

Burgos, Alexander N

Subject: FW: Periodic Review 02 NCAC 31A, 31S, 39, 43, 53

From: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Sent: Friday, August 1, 2025 2:53 PM
To: Hayworth, Anna <Anna.Hayworth@ncagr.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: Periodic Review 02 NCAC 31A, 31S, 39, 43, 53

No worries. You are correct, it's "31C" not S. Thank you for catching that typo.

Have a good weekend.

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



Steve Troxler
Commissioner

North Carolina Department of Agriculture and Consumer Services

Christina L. Waggett
Assistant Commissioner for
Consumer Protection

August 1st, 2025

MEMORANDUM

TO: Mr. Travis Wiggs, Rules Review Commission Counsel

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

SUBJECT: Readoption schedule: 02 NCAC 31A; 02 NCAC 31C; 02 NCAC 39; 02 NCAC 43; 02 NCAC 53

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 February 2025 meeting.

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 – 2027 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 31A; 02 NCAC 31C;
02 NCAC 39; 02 NCAC 43; 02 NCAC 53

Completed on or before:

Presentation of rules at Board of Agriculture meeting:

November 2026

Publication of Notice of Text:

*November 2026
(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:

*November/December 2026 –
March 2027*

Board of Agricultural meetings for final adoption:

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

Submission of rules to OAH for RRC consideration:

April – October, 2027

Rules Review Commission review:

No later than October 2027

Earliest Effective Date of Rules:

November 1, 2027

Burgos, Alexander N

From: Hayworth, Anna
Sent: Friday, August 1, 2025 12:16 PM
To: Wiggs, Travis C
Cc: Burgos, Alexander N
Subject: RE: Periodic Review 02 NCAC 31A, 31S, 39, 43, 53
Attachments: 02 NCAC 31A, 31C, 39, 43, 53 readoption schedule_Aug 2025.pdf

Apologies, I thought I had already sent these!

Please see attached. One question, I believe it should be '31C' not '31S.' Is that correct?

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

From: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Sent: Friday, August 1, 2025 11:23 AM
To: Hayworth, Anna <Anna.Hayworth@ncagr.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: Periodic Review 02 NCAC 31A, 31S, 39, 43, 53

Good morning, Anna,

Just a reminder that today is the deadline for your agency to submit the readoption timeline information (26 NCAC 05 .0212) to the RRC for the above listed rules. Please email me the information at your earliest convenience.

Thanks,

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

From: Wiggs, Travis C
Sent: Friday, May 30, 2025 2:23 PM
To: Hayworth, Anna <Anna.Hayworth@ncagr.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: Periodic Review 02 NCAC 31A, 31S, 39, 43, 53

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 August 1, 2025. As a starting point, I would recommend a November 1, 2027, readoption deadline, but I am open to considering a different deadline 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

From: Julie B. Eddins <julie.eddins@oah.nc.gov>
Sent: Wednesday, May 21, 2025 3:15 PM
To: Hayworth, Anna <Anna.Hayworth@ncagr.gov>
Cc: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Subject: Periodic Review 02 NCAC 31A, 31S, 39, 43, 53

Good afternoon,

The determinations in the attached periodic review report for 02 NCAC 31A, 31S, 39, 43, 53 were effective April 30, 2025. Commission Counsel Travis Wiggs will reach out to you to discuss setting the readoption date.

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



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