

G.S. 150B-21.3A Report for 02 NCAC 38, STANDARDS DIVISION												
Agency - Board of Agriculture												
Comment Period - July 26, 2024 - September 24, 2024												
Date Submitted to APO - Filled in by RRC staff												
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
	SECTION .0100 - PURPOSE AND DEFINITIONS	02 NCAC 38 .0101	PURPOSE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		02 NCAC 38 .0102	DEFINITIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0200 - APPROVAL OF WEIGHING AND MEASURING DEVICES	02 NCAC 38 .0201	ADOPTION BY REFERENCE	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 38 .0202	WEIGHING AND MEASURING DEVICES	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 38 .0203	TYPE APPROVAL OF WEIGHING AND MEASURING DEVICES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		02 NCAC 38 .0204	RECORD OF APPROVED WEIGHING AND MEASURING DEVICES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		02 NCAC 38 .0205	REPAIRS TO REJECTED WEIGHING DEVICES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0300 - PACKAGE AND LABELING REQUIREMENTS	02 NCAC 38 .0301	ADOPTION BY REFERENCE	Readopted Eff. March 1, 2017	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0400 - METHOD OF SALE OF COMMODITIES	02 NCAC 38 .0401	ADOPTION BY REFERENCE	Amended Eff. July 1, 2019	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0500 - LEAF TOBACCO	02 NCAC 38 .0501	TOBACCO OFFERED FOR SALE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		02 NCAC 38 .0502	BASKETS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		02 NCAC 38 .0504	WEIGHING	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		02 NCAC 38 .0505	VARIATIONS IN WEIGHT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		02 NCAC 38 .0507	VIOLATIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		02 NCAC 38 .0508	CUSTODIAN OF TOBACCO	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0600 - SALE OF PETROLEUM PRODUCTS	02 NCAC 38 .0601	RETAIL MOTOR FUEL DISPENSERS/HALF-PRICING	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 38 .0602	METRIC SALES OF RETAIL MOTOR FUEL	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

G.S. 150B-21.3A Report for 02 NCAC 38, STANDARDS DIVISION												
Agency - Board of Agriculture												
Comment Period - July 26, 2024 - September 24, 2024												
Date Submitted to APO - Filled in by RRC staff												
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
		02 NCAC 38 .0603	PRICE AND VOLUME CONSISTENCY	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		02 NCAC 38 .0604	PRICE POSTING/CASH DISCOUNTS FOR RETAIL MOTOR FUEL SALES	Readopted Eff. March 1, 2017	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0700 - STANDARDS FOR STORAGE, HANDLING AND INSTALLATION OF LP GAS	02 NCAC 38 .0701	ADOPTION BY REFERENCE	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 38 .0702	METERS ON TANK TRUCKS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		02 NCAC 38 .0703	LP GAS INSPECTION REPORT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		02 NCAC 38 .0704	APPROVED THIRD PARTY TESTING LABORATORIES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		02 NCAC 38 .0705	NOTIFICATION FOR DISCONNECTION OF SERVICE	Amended Eff. May 1, 2022	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0800 - LIQUID FERTILIZERS	02 NCAC 38 .0801	ADOPTION BY REFERENCE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		02 NCAC 38 .0802	APPROVAL FOR ANHYDROUS AMMONIA INSTALLATIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		02 NCAC 38 .0803	METERS FOR LIQUID FERTILIZERS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		02 NCAC 38 .0804	USE OF APPLICATOR TANKS AS MEASURING DEVICES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015	Necessary	No	n/a	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt