

G.S. 150B-21.3A Report for 02 NCAC 09 SUBCHAPTER K, SAMPLING AND TESTING OF MILK AND CREAM: FROZEN DESSERTS

Agency - AGRICULTURE AND CONSUMER SERVICES/ FOOD AND DRUG PROTECTION

Comment Period - July 30th, 2014 - September 28th, 2014

Date Submitted to APO -January 20, 2015

Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms 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 - SAMPLING AND TESTING OF MILK AND CREAM	02 NCAC 09K .0101	DEFINITIONS	Amended Eff. January 1, 1985	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	Pasteurized Milk Ordinance	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt	
	02 NCAC 09K .0102	GENERAL SAMPLING PROCEDURES	Amended Eff. June 1, 1988	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	Pasteurized Milk Ordinance	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt	
	02 NCAC 09K .0103	APPROVAL OF TESTING PROCEDURE USED	Eff. February 1, 1982	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	Pasteurized Milk Ordinance	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt	
	02 NCAC 09K .0104	PLACE OF TESTING	Eff. February 1, 1982	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	Pasteurized Milk Ordinance	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt	
	02 NCAC 09K .0105	RESPONSIBILITY FOR TEST	Eff. February 1, 1982	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	Pasteurized Milk Ordinance	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt	
	02 NCAC 09K .0106	TEST READING	Amended Eff. January 1, 1985	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	Pasteurized Milk Ordinance	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt	
	02 NCAC 09K .0107	TEST REPORTING	Eff. February 1, 1982	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	Pasteurized Milk Ordinance	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt	
	02 NCAC 09K .0108	INCORRECT TESTS	Eff. February 1, 1982	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	Pasteurized Milk Ordinance	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt	
	02 NCAC 09K .0109	SAMPLING AND TESTING FOR FRESH MILK SAMPLES	Amended Eff. June 1, 1984	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	Pasteurized Milk Ordinance	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt	
	02 NCAC 09K .0112	SAMPLING CREAM	Amended Eff. December 31, 1983	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	Pasteurized Milk Ordinance	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt	
	02 NCAC 09K .0113	PROCEDURE FOR TESTING CREAM	Amended Eff. January 1, 1985	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	Pasteurized Milk Ordinance	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt	
	02 NCAC 09K .0114	REFERENCE METHOD	Amended Eff. April 1, 1985	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	Pasteurized Milk Ordinance	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt	
	SECTION .0200 - FROZEN DESSERTS	02 NCAC 09K .0201	SPECIFIC REQUIREMENTS	Eff. February 1, 1982	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		02 NCAC 09K .0202	DEFINITIONS	Eff. February 1, 1982	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
02 NCAC 09K .0203		INSPECTION CERTIFICATES	Eff. February 1, 1982	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt	
02 NCAC 09K .0204		SUSPENSION OF INSPECTION CERTIFICATE/PENALTIES	Eff. February 1, 1982	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt	
02 NCAC 09K .0205		STANDARDS FOR MOBILE FROZEN DESSERT UNITS	Eff. February 1, 1982	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt	
02 NCAC 09K .0206		FROZEN DESSERT MIX/STANDARDS FOR USE	Amended Eff. April 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt	
02 NCAC 09K .0207		FROZEN DESSERT MIX/STANDARD OF IDENTITY	Eff. February 1, 1982	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt	
2 NCAC 09K .0208		DIETARY FROZEN DESSERT STANDARDS	Eff. February 1, 1982	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt	
02 NCAC 09K .0209		QUIESCENTLY FROZEN DAIRY CONFECTIONS	Eff. February 1, 1982	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt	

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	02 NCAC 09K .0210	QUIESCENTLY FROZEN CONFECTIONS	Eff. February 1, 1982	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	02 NCAC 09K .0211	IMITATION FROZEN DESSERT STANDARDS	Eff. February 1, 1982	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	02 NCAC 09K .0212	BACTERIAL PLATE COUNT AND COLIFORM COUNTS	Amended Eff. January 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	02 NCAC 09K .0213	STANDARDS OF IDENTITY FOR MILKSHAKES AND RELATED PRODUCTS	Amended Eff. August 1, 1982	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	02 NCAC 09K .0214	STANDARDS OF IDENTITY FOR FROZEN YOGURT	Amended Eff. July 1, 2000	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt