

## Burgos, Alexander N

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**Subject:** FW: Periodic Review 02 NCAC 46, 48A and 48B

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**From:** Hayworth, Anna <Anna.Hayworth@ncagr.gov>  
**Sent:** Monday, April 7, 2025 1:30 PM  
**To:** Wiggs, Travis C <travis.wiggs@oah.nc.gov>  
**Cc:** Burgos, Alexander N <alexander.burgos@oah.nc.gov>  
**Subject:** RE: Periodic Review 02 NCAC 46, 48A and 48B

Received. Thank you Mr. Wiggs!

**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 46, 48A and 48B

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**From:** Wiggs, Travis C <travis.wiggs@oah.nc.gov>  
**Sent:** Monday, April 7, 2025 9:53 AM  
**To:** Hayworth, Anna <Anna.Hayworth@ncagr.gov>  
**Cc:** Burgos, Alexander N <alexander.burgos@oah.nc.gov>  
**Subject:** RE: Periodic Review 02 NCAC 46, 48A and 48B

Good morning, Anna,

I'm satisfied with your proposed timeline. I intend to recommend that the RRC approve the October 1, 2027 readoption deadline at the April 24<sup>th</sup> meeting.

Thank you and have a great week.

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 46, 48A and 48B  
**Attachments:** 02 NCAC 46 48A 48B readoption schedule\_April 2025.docx

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**From:** Hayworth, Anna <Anna.Hayworth@ncagr.gov>  
**Sent:** Thursday, April 3, 2025 5:14 PM  
**To:** Wiggs, Travis C <travis.wiggs@oah.nc.gov>  
**Cc:** Burgos, Alexander N <alexander.burgos@oah.nc.gov>  
**Subject:** RE: Periodic Review 02 NCAC 46, 48A and 48B

Good afternoon Mr. Wiggs,

Please see attached the proposed schedule for readoption for 02 NCAC 46; 02 NCAC 48A; and 02 NCAC 48B.

As this is my first time through this process, please let me know if there should be an adjustments, or if you have any suggestions that I should incorporate, as I always appreciate your feedback.

Thank you!

### Anna R. Hayworth | Agricultural Programs Specialist

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Steve Troxler  
Commissioner

## North Carolina Department of Agriculture and Consumer Services

Christina L. Waggett  
Assistant Commissioner for  
Consumer Protection

April 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 46; 02 NCAC 48A; 02 NCAC 48B

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 14<sup>th</sup>, 2024, 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 and 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.

<u>The Board of Agriculture: 02 NCAC 46; 02 NCAC 48A; 02 NCAC 48B</u>	Completed on or before:
<b>Presentation of rules at Board of Agriculture meeting:</b>	<i>November 2026</i>
<b>Publication of Notice of Text:</b>	<i>November 2026 (immediately following initial approval by Board)</i>
<b>Public Hearing:</b>	<i>At least 15 but no later than 60 days after notice of text is published, if requested.</i>
<b>Public Comment Period:</b>	<i>December/January 2026 – April 2027</i>
<b>Board of Agricultural meetings for final adoption:</b>	<i>April 2027 (July 2027, in the event that the April meeting is cancelled.</i>
<b>Submission of rules to OAH for RRC consideration:</b>	<i>April – July 2027</i>
<b>Rules Review Commission review:</b>	<i>No later than September 2027</i>
<b>Earliest Effective Date of Rules:</b>	<i>October 1, 2027</i>

## Burgos, Alexander N

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**Subject:** FW: Periodic Review 02 NCAC 46, 48A and 48B  
**Attachments:** 02 NCAC 46 48A 48B readoption schedule\_April 2025.docx

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**From:** Wiggs, Travis C <[travis.wiggs@oah.nc.gov](mailto:travis.wiggs@oah.nc.gov)>  
**Sent:** Wednesday, March 26, 2025 5:13 PM  
**To:** Hayworth, Anna <[Anna.Hayworth@ncagr.gov](mailto:Anna.Hayworth@ncagr.gov)>  
**Subject:** RE: Periodic Review 02 NCAC 46, 48A and 48B

Anna,

Thank you for the email and questions. Yes, the timelines can be projections of when certain actions will be taken by your Board or agency. Please be as specific as possible with dates, but I realize circumstances may change and unforeseeable events may arise. Please communicate to me any unexpected changes when they occur.

I'm happy to discuss with you any modifications to your projected timeline prior to a vote by the RRC. I would need a written request from your agency to modify an "approved" timeline. The RRC would have to vote on any modifications after their approval of the readoption deadline.

I hope this answers your 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:** Hayworth, Anna <[Anna.Hayworth@ncagr.gov](mailto:Anna.Hayworth@ncagr.gov)>  
**Sent:** Wednesday, March 26, 2025 4:32 PM  
**To:** Wiggs, Travis C <[travis.wiggs@oah.nc.gov](mailto:travis.wiggs@oah.nc.gov)>  
**Subject:** RE: Periodic Review 02 NCAC 46, 48A and 48B

Mr. Wiggs,

Thank you, I am working on putting this together. A quick question, some of our boards, for example, the Board of Agriculture, typically meet quarterly, and do not have dates yet set for next year, and so on and so forth. I assume that these timelines can be projected, and do not have to be specific to the day itself?

How specific do the dates outlined in the timeline need to be? Also, given that these are projections, in the event that a future meeting is canceled due to extenuating circumstances with the board, what would we be required to do in order to modify a projected timeline?

I just want to make sure I am working with the best info to set these dates out, since this is the first of many of us!

Thank you!

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

*Office of the Assistant Commissioner of Consumer Protection*

*NC Department of Agriculture and Consumer Services*

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Cell: (919) 745-9356

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

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**From:** Wiggs, Travis C <[travis.wiggs@oah.nc.gov](mailto:travis.wiggs@oah.nc.gov)>  
**Sent:** Friday, March 14, 2025 11:56 AM  
**To:** Hayworth, Anna <[Anna.Hayworth@ncagr.gov](mailto:Anna.Hayworth@ncagr.gov)>  
**Cc:** Burgos, Alexander N <[alexander.burgos@oah.nc.gov](mailto:alexander.burgos@oah.nc.gov)>  
**Subject:** RE: Periodic Review 02 NCAC 46, 48A and 48B

Ms. Hayworth,

Thank you for the email. Please create your timeline working with the agreed upon deadline of October 1, 2027. Your timeline should be an itemized breakdown of when your agency intends to complete each step in the readoption process. This is essentially following the procedures for adopting a permanent rule in 150B-21.2. All rules your agency designated as "Necessary" will need to be readopted during this process.

Let me know if you have any questions.

Thanks,

Travis C. Wiggs

Rules Review Commission Counsel

Office of Administrative Hearings

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**From:** Hayworth, Anna <[Anna.Hayworth@ncagr.gov](mailto:Anna.Hayworth@ncagr.gov)>  
**Sent:** Friday, March 14, 2025 11:39 AM  
**To:** Wiggs, Travis C <[travis.wiggs@oah.nc.gov](mailto:travis.wiggs@oah.nc.gov)>  
**Cc:** Burgos, Alexander N <[alexander.burgos@oah.nc.gov](mailto:alexander.burgos@oah.nc.gov)>  
**Subject:** RE: Periodic Review 02 NCAC 46, 48A and 48B

Mr. Wiggs,

I have spoken with our staff, and we agree with your recommendation for the readoption deadline of October 1, 2027.

Thank you!

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

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*NC Department of Agriculture and Consumer Services*

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

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**From:** Wiggs, Travis C <[travis.wiggs@oah.nc.gov](mailto:travis.wiggs@oah.nc.gov)>  
**Sent:** Tuesday, March 4, 2025 4:10 PM  
**To:** Hayworth, Anna <[Anna.Hayworth@ncagr.gov](mailto:Anna.Hayworth@ncagr.gov)>  
**Cc:** Burgos, Alexander N <[alexander.burgos@oah.nc.gov](mailto:alexander.burgos@oah.nc.gov)>  
**Subject:** FW: Periodic Review 02 NCAC 46, 48A and 48B

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 May 6, 2025. As a starting point, I would recommend a October 1, 2027, 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:** McGhee, Dana <[dana.McGhee@oah.nc.gov](mailto:dana.McGhee@oah.nc.gov)>  
**Sent:** Tuesday, March 4, 2025 3:42 PM  
**To:** Hayworth, Anna <[Anna.Hayworth@ncagr.gov](mailto:Anna.Hayworth@ncagr.gov)>  
**Cc:** Wiggs, Travis C <[travis.wiggs@oah.nc.gov](mailto:travis.wiggs@oah.nc.gov)>; Julie B. Eddins <[julie.eddins@oah.nc.gov](mailto:julie.eddins@oah.nc.gov)>  
**Subject:** Periodic Review 02 NCAC 46, 48A and 48B

Good afternoon,

The determinations in the attached periodic review report for 02 NCAC 46, 48A and 48B were effective February 19, 2025. Commission Counsel Travis Wiggs will reach out to you to discuss setting the readoption date.

Let me know if you have any questions.

*Dana McGhee*

*Publications Coordinator*  
*Office of Administrative Hearings*  
984-236-1937  
[dana.mcghee@oah.nc.gov](mailto:dana.mcghee@oah.nc.gov)

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