

**G.S. 150B-21.3A Report for 02 NCAC 09K, SAMPLING AND TESTING OF MILK AND CREAM: FROZEN DESSERTS**

Agency - Board of Agriculture

Comment Period - July 26, 2024 - September 24, 2024

Date Submitted to APO - January 31, 2025

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps		
SUBCHAPTER 09K - SAMPLING AND TESTING OF MILK AND CREAM: FROZEN DESSERTS	SECTION .0100 - SAMPLING AND TESTING OF MILK AND CREAM	02 NCAC 09K .0101	DEFINITIONS	Readopted Eff. May 1, 2017	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt		
		02 NCAC 09K .0102	GENERAL SAMPLING PROCEDURES	Readopted Eff. March 1, 2017	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt		
		02 NCAC 09K .0103	APPROVAL OF TESTING PROCEDURE USED	Readopted Eff. May 1, 2017	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt		
		02 NCAC 09K .0104	PLACE OF TESTING	Readopted Eff. March 1, 2017	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt		
		02 NCAC 09K .0105	RESPONSIBILITY FOR TEST	Readopted Eff. May 1, 2017	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt		
		02 NCAC 09K .0106	TEST READING	Readopted Eff. May 1, 2017	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt		
		02 NCAC 09K .0107	TEST REPORTING	Readopted Eff. May 1, 2017	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt		
		02 NCAC 09K .0108	INCORRECT TESTS	Readopted Eff. May 1, 2017	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt		
		02 NCAC 09K .0109	SAMPLING AND TESTING FOR FRESH MILK SAMPLES	Readopted Eff. May 1, 2017	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt		
		02 NCAC 09K .0112	SAMPLING CREAM	Readopted Eff. March 1, 2017	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt		
		02 NCAC 09K .0113	PROCEDURE FOR TESTING CREAM	Readopted Eff. May 1, 2017	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt		
		02 NCAC 09K .0114	REFERENCE METHOD	Readopted Eff. May 1, 2017	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt		
		SECTION .0200 - FROZEN DESSERTS		02 NCAC 09K .0201	SPECIFIC REQUIREMENTS	Readopted Eff. March 1, 2017	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
				02 NCAC 09K .0202	DEFINITIONS	Readopted Eff. March 1, 2017	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
02 NCAC 09K .0203	INSPECTION CERTIFICATES			Readopted Eff. May 1, 2017	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt		
02 NCAC 09K .0204	SUSPENSION OF INSPECTION CERTIFICATE/PENALTIES			Readopted Eff. May 1, 2017	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt		
02 NCAC 09K .0205	STANDARDS FOR MOBILE FROZEN DESSERT UNITS			Readopted Eff. May 1, 2017	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt		
02 NCAC 09K .0206	FROZEN DESSERT MIX/STANDARDS FOR USE			Readopted Eff. May 1, 2017	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt		
02 NCAC 09K .0207	FROZEN DESSERT MIX/STANDARD OF IDENTITY			Readopted Eff. May 1, 2017	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt		
02 NCAC 09K .0208	DIETARY FROZEN DESSERT STANDARDS			Readopted Eff. May 1, 2017	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt		
02 NCAC 09K .0209	QUIESCENTLY FROZEN DAIRY CONFECTIONS			Readopted Eff. May 1, 2017	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt		
02 NCAC 09K .0210	QUIESCENTLY FROZEN CONFECTIONS			Readopted Eff. May 1, 2017	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt		
02 NCAC 09K .0211	IMITATION FROZEN DESSERT STANDARDS	Readopted Eff. May 1, 2017	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt				
02 NCAC 09K .0212	BACTERIAL PLATE COUNT AND COLIFORM COUNTS	Readopted Eff. May 1, 2017	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt				
02 NCAC 09K .0213	STANDARDS OF IDENTITY FOR MILKSHAKES AND RELATED PRODUCTS	Readopted Eff. May 1, 2017	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt				
02 NCAC 09K .0214	STANDARDS OF IDENTITY FOR FROZEN YOGURT	Readopted Eff. May 1, 2017	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt				