

TITLE 2

DEPARTMENT OF AGRICULTURE

CHAPTER 1
ADMINISTRATION

Authority

N.J.S.A. 4:1-11, 52:14B-3(1) and (2); 52:14B-4(b);
42 U.S.C. 12101 et seq. and 28 C.F.R. 35.107.

Source and Effective Date

R.2001 d.115, effective April 2, 2001.
See: 33 N.J.R. 149(a), 33 N.J.R. 1081(a).

Executive Order No. 66(1978) Expiration Date

Chapter 1, Administration, expires on April 2, 2006. Subchapter 4, Disability Discrimination Grievance Procedure, is exempt from the operation of Executive Order No. 66(1978).

Chapter Historical Note

Chapter 1, Administration, was adopted prior to September 1, 1969.

Pursuant to Executive Order 66(1978), Subchapter 2, Organization, was readopted by R.1983 d.528, effective November 1, 1983. See: 15 N.J.R. 1538(a), 15 N.J.R. 1939(d).

Pursuant to Executive Order No. 66(1978), Chapter 1, Administration, expired on September 3, 1990.

Chapter 1, Administration, was adopted as new rules by R.1990 d.579, effective November 19, 1990. See: 22 N.J.R. 2865(a), 22 N.J.R. 3478(b).

Subchapter 4, Disability Discrimination Grievance Procedure, was adopted as new rules by R.1993 d.274, effective June 7, 1993. See: 25 N.J.R. 1314(a), 25 N.J.R. 1338(a), 25 N.J.R. 2247(b), 25 N.J.R. 2859(a).

Pursuant to Executive Order No. 66(1978), Subchapter 2, Organization, and Subchapter 3, Rules of Practice, were readopted as R.1995 d.566, effective October 4, 1995. See: 27 N.J.R. 2825(a), 27 N.J.R. 4279(b).

Subchapter 1, Designation of Additional Organizations to the Annual State Agricultural Convention, was adopted as R.1998 d.483, effective September 21, 1998. See: 30 N.J.R. 2549(a), 30 N.J.R. 3459(a).

Pursuant to Executive Order No. 66(1978), Subchapter 1, Designation of Additional Organizations to the Annual State Agricultural Convention, Subchapter 2, Organization, and Subchapter 3, Rules of Practice, expired on October 4, 2000.

Subchapter 1, Designation of Additional Organizations to the Annual State Agricultural Convention, Subchapter 2, Organization, and Subchapter 3, Rules of Practice, were adopted as new rules by R.2001 d.115, effective April 2, 2001. See: Source and Effective Date.

Administrative Change: Pursuant to Reorganization Plan No. 003-2002, the Division of Dairy and Commodity Regulation and the Division of Markets were renamed Division of Marketing and Development, effective February 17, 2003. See: 35 N.J.R. 3(a), 35 N.J.R. 1539(b).

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SUBCHAPTER 1. DESIGNATION OF
ADDITIONAL ORGANIZATIONS TO THE
ANNUAL STATE AGRICULTURAL
CONVENTION

2:1-1.1 Purpose and scope

(a) This subchapter sets forth the criteria and approval procedure for additional agricultural organizations to participate in the annual New Jersey Agricultural Convention pursuant to P.L. 1997, c.312.

(b) This subchapter applies to any agricultural organization seeking approval to participate in the annual convention.

2:1-1.2 Criteria for agricultural organizations seeking
membership in the New Jersey Agricultural
Convention

(a) An organization seeking membership in the New Jersey Agricultural Convention shall have as its primary purpose the advancement of an agricultural interest, an agricultural sector, or agricultural production and marketing in the State.

(b) The organization shall be incorporated for a minimum of one year prior to membership application, and maintain its headquarters in New Jersey.

(c) The organization shall include a membership that is Statewide or regional in area, or serve Statewide or regional agricultural interests.

(d) The organization shall have a majority of its membership based in New Jersey.

(e) The organization shall have been organized and active in the State of New Jersey for three years.

(f) The organization shall not represent the identical interest, commodity, or membership as is represented by a current member of the State Agricultural Convention.

2:1-1.3 Procedure for making application

(a) An organization shall make application, on forms provided by the Department of Agriculture, by no later than July 1 in any year.

(b) An organization shall provide the following information in its application, as characterized in N.J.A.C. 2:1-1.2:

1. The name, address and telephone number of the organization;
2. The primary purpose of the organization;
3. The date the organization was organized, its date of incorporation and where it is headquartered; and
4. Where the majority of its membership live.

(c) The State Board shall determine and report, within 60 days of a request based on a complete application, its decision to the applicant organization.

(d) Approval of an application shall make the organization eligible for a delegate to all future agricultural conventions provided it continues to meet the criteria set forth in N.J.A.C. 2:1-1.2.

SUBCHAPTER 2. ORGANIZATION

2:1-2.1 Department responsibilities

The State Department of Agriculture is responsible for development, regulatory, service, promotion and information programs in support of agriculture and agribusiness and those natural and renewable resources associated with agriculture and open lands for the benefits of all citizens as prescribed in Titles 4, 5, 13, 24, 54 and other applicable titles in the New Jersey Statutes Annotated.

2:1-2.2 Tables of organization

Tables showing the organization of the Department and the major sections within each Division are appended to the end of this chapter.

2:1-2.3 Functions of departmental units

(a) Functions of the various units within the State Department of Agriculture are as follows:

1. The State Board of Agriculture is the head of the Department and consists of eight farmers of the State engaged in the production of farm crops or livestock. The State Board of Agriculture, with the approval of the Governor, appoints the Secretary of Agriculture who serves as the principal executive officer of the Department and secretary to the Board. The Board has the authority to establish rules and regulations for its own proceedings and for the government, control and program performance of the Department.

2. The Office of the Secretary is responsible for the executive management, policy development, legislative liaison, public information programs and legal services for the Department and the State Board of Agriculture.

3. The Office of Operations provides personnel, budget, accounting, training, information technology and administrative support services to the Divisions.

4. The Division of Animal Health is responsible for programs for the prevention, control and eradication of livestock and poultry diseases affecting such livestock, livestock products, and human health.

5. The Division of Marketing and Development operates programs which foster a stable and competitive dairy industry; conducts quality assurance programs for agricultural inputs; regulates credit buyers of perishable agricultural products; performs agricultural product grading and inspection; and promotes food safety by conducting third party audits on fresh produce. The Division of Marketing and Development also provides market development services, market news, support for agricultural cooperatives, fairs and shows, equine programs, and product promotions.

6. The Division of Plant Industry is responsible for programs to detect, prevent, control and eradicate pests and diseases of plants, trees and bees; conducts beneficial insect development and production; and provides seed certification and control.

7. The Division of Rural Resources provides programs and services to support farming, agricultural and rural development, soil and water conservation, agricultural statistics, agricultural economic viability, aquaculture/fish/seafood development, and agricultural education and youth agricultural leadership.

8. Functions of units assigned to the State Department of Agriculture are as follows: