

## Burgos, Alexander N

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**Subject:** FW: RRC Meeting Jan 2026-Request for Technical Changes

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

**Sent:** Thursday, January 8, 2026 3:16 PM

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

**Cc:** Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Hardy, David H <david.hardy@ncagr.gov>; Rules, Oah <oah.rules@oah.nc.gov>

**Subject:** RE: RRC Meeting Jan 2026-Request for Technical Changes

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: RRC Meeting Jan 2026-Request for Technical Changes

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

**Sent:** Tuesday, January 6, 2026 12:08 PM

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

**Cc:** Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Hardy, David H <david.hardy@ncagr.gov>; Rules, Oah <oah.rules@oah.nc.gov>

**Subject:** RE: RRC Meeting Jan 2026-Request for Technical Changes

Thank you, Ms. Hayworth.

These revised rules are final for review at January's RRC meeting.

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: RRC Meeting Jan 2026-Request for Technical Changes  
**Attachments:** 02 NCAC 37 .0201.docx; 02 NCAC 37 .0202.docx; 02 NCAC 37 .0203.docx

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**From:** Hayworth, Anna <Anna.Hayworth@ncagr.gov>  
**Sent:** Wednesday, December 31, 2025 3:44 PM  
**To:** Wiggs, Travis C <travis.wiggs@oah.nc.gov>  
**Cc:** Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Hardy, David H <david.hardy@ncagr.gov>  
**Subject:** RE: RRC Meeting Jan 2026-Request for Technical Changes

Good afternoon Mr. Wiggs!

Please see attached the requested changes. I believe there may have been one mistake in your document, the request in regard to 'copper' in .0203 I believe is copied from .0201. All other changes have been made.

If you need anything additional, please let me know. I will be at the January meeting in-person if there are any questions.

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

02 NCAC 37 .0201 is adopted **with changes** as published in 40:03 NCR 275 as follows:

## SECTION .0200 - PROGRAMS

### 02 NCAC 37 .0201 SOIL TESTING SERVICE

~~The Agronomic Services Division shall analyze all samples for volume weight, pH, BpH, humic matter, phosphorus, potassium, calcium, magnesium, manganese, copper and zinc. The Agronomic Services Division shall make nutrient and management recommendations to correct deficiencies or toxicities by the application of lime, fertilizer, and other soil amendments.~~

(a) The Agronomic Services Division shall analyze all samples for volume weight, pH, BpH, humic matter, phosphorus, potassium, calcium, magnesium, manganese, ~~copper~~ **copper**, and zinc. The Agronomic Services Division shall make nutrient and management recommendations to correct deficiencies or toxicities by the application of lime, fertilizer, and other soil amendments.

(b) Fees for these services shall be as follows:

(1) Routine soil analysis during peak season **as defined in G.S. 106-22(17)** - \$5.00.

(2) Expedited soil testing - \$250.00.

(3) Special services:

(A) Heavy metals - \$30.00.

(B) Research - \$10.00.

*History Note: Authority G.S. 106-22(17);*

*Eff. July 17, 1981;*

*Amended Eff. June 1, 1990;*

*Agency did not readopt rule pursuant to G.S. 150B-21.3A by RRC established deadline of March 31, 2017;*

*Readopted Eff. September 1, 2017.*

**Amended Eff. February 1, 2026.**

02 NCAC 37 .0202 is adopted **with changes** as published in 40:03 NCR 275-276 as follows:

**02 NCAC 37 .0202 PLANT ANALYSIS SERVICE**

(a) The Agronomic Services Division shall analyze all samples for nitrogen, phosphorus, potassium, calcium, magnesium, manganese, copper, zinc, ~~boron~~ **boron**, and other elements, as needed to make recommendations for corrective action. Results of the test and recommendations for corrective action shall be provided by the Agronomic Services Division. For the purposes of this Rule, "plant analyses" shall include analysis of wastes, soilless media, and other solutions for agronomic purposes.

(b) Fees for these services, to be paid at the time of submission, shall be as follows:

- (1) Routine plant analysis - ~~\$5.00~~ \$10.00.
- (2) Routine solution analysis - ~~\$5.00~~ \$10.00.
- (3) Routine soilless media analysis - ~~\$5.00~~ \$10.00.
- (4) Routine waste analysis - ~~\$8.00~~ \$15.00.
- (5) Research plant, waste, soilless media, and solution analysis - \$12.00.
- (6) Nonresident plant, waste, soilless media, and solution analysis - \$25.00.
- (7) Special services:
  - (A) Heavy metals - ~~\$20.00~~ \$40.00.
  - (B) Waste-N breakout - ~~\$10.00~~ \$15.00.
  - (C) Waste-liming equivalent - \$10.00.
  - (D) Plant-chloride - ~~\$2.00~~ \$5.00.
  - (E) Molybdenum - ~~\$2.00~~ \$5.00.
  - (F) Plant-petiole nitrates - ~~\$2.00~~ \$5.00.
  - (G) Bulk density - \$10.00.

*History Note: Authority G.S. 106-22(17);*

*Eff. July 17, 1981;*

*Temporary Amendment Eff. July 7, 1989 for a Period of 180 Days to Expire on January 2, 1990;*

*Amended Eff. June 1, 1990; January 2, 1990;*

1                   *Temporary Amendment Eff. December 3, 2013;*  
2                   *Amended Eff. June 1, 2014;*  
3                   *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September*  
4                   *19, 2015;*  
5                   *Amended Eff. September 1, 2017.*  
6                   *Amended Eff. February 1, 2026.*

02 NCAC 37 .0203 is adopted **with changes** as published in 40:03 NCR 276-277 as follows:

**02 NCAC 37 .0203            NEMATODE ADVISORY SERVICE**

(a) Individuals desiring nematode analysis may obtain sample containers and instructions from the Agronomic Services Division, county extension office, farm supply dealers, Agronomic Division Regional Agronomists, or other local agricultural advisors. If plant-destructive nematodes are found, the best method of control will be recommended.

(b) Per sample fees for those services, to be paid at the time of submission, are as follows:

- (1) Routine nematode assay - ~~\$3.00~~ \$10.00.
- (2) Research nematode assay - ~~\$10.00~~ \$15.00.
- (3) Pinewood nematode assay - ~~\$10.00~~ \$15.00.
- (4) Nematode species identification by molecular diagnosis - ~~\$20.00~~ \$30.00.
- (5) Out-of-state surcharge - \$10.00
- (6) Regulatory assay - \$20.00.

*History Note: Authority G.S. 106-22(17);*

*Eff. July 17, 1981;*

*Temporary Amendment Eff. July 7, 1989 for a Period of 180 Days to Expire on January 2, 1990;*

*Amended Eff. June 1, 1990; January 2, 1990;*

*Agency did not readopt rule pursuant to G.S. 150B-21.3A by RRC established deadline of March 31, 2017;*

*Readopted Eff. December 19, 2017;*

*Amended Eff. March 20, 2019.*

**Amended Eff. February 1, 2026.**

## Burgos, Alexander N

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**From:** Wiggs, Travis C  
**Sent:** Tuesday, December 30, 2025 4:08 PM  
**To:** Hayworth, Anna  
**Cc:** Burgos, Alexander N  
**Subject:** RRC Meeting Jan 2026-Request for Technical Changes  
**Attachments:** 01\_2026-Board of Agriculture-Request for Technical Changes.docx

Good afternoon,

I'm the attorney who reviewed the rules submitted by the Board of Agriculture for the January 2026 RRC meeting. The RRC will formally review these rules at its meeting on Thursday, January 29, 2026, at 10:00 a.m. The meeting will be a hybrid of in-person and WebEx attendance, and an evite should be sent to you as we get close to the meeting. If there are any other representatives from your agency who want to attend virtually, please let me know prior to the meeting, and we will get evites out to them as well.

Attached is the Request for Changes Pursuant to G.S. 150B-21.10. Please submit the revised rules to me via email, no later than 5 p.m. on January 14, 2026. Let me know if you have any questions.

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)

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