

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Board of Agriculture

RULE CITATION: 02 NCAC 37 .0201

DEADLINE FOR RECEIPT: January 14, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

Line 11, add a comma after "copper".

In (b), line 15, please cite G.S. 106-22(17) as where to find the definition of "peak season".

For all three rules, please add the desired Eff. Date.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted to agency: December 30, 2025

02 NCAC 37 .0201 is adopted as published in 40:03 NCR 275 as follows:

SECTION .0200 - PROGRAMS

02 NCAC 37 .0201 SOIL TESTING SERVICE

~~The Agronomic Services Division shall analyze all samples for volume weight, pH, BpH, humic matter, phosphorus, potassium, calcium, magnesium, manganese, copper and zinc. The Agronomic Services Division shall make nutrient and management recommendations to correct deficiencies or toxicities by the application of lime, fertilizer, and other soil amendments.~~

(a) The Agronomic Services Division shall analyze all samples for volume weight, pH, BpH, humic matter, phosphorus, potassium, calcium, magnesium, manganese, copper and zinc. The Agronomic Services Division shall make nutrient and management recommendations to correct deficiencies or toxicities by the application of lime, fertilizer, and other soil amendments.

(b) Fees for these services shall be as follows:

(1) Routine soil analysis during peak season - \$5.00.

(2) Expedited soil testing - \$250.00.

(3) Special services:

(A) Heavy metals - \$30.00.

(B) Research - \$10.00.

History Note: Authority G.S. 106-22(17);

Eff. July 17, 1981;

Amended Eff. June 1, 1990;

Agency did not readopt rule pursuant to G.S. 150B-21.3A by RRC established deadline of March

31, 2017;

Readopted Eff. September 1, 2017.

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Board of Agriculture

RULE CITATION: 02 NCAC 37 .0202

DEADLINE FOR RECEIPT: January 14, 2026

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The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Line 5, add a comma after "boron".

Please add the desired Eff. Date.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted to agency: December 30, 2025

02 NCAC 37 .0202 is adopted as published in 40:03 NCR 275-276 as follows:

02 NCAC 37 .0202 PLANT ANALYSIS SERVICE

(a) The Agronomic Services Division shall analyze all samples for nitrogen, phosphorus, potassium, calcium, magnesium, manganese, copper, zinc, boron and other elements, as needed to make recommendations for corrective action. Results of the test and recommendations for corrective action shall be provided by the Agronomic Services Division. For the purposes of this Rule, "plant analyses" shall include analysis of wastes, soilless media, and other solutions for agronomic purposes.

(b) Fees for these services, to be paid at the time of submission, shall be as follows:

- (1) Routine plant analysis - ~~\$5.00~~\$10.00.
- (2) Routine solution analysis - ~~\$5.00~~\$10.00.
- (3) Routine soilless media analysis - ~~\$5.00~~\$10.00.
- (4) Routine waste analysis - ~~\$8.00~~\$15.00.
- (5) Research plant, waste, soilless media, and solution analysis - \$12.00.
- (6) Nonresident plant, waste, soilless media, and solution analysis - \$25.00.
- (7) Special services:
 - (A) Heavy metals - ~~\$20.00~~\$40.00.
 - (B) Waste-N breakout - ~~\$10.00~~\$15.00.
 - (C) Waste-liming equivalent - \$10.00.
 - (D) Plant-chloride - ~~\$2.00~~\$5.00.
 - (E) Molybdenum - ~~\$2.00~~\$5.00.
 - (F) Plant-petiole nitrates - ~~\$2.00~~\$5.00.
 - (G) Bulk density - \$10.00.

History Note: Authority G.S. 106-22(17);

Eff. July 17, 1981;

Temporary Amendment Eff. July 7, 1989 for a Period of 180 Days to Expire on January 2, 1990;

Amended Eff. June 1, 1990; January 2, 1990;

1 *Temporary Amendment Eff. December 3, 2013;*
2 *Amended Eff. June 1, 2014;*
3 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September*
4 *19, 2015;*
5 *Amended Eff. September 1, 2017.*

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Board of Agriculture

RULE CITATION: 02 NCAC 37 .0203

DEADLINE FOR RECEIPT: January 14, 2026

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In reviewing this Rule, the staff recommends the following technical changes be made:

Line 11, add a comma after "copper".

Please add the desired Eff. Date.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted to agency: December 30, 2025

02 NCAC 37 .0203 is adopted as published in 40:03 NCR 276-277 as follows:

02 NCAC 37 .0203 NEMATODE ADVISORY SERVICE

(a) Individuals desiring nematode analysis may obtain sample containers and instructions from the Agronomic Services Division, county extension office, farm supply dealers, Agronomic Division Regional Agronomists, or other local agricultural advisors. If plant-destructive nematodes are found, the best method of control will be recommended.

(b) Per sample fees for those services, to be paid at the time of submission, are as follows:

- (1) Routine nematode assay - ~~\$3.00~~ \$10.00.
- (2) Research nematode assay - ~~\$10.00~~ \$15.00.
- (3) Pinewood nematode assay - ~~\$10.00~~ \$15.00.
- (4) Nematode species identification by molecular diagnosis - ~~\$20.00~~ \$30.00.
- (5) Out-of-state surcharge - \$10.00
- (6) Regulatory assay - \$20.00.

History Note: Authority G.S. 106-22(17);

Eff. July 17, 1981;

Temporary Amendment Eff. July 7, 1989 for a Period of 180 Days to Expire on January 2, 1990;

Amended Eff. June 1, 1990; January 2, 1990;

Agency did not readopt rule pursuant to G.S. 150B-21.3A by RRC established deadline of March 31, 2017;

Readopted Eff. December 19, 2017;

Amended Eff. March 20, 2019.