Limited registration:	
27			Academic faculty	\$240.00
28	Podiatrists	5-29-14	Application fee:	
29			Renewal minimum	\$240.00
30	Podiatrists	5-29-14	Application fee:	
31			Renewal maximum	\$440.00
32	Chiropractors	5-30-6	Examination fee:	\$210.00
33	Chiropractors	5-30-7	Examination exemption fee:	\$210.00
34	Chiropractors	5-30-8(b)	Exam Physiotherapy	\$210.00

1	Chiropractors	5-30-8(b)	Exam chiro and physiotherapy	\$210.00
2	Chiropractors	5-30-12	Renewal fee	\$210.00
3	Dentists/dental hygienists	5-31.1-6(d)	Dentist: application fee	\$965.00
4	Dentists/dental hygienists	5-31.1-6(d)	Dental hygienist: application fee	\$65.00
5	Dentists/dental hygienists	5-31.1-6(d)	Reexamination: dentist	\$965.00
6	Dentists/dental hygienists	5-31.1-6(d)	Reexamination: hygienists	\$65.00
7	Dentists/dental hygienist	5-31.1-21(b)	Reinstatement fee dentists	\$90.00
8	Dentists/dental hygienist	5-31.1-21(b)	Reinstatement fee hygienists	\$90.00
9	Dentists/dental hygienists	5-31.1-21(c)	Inactive status: dentist	\$220.00
10	Dentists/dental hygienists	5-31.1-21(c)	Inactive status: hygienist	\$40.00
11	Dentists/dental hygienists	5-31.1-22	Limited registration	\$65.00
12	Dentists/dental hygienists	5-31.1-23[c]	Academic faculty Limited reg.	\$965.00
13			Academic faculty renewal	\$500.00
14	Electrolysis	5-32-3	Application fee	\$25.00
15	Electrolysis	5-32-6(b)	Renewal fee	\$25.00
16	Electrolysis	5-32-7	Reciprocal license fee	\$25.00
17	Electrolysis	5-32-17	Teaching license	\$25.00
18	Funeral directors/embalmers	5-33.2-12	Funeral establishment license	\$120.00
19	Funeral services establishments			
20	Funeral directors/embalmers	5-33.2-15	Renewal: funeral/director	\$90.00
21	Funeral services establishments embalmer			\$30.00
22	Funeral directors embalmers	5-33.2-12	Funeral branch office license	\$90.00
23	Funeral directors embalmers	5-33.2-13.1	Crematories application fee:	\$120.00
24	Funeral services establishments			
25	Funeral director/embalmers	5-33.2-15	Renewal: funeral/director	
26	Funeral Svcs establishments			\$120.00
27	Funeral directors/embalmers	5-33.2-15	Additional branch office	
28	Funeral services establishments licenses			\$120.00
29	Funeral directors/embalmers	5-33.2-15	Crematory renewal fee	
30	Funeral svcs establishments			\$120.00
31	Funeral directors/embalmers	5-33.2-15	Late renewal fee	
32	Funeral svcs establishment (All license types)			\$25.00
33	Funeral directors/embalmers	5-33.2-16(a)	Intern registration fee	
34	Funeral Services establishments			\$25.00

1	Nurses	5-34-12	RN Application fee	\$135.00
2	Nurses	5-34-16	LPN Application fee	\$45.00
3	Nurses	5-34-19	Renewal fee: RN	\$135.00
4	Nurses	5-34-19	Renewal fee: LPN	\$45.00
5	Nurses	5-34-37	RNP application fee	\$80.00
6	Nurses	5-34-37	RNP renewal fee	\$80.00
7	Nurses	5-34-37	RNP prescriptive privileges	\$65.00
8	Nurses	5-34-40.3	Clin nurse spec application	\$80.00
9	Nurses	5-34-40.3	Clin nurse spec renewal	\$80.00
10	Nurses	5-34-40.3	Clin nurse spec Rx privilege	\$65.00
11	Nurse anesthetists	5-34.2-4(a)	CRNA application fee	\$80.00
12	Nurse anesthetists	5-34.2-4(b)	CRNA renewal fee	\$80.00
13	Optometrists	5-35.1-4	Application fee	\$280.00
14	Optometrists	5-35.1-7	Renewal fee	\$280.00
15	Optometrists	5-35.1-7	Late fee	\$90.00
16	Optometrists	5-35.1-7	Reactivation of license fee	\$65.00
17	Optometrists	5-35.1-19(b)	Violations of section	\$650.00
18	Optometrists	5-35.1-20	Violations of chapter	\$260.00
19	Opticians	5-35.2-3	Application fee	\$30.00
20	Physicians	5-37-2	Application fee	\$1,090.00
21	Physicians	5-37-2	Re-examination fee	\$1,090.00
22	Physicians	5-37-10(b)	Late renewal fee	\$170.00
23	Physicians	5-37-16	Limited registration fee	\$65.00
24	Physicians	5-37-16.1	Ltd reg: academic faculty	\$600.00
25	Physicians	5-37-16.1	Ltd reg: academic	\$170.00
26			Faculty renewal	
27	Acupuncture	5-37.2-10	Application fee	\$310.00
28	Acupuncture	5-37.2-13(4)	Acupuncture assistant	\$310.00
29			Licensure fee	\$170.00
30	Social workers	5-39.1-9	Application fee	\$70.00
31	Social workers	5-39.1-9	Renewal fee	\$70.00
32	Physical therapists	5-40-8	Application fee	\$155.00
33	Physical therapists	5-40-8.1	Application: physical	\$50.00
34			therapy assistants	

1	Physical therapists	5-40-10(a)	Renewal fee: Physical therapists	\$155.00
2	Physical therapists	5-40-10(a)	Renewal fee: Physical therapy	
3			assistants	\$50.00
4	Physical therapists	5-40-10[c]	Late renewals	\$50.00
5	Occupational therapists -	5-40.1-12(2)	Renewal fee	\$140.00
6	Occupational therapists -	5-40.1-12(5)	Late renewal fee	\$50.00
7	Occupational therapists -	5-40.1-12(b)	Reactivation fee	\$140.00
8	Occupational therapists -	5-40.1-13	Application fee	\$140.00
9	Psychologists	5-44-12	Application fee	\$230.00
10	Psychologists	5-44-13	Temporary permit	\$120.00
11	Psychologists	5-44-15[c]	Renewal fee	\$230.00
12	Psychologists	5-44-15(e)	Late renewal fee	\$50.00
13	Nursing home	5-45-10	Renewal fee	\$160.00
14	administrators			
15	Speech pathologist/	5-48-1(14)	Speech lang support personnel:	
16	Audiologists		late filing	\$90.00
17	Speech pathologist/	5-48-9(a)	Application fee: Audiologist	\$65.00
18	audiologists			
19	Speech pathologist/	5-48-9(a)	Application fee: speech	
20	audiologists		Pathologist	\$145
21	Speech pathologist/	5-48-9(a)	Renewal fee: Audiologist	\$65.00
22	audiologists			
23	Speech pathologist/	5-48-9(a)	Renewal fee: Speech	
24	audiologists			
25			Pathologist	\$145.00
26	Speech pathologist/	5-48-9(a)	Provisional license: renewal fee	\$65.00
27	audiologists			
28	Speech pathologist/	5-48-9(b)	Late renewal fee	\$50.00
29	audiologists			
30	Speech pathologist/	5-48-9(d)(1)	Reinstatement fee: audiologist	\$65.00
31	audiologists			
32	Speech pathologist/	5-48-9(d)(1)	Reinstatement fee: audiologist	\$65.00
33	audiologists		speech pathologists	\$145.00
34			personnel: late filing	\$65.00

1	Hearing aid dealers/fitters	5-49-6(a)	License endorsement	
2			Examination fee	\$25.00
3	Hearing aid dealers/fitters	5-49-8(b)	Temporary permit fee	\$25.00
4	Hearing aid	5-49-8(d)	Temporary permit - renewal fee	\$35.00
5	dealers/fitters			
6	Hearing aid dealers/fitters	5-49-11(1)	License fee	\$25.00
7	Hearing aid	5-49-11(b)	License renewal fee	\$25.00
8	dealers/fitters			
9	Hearing aid	5-49-11[c]	License renewal late fee	\$25.00
10	dealers/fitters			
11	Physician assistants	5-54-9(4)	Application fee	\$110.00
12	Physician assistants	5-54-11(b)	Renewal fee	\$110.00
13	Orthotics/prosthetic	5-59.1-5	Application fee	\$120.00
14	practice			
15	Orthotics/prosthetic	5-59.1-12	Renewal fee	\$120.00
16	practice			
17	Athletic trainers	5-60-11	Application fee	\$60.00
18	Athletic trainers	5-60-11	Renewal fee	\$60.00
19	Athletic trainers	5-60-11	Late renewal fee	\$25.00
20	Mental health counselors -	5-63.2-16	Application fee: marriage	
21	Marriage and family		Family therapist	\$130.00
22	therapists			
23	Mental health counselors -	5-63.2-16	Application fee: mental	
24	Marriage and family therapists		Health counselors	\$70.00
25	Mental health counselors	5-63.2-16	Reexamination fee:	
26	Marriage and family therapist s		Marriage/family therapist	\$130.00
27	Mental health counselors	5-63.2-16	Reexamination fee:	
28	Marriage and family		Mental health counselors	\$70.00
29	therapists			
30	Mental health counselors	5-63.2-17(a)	Renewal fee: marriage	
31	Marriage and Family therapists		Family therapist	\$130.00
32	Mental health counselors	5-63.2-17(a)	Renewal fee:	
33	Marriage and Family		Mental health counselor therapist	\$50.00
34	Mental health counselors	5-63.2-17(b)	Late renewal fee	

1	Marriage and Family		Marriage and family therapist	\$90.00
2	therapist			
3	Dieticians/nutritionists	5-64-6(b)	Application fee	\$75.00
4	Dieticians/ nutritionists	5-64-7	Graduate status:	
5			Application fee:	\$75.00
6	Dieticians/ nutritionists	5-64-8	Renewal fee	\$75.00
7	Dieticians/ nutritionists	5-64-8	Reinstatement fee	\$75.00
8	Radiologic technologists -	5-68.1-10	Application fee maximum	\$190.00
9	Licensed chemical	5-69-9	Application fee	\$75.00
10	dependency professionals			
11	Licensed chemical	5-69-9	Renewal fee	\$75.00
12	dependency professionals			
13	Licensed chemical	5-69-9	Application fee	\$75.00
14	Licensed chemical	5-69-9	Application fee	\$75.00
15	dependency clinical supervisor			
16	Licensed chemical	5-69-9	Renewal fee	\$75.00
17	dependency clinical supervisor			
18	Deaf interpreters	5-71-8(3)	License fee maximum	\$25.00
19	Deaf interpreters	5-71-8(3)	License renewal fee	\$25.00
20	Milk producers	21-2-7(g)(1)	In-state milk processor	\$160.00
21	Milk producers	21-2-7(g)(2)	Out-of-state milk processor	\$160.00
22	Milk producers	21-2-7(g)(3)	Milk distributors	\$160.00
23	Frozen desserts	21-9-3(1)	In-state wholesale	\$550.00
24	Frozen desserts	21-9-3(2)	Out-of-state wholesale	\$160.00
25	Frozen desserts	21-9-3(3)	Retail frozen dess processors	\$160.00
26	Meats	21-11-4	Wholesale	\$160.00
27	Meats	21-11-4	Retail	\$40.00
28	Shellfish packing houses	21-14-2	License fee:	
29			Shipper/reshipper	\$320.00
30	Shellfish packing houses	21-14-2	License fee:	
31			Shucker packer/repacker	\$390.00
32	Non-alcoholic bottled	21-23-2	Bottler permit	
33	Beverages, Drinks & juices			\$550.00
34	Non-alcoholic bottled	21-23-2	Bottle apple cider fee	

1	beverages, drinks and juices			\$60.00
2	Farm home food	21-27-6.1(4)	Registration fee	\$65.00
3	manufacturers			
4	Food businesses	21-27-10(e)(1)	Food processors wholesale	\$500.00
5	Food businesses	21-27-10(e)(2)	Food processors retail	\$120.00
6				
7	Food businesses	21-27-10(e) (3) (4)	Food service establishments	
8			>50 seats	\$160.00
9	Food businesses	21-27-10(e) (3) (4)	Food service establishments	
10			>50 seats	\$240.00
11	Food businesses	21-27-10(e) (3) (4)	Mobile food service units	\$100.00
12	Food businesses	21-27-10(e) (3) (4)	Industrial caterer or food vending	
13			Machine commissary	\$280.00
14	Food businesses	21-27-10(e) (3) (4)	Cultural heritage educational	
15			Facility	\$80.00
16	Food businesses	21-27-10(e) (4) (5)	Vending Machine Location	
17			> 3 units	\$50.00
18	Food businesses	21-27-10(e) (4) (5)	Vending Machine Location	
19			4-10 units	\$100.00
20	Food businesses	21-27-10(e) (4) (5)	Vending Machine Location	
21			11 units	\$120.00
22	Food businesses	21-27-10(e) (5) (6)	Retail Mkt	
23			1-2 cash registers	\$120.00
24	Food businesses	21-27-10(e) (5) (6)	Retail Market	
25			3-5 cash registers	\$240.00
26	Food businesses	21-27-10(e) (5) (6)	Retail Market = 6 Cash registers	\$510.00
27	Food businesses	21-27-10(e) (6) (7)	Retail food peddler	\$100.00
28	Food businesses	21-27-10(e) (7) (8)	Food warehouses	\$190.00
29	Food businesses	21-27-11.2	Certified food safety mgr	\$50.00
30	License verification fee	23-1-16.1	All license types	\$50.00
31	Tattoo and body piercing	23-1-39	Annual registration fee: Person	\$90.00
32	Tattoo and body piercing	23-1-39	Annual registration fee:	
33			establishment	\$90.00
34	Vital records	23-3-25(a)(1)	Certificate of birth, fetal death, Death,	

1			marriage, birth, or Certification that such	
2			record Cannot be found	\$20.00
3	Vital records	23-3-25(a)(1)	Each duplicate of certificate of birth, fetal	
4			death, death, marriage, Birth, or	
5			certification that such record cannot be	
6			found	\$15.00
7	Vital records	23-3-25(a)(2)	Each additional calendar year Search, if	
8			within 3 months of original search and if	
9			receipt of original search	
10			presented	\$2.00
11	Vital records	23-3-25(a)(3)	Expedited service	\$7.00
12	Vital records	23-3-25(a)(4)	Adoptions, legitimations, or Paternity	
13			determinations	\$15.00
14	Vital records	23-3-25(a)(5)	Authorized corrections, Alterations, and	
15			additions	\$10.00
16	Vital records	23-3-25(a)(6)	Filing of delayed record and Examination	
17			of documentary Proof	\$20.00
18	Vital records	23-3-25(a)(6)	Issuance of certified copy of a delayed	
19			record	\$20.00
20	Medical Examiner	23-4-13	Autopsy reports	\$40.00
21	Medical Examiner	23-4-13	Cremation certificates and	
22			statistics	\$30.00
23	Medical Examiner	23-4-13	Testimony in civil suits:	
24			Minimum/day	\$650.00
25	Medical Examiner	23-4-13	Testimony in civil suits:	
26			Maximum/day	\$3,250.00
27	Emergency medical	23-4.1-10[c]	Annual fee: ambulance	
28	technicians			
29			Service maximum	\$540.00
30	Emergency medical	23-4.1-10[c]	Annual fee: vehicle license	
31	technicians		maximum	\$275.00
32	Emergency medical	23-4.1-10[c]	Triennial fee: EMT license	
33	technicians		maximum	\$120.00
34	Emergency medical	23-4.1-10(2)	Exam fee maximum: EMT	\$120.00

1	technicians			
2	Emergency medical	23-4.1-10(2)	Vehicle inspection	
3	Technicians		Maximum	\$190.00
4	Clinical laboratories	23-16.2-4(a)	Clinical laboratory license	
5			per specialty	\$650.00
6	Clinical laboratories	23-16.2-4(a)	Laboratory station license	\$650.00
7	Clinical laboratories	23-16.2-4(b)	Permit fee	\$70.00
8	Health care facilities	23-17-38	Hospital: base fee annual	\$16,900.00
9	Health care facilities	23-17-38	Hospital: annual per bed fee	\$120.00
10	Health care facilities	23-17-38	ESRD: annual fee	\$3,900.00
11	Health care facilities	23-17-38	Home nursing care/home	
12			Care providers	\$650.00
13	Health care facilities	23-17-38	OACF: annual fee	\$650.00
14	Assisted living residences/ administrators	23-17.4-15.2(d)	License application fee	\$220.00
15				
16	Assisted living residences/ administrators	23-17.4-15.2(d)	License renewal fee:	\$220.00
17				
18	Assisted living	23-17.4-31	Annual facility fee: base	\$330.00
19	residences			
20	Assisted living residences	23-17.4-31	Annual facility per bed	\$70.00
21	Nursing assistant	23-17.9-3	Application: competency evaluation	
22	registration		training program maximum	\$325.00
23	Nursing assistant	23-17.9-5	Application fee	\$35.00
24	registration			
25	Nursing assistant	23-17.9-5	Exam fee: skills proficiency	\$170.00
26	registration			
27	Nursing assistant	23-17.9-6	Registration fee	\$35.00
28	registration			
29	Nursing assistant	23-17.9-7	Renewal fee	
30	registration			\$35.00
31	Sanitarians	23-19.3-5(a)	Registration fee	\$25.00
32	Sanitarians	23-19.3-5(b)	Registration renewal	\$25.00
33	Massage therapy	23-20.8-3(e)	Massage therapist appl fee	\$65.00
34	Massage therapy	23-20.8-3(e)	Massage therapist renewal fee	\$65.00

1	Recreational facilities	23-21-2	Application fee	\$160.00
2	Swimming pools	23-22-6	Application license: first pool	\$250.00
3	Swimming pools	23-22-6	Additional pool fee at	
4			same location	\$75.00
5	Swimming pools	23-22-6	Seasonal application license:	
6			first pool	\$150.00
7	Swimming pools	23-22-6	Seasonal additional pool fee at	
8			same location	\$75.00
9	Swimming pools	23-22-6	Year-round license for non-profit	\$25.00
10	Swimming pools	23-22-10	Duplicate license	\$2.00
11	Swimming pools	23-22-12	Penalty for violations	\$50.00
12	Respiratory care	23-39-11	Application fee	\$60.00
13	practitioners			
14	Respiratory care	23-39-11	Renewal fee	\$60.00
15	practitioners			

16 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO FOOD AND DRUGS - SANITATION IN FOOD ESTABLISHMENTS

1 This act would create a new clarification of food businesses entitled instate food
2 processors (wholesale and/or retail) with annual sales less than fifty thousand dollars (\$50,000)
3 and require these businesses to pay a registration fee of seventy-five dollars (\$75.00).

4 This act would take effect upon passage.

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