

## Burgos, Alexander N

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**Subject:** FW: Periodic Review 02 NCAC 09,38,43,51,52

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**From:** Hayworth, Anna <Anna.Hayworth@ncagr.gov>

**Sent:** Wednesday, June 4, 2025 2:59 PM

**To:** Wiggs, Travis C <travis.wiggs@oah.nc.gov>; Waggett, Chrissy <Christina.Waggett@ncagr.gov>

**Cc:** Burgos, Alexander N <alexander.burgos@oah.nc.gov>

**Subject:** RE: Periodic Review 02 NCAC 09,38,43,51,52

Received. Thank you!

**Anna R. Hayworth | Agricultural Programs Specialist**

*Office of the Assistant Commissioner of Consumer Protection*

*NC Department of Agriculture and Consumer Services*

1002 Mail Service Center | Raleigh, NC 27699

**Office: (984) 236-4509 (new office)**

Cell: (919) 745-9356

[anna.hayworth@ncagr.gov](mailto:anna.hayworth@ncagr.gov)

## Burgos, Alexander N

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**Subject:** FW: Periodic Review 02 NCAC 09,38,43,51,52

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**From:** Wiggs, Travis C <travis.wiggs@oah.nc.gov>

**Sent:** Wednesday, June 4, 2025 9:00 AM

**To:** Hayworth, Anna <Anna.Hayworth@ncagr.gov>; Waggett, Chrissy <Christina.Waggett@ncagr.gov>

**Cc:** Burgos, Alexander N <alexander.burgos@oah.nc.gov>

**Subject:** RE: Periodic Review 02 NCAC 09,38,43,51,52

Good morning,

I'm satisfied with your proposed readoption timeline. We will add the readoption deadline of **March 1, 2028** to the June 26, 2025 meeting agenda for a vote by the RRC.

Thanks,

Travis C. Wiggs  
Rules Review Commission Counsel  
Office of Administrative Hearings  
Telephone: 984-236-1929  
Email: [travis.wiggs@oah.nc.gov](mailto:travis.wiggs@oah.nc.gov)

## Burgos, Alexander N

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**Subject:** FW: Periodic Review 02 NCAC 09,38,43,51,52  
**Attachments:** 02 NCAC 9, 38, 43, 51, 52 readoption schedule\_May 2025.pdf

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**From:** Hayworth, Anna <Anna.Hayworth@ncagr.gov>  
**Sent:** Tuesday, June 3, 2025 5:03 PM  
**To:** Wiggs, Travis C <travis.wiggs@oah.nc.gov>; Waggett, Chrissy <Christina.Waggett@ncagr.gov>  
**Cc:** Burgos, Alexander N <alexander.burgos@oah.nc.gov>  
**Subject:** RE: Periodic Review 02 NCAC 09,38,43,51,52

Good afternoon Mr. Wiggs,

Please see attached the proposed readoption schedule. Let me know if you have any questions or concerns.

**Anna R. Hayworth | Agricultural Programs Specialist**

*Office of the Assistant Commissioner of Consumer Protection*

*NC Department of Agriculture and Consumer Services*

1002 Mail Service Center | Raleigh, NC 27699

**Office: (984) 236-4509 (new office)**

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[anna.hayworth@ncagr.gov](mailto:anna.hayworth@ncagr.gov)



**Steve Troxler**  
Commissioner

## North Carolina Department of Agriculture and Consumer Services

**Christina L. Waggett**  
Assistant Commissioner for  
Consumer Protection

May 1<sup>st</sup>, 2025

### MEMORANDUM

**TO:** Mr. Travis Wiggs, Rules Review Commission Counsel

**FROM:** Anna R. Hayworth, NCDA&CS Rulemaking Coordinator

**SUBJECT:** Readoption schedule: 02 NCAC 09B; 02 NCAC 09C; 02 NCAC 09D; 02 NCAC 09E; 02 NCAC 09F; 02 NCAC 09G; 02 NCAC 09H; 02 NCAC 09J; 02 NCAC 09K; 02 NCAC 09M; 02 NCAC 09N; 02 NCAC 09O; 02 NCAC 38; 02 NCAC 43F; 02 NCAC 51; 02 NCAC 52A

The following is submitted as required to Mr. Travis Wiggs, for rules under the Board of Agriculture, whose periodic review reports were approved by the Rules Review Commission at the December 2024 and January 2025 meetings.

This timeline is a proposed readoption schedule for the above-mentioned rules. The dates noted on the timeline refer to a deadline, and not a specific date, as the meeting dates for the Board of Agriculture for 2026 – 2028 have not yet been established. The timeline is based on previous meeting dates typical of the Board of Agriculture's schedule, as well as built-in additional meetings should the proposed initial date be otherwise cancelled, etc.

The Board of Agriculture: 02 NCAC 09B; 02 NCAC 09C;  
02 NCAC 09D; 02 NCAC 09E; 02 NCAC 09F; 02 NCAC 09G;  
02 NCAC 09H; 02 NCAC 09J; 02 NCAC 09K; 02 NCAC 09M;  
02 NCAC 09N; 02 NCAC 09O; 02 NCAC 38; 02 NCAC 43F;  
02 NCAC 51; 02 NCAC 52A

Completed on or before:

**Presentation of rules at Board of Agriculture meeting:**

*January 2027*

**Publication of Notice of Text:**

*January 2027  
(immediately following initial  
approval by Board)*

**Public Hearing:**

*At least 15 but no later than 60  
days after notice of text is  
published, if requested.*

**Public Comment Period:**

*February/March 2027 – May  
2027*

**Board of Agricultural meetings for final adoption:**

*July 2027 (November 2027, in the  
event that the July meeting is  
cancelled)*

**Submission of rules to OAH for RRC consideration:**

*July – November 2027*

**Rules Review Commission review:**

*No later than January 2028*

**Earliest Effective Date of Rules:**

*March 1, 2028*

## Burgos, Alexander N

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**Subject:** FW: Periodic Review 02 NCAC 09,38,43,51,52  
**Attachments:** 02 NCAC 9, 38, 43, 51, 52 readoption schedule\_May 2025.pdf

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**From:** Wiggs, Travis C <[travis.wiggs@oah.nc.gov](mailto:travis.wiggs@oah.nc.gov)>  
**Sent:** Thursday, April 17, 2025 3:25 PM  
**To:** Hayworth, Anna <[Anna.Hayworth@ncagr.gov](mailto:Anna.Hayworth@ncagr.gov)>; Waggett, Chrissy <[Christina.Waggett@ncagr.gov](mailto:Christina.Waggett@ncagr.gov)>  
**Cc:** Burgos, Alexander N <[alexander.burgos@oah.nc.gov](mailto:alexander.burgos@oah.nc.gov)>  
**Subject:** RE: Periodic Review 02 NCAC 09,38,43,51,52

Good afternoon,

The attached periodic review report has been finalized. The next step is to set a deadline for the readoption of the “Necessary” rules. Pursuant to G.S. 150B-21.3A and 26 NCAC 05 .0212, the RRC sets this deadline after consultation with the agency, and this email serves as the RRC’s request for that consultation. Please review 26 NCAC 05 .0212 for the information required to be submitted to the RRC, and the deadlines for doing so.

The deadline for your agency to provide this information is **June 19, 2025**. As a starting point, I would recommend a **March 1, 2028**, readoption deadline, but I am open to considering a different recommendation based on the needs of your agency.

Please reply to confirm receipt of this email. Let me know if you have any questions. Thank you.

Travis C. Wiggs  
Rules Review Commission Counsel  
Office of Administrative Hearings  
Telephone: 984-236-1929  
Email: [travis.wiggs@oah.nc.gov](mailto:travis.wiggs@oah.nc.gov)

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**From:** Julie B. Eddins <[julie.eddins@oah.nc.gov](mailto:julie.eddins@oah.nc.gov)>  
**Sent:** Thursday, April 17, 2025 12:24 PM  
**To:** Hayworth, Anna <[Anna.Hayworth@ncagr.gov](mailto:Anna.Hayworth@ncagr.gov)>; Waggett, Chrissy <[Christina.Waggett@ncagr.gov](mailto:Christina.Waggett@ncagr.gov)>  
**Cc:** Wiggs, Travis C <[travis.wiggs@oah.nc.gov](mailto:travis.wiggs@oah.nc.gov)>  
**Subject:** Periodic Review 02 NCAC 09,38,43,51,52

Good afternoon,

The determinations in the attached periodic review reports for 02 NCAC 09,38,43,51,52 were effective April 2, 2025. Commission Counsel Travis Wiggs will reach out to you to discuss setting the readoption date for the rules in the report designated necessary.

The rules designated, as unnecessary will expire effective May 1, 2025.

Let me know if you have any questions.

***Julie B. Eddins***

*Publications Coordinator*

*NC Office of Administrative Hearings*

*Phone 984-236-1937 (direct) – **new number effective March 14, 2025***

**[julie.eddins@oah.nc.gov](mailto:julie.eddins@oah.nc.gov)**



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